ORDINANCE NO. 2996

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 2-2.101 OF THE ONTARIO MUNICIPAL CODE RELATING TO THE APPOINTMENT, NUMBER, REMOVAL, TERMS AND VACANCIES OF REGULAR AND AT-LARGE MEMBERS OF COMMISSIONS, COMMITTEES AND BOARDS.

WHEREAS, the general provisions governing the members of commissions, committees and boards are set forth in Chapter 2 of Title 2 of the Ontario Municipal Code; and

WHEREAS, at the April 15, 2014 meeting of the Ontario City Council, City staff received direction to review the existing practices and processes for the appointment and removal of appointees to City Commissions, Committees and Boards to ensure consistency between practices and protocols; and

WHEREAS, on May 6, 2014, the Ontario City Council voted to update Section 2-2.101 of the Ontario Municipal Code to implement a more standardized and consistent process for all City Commissions, Committees and Boards; and

WHEREAS, on June 17, 2014, the City Council conducted a public hearing to introduce and waive further reading of an ordinance relating to the appointment and removal of appointees to City Commissions, Committees and Boards; and

WHEREAS, the City Council desires to establish a more consistent practice, clarify and simplify the process for the appointment and removal of appointees included within the Ontario Municipal Code; and

WHEREAS, the updated appointment and removal process of appointees to City Commissions, Committees and Boards will become effective within thirty (30) days upon approval by the City Council.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

- SECTION 1. Section 2-2.101(d)(3)-(5) of Chapter 2, of Title 2 of the Ontario Municipal Code is hereby amended, in its entirety, to read as follows:
- (3) Each of the five (5) City Council members shall submit to the Mayor the name of one (1) person proposed for appointment to a committee, commission or board; said nominees shall be eligible for appointment only if a formal application is on file with the City Clerk, and upon approval of such appointment by the Mayor and concurrence of the City Council, the name of the appointee shall be recorded in the minutes of the City Council meeting. If the City Council member responsible for the original nomination fails to make a successful nomination within sixty days following the