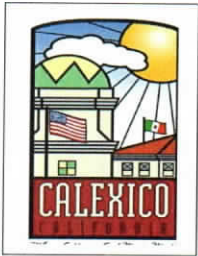


**AGENDA
ITEM**


8




AGENDA STAFF REPORT

DATE: December 16, 2020

TO: Mayor and City Council

APPROVED BY: Miguel Figueroa, City Manager 

PREPARED BY: Gabriela T. Garcia, City Clerk 

SUBJECT: Local Appointments List 2021 in Conformance with the Maddy Act, California Government Code 54970

=====

Recommendation:

Acknowledge Receipt of Report.

Background:

California Government Code 54970 states that on or before December 31 of each year, each legislative body shall prepare an appointments list of all regular and ongoing boards, commissions, and committees which are appointed by the legislative body of the local agency. This list shall be known as the Local Appointments List. The list shall contain the following information:

(a) A list of all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.

(b) A list of all boards, commissions, and committees whose members serve at the pleasure of the legislative body, and the necessary qualifications for each position.

Under Calexico Municipal Code Section 2.19.030 – Eligibility states that to be eligible for, and to hold appointment, each appointee shall neither hold public office, or city employment, nor shall he/she be an officer of any local, state or national partisan official group. All members of commissions, boards and committees of the city shall be residents of the city or shall regularly work within the city. Any members who do not fit the criteria listed herein and who already sit on a commission, board, or committee at the time that this chapter is effective will be allowed to serve out his or her terms of office.

**AGENDA
ITEM
8**

Discussion & Analysis:

In compliance with the requirements of the Maddy Act, Government Code Section 54970, the attached Local Appointments List for positions on City Boards, Commissions and Committees that will have vacancies in 2021 and is presented for City Council review.

Fiscal Impact:

None.

Coordinated With:

None.

Attachment:

1. Local Appointments List.
2. Government Code Section 54970.
3. Ordinance No. 1159.

LOCAL APPOINTMENTS LIST 2021 – MADDY ACT COMPLIANCE

<u>Commissioner Name</u>	<u>Council Member</u>	<u>Date Appointed</u>	<u>Expiration Date</u>
<u>Planning Commission</u>			
Vacant	Rosie Arreola-Fernandez	-----	December 2022
Vacant	Javier Moreno	-----	December 2024
Vacant	Raul Ureña	-----	December 2022
Vacant	Gloria G. Romo	-----	December 2024
Vacant	Camilo Garcia	-----	December 2024
<u>Police Advisory Board</u>			
Daniel Buelna	Rosie Arreola-Fernandez	01-23-2019	December 2022
Vacant	Javier Moreno	-----	December 2024
Vacant	Raul Ureña	-----	December 2022
Vacant	Gloria G. Romo	-----	December 2024
Vacant	Camilo Garcia	-----	December 2024
<u>Arts Commission, Library Board, Historical Commission</u>			
Vacant	Rosie Arreola-Fernandez	-----	December 2022
Vacant	Javier Moreno	-----	December 2024
Vacant	Raul Ureña	-----	December 2022
Vacant	Gloria G. Romo	-----	December 2024
Vacant	Camilo Garcia	-----	December 2024
<u>Economic Development and Financial Advisory Commission</u>			
Esther Gomez	Rosie Arreola-Fernandez	01-23-2019	December 2022
Vacant	Javier Moreno	-----	December 2024
Vacant	Raul Ureña	-----	December 2022
Vacant	Gloria G. Romo	-----	December 2024
Vacant	Camilo Garcia	-----	December 2024
<u>Personnel Commission</u>			
Olivia Valenzuela	Rosie Arreola-Fernandez	01-23-2019	December 2022
Vacant	Javier Moreno	-----	December 2024
Vacant	Raul Ureña	-----	December 2022
Vacant	Gloria G. Romo	-----	December 2024
Vacant	Camilo Garcia	-----	December 2024
<u>Parks, Recreation, Beautification, and Senior Services Commission</u>			
Gabriel Duron	Rosie Arreola-Fernandez	01-23-2019	December 2022
Vacant	Javier Moreno	-----	December 2024
Vacant	Raul Ureña	-----	December 2022
Vacant	Gloria G. Romo	-----	December 2024
Vacant	Camilo Garcia	-----	December 2024

<u>Commissioner Name</u>	<u>Council Member</u>	<u>Date Appointed</u>	<u>Expiration Date</u>
--------------------------	-----------------------	-----------------------	------------------------

Measure H Committee

Jaime Duron	Rosie Arreola-Fernandez	01-23-2019	December 2022
Vacant	Javier Moreno	-----	December 2024
Vacant	Raul Ureña	-----	December 2022
Vacant	Gloria G. Romo	-----	December 2024
Vacant	Camilo Garcia	-----	December 2024

Business Improvement District

Jesus Lopez	Rosie Arreola-Fernandez	01-23-2019	December 2022
Vacant	Javier Moreno	-----	December 2024
Vacant	Raul Ureña	-----	December 2022
Vacant	Gloria G. Romo	-----	December 2024
Vacant	Camilo Garcia	-----	December 2024

Abatement of Dangerous Buildings – This Commission is appointed by the Council at large.
Three (3) Vacant Positions for this commission.

