

# CITY COUNCIL POLICY

## CITY OF NATIONAL CITY

<b>TITLE: Appointments to Boards and Commissions</b>	<b>POLICY #107</b>
<b>ADOPTED: June 17, 1986</b>	<b>AMENDED: May 19, 2020</b>

### **PURPOSE**

To establish a procedure to serve as a guide in making appointments to various City Boards and Commissions. The City currently has the following boards, commissions, and committees (generally referred to as Boards and Commissions) to which this Policy would apply: Board of Library Trustees; Civil Service Commission; Community and Police Relations Commission; Park, Recreation and Senior Citizens Advisory Committee; Planning Commission; Public Art Committee; Traffic Safety Committee; and, Veterans and Military Families Advisory Committee.

### **POLICY**

#### **Appointment Process**

- A. Opportunity to apply. All interested individuals shall be given an opportunity to submit applications for vacancies on City Board and Commissions. Incumbent Commissioners are not automatically re-appointed but are required to fill out an abbreviated application provided by the City Clerk, indicating their interest in continuing to serve.
- B. Unexpired terms. If an incumbent Commissioner was appointed to fill an unexpired term and the Commissioner has served for less than one year in that position, the Council may re-appoint the incumbent without considering other applicants.
- C. Vacancies. When Commissioner vacancies occur, the following procedure shall be followed:
  1. Schedule vacancy. When a term is or has expired, a public notice of the vacancy shall be made. Interested individuals will be invited to submit applications for the vacancy on a form provided by the City Clerk.
  2. Unscheduled vacancy. An unscheduled vacancy shall be filled pursuant to and consistent with Government Code section 54974, which provides generally as follows: When an unscheduled vacancy occurs, whether due to resignation, death, termination, or other causes, a special vacancy notice shall be posted in the office of the City Clerk and the National City Library, and in other places as directed by the City

Council, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final appointment shall not be made by the City Council for at least 10 working days after the posting of the notice in the City Clerk's office. However, the City Council may, if it finds that an emergency exists, fill the unscheduled vacancy immediately. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made pursuant to this section.

3. Applications will be reviewed by the entire City Council and applicants will be interviewed by the entire City Council.

D. Implementation. Implementation of Council policy for appointment to Boards and Commissions requires the following:

1. Preparation of appointments list by the City Council. On or before December 31 of each year, the City Council via the City Clerk shall prepare an appointments list (known as the Local Appointments List) of all regular and ongoing boards, commissions, and committees which are appointed by the Mayor and/or the City Council, in compliance with Government Code section 54972, which generally requires a list of all appointive terms which will expire during the next calendar year, the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position; and a list of all boards, commissions, and committees whose members serve at the pleasure of the City Council, and the necessary qualifications for each position.
2. Notice. Placement of a legal/public notice in a local San Diego newspaper advertising appointive vacancies;
3. Expiration of term. A letter to be sent to all office holders as their terms expire asking if they would like to re-apply for the position;
4. Interviews. Interviews to be held for those who file applications for all committees with current vacancies. Each applicant will have the opportunity to make a brief (approximately 5 minute) presentation of their interests and qualifications before the City Council at a regular Council meeting. All appointments and interviews before the City Council will be scheduled as needed to fill unexpected vacancies, with every effort to be made before an individual's term expires. Interviews may take place at one meeting, with appointments made at a subsequent meeting.

- E. Vacancies for Council Appointed Positions. If the vacancy is for a Council- appointed position, and there is more than one applicant for a given position, the voting process will proceed as follows
1. Once the interviews are complete, each Councilmember votes for his/her choice via a written ballot. Each Councilmember shall print and sign his/her name on the ballot. All ballots shall be considered a public record and open to inspection by the public.
  2. The ballots are passed to the City Clerk who announces the number of votes for each candidate. In the event of a tie, each Councilmember votes again until one (1) candidate has the majority vote, and is declared to be the new Commissioner.
  3. Re-appointment beyond two terms. Anyone wishing to be re-appointed to any Board or Commission, and has served two or more full terms already, must be approved a four-fifths vote of the Council. In these instances, if all five members of the Council are not present or if one member abstains or recuses his/her vote, the four-fifths requirement would be changes to require only a simple majority.
- F. An automatic vacancy upon becoming a Non-Resident. An unscheduled vacancy automatically occurs when a resident holding an appointment position on a City Board, Committee or Commission becomes a non-resident by moving out of National City limits. When an unscheduled vacancy occurs due to a resident becoming a non-resident, the unscheduled vacancy may be filled as follows:
1. A special vacancy notice shall be posted in the Office of the City Clerk and the National City Library, and in other places as directed by the City Council, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final Appointment at a City Council Meeting, shall not be made by the Appointing Authority for at least 10 working days after the posting of the notice in the City Clerk's Office.
  2. The Appointing Authority may appoint the former resident to a Non-Residential position if a Non-Residential position is vacant.
  3. However, the Appointing Authority may, if it finds that an emergency exist, fill the unscheduled vacancy immediately. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made pursuant to this section.

- G. Only City Residents may be elected to Chair. To be eligible to be elected as the Chairperson of a City Board, Committee or Commission, the member must be a resident of the City.

**Appointing Authority**

Under the Government Code, the Mayor has appointment power to all Boards and Commissions, subject to ratification by the City Council, unless there is a State law which directly, or by implication, grants the appointment power to the City Council. The following is a list of City Boards and Commissions divided between the Mayor and City Council as the Appointment power exists.

**Mayor's Appointments:**

Board of Library Trustees  
Traffic Safety Committee  
Parks, Recreation and Senior Citizens Advisory Committee  
Sweetwater Authority  
Community and Police Relations Commission (CPRC)  
Public Art Committee  
Veterans and Military Families Advisory Committee

**City Council Appointments:**

Planning Commission (including Committee for Housing and  
Community Development)  
Port Commission  
Civil Service Commission

**Related Policy References**

Government Code section 40605  
Government Code section 54970, et.seq.  
National City Municipal Code Title 16 (pending)

**Prior Policy Amendments**

None