

(R-85-365)

RESOLUTION NUMBER R- 261492

ADOPTED ON SEP 10 1984

WHEREAS, in recent months, several Councilmembers expressed an interest in clarifying some procedural aspects of Council Policy 000-13 relating to Appointments to Boards and Commissions; and

WHEREAS, as a result thereof, the Council directed the City Clerk, City Attorney and Rules Committee Consultant to address its stated concerns and return to the Council with recommendations for amendments to said policy; and

WHEREAS, the aforementioned staff met and discussed the ramifications of and possible changes to said policy; and

WHEREAS, as a result of such analysis and discussions the City Clerk has promulgated and presented to the Rules Committee four (4) alternative proposals to update Council Policy 000-13 to eliminate ambiguities and designated responsibilities; and

WHEREAS, said analysis and recommendations are set forth in an Action Report prepared by the City Clerk, identified as Report No. CC-84-04, dated July 27, 1984, proposing four (4) alternatives with attachments thereto appropriately identified; and

WHEREAS, Rules Committee Consultant Analysis 84-16, dated August 13, 1984, was prepared for the purpose of presentation to the Rules Committee, recommending therein adoption of Alternative #4 of the City Clerk's report; and

WHEREAS, the Rules Committee discussed the matter at its regularly scheduled meeting of August 13, 1984 and considered at length the alternatives contained in the City Clerk's Action Report No. CC-84-04 and the staff recommendations in respect thereto; and

WHEREAS, the Rules Committee considered further the ramifications and procedural aspects of the four (4) alternatives and concluded that Alternative #1 was best suited for Council purposes both as to clarity and simplicity; and

WHEREAS, it was further decided that the notification periods, both for Council and Mayoral appointments be established at 30 days for purposes of consistency; and

WHEREAS, the Rules Committee on August 13, 1984, approved the above recommended amendments to Council Policy 000-13 without dissent and now forwards the matter to the full Council for affirmative action consistent with its recommendations; NOW, THEREFORE,

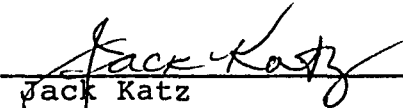
BE IT RESOLVED, by the Council of The City of San Diego, that Council Policy 000-13 be and it is hereby amended to reflect the language set forth in the City Clerk's Action Report No. CC-84-04, dated July 27, 1984, as set forth with particularity in Alternative #1 attached thereto, a copy of which is on file in the Office of the City Clerk as Document No. RR- 261492, and the copy prepared by the City Attorney, attached hereto as Attachment A.

BE IT FURTHER RESOLVED, that notwithstanding the adoption of the language of Alternative #1, it is hereby further declared

that the notification period for Mayoral appointments be and it is hereby amended to be thirty (30) days in lieu of the twenty-one (21) day period presently provided.

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby directed to make the necessary changes to the official Council Policy Manual and publish and distribute this amended policy as may be necessary and required.

APPROVED: John W. Witt, City Attorney

By   
Jack Katz  
Chief Deputy City Attorney

JK:js:011.1  
08/27/84  
Attachment  
Or.Dept:Mayor/Rules  
R-85-365  
Form=r.none

FILED SEP 10 1984  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

ATTACHMENT A

COUNCIL POLICY NO. 000-13PURPOSE

It is the intention of the City Council to establish a uniform procedure for the appointment and confirmation of members of commissions, boards, committees, authorities, districts, and councils pursuant to the provisions of this policy and California Government Code sections 54970 through 54974.

POLICY

When a vacancy occurs or is expected to occur on a commission or advisory body to which the Mayor has the power of appointment, the Mayor shall notify each member of the Council by memorandum of such vacancy or expected vacancy and request nominees for the Mayor's consideration in making an appointment to fill the vacancy. Each Council member may, but is not required to, submit the name of one nominee, with attendant supporting information, to the Mayor within thirty days after receiving the notification of the vacancy.

Notification shall be deemed effective upon receipt of the Mayor's memorandum, as indicated by the Council office time and date stamp. At the close of the thirty day response period, the Mayor shall then cause to be placed on the next regularly scheduled Council meeting docket the matter of the appointee the Mayor has selected to fill the vacant position. The appointee shall, if a majority of Council members agree, appear before the Council. The Council shall confirm or deny the Mayor's recommended appointee to the vacant position. If the confirmation of the Mayor's recommended appointee is denied, the Mayor shall cause to be placed on the next regularly scheduled Council meeting docket the matter of the Mayor's appointment to fill the vacant position.

