

(R-85-707)

RESOLUTION NUMBER R- 261821

ADOPTED ON OCT 29 1984

RESOLUTION AMENDING COUNCIL POLICY NO. 000-13  
REGARDING PROCEDURE FOR MAYOR AND COUNCIL  
APPOINTMENTS.

BE IT RESOLVED, by the Council of The City of San Diego, that Council Policy No. 000-13 entitled, "PROCEDURE FOR MAYOR AND COUNCIL APPOINTMENTS," be and it is hereby amended as set forth in the Council Policy filed in the office of the City Clerk as Document No. RR- 261821 .

BE IT FURTHER RESOLVED, that the City Clerk is hereby instructed to add the aforesaid to the Council Policy Manual.

APPROVED: John W. Witt, City Attorney

By Stuart H. Swett  
Stuart H. Swett  
Chief Deputy City Attorney

SHS:js:011.1  
10/17/84  
Or.Dept:Mayor/Rules  
R-85-707  
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## CITY OF SAN DIEGO, CALIFORNIA

## COUNCIL POLICY

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PURPOSE

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 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.

DOCUMENT NO. PR-261821FILED OCT 29 1984OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

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POLICY (Continued)

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).
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:

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Selection Procedure (Continued)

- 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.

RESPONSIBILITY

It is the intent of the City Council that appointees promptly take the oath of office, are formally advised of any filing requirements pursuant to the conflict of interest code adopted by the agency to which they have been appointed, are provided with required reporting forms and information, and continuing notification and follow-up will be clearly provided by documented procedures; namely,

Responsibility

Mayor  
(staff)

Action

1. Inform appointee of requirement to take oath of office at City Clerk's office.
2. Inform appointee of requirement to file statement of economic interests reporting forms if disclosure is required for the position.

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ResponsibilityAction

City Clerk  
(Deputy)

3. Prepare oath card for appointee. If position requires filing of statement of economic interest, attach a notice to oath card that appointee shall be provided with forms and instructions and must sign an acknowledgement for receipt of materials.
4. Compile sets of forms and information for appointees whose positions require the filing of statements of economic interests.

Appointee

5. Appear at City Clerk's office, take the oath of office and sign the oath card.
6. If the position requires economic interests disclosure, obtain the necessary reporting forms from the Clerk, together with instructional information regarding the reporting and sign acknowledgement receipt for the forms.
7. If required by the agency's conflict of interest code, complete and file the statement of economic interests in accordance with the code instructions.

City Clerk  
(Deputy)

8. Compile and maintain a list of active memberships including status of oaths administered and economic interests disclosure filings, if required. Provide copies of the list to the Mayor; City Attorney and Board/Commission chairpersons.
9. Notify members of annual filing deadlines for statements of economic interests and provide required reporting forms.

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Responsibility

City Clerk  
(Deputy)

Action

10. Receive and file statement of economic interest forms filed by members and appointees.
11. Follow-up on filings and send written notice to delinquent filers advising of requirement to comply with code. (A copy of each notice to be sent to the City Attorney).
12. Advise City Attorney of appointees' or members' failure to file following the sending of written notification.

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Passed and adopted by the Council of The City of San Diego on OCT 29 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

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

(Seal)

By Ellen Bevard Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-261821 Adopted OCT 29 1984

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