



Policy No.	81
Date Issued:	July 22, 2014
Effective Date:	July 22, 2014
Resolution No.	2014-190
Cancellation Date:	
Supersedes No.	

Council Policy Statement

Category:

Specific Subject: Mayor and City Council appointees

PURPOSE:

To enable the City of Carlsbad Mayor and City Council to appoint members to boards, commissions and committees representing the City of Carlsbad.

Government Code Sections 54970-54974 refer to local appointments. Government Code Section 54972, 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 Appointments List. The list shall contain specific information listed in Government Code Section 54972.

Government Code Section 54974 refers to the unscheduled vacancy which occurs in any board, commission, or committee for which the legislative body 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 clerk of the local agency, and the library designated pursuant to Section 54973, and in other places as directed by the legislative body, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final appointments to the board, commission, or committee shall not be made by the legislative body for at least 10 working days after the posting of the notice in the clerk's office.

This policy does not supersede laws, instead it is incorporating them into the Carlsbad Municipal Code by reference.

BACKGROUND:

Staff has found that the need to formalize the appointment process in a policy as an outline to staff and the public on the expectations of an appointed position on a board, commission, or committee. The process includes the notice of vacancy, acceptance of applications, review by council, the formal appointment and finally the requirements of appointee once the appointment is made.

The appointments shall be made by Mayor with City Council concurrence except for the Planning Commission and Historic Preservation Commission which are appointed by a majority of the City Council. The item will be listed on the agenda under the Consent Calendar and will list the board, commission, and committee with vacancy and the name of person to be appointed. The City Council will vote and if a majority concurs the appointment will be finalized and entered into the meeting minutes.

POLICY:

1. Upon the notice of an unscheduled vacancy either by resignation, death, termination, or other causes, a special vacancy notice shall be posted in the Office of the City Clerk at City Hall on the bulletin board located outside the Council Chamber, Dove and Cole libraries and the city website under the boards, commission, and committee section. This action will take place not earlier than 20 days before or not later than 20 days after the vacancy occurs. The final appointment to the board, commission, or committee shall not be made by the legislative body for at least 10 working days after the posting of the notice in the City Clerk's Office.
2. Applications will be accepted in the City Clerk's Office electronically, by mail and hand delivered for a period of 10 working days. The application will be available on the city website for ease of access to the residents of Carlsbad.
3. Following the application deadline, all applications received will be provided to the Mayor and City Council for review. Depending on the board, commission, or committee requirements for appointment in the Carlsbad Municipal Code, the Mayor will review applications and ask for Council concurrence at a regular scheduled City Council Meeting.
4. The appointment will be scheduled for the next regular City Council Meeting.
5. This policy applies to all Mayor and City Council appointed boards, commissions and committees of the City of Carlsbad current and future.
6. This policy requires that an image of the vacancy notice be scanned into the records management system for a retention term according to the City adopted records retention schedule.
7. The appointment recommendation and results of City Council action shall be memorialized in the official City Council meeting minutes.
8. Once an appointment is made staff in the City Clerk's Office will be responsible for contacting the appointee with instructions on conflict of interest filings, AB 1234 Code of Ethics training requirements the Oath of Office will be administered and a binder will be provided that includes an outline on the specific requirements of board, commission, or committee the person is appointed to, a copy of the Brown Act, the Public Records Act and the Parliamentary Procedures.