When a vacancy occurs or is expected to occur on a commission or advisory body to which the City Council has the power of appointment, the City Clerk shall notify each member of the Council by memorandum of such vacancy or expected vacancy and request Council members to submit to the Mayor no later than thirty days after said notification the name of one nominee to fill the vacancy, together with any information in support of such nominee. Notification shall be deemed effective upon receipt of the City Clerk's memorandum, as indicated by the Council office time and date stamp. The Council shall comply with the charge contained in Charter Section 42 to "take into

01602

R- 261492

consideration sex, race, and geographical area so that the membership of such commissions, boards, committees or panels shall reflect the entire community." The Mayor shall notify the City Council by memorandum of the nominees to fill the vacancy. No earlier than one week after the issuance of his memorandum, the Mayor shall cause to be placed on the next available Adoption Agenda of a regularly scheduled Council meeting the matter of discussion by the Council of the nominees. The Council shall consider all such nominees and select a nominee to fill the vacancy.

It is the intent of the Mayor and City Council that persons recommended as appointees to any City agency pursuant to this policy shall be residents of the City of San Diego. However, when a person with unique qualifications is available to serve, and who is a resident of San Diego County, but not the City of San Diego, then the Mayor and City Council may make a conscious exception.

The Charter of The City of San Diego and some, but not all, other laws creating commissions, boards, committees, authorities, districts and councils provide limitations on the number of terms or years a member can serve. It is the intent of the Mayor and City Council that persons recommended as appointees to any City agency pursuant to this policy shall be governed by the maximum length of service provisions of the Charter so that appointees shall be limited to two (2) full consecutive terms or eight (8) consecutive years in office, whichever is longer; with one term or four (4) years, whichever is longer, intervening before they become eligible for reappointment.

It is the intention of this policy to take cognizance of and comply with the provisions of sections 54972 through 54974 of the California Government Code.

#### Selection Procedure

The following procedure is for selection of nominees for vacancies on a board, commission or other advisory body to which the City Council has the power of appointment. As defined in Charter Section 15 a majority vote refers to the vote of a majority of the members elected to the Council. If multiple vacancies on the same board, commission or advisory body are to be filled, an election will be held to fill all vacancies at one time. The following procedure shall be used to fill single or multiple vacancies:

1. The Mayor calls on each candidate whose name appears on the docket as a nominee to make a presentation to the Council in support of his candidacy for appointment (maximum three (3) minutes presentation each).

01603

R- 261492

2. The Mayor calls on members of the Council to ask brief questions of any of the candidates concerning either the presentation or matters contained in their application filed with the City.
3. If the number of nominees equals the number of vacancies the nominees may be elected by general consent or acclamation to fill the positions.
4. If the number of nominees is greater than the number of vacancies an election to fill all the vacancies shall be held at one time as follows:
  - a. The City Clerk provides ballots to the Council and each Council Member votes for the candidates he/she feels to be most qualified for each vacancy and returns the ballots to the City Clerk. Each Council Member has one vote per vacancy.
  - b. The candidate(s) receiving the highest number of votes (minimum of five) shall be appointed to the vacancy(ies).
  - c. If there is one vacancy and no candidate receives a minimum of five (5) votes the Council may limit the slate to the two highest vote getters as finalists. The finalist receiving a majority shall be appointed to the vacancy.
  - d. In a multiple vacancy situation, if no candidates receive a minimum of five votes, balloting would continue until there were sufficient candidates receiving a majority to fill the vacancies. In a tie situation among the top vote getters those candidates would run off for the vacancies. If an insufficient number of candidates receive a majority of votes to fill all vacancies, a run off shall be held among the remaining candidates to fill the remaining vacancies.

01604

R- 261492

Passed and adopted by the Council of The City of San Diego on SEP 10 1984,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

\_\_\_\_\_  
ROGER HEDGECOCK  
Mayor of The City of San Diego, California.

(Seal)

\_\_\_\_\_  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *Paul A. Blacknell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-261492 Adopted SEP 10 1984

44-1734

206 10 1984

RECEIVED  
CITY CLERK'S OFFICE  
1984 AUG 29 PM 1:14  
SAN DIEGO, CALIF.

206 10 1984

01606

1132