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March 21, 1991

Personnel and Public Employees Committee
Sacramento, California

SUBJECT: AN ORDINANCE CLARIFYING THAT TERMS TO WHICH A PERSON WAS APPOINTED PRIOR TO ENACTMENT OF ORDINANCE NO. 90-040, PLACING TWO-TERM LIMIT ON BOARD AND COMMISSION MEMBERS, ARE TO BE CONSIDERED IN DETERMINING ELIGIBILITY FOR REAPPOINTMENT

Honorable Members in Session:

SUMMARY

This report recommends enactment of an ordinance clarifying the City Council's intent that terms to which a person was appointed before the enactment of Ordinance No. 90-040 shall be considered in determining whether a person has served two consecutive terms and is therefore ineligible for reappointment.

BACKGROUND

On August 28, 1990, the City Council enacted Ordinance No. 90-040, limiting City board and commission members to two consecutive terms. The ordinance did not explicitly provide that terms to which a member was appointed prior to the enactment of the term-limiting ordinance would be considered in determining whether the member is eligible for reappointment, and this question has been raised by City staff and board and commission members.

Mayor Rudin and Councilmember Ferris, Chairperson of the Personnel and Public Employees Committee, requested that the City Attorney's Office prepare an ordinance clarifying that it was the City Council's intent to consider those terms to which a member was appointed prior to enactment of the ordinance.

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Personnel and Public Employees Committee

March 27, 1991

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A separate provision of the ordinance already provides that a person may be reappointed to a board or commission on which he or she has served two consecutive terms once two years have elapsed.

FINANCIAL DATA

No financial impact.

POLICY CONSIDERATIONS

The purpose of the proposed ordinance is to clarify the City Council's intent in enacting Ordinance No. 90-040.

MBE/WBE

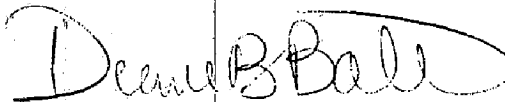
Not applicable.

RECOMMENDATION

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

Respectfully submitted,

SHARON SIEDORF CARDENAS, City Attorney



DIANE B. BALTER
Deputy City Attorney

Recommendation Approved:



JACK R. CRIST
Deputy City Manager

Contact Person to
Answer Questions:

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Deputy City Attorney
449-5346

Personnel and Public Employees
April 9, 1991
All Districts

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ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE ADDING SECTION 60.18 TO
CHAPTER 60 OF THE SACRAMENTO CITY CODE
CLARIFYING THE APPLICATION OF ORDINANCE
NO. 90-040 LIMITING MEMBERS OF BOARDS AND
COMMISSIONS TO TWO CONSECUTIVE TERMS**

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

Section 1.

Section 60.18 is hereby added to the Sacramento City Code to read as follows:

Sec. 60.18 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.

Section 2.

The City Council declares that this ordinance is intended to clarify the application of Ordinance No. 90-040 and is declarative of existing law and not a change in the law.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

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