Calexico Housing Authority – This Commission is appointed by the Council at large.

<u>Commissioner Name</u>	<u>Length of Term</u>	<u>Expiration Date</u>
Imelda Romero	4 years	July 18, 2021
Daniel Santillan	4 years	September 3, 2023
Karla Flores	4 years	February 28, 2021
Margaret Sauza	4 years	September 5, 2021
Juan G. Villarreal	4 years	November 6, 2023
Mario Acevedo	2 years	May 1, 2021
Carlos Roldan	2 years	October 23, 2021



State of California

GOVERNMENT CODE

Section 54970

54970. (a) The Legislature finds and declares that a vast and largely untapped reservoir of talent exists among the citizenry of the State of California, and that rich and varied segments of this great human resource are, all too frequently, not aware of the many opportunities which exist to participate in and serve on local regulatory and advisory boards, commissions, and committees.

(b) The Legislature further finds and declares that the general public of this state has traditionally been denied access to information regarding vacancies which occur on such boards, commissions, and committees, thereby denying most citizens and interest groups the opportunity to nominate for consideration by the respective appointive powers persons whose particular strengths, backgrounds, experience, perspective, and talents might contribute significantly to efficient and representative policy development and administration in local government.

(c) The Legislature further finds and declares that the respective local appointive powers have been denied access to a talent resource hitherto untapped.

(d) The Legislature further finds and declares that all citizens of the state, regardless of their place of residence should have equal access to specific and current information about the many local regulating and advisory boards, commissions, and committees and equal opportunity to be informed of vacancies which shall occur thereon, so that they may pursue the opportunity to participate in and contribute to the operations of local government by serving on such boards, commissions, and committees.

(e) It is therefore the intent of the Legislature that this chapter shall apply to all cities and all counties throughout California, including charter cities and charter counties.

(Added by Stats. 1976, Ch. 238.)

ORDINANCE NO. 1159

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO ADOPTING AMENDMENTS TO CHAPTER 2.19 "ELIGIBILITY AND PROCEDURES FOR COMMISSIONS, BOARDS AND COMMITTEES" SECTIONS 2.19.010 THROUGH 2.19.100 OF TITLE 2 "ADMINISTRATION AND PERSONNEL" OF THE CITY OF CALEXICO MUNICIPAL CODE

WHEREAS, the City Council of the City of Calexico has reviewed Chapter 2.19 "ELIGIBILITY AND PROCEDURES FOR COMMISSIONS, BOARDS AND COMMITTEES" of TITLE 2 "ADMINISTRATION AND PERSONNEL;" and

WHEREAS, the City Council of the City of Calexico wishes to adopt amendments to Chapter 2.19 "ELIGIBILITY AND PROCEDURES FOR COMMISSIONS, BOARDS AND COMMITTEES" of TITLE 2 "ADMINISTRATION AND PERSONNEL."

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. CHAPTER 2.19 "ELIGIBILITY AND PROCEDURES FOR COMMISSIONS, BOARDS AND COMMITTEES" Sections 2.19.010 and 2.19.100 of TITLE 2 "ADMINISTRATION AND PERSONNEL" of the Calexico Municipal Code are amended and enacted to read as follows:

SECTIONS

"2.19.010 - Appointments to Commissions, Boards and Committees—Process.

- A. Appointments to all city commissions, boards and committees, shall be made by the following process:
1. When the commission, board or committee consists of five (5) members, each City Council Member will appoint one commissioner, board member or committee member. If after a reasonable amount of time (not to exceed forty-five (45) days after an election is certified or vacancy otherwise exists), a City Council Member has failed to make an appointment, the appointment will be made by a majority vote of the City Council and the appointee shall not be removed from office except by majority vote of the City Council.
 2. When the commission, board or committee consists of seven (7) members, the first five (5) members will be appointed in the following manner: each City Council Member will appoint one commissioner. If after a reasonable amount of time, a City Council Member has failed to make an appointment, the appointment will be made by a majority vote of the City Council. The

appointment of the final two (2) members will be by a majority vote of the City Council.

B. Pursuant to this code and Government Code Section 54974, the following procedures shall be employed in filling vacancies on commissions, boards and committees in the city:

1. The City Clerk shall advise the City Council of the names of those persons whose term of office on a City commission, board or committee will be expiring thirty (30) days prior to such expiration.
2. The City Clerk shall promptly advise the City Council of any unscheduled vacancy whether due to resignation, death, termination or other causes.
 - a. Whenever an unscheduled vacancy occurs in any commission, board or committee for which the City Council has the appointing power, whether due to resignation, death, termination or other causes, a special vacancy notice shall be posted in the office of the City Clerk, and in other places as directed by the City Council not earlier than twenty (20) days before or not later than twenty (20) days after the vacancy occurs. Final appointment to the board, commission or committee shall not be made by the city council for at least ten (10) working days after the posting of the notice in the city clerk's office.
 - b. Notwithstanding subsection (C)(2)(a) of this section, the City Council may, if it finds that an emergency exists, fill the unscheduled vacancy immediately. Such emergency appointments shall be made by the Mayor with the approval of the City Council. 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. The chair of each City commission, board or committee shall notify the City Clerk of any position which should be declared vacant pursuant to the provisions of this code or state law. The City Clerk shall in turn advise the City Council of all such notification.
4. The City Council shall provide by ordinance any additional procedures necessary for appointments to commissions, boards and committees.

2.19.020 Vacancies and Removal of Members.

- A. Any member of the Commission may resign from any commission, board or committee at anytime.

- B. A member of any commission, board, or committee may be removed at any time by the City Council Member who appointed such member to the respective commission, board, or committee for any reason and/or if absent from three (3) regularly scheduled meetings in a calendar year. Such removal must be announced at a public meeting of the City Council.
- C. Notwithstanding any other provision of this Chapter, any member of any commission, board or committee (except non-voting ex-officio members) who absents himself or herself from any three (3) regularly scheduled meetings (for any reason) in a twelve (12)-month period shall automatically forfeit his or her position and shall automatically be removed from the membership of the commission, board or committee. Any member so removed shall not be reappointed for a period of one (1) year to any City commission, board or committee. It shall be the responsibility of the Chairman, Vice Chairman or presiding officer to report attendance at each meeting of the commission, board or committee to the City Clerk.
- D. Members will also be automatically removed for violating the Political Reform Act of 1974 as determined by the appropriate agency with authority to render such decisions or failing to comply with mandatory ethics training or conflict-of-interest filings required by the State of California or the City of Calexico.

2.19.030 Eligibility.

- A. To be eligible for, and to hold appointment, each appointee shall neither hold public office, or City employment, nor shall he/she be an officer of any local, state or national partisan official group. All members of commissions, boards and committees of the City shall be residents of the city or shall regularly work within the City.
- B. Members of the City Council may be appointed by the majority of the City Council to attend commission, board or committee meetings as liaisons to the City Council.
- C. Appointee shall be subject to the conflict-of-interest sections of the Political Reform Act of 1974.
- D. An individual may serve on only one (1) committee, board or committee at anytime.
- E. With the exception of the Planning Commission, which shall receive compensation as determined by the City Council, members commissions, boards and committees shall serve without compensation, provided that the City Manager or City Council may authorize the reimbursement of reasonable expenses incurred by the members in the performance of their duties.

2.19.040 Disqualifying Activity.

In the event that any commissioner, board member, or committee member shall place his/her name as a candidate or permit his/her name to be placed as a candidate for any elective office in the City of Calexico, the term of said commissioner shall automatically terminate effective on the date that his/her name is received by the public officer charged with the duty of receiving said names as candidates for elective office in the City of Calexico.

2.19.050 Terms of office.

- A. The term of office of any commissioner, board member, or committee member appointed under this chapter shall commence upon his/her appointment to said office and shall continue for the duration of the term of office of the appointing councilperson, automatically terminating at the day and hour that the City Clerk shall certify the results of the election for the office to which the appointing councilperson was elected. If a City Council Member is elected to serve another term of office, that City Council Member is entitled to make all new appointments to City commissions, boards, and committees, however, such City Council Member can choose to re-appoint his/her previous appointees for a new term concurrent with the respective City Council Member's new term of office. If the appointing councilperson shall die while holding office or be sooner removed from office by recall or resignation, the term of said City Council Member's appointee on the commission, board or committee shall terminate upon the appointment or election of a new City Council Member assuming the office of the said deceased or removed City Council Member.

By way of clarification, therefore, in the event the nominating City Council Member shall not be a full term City Council Member then the appointment of said new commissioner, board member or committee member shall be only for the unexpired portion of the term of the commissioner, board member or committee member being replaced by said appointment.

- B. The term of office of any commission, board or committee member appointed by the whole City Council on a seven (7)-member commission, board or committee, shall be for four (4) years.
- C. The term of office of a commissioner, board member, or committee member can also be terminated pursuant to Section 2.19.020 of this chapter.

2.19.060 Alternates and Interim Members.

- A. Any commissioner, board member, or committee member appointed pursuant to this chapter who is unable to attend a scheduled meeting shall immediately notify the city council member who appointed them of their anticipated absence at the meeting. The City Council Member who appointed the commissioner, board member, or committee member may serve as an alternate at the meeting.

- B. Whenever a vacancy occurs on any commission, board, or committee, the City Council Member who has the power to appoint a successor pursuant to This chapter may serve as an interim member of the commission, board, or committee until the vacancy has been filled.
- C. Any City Council Member serving as an alternate or interim member of a commission, board, or committee shall be counted for the purposes of reaching a quorum and may vote and otherwise participate in all matters before the commission, board, or committee.
- D. This section does not apply to the planning commission or the personnel commission.
- E. No more than two City Council Members may serve as alternates or interim members of the same commission, board, or committee at any given time.

2.19.070 Organization.

- A. The officers of City commissions, boards and committees shall consist of a Chairman, Vice Chairman and Secretary to be elected by the commission, board, or committee, and such other offices as Commission may from time to time designate. The term of said officers shall be fixed by the commission, board or committee.
- B. Each commission, board and committee shall make its own rules and regulations and fix the procedure for calling, holding and conducting meetings; providing, that such rules and regulations are not in conflict with the Brown Act or with the provisions of any laws of the State of California or the City of Calexico.

2.19.080 Meetings and Quorum.

- A. Each commission, board or committee shall meet regularly at a time and place in the City to be determined by the commission, board or committee. Meetings shall not be held on legal holidays of the City.
- B. Special meetings of the called by the Chairman of the Commission or the Vice Chairman in the Chairman's absence, majority of the Commission, City Council, City Manager or staff member assigned to work with the commission, board or committee. Notice of special meetings shall be given each member of the commission, board or committee in compliance with the Brown Act and in a reasonable time in advance of the meeting.
- C. Three (3) voting members of the commission, board or committee shall constitute a quorum of the commission, board or committee for the purpose of transacting business.

- D. No action authorizing the expenditure of funds shall be taken by the commission, board or committee at any meeting other than a regular meeting by a majority vote.
- E. Each commission, board or committee shall keep a public record of its transactions, findings, determinations and recommendations.

2.19.090 Commission, Board or Committee Staff Support.

The City Manager will assign a staff member to each commission, board or committee.

2.19.100 Commission, Board or Committee Budget.

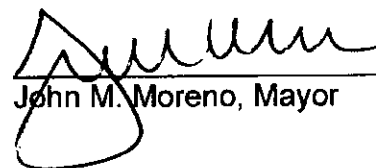
Each commission, board and committee may receive funds by an annual appropriation in the City budget or by government corporate or private grants or donations, and from the proceeds of City-approved functions. All such funds shall be held and managed as the City Manager or City Council may direct."

Section 3. Except as expressly modified pursuant to this Ordinance, all provisions of the Calexico Municipal Code shall remain unmodified and in full force and effect.

Section 4. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted. This ordinance shall be in full force and effect thirty (30) days after its final passage and adoption, and within fifteen (15) days after its final passage, the City Clerk shall cause it to be published in a newspaper of general circulation.

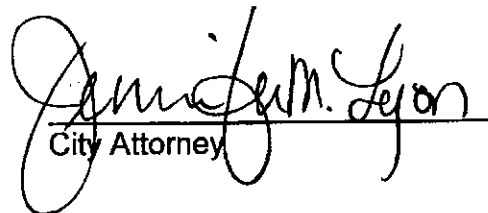
First read at a regular meeting of the City Council held on the 20th day of January, 2015 and adopted and ordered published at a regular meeting of said Council on the 3rd day of February, 2015.

PASSED, APPROVED AND ADOPTED this 3rd day of February, 2015.



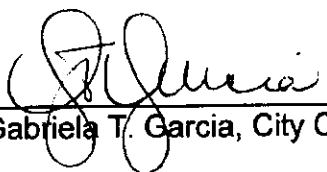
John M. Moreno, Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



Gabriela T. Garcia, City Clerk