

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING SECTION 2.40.011 OF THE SANTA CRUZ MUNICIPAL CODE TO THE SANTA CRUZ MUNICIPAL CODE PERTAINING TO THE MANNER OF APPOINTMENT OF BOARD MEMBERS AND COMMISSIONERS

BE IT ORDAINED by the City of Santa Cruz as follows:

Section 1. Section 2.40.011 of the Santa Cruz Municipal Code is hereby amended to read as follows:

“2.40.011 NUMBER, MANNER OF APPOINTMENT AND TERMS OF OFFICE.

Unless the ordinance, or an amendment, establishing and setting forth the authority of the board or commission provides otherwise:

(a) There shall be seven members of each board or commission, each of whom shall be a qualified elector of the city;

(b) Each board or commission member shall be appointed by motion of the city council adopted by at least four affirmative votes provided, however, that commencing in January, 2023, appointments to the Arts, Downtown, Historic Preservation, Parks and Recreation, Planning, Transportation and Public Works and Water Commissions shall transition to nomination by the mayor and councilmembers elected by district, and confirmed by a least four affirmative votes, as follows:

(1) Each commissioner shall serve a term concurrently with the mayor or councilmember who nominated the commissioner, provided that if the nominating mayor or councilmember leaves office prior to the expiration of their term, the commissioner’s term shall expire with the mayor’s or councilmember’s term and the succeeding mayor or councilmember shall nominate a new commissioner to fill the unexpired term.

(2) The seats of commission appointees whose terms expire in January 2023, will be assigned to the mayor and districts 4 and 6 to the extent that three are up for appointment. If fewer than three seats are open, the mayor will be assigned the first seat and the other seat(s) will be assigned in numerical order, to the district 4 and/or 6 councilmembers.

(3) The seats of commission appointees whose terms expire in January 2024 will be assigned to either district 4 or 6, if they do not already have a seat assigned to them. For those seats assigned to District 4 and/or 6, the council members may nominate, if eligible, their representatives for three-year terms so they these terms correspond with the term of the nominating council member. Any remaining seat or seats shall be appointed by motion of the City Council for one-year terms.

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(4) In January 2025, the seats on commissions with members whose terms are expiring as well as any seats with members appointed for a one-year term will be assigned to districts in numerical order.

(5) Members of commissions whose terms do not expire until January 2026 shall be assigned to the remaining districts in numerical order for nomination for three-year terms expiring in January 2029.

(6) If a seat occupied by a board or commission member originally appointed by motion becomes vacant, their replacement shall be filled by nomination of councilmembers elected by district in numerical order if they do not have a seat assigned to them, for a term expiring with the nominating councilmember's term. If all councilmembers elected by district have a seat assigned to them, then the vacancy shall be filled by motion for a term ending January 31st of the next odd-numbered year following the effective date of the vacancy.

(c) The term of office of each board or commission member shall be four years, expiring on January 31st; provided, however, that if a replacement has not been appointed and qualified as of the January 31st expiration date, the board or commission member shall continue to serve until a successor has been appointed and qualified. If as a result of this chapter there are additional members added to any board or commission, or if the city council shall hereafter establish a new board or commission, the city council shall set the term of office at the time of appointment to the new office;

(d) If additional members must be appointed to fill the complement of a board or commission, such appointments shall be made at the earliest reasonable date;

(e) Each member of the board or commission shall be subject to removal by motion of the city council adopted by at least four affirmative votes;

(f) Upon the establishment of any new board or commission comprised of seven members, the mayor and each councilmember shall nominate one person to serve as one of the initial members. The terms of office for members of any new board or commission shall be established by the city council, so that the term of each member expires in January following the expiration of the term of the mayor or councilmember to nominated them. ”

Section 2. Effective Date. This ordinance shall be in full force and effect thirty (30) days from the date of its final adoption provided, however, that it shall apply retroactively to any appointments to Boards and Commissions after January 1, 2023.

ORDINANCE NO. 2023-__

PASSED FOR PUBLICATION this 24th day of January, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

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PASSED FOR FINAL ADOPTION this XX day of XX, 2023 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

This is to certify that the above
and foregoing document is the
original of Ordinance No. 2023-
and that it has been published or
posted in accordance with the
Charter of the City of Santa Cruz.

City Clerk