



DATE: March 27, 2013

TO: Honorable Mayor and City Councilmembers

FROM: John P. Mullen, City Attorney

SUBJECT: **INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 2, ARTICLE I OF THE OCEANSIDE CITY CODE ADDING SECTION 2.1.65 ESTABLISHING A PROCESS FOR THE ANNUAL ROTATION OF THE DEPUTY MAYOR POSITION AND ADOPTION OF IMPLEMENTING RESOLUTION**

SYNOPSIS

The City Attorney submits for City Council's consideration the introduction of an ordinance to provide for the annual rotation of the Deputy Mayor position and a resolution to assign numbers to each Council Member to implement the proposed automatic rotation. The proposed resolution also repeals City Council Policy 100-42 that establishes the current Deputy Mayor appointment process. The draft resolution also repeals Resolution 00-061-1 which established a rotation system that was never implemented.

BACKGROUND

On February 27, 2013, the City Council directed the City Attorney to draft an ordinance to provide for the automatic rotation of the Deputy Mayor position. The Council further directed that no Council Member serve as Deputy Mayor during a year when that member faces re-election. The draft ordinance accomplishes this direction. The draft resolution implements the automatic rotation by assigning each Council Member a number. The Deputy Mayor position is rotated as follows in the draft resolution: 2013-Sanchez; 2014-Feller; 2015-Felien; 2016-Kern.¹ When a new member is elected, the City Clerk will be responsible for assigning a number to the new member to ensure that no Council Members serve as Deputy Mayor when their seat is up for election.

If the new ordinance is introduced on March 27, 2013 and adopted April 3, 2013, it becomes effective on May 3, 2013. The resolution assigning numbers for the rotation is proposed to become effective on the same date as the ordinance.

PREPARED BY:



John Mullen, City Attorney

¹ The assignments to Council Members Felien and Kern are contingent upon their re-election in 2014.

1 RESOLUTION NO. _____

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE ASSIGNING NUMBERS TO EACH COUNCIL
4 MEMBER FOR PURPOSES OF IMPLEMENTING AN
5 AUTOMATIC ROTATION FOR THE DEPUTY MAYOR
6 POSITION AND REPEALING COUNCIL POLICY 100-42 AND
7 RESOLUTION 00-R-061-1

8 WHEREAS, on March 27, 2013, the City Council introduced an ordinance to establish
9 an automatic rotation for the assignment of the Deputy Mayor; and

10 WHEREAS, pursuant to the proposed City Code section 2.1.65, the City Council is to
11 assign numbers to each council member for purposes of implementing the annual rotation of the
12 Deputy Mayor position; and

13 WHEREAS, it is the intent of the City Council that no Council Member serve as Deputy
14 Mayor during the fourth year of their term when their office is up for election;

15 NOW THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as
16 follows:

- 17 1. Council Members are assigned the following numbers: Kern-1; Sanchez-2;
18 Feller-3; Felien-4. Kern shall serve as Deputy Mayor in 2013, Sanchez in 2014,
19 Feller in 2015 (if re-elected), and Felien in 2016 (if re-elected). The rotation shall
20 continue thereafter in the same numerical order.
- 21 2. Upon taking the oath of office, any future Council Member shall be assigned a
22 number by the City Clerk to ensure that the new Council Member does not serve
23 as Deputy Mayor during the same year he or she stands for re-election;
- 24 3. City Council Policy 100-42 is repealed;
- 25 4. Resolution No. 00-R061-1 is repealed;
- 26 5. This resolution shall be effective upon the effective date of the ordinance
27 establishing Section 2.1.65 of the Oceanside City Code.

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1 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, at a
2 regular meeting held on the 27th day of March, 2013 by the following vote.

3 AYES:

4 NAYES:

5 ABSENT:

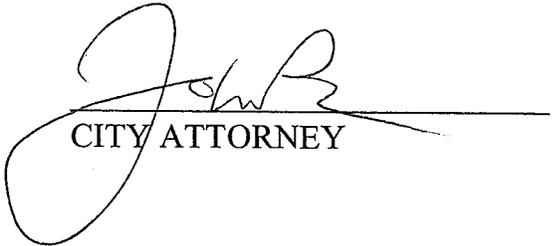
6 ABSTAIN:

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8 _____
MAYOR OF THE CITY OF OCEANSIDE

9 ATTEST:

APPROVED AS TO FORM:

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12 _____
CITY CLERK

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CITY ATTORNEY

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26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ASSIGNING NUMBERS TO EACH COUNCIL
MEMBER FOR PURPOSES OF IMPLEMENTING AN AUTOMATIC ROTATION FOR THE POSITION OF DEPUTY
MAYOR AND REPEALING COUNCIL POLICY 100-42 AND RESOLUTION 00-R-061-1
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1 SECTION 3. This ordinance shall take effect and be in force on the thirtieth (30th) day
2 from and after its final passage.

3 SECTION 4. Severability.

4 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
5 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
6 shall not affect the validity of the remaining portions of this Ordinance. The City Council
7 hereby declares that it would have passed this Ordinance and adopted this Ordinance and each
8 section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section,
9 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

10 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
11 California, held on the ____ day of _____, 2013, and, thereafter,

12 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
13 Oceanside California, held on the ____ day of _____, 2013, by the following vote:

14 AYES:

15 NAYS:

16 ABSENT:

17 ABSTAIN:

18 MAYOR OF THE CITY OF OCEANSIDE

19
20 ATTEST:

APPROVED AS TO FORM:

21
22 _____
CITY CLERK

23 
CITY ATTORNEY