



2.20

OFFICE OF THE
CITY CLERK

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
915 I STREET, ROOM 304
SACRAMENTO, CA
95814-2671

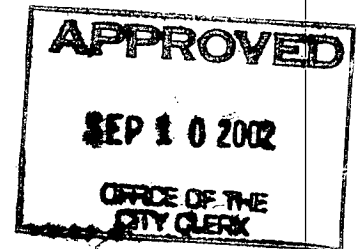
PH 916-264-5427
FX 916-264-7672

www.cityofsacramento.org

August 27, 2002

City Council
City Hall
Sacramento, California

Honorable Members in Session:



SUBJECT: AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.40, ARTICLE IV, SECTION 2.40.120(C) OF THE CITY CODE, TO PROVIDE A CLEAR DEFINITION OF THE PHRASE "UNEXPIRED TERM" AS IT RELATES TO BOARDS AND COMMISSIONS APPOINTMENTS

LOCATION/COUNCIL DISTRICT: All Districts

STAFF RECOMMENDATION: ADOPT ORDINANCE

CONTACT PERSON: Valerie Burrowes, City Clerk 264-5799

FOR COUNCIL MEETING OF: September 10, 2002

SUMMARY:

- * This ordinance will clearly define the meaning of the phrase "unexpired term" for members appointed to boards and commissions to fill a vacancy created by someone leaving a position in the middle of a term.
- * This ordinance will assist in maintaining the "two consecutive term" limitation rule as it relates to boards and commission appointments.

COMMITTEE ACTION:

- * P&PE took this matter under advisement during a committee meeting earlier this year. The following was determined:

75% left of a term	=	a full term
less than 75% left of a term	=	partial term

EXAMPLE: 4 year term

3 1/2 years left	=	full term
3 years or less left	=	partial term

BACKGROUND AND DISCUSSION:

- * Title 2, Chapter 2.40, Article IV, Section 2.40.120(C) of the City Code currently states “A member appointed to complete an unexpired term shall be eligible to serve up to two consecutive terms **in addition to the unexpired term**”.
- * The lack of a clear definition for the phrase “unexpired term” has long created confusion as to whether an appointee filling an “unexpired term” also becomes eligible for two additional consecutive terms thus possibly giving an appointee a total of three or more terms.
- * There has never been clarity as to when does a term become a “partial” versus “full” term as it relates to appointments for a vacancy created mid-term.

FINANCIAL IMPACT:

There is no financial impact connected with this process

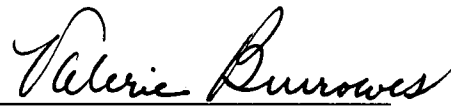
POLICY MATTERS:

This item is presented for approval of publication of title in accordance with City Charter Section 32.

ESBD ISSUES:

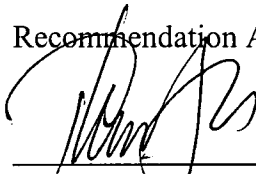
There is no application necessary with this report

Respectfully submitted,



VALERIE A. BURROWES
City Clerk

Recommendation Approved:



ROBERT R. THOMAS,
City Manager

cause for removal from office under the provisions of Section 232 of the Sacramento City Charter.

C. The absence of any board or commission member on account of the performance of his or her official duties shall not be deemed a failure to attend a meeting described in subsections A or B of this section. (Prior code § 60.02.011)

Article III. Voting Procedure

2.40.110 Record of vote.

On all matters acted upon by each city boards or commission, agency or authority appointed by the city council the voting shall be by roll call, and the ayes and noes and members present and not voting shall be entered upon the minutes or other record of the meeting by the clerk or secretary. This section shall not apply to elections of officers, which may be by ballot. (Prior code § 60.03.015)

Article IV. Limitation on Number of Consecutive Terms Served

2.40.120 Limitation on number of consecutive terms served.

A. No person appointed to any board or commission by the mayor with the concurrence of the city council or by the city council shall be appointed to serve more than two consecutive terms.

B. Subsection A of this section shall not apply:

1. If the appointee is the mayor or a member of the city council;
2. If the appointee is appointed jointly by the mayor or city council and any other appointing authority;
3. To the administration, investment and fiscal management board of the city employee's retirement system.

C. A member appointed to complete an unexpired term shall be eligible to serve up to two consecutive terms in addition to the unexpired term.

D. If an ordinance creating a board or commission specifies a more restrictive limitation on length of service than is set forth in this section, the more restrictive provision shall apply. If an ordinance creating a board or commission is less restrictive, the two-term limitation of this section shall apply.

E. A person shall be eligible for reappointment to a board or commission two years after the last date the member served on the board or commission. (Prior code § 60.04.017)

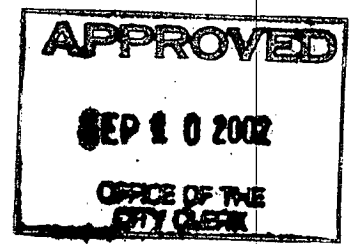
2.40.130 Limitation applicable to existing and future appointees.

With respect to the eligibility of a person for reappointment to a board or commission, any term or terms to which the person was appointed before the effective date of Ordinance No. 90-040 shall be included in determining whether the person has served two or more consecutive terms. (Prior code § 60.04.018)

ORDINANCE NO. 2002-033

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____



AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.40, ARTICLE IV, SECTION 2.40.120(C) OF THE CITY CODE, TO PROVIDE A CLEAR DEFINITION OF THE PHRASE "UNEXPIRED TERM" AS IT RELATES TO BOARDS AND COMMISSIONS APPOINTMENTS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 2.40.120(C) is hereby amended to read as follows:

A member appointed to complete seventy-five percent or more of an unexpired term shall be eligible to serve up to two consecutive terms; the unexpired term will be considered as the first full term of the two consecutive full terms.

A member appointed to complete less than seventy-five percent of an unexpired term shall be eligible to serve up to two full consecutive terms in addition to the partial unexpired term.

SECTION 2.

This ordinance shall become operative thirty days after enactment by the City Council.

MAYOR

ATTEST:

CITY CLERK

**CITY OF SACRAMENTO
ORDINANCES**

On September 3, 2002, 2 p.m., the following ordinances were considered by the Sacramento City Council and will be considered for final adoption at the regular meeting of September 10, 2002, 2p.m. In accordance with Sacramento City Charter Section 32, the titles are herein published:

AN ORDINANCE AMENDING (1) THE CHAPTER DESIGNATION OF SACRAMENTO CITY CODE CHAPTER 2.52, AND (2) SECTION 2.52.010 OF THE SACRAMENTO CITY CODE, TO RENAME THE PUBLIC ACCOMMODATIONS FOR PHYSICALLY HANDICAPPED PERSONS APPEALS BOARD AS THE JOINT CITY/COUNTY DISABILITIES APPEALS BOARD

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.40, ARTICLE IV, SECTION 2.40.120 (C) OF THE CITY CODE, TO PROVIDE A CLEAR DEFINITION OF THE PHRASE "UNEXPIRED TERM" AS IT RELATES TO BOARDS AND COMMISSIONS APPOINTMENTS

Anyone interested in the full text of the above ordinances may contact the Office of the City Clerk, City Hall, 915 "I" Street, Room 304, phone (916) 264-5427.

SACRAMENTO CITY COUNCIL



BY: VALERIE A. BURROWES
CITY CLERK

AD NO.: 9527
RUN ONE TIME: 9/6/02
2 PUB PROOFS



2.20
2.16

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August 20, 2002

City Council
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PASSED FOR
PUBLICATION
& CONTINUED
TO 9/10/02

Honorable Members in Session:

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LOCATION/COUNCIL DISTRICT: All Districts

STAFF RECOMMENDATION: PASS FOR PUBLICATION AND CONTINUE TO SEPTEMBER 10, 2002 FOR ADOPTION

CONTACT PERSON: Valerie Burrowes, City Clerk 264-5799

FOR COUNCIL MEETING OF: September 3, 2002

SUMMARY:

- * This ordinance will clearly define the meaning of the phrase "unexpired term" for members appointed to boards and commissions to fill a vacancy created by someone leaving a position in the middle of a term.
- * This ordinance will assist in maintaining the "two consecutive term" limitation rule as it relates to boards and commission appointments.

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FINANCIAL IMPACT:

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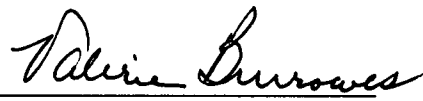
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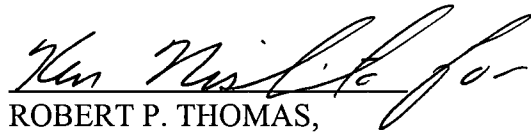
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VALERIE A. BURROWES
City Clerk

Recommendation Approved:



ROBERT P. THOMAS,
City Manager

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Chapter 2.44

CIVIL SERVICE BOARD

Sections:

2.44.010 Compensation of members of the board.

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Each member of the civil service board of the city shall receive as compensation the sum of fifty dollars (\$50.00) for each board meeting attended; provided, that the total compensation of each member shall not exceed two hundred fifty dollars (\$250.00) in any one month. In addition, each member shall receive necessary travelling and subsistence expenses incurred in the discharge of his or her duties. (Prior code § 60.14.120)

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

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ATTEST:

MAYOR

CITY CLERK