

# STAFF REPORT



ITEM NO. 11

# CITY OF OCEANSIDE

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DATE: February 13, 2008  
TO: Honorable Mayor and City Councilmembers  
FROM: City Manager's Office  
SUBJECT: **ADOPTION OF REVISED CITY COUNCIL POLICIES 100-09 AND 100-10**

## **SYNOPSIS**

Staff recommends that the City Council adopt revised City Council Policies 100-09, concerning the quarterly publishing of vacancies for advisory groups; and 100-10, concerning appointments to advisory groups, eliminating the requirement that an application must be submitted to the City Clerk 20 days prior to the appointment.

## **BACKGROUND**

The City Council utilizes a City Council Policy Manual to set certain policies and procedures related to City Council operations. From time to time staff reviews the policies to determine if updates are needed. Staff also requested input from all elected officials. The City Clerk's Office requested the updates to both Policy 100-09 and 100-10 to bring the policies in line with current practice.

## **ANALYSIS**

Staff has determined that City Council Policies 100-09 and 100-10 require updating.

The revised Policy 100-09 requires that vacancies on advisory groups be published quarterly vs. 60 days prior to an appointment and also adds that the vacancy list be placed on the City's Web site. The proposed changes will simply update the policy to conform with current practice.

The revised Policy 100-10 removes the requirement that applications for a City advisory group be submitted 20 days prior to any appointment. The changes to this policy will simply make the policy conform with actual practice.

## **FISCAL IMPACT**

Does not apply.

**COMMISSION OR COMMITTEE REPORT**

Does not apply.

**CITY ATTORNEY'S ANALYSIS**

The City Attorney has reviewed the revised City Council Policies 100-09 and 100-10 and has approved them as to form.

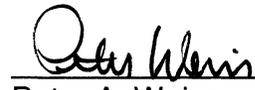
**RECOMMENDATION**

Staff recommends that the City Council adopt revised City Council Policies 100-09, concerning the quarterly publishing of vacancies for advisory groups; and 100-10, concerning appointments to advisory groups, eliminating the requirement that an application must be submitted to the City Clerk 20 days prior to the appointment.

PREPARED BY:

  
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SUBMITTED BY:

  
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Peter A. Weiss  
City Manager

REVIEWED BY:

John P. Mullen, City Attorney

  
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Attachments: Revised City Council Policies 100-09 and 100-10

**SUBJECT:**  
**Vacancies on Commissions,  
Boards and Committees**

**POLICY NUMBER 100-09**  
**ADOPTED 8-10-83**  
**REVISED 12-12-01**  
**REVISED 2-13-08**

It is the policy of the City Council that ~~vacancies on commissions, boards, and committees be published quarterly. T, at least sixty (60) days prior to the appointment of any scheduled or unscheduled vacancy, the City Clerk shall publish a notice of vacancies in the local newspaper and on the City's Web site. The notice shall also be posted in the City Clerk's Office and the Library, with copies sent to all the Community Centers for posting.~~

New applications for a vacancy must be ~~submitted to~~ received by the City Clerk, at least twenty (20) days prior to any appointment. The City Clerk will, in turn, forward such new applications to the City Council for consideration once cleared by the Police Department. The Mayor shall give written notice to the City Council and City Clerk, a minimum of 14 days prior to making appointments.

The City Clerk shall notify the City Council of the upcoming vacancies and shall provide each member with copies of all applications presently on file for that particular Board, Committee or Commission.

All appointments to Boards, Committees and Commissions must adhere to Chapter 2 of the City Municipal Code.

Citizens may only serve on one advisory group at any given time.

Specifically related to the Planning Commission, it is the policy of the City Council that the City Council hold a non-televised workshop for Planning Commission selection interviews.

<b>SUBJECT:</b> <b>Appointments to Commissions, Boards and Committees</b>	<b>POLICY NUMBER</b>	<b>100-10</b>
	<b>ADOPTED</b>	<b>8-10-83</b>
	<b>REVISED</b>	<b>1-16-02</b>
	<b>REVISED</b>	<b>2-13-08</b>

It is the policy of the City Council that appointments to all City Boards, Committees, Commissions and special Task Forces shall be made by the Mayor with concurrence of the legislative body at an appropriate meeting. Every effort will be made to make appointments prior to Committee vacancies.

No person shall be appointed to any Committee, Commission or Board without first filing an application with the City Clerk, ~~at least twenty (20) calendar days~~ prior to the appointment.

Appointments shall be limited to those individuals not then serving on any City Board, Committee, or Commission thereby providing equal opportunity for all to serve.

However, applications may be submitted by an individual wishing to change from one City Board, Committee, or Commission to another. Ad hoc committees shall be excepted from this rule, as shall members serving on one City Board, Committee, or Commission as the designated representative of another.

Appointments to City Boards, Committees or Commissions shall be made in a manner to avoid actual or perceived conflicts of interest under the Political Reform Act, Government Code section 1090, the doctrine of incompatibility of offices and/or any common law conflict of interest. Such conflicts of interest may include, but are not limited to conflicts based upon family relationships, domestic relationships, or employment relationships. Where conflict of interest exists, a member is required to leave the dais. All nominees must pass a background check prior to being appointed.

Any Councilmember may make a nomination to a regional Board, Commission or Joint Powers Authority. The Mayor with the concurrence of the City Council shall make appointments to such bodies unless otherwise provided by statute (Government Code § 40605).

Regarding prospective appointments, no formal recommendation by a City Board, Committee, Commission or Task Force shall be solicited, accepted or considered; however, individual members may informally suggest appointments to individual Councilmembers.

The Mayor shall review Council liaison appointments to all City Boards, Committees and Commissions, and regional Boards, Commissions or Joint Powers Authorities annually in the month of December.