

ORDINANCE NO. 3380

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTERS 2.25, "GENERAL RULES FOR BOARDS AND COMMISSIONS," AND 2.32 "RESOURCE CONSERVATION COMMISSION," CHANGING THE COMMISSION NAME TO THE "SUSTAINABILITY COMMISSION"

WHEREAS, in 1980, the City Council adopted Ordinance No. 1928 renaming the Environmental Control Commission to the Resource Conservation Commission reflective of the changing responsibilities of the commission; and

WHEREAS, in 2008, the City Council adopted Ordinance No. 3111 adding Municipal Code Chapter 2.25, General Rules for Boards and Commissions; and

WHEREAS, in 2016, the City restructured the Economic Development Department creating the Office of Sustainability Section from the Conservation and Environmental Services Sections; and

WHEREAS, the Economic Development Department Office of Sustainability provides the administrative support, working in conjunction with the Resource Conservation Commissioners; and

WHEREAS, the Resource Conservation Commission feels that the word "Sustainability" more clearly describes the work they do and recommends to City Council to change the name of the commission.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain to change the name of the Resource Conservation Commission to the Sustainability Commission modifying the City Municipal Code as follows:

**Section I.**

- a) That sections 2.25.020, 2.25.030, and 2.25.040 of Chula Vista Municipal Code Chapter 2.25 "General Rules for Boards and Commissions," be amended to read as follows:

**2.25.020 Definitions**

For purposes of this chapter, the following words are defined:

B. “Boards and commissions” include: (1) boards and commissions established by the Chula Vista Charter: Board of Library Trustees, Civil Service Commission, Parks and Recreation Commission, and Planning Commission; and (2) boards and commissions established by the City Council: Access Appeals Board, Board of Appeals and Advisors, Board of Ethics, Charter Review Commission, Child Care Commission, Commission on Aging, Cultural Arts Commission, Economic Development Commission, Growth Management Oversight Commission, Housing Advisory Commission, Human Relations Commission, International Friendship Commission, Mobilehome Rent Review Commission, Safety Commission, Sustainability Commission, Veterans Advisory Commission, and other boards or commissions subsequently created by City Charter or ordinance.

b) That CVMC Chapter 2.32 be amended to read as follows:

**SUSTAINABILITY COMMISSION\***

Sections:

- 2.32.010 Creation.
- 2.32.020 Purpose and intent.
- 2.32.030 Statement of City goals and policies.
- 2.32.040 Functions and duties.
- 2.32.050 Administrative functions.
- 2.32.060 Membership.
- 2.32.070 Meeting schedule.
- 2.32.090 *Repealed.*
- 2.32.100 *Repealed.*

\* For provisions of the Environmental Quality Act of 1970 generally, see Public Resources Code 21000, et seq.; for provisions authorizing attorney general intervention in matters of environmental concern, see Gov. Code § 12600, et seq.

Prior legislation: Prior code § 1.718, Ords. 1299 and 1310.

**2.32.010 Creation.**

The Resource Conservation Commission was created by ordinance in 1980; that Commission has been renamed the Sustainability Commission (the “Commission”). The provisions of Article VI of the City Charter, Chapter 2.25 CVMC and this chapter shall govern this Commission. (Ord. 3211 § 6, 2011; Ord. 3198 § 3, 2011; Ord. 1928 § 2, 1980).

**2.32.020 Purpose and intent.**

It is the purpose and intent of the City Council, in establishing the Commission, to create a broadly based multi-functional commission to provide citizens' advice to the City Council in the areas of energy and water conservation, resource recovery, environmental sustainability, and other related fields as determined by the City Council. The Commission shall also provide citizens' advice to the other boards and commissions, the City Manager and members of the City Manager's staff on these matters. (Ord. 3211 § 6, 2011; Ord. 3198 § 3, 2011; Ord. 1928 § 2, 1980).

**2.32.030 Statement of City goals and policies.**

The goals and policies of the City that relate to the duties of the Sustainability Commission are:

A. Create and maintain sustainable conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations;

B. Take all actions necessary to provide the people with clean air, land, and water, enjoyment of aesthetic, natural and scenic qualities, and freedom from excessive noise;

C. Prevent the elimination of fish or wildlife species due to population intrusion, assist in assuring that these populations do not drop below self-perpetuating levels, and preserve for future generations representations of indigenous plant and animal communities;

D. Ensure that the long-term protection of the environment shall be the guiding criterion in decisions by the City;

E. Maximize the conservation and efficient utilization of nonrenewable energy resources, and encourage the utilization of renewable energy sources;

F. Maximize the recovery, recycling and reuse of discarded resources and minimize waste generation through City action and cooperation with other public agencies and private concerns;

G. Seek the fair treatment and meaningful involvement of all Chula Vista citizens with respect to the development, implementation and enforcement of environmental laws, regulations and policies;

H. Minimize any conflict with any national, state, regional or local environmental goals. (Ord. 3211 § 6, 2011; Ord. 3198 § 3, 2011; Ord. 1928 § 2, 1980).

**2.32.040 Functions and duties.**

A. The Commission shall provide the City Council with a citizens' assessment of the following:

1. The effectiveness of proposed goals, policies, procedures and regulations of the City in accomplishing the purpose, intent and goals of this chapter;
2. The extent to which the capital improvement program implements this chapter;

B. The Commission may submit to the City staff, other boards or commissions, or the City Council recommendations concerning existing or new goals, policies, procedures or regulations necessary to implement this chapter;

C. The Commission may recognize individuals or groups in the community who have implemented notable measures to foster the purpose, intent and goals of this chapter;

D. The Commission may hold hearings relating to any matter under investigation or in question before this Commission;

E. With regard to energy and water conservation and resource recovery:

1. The Commission shall review and make a recommendation to the City Council for the disposition of appeals regarding the administration of CVMC Title 20, Energy and Water Conservation, except those portions which are within the scope of the Board of Appeals and Advisors and the Planning Commission.

2. The Commission shall review and make a recommendation to the City Council for the disposition of appeals regarding the administration of Chapter 8.24 CVMC, Solid Waste and Litter, and Chapter 8.25 CVMC, Recycling, except those portions which are within the scope of the Planning Commission. (Ord. 3211 § 6, 2011; Ord. 3198 § 3, 2011; Ord. 1928 § 2, 1980).

**2.32.050 Administrative functions.**

A. In the event that private funds or funds from other governmental agencies are made available for special projects, surveys, educational programs or general program support, the City Manager is authorized, upon recommendation of the Commission and approval of the Council, to enter into appropriate contracts for the utilization of such funds in furtherance of the purpose and intent of, and the duties and functions of, the Commission.

B. The Sustainability Commission shall have no power or right to acquire any property for or on behalf of itself or the City, nor shall it acquire or hold any money for itself or on behalf of the City. (Ord. 3211 § 6, 2011; Ord. 3198 § 3, 2011; Ord. 1928 § 2, 1980).

**2.32.060 Membership.**

The Sustainability Commission shall consist of seven members, to be appointed in accordance with Article VI of the City Charter and Chapter 2.25 CVMC. (Ord. 3211 § 6, 2011).

**2.32.070 Meeting schedule.**

The Commission shall hold its regular meetings on the second Monday of each month at a place and time determined by resolution of the Commission. The Commission may change its regular meeting day, time, or location by written resolution in accordance with CVMC 2.25.200. (Ord. 3211 § 6, 2011).

**2.32.090 Historical site permit process.**

*Repealed by Ord. 3198 § 3, 2011.* (Ord. 1928 § 2, 1980).

**2.32.100 Implementation of Sustainability Commission functions in designated areas by Chula Vista redevelopment corporation.**

*Repealed by Ord. 3153 § 2 (Exh. B), 2010.* (Ord. 3009 § 2, 2005).

**Section II. Severability**

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

**Section III. Construction**

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

**Section IV. Effective Date**

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

**Section V. Publication**

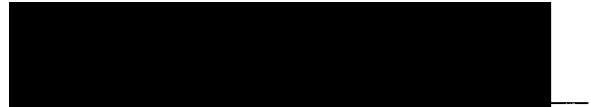
The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by



Eric C. Crockett  
Director of Economic Development

Approved as to form by



Glen R. Googins  
City Attorney

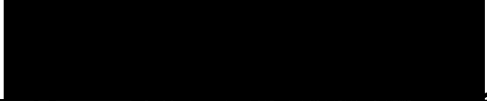


PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 8th day of November 2016, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, McCann, Miesen, and Salas

NAYS: Councilmembers: None

ABSENT: Councilmembers: None

  
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Mary Salas, Mayor

ATTEST:

  
\_\_\_\_\_  
Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3380 had its first reading at a regular meeting held on the 1st day of November 2016 and its second reading and adoption at a regular meeting of said City Council held on the 8th day of November 2016; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

11/15/16  
Dated

  
\_\_\_\_\_  
Donna R. Norris, CMC, City Clerk