

ORDINANCE NO. 3449

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
VARIOUS CHAPTERS OF TITLE 2 OF THE CHULA VISTA  
MUNICIPAL CODE, RELATED TO THE BOARD OF ETHICS  
APPOINTMENT PROCESS AND THE FUNCTIONS AND  
DUTIES OF THE BOARD OF ETHICS AND CHARTER  
REVIEW COMMISSION

WHEREAS, Chula Vista Municipal Code chapter 2.25 provides general rules, including appointment processes, applicable to the City's boards and commissions; and

WHEREAS, the current Board of Ethics appointment process calls for a panel consisting of two local city managers to interview applicants and make recommendations for appointments to the Council; and

WHEREAS, on June 13, 2017, the City Council made a referral to staff to research and propose alternative appointment processes, in response to local city managers requesting to be removed from the appointment process; and

WHEREAS, the City Council desires to change the composition of the interview panel so that it consists of a member from each the Board of Ethics and Charter Review Commission, instead of local city managers.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

**Section I.** Various chapters of Title 2 of the Chula Vista Municipal Code are hereby amended as follows:

*[Chapters and sections in Title 2 that are not specifically listed below remain unchanged.]*

**Chapter 2.25 – GENERAL RULES FOR BOARDS AND COMMISSIONS**

**2.25.050 Membership – Applications – Interview, nomination and appointment process.**

*[Subsections 2.25.050 A through C remain unchanged.]*

D. The Mayor shall forward applications for membership on the Board of Ethics for review by a panel consisting of one Charter Review Commission member appointed by the Charter Review Commission and one Board of Ethics member appointed by the Board of Ethics. The panel shall review the applications, select applicants to be interviewed, interview selected applicants, and recommend (by unanimous decision of the panel) one applicant for each available seat to the City Council for appointment. If the panel is unable to reach a unanimous decision, the panel shall notify the City Clerk, so that additional applications may be considered.

*[Subsections 2.25.050 E through J remain unchanged.]*

Ordinance No. 3449

Page No. 2

**Chapter 2.28 – BOARD OF ETHICS**

**2.28.030 Function and duties of the Board of Ethics.**

*[Subsection E is added to 2.28.030 as follows:]*

E. To participate in the selection and nomination of members of the Board of Ethics, in accordance with Section 2.25.050.

**Chapter 2.29 – CHARTER REVIEW COMMISSION**

**2.29.030 Functions and duties.**

*[Subsection F is added to 2.29.030 as follows:]*

F. To participate in the selection and nomination of members of the Board of Ethics, in accordance with Section 2.25.050, and to carry out the duties specified in Chula Vista Charter section 300.5 with respect to the selection of commission members for the Districting Commission.

**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.

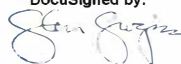
**Section V. Publication**

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

Approved as to form by

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Kerry K. Bigelow, MMC  
City Clerk


Glen R. Googins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 8th day of January 2019, by the following vote:

AYES: Councilmembers: Diaz, Galvez, McCann, Padilla, and Casillas Salas

NAYS: Councilmembers: None

ABSENT: Councilmembers: None

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Mary Casillas Salas, Mayor

ATTEST:

DocuSigned by:  
  
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Kerry K. Bigelow, MMC, City Clerk

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

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3449 had its first reading at a regular meeting held on the 18th day of December 2018 and its second reading and adoption at a regular meeting of said City Council held on the 8th day of January 2019; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

1/15/2019

Dated

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Kerry K. Bigelow, MMC, City Clerk