

ORDINANCE NO. 877

AN ORDINANCE OF THE CITY OF CHULA VISTA PROPOSING AND SUBMITTING TO THE ELECTORS OF SAID CITY AT THE MUNICIPAL GENERAL ELECTION TO BE HELD IN SAID CITY ON THE 14th DAY OF APRIL, 1964, CERTAIN PROPOSITIONS TO AMEND THE CHARTER OF THE CITY OF CHULA VISTA

The City Council of the City of Chula Vista does ordain as follows:

Section 1. Pursuant to the provisions of Section Eight of Article Eleven of the Constitution of the State of California, the City Council of the City of Chula Vista, being the legislative body thereof, hereby proposes and submits to the qualified voters of said City at the Municipal General Election to be held in said City on the 14th day of April, 1964, the following propositions to amend the present Charter of said City:

PROPOSITION A.

Amend Article V of the Charter of the City of Chula Vista to be and to read as follows:

ARTICLE V - OFFICERS AND EMPLOYEES, Section 511

(a) The City Council shall not appoint to a salaried position under the City Government any person who is a relative by blood or marriage within the third degree of any one or more of the members of such City Council, provided that such prohibition shall not apply to persons who achieved permanent salaried status prior to the date upon which any such relative became elected or appointed to such City Council.

(b) No department head or other officer having appointive power shall appoint to a salaried position under the City Government any person who is a relative of such appointing authority within the third degree by blood or marriage, provided that such prohibition shall not apply to persons who achieved permanent salaried position prior to the effective date of such appointing authority assuming such position, and provided the Chief Administrative Officer approves in writing such appointment.

PROPOSITION B.

Amend Article XII of the Charter of the City of Chula Vista to be and to read as follows:

ARTICLE XII - BOARD OF EDUCATION, Section 1200

There shall be a board of education which shall consist of five members elected from the school district at large, at the times and in the manner in this Charter provided, and who shall serve a term of four years and until their successors are elected and qualified. Members of the board of education shall receive no compensation for their services as such, but each member shall be entitled to receive the sum of Twenty-Five Dollars (\$25.00) per month which amount shall be deemed to be reimbursement of out-of-pocket expenditures and costs imposed upon such member for serving on the board of education. Such payments shall commence upon the filing with the City Clerk a true copy of a Resolution or Ordinance declaring that it is the desire of the Board of Education to receive such payments; unless such Resolution or Ordinance is adopted or passed by the board of education such payments shall not be made.

PROPOSITION C.

Amend Article XII of the Charter of the City of Chula Vista to be and to read as follows:

ARTICLE XII - BOARD OF EDUCATION, Section 1203

Generally. A vacancy in the board of education from whatever cause arising shall be filled by appointment by the board of education within sixty (60) days after such vacancy occurs; the board's power to fill such vacancy by appointment shall cease upon the expiration of the said sixty (60) day period. Such appointee shall hold office until the next general municipal election and until his successor is elected and qualified. At the next general municipal election following any vacancy, a new member shall be elected to serve for the remaining period of any unexpired term.

Declaration of vacancy. If a member of the board of education absents himself from all regular meetings of the board for a period of sixty days, consecutively, unless by permission of the board expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be an elector of the school district, his office shall become vacant and shall be so declared by the board of education.

PROPOSITION D.

Amend Article III of the Charter of the City of Chula Vista to be and to read as follows:

ARTICLE III - CITY COUNCIL, Section 303

A vacancy in the city council from whatever cause arising, shall be filled by appointment by the city council, within sixty (60) days after such vacancy occurs. The city council's power to fill such vacancy shall cease upon the expiration of such sixty (60) day period. Such appointee shall hold office until the first Tuesday following the next general municipal election and until his successor is qualified. At the next general municipal election following any vacancy, a councilman shall be elected to serve for the remainder of any unexpired term.

If a member of the city council absents himself from all regular meetings of the city council for a period of sixty (60) days consecutively from and after the last regular city council meeting attended by such member, unless by permission of the city council expressed in its official minutes, or is convicted of a crime involving moral turpitude, his office shall become vacant.

The city council shall declare the existence of any vacancy. In the event it shall fail to fill a vacancy by appointment within thirty (30) days after such office shall have been so declared vacant, it shall forthwith cause an election to be held to fill such vacancy.

PROPOSITION E.

Article XIII of the Charter of the City of Chula Vista dealing with the City Court shall be deleted and repealed.

Section 2. Said propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form provided by law.

Section 3. The method of voting upon said charter propositions shall be as provided in the Elections Code of the State of California, and on the ballots to be used at said general municipal election, in addition to any other matters required by law, there shall be printed substantially the following:

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CITY OF CHULA VISTA  
CHARTER AMENDMENTS

PROPOSITION A.  
Amends Article V, Section 511 relating to Nepotism to exclude from the operation of the Section any relative within the prohibited degree who had achieved permanent status prior to the time any such relative is seated on the Council or becomes a Department Head, provided that in the case of a Department Head being the appointing authority the approval of the Chief Administrative Officer is also required.

YES

NO

PROPOSITION B.  
Amends Article XII, Section 1200 to provide that members of the Board of Education may receive \$25.00 per month expense money. Such payments may be made after furnishing the City Clerk with a copy of Resolution or Ordinance of the Board of Education authorizing same.

YES

NO

PROPOSITION C.  
Amends Article XII, Section 1203. This amendment provides that in case of vacancy on the Board of Education, the Board must fill such vacancy by appointment within sixty days or the vacancy will be filled at the next general municipal election.

YES

NO

PROPOSITION D.  
Amends Article III, Section 303. This amendment provides that in case of vacancy on the City Council, the Council must fill such vacancy by appointment within sixty days or the vacancy will be filled at the next general municipal election.

YES

NO

PROPOSITION E.  
Deletes and repeals Article XIII relating to the City Court.

YES

NO

Section 4. Said propositions shall be designated on the ballot by letters printed on the left margin of the square containing the description of the measure, as provided in Section 10231 of the Elections Code of the State of California. Only qualified voters of the City of Chula Vista shall be permitted to vote at said election.

Section 5. The City Clerk of said City shall, within fifteen (15) days after its final passage, cause this ordinance to be published once in the Chula Vista Star-News, a newspaper of general circulation, printed and published in the City of Chula Vista. No other notice of such election need be given. This ordinance shall take effect, and be in force from and after its passage.

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ADOPTED AND APPROVED by the CITY COUNCIL of the  
CITY OF CHULA VISTA, CALIFORNIA, this 18th day of February,  
1964, by the following vote, to-wit:

AYES: COUNCILMEN DeGraaf, McMains, McAllister, Menzel

NAYES: COUNCILMEN None

ABSENT: COUNCILMEN Smith

*Heath D. Menzel*  
Mayor of the City of Chula Vista

ATTEST *Kenneth P. Campbell*  
City Clerk

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

I, KENNETH P. CAMPBELL, City Clerk of the City of Chula  
Vista, California, DO HEREBY CERTIFY that the above and foregoing  
is a full, true and correct copy of \_\_\_\_\_,  
and that the same has not been amended or repealed.

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

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