



3

**OFFICE OF THE
CITY ATTORNEY**

JAMES P. JACKSON
CITY ATTORNEY

THEODORE H. KOBAY, JR.
ASSISTANT CITY ATTORNEY

SR. DEPUTY CITY ATTORNEYS:
SAMUEL L. JACKSON
WILLIAM P. CARNAZZO

CITY OF SACRAMENTO
CALIFORNIA

921 TENTH STREET
SUITE 700
SACRAMENTO, CA
95814-2717

PH. 916-449-5346
FAX 916-449-6755

DEPUTY CITY ATTORNEYS:
LAWRENCE M. LUNARDINI
EVELYN M. MATTEUCCI
DIANE B. BALTER
RICHARD F. ANTOINE
TAMARA MILLIGAN-HARMON
RICHARD E. ARCHIBALD
TIMOTHY N. WASHBURN
SABRINA M. THOMPSON
JOSEPH McINERNEY

August 2, 1990

Personnel and Public Employees Committee
City Council Chambers
Sacramento, California 95814

SUBJECT: An Ordinance Limiting Commission Appointments to Two Terms

Honorable Members in Session:

SUMMARY

This report presents for committee consideration an ordinance which would limit board and commission members appointed by the Mayor or City Council to two consecutive terms.

BACKGROUND

The attached ordinance would limit City-appointed board and commission members to two consecutive terms. This limit would apply without regard to the length of the term. The length of a single term varies from commission to commission. For example, the Ann Land/Bertha Henschel Commission term is 6 years, the Planning Commission term is 4 years, and the Environmental Commission term is 3 years.

At least one Commission ordinance (Sacramento Metropolitan Arts Commission) contains a more restrictive term limitation, allowing only one three-year term and requiring a two-year gap before reappointment. We have included a provision that would leave these more restrictive rules in place.

Appointments to less than a full term to fill a vacancy can be handled in several ways. The proposal allows two full terms in addition to the partial term. Alternatives include counting the partial term as the first of the two permitted terms, or counting the partial term only if the length of the partial term is one-half or more of the regular term.

The proposal requires a two-year gap before a person may be reappointed. The Committee may wish to designate a different time period, or prohibit reappointment altogether.

**Re: An Ordinance Limiting Commission
Appointments to Two Terms**

August 2, 1990

Page 2

As proposed, the two-term restriction does not apply if the Mayor or a City Council member is the appointee. It also does not apply to members appointed jointly by the City and County, such as History and Science and Sports Commission members.

FINANCIAL DATA

None.

POLICY CONSIDERATIONS

Enactment of this ordinance would modify the rules which the City Council established for certain commissions upon their creation, thus amounting to a change in policy.

MBE/WBE

Not applicable.

RECOMMENDATION

It is recommended that the Personnel and Public Employees Committee review the proposed ordinance and make a recommendation to the full City Council.

Respectfully submitted,

JAMES P. JACKSON, City Attorney

BY:



DIANE B. BALTER
Deputy City Attorney

Personnel and Public
Employees Committee
August 14, 1990
All Districts

6

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

ORDINANCE ADDING DIVISION 4 (SECTION 60.17) TO ARTICLE I OF CHAPTER 60 OF THE SACRAMENTO CITY CODE, RELATING TO APPOINTMENTS TO BOARDS AND COMMISSIONS

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

Section 1.

Division 4 (Section 60.17) is hereby added to Article I of Chapter 60 of the Sacramento City Code to read as follows:

Division 4. Limitation on
Number of Consecutive Terms Served --
Boards and Commissions

Section 60.17. 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 (2) consecutive terms.
- (b) Subsection (a) shall not apply:
 - (i) If the appointee is the Mayor or a member of the City Council.
 - (ii) If the appointee is appointed jointly by the Mayor or City Council and any other appointing authority.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

- (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.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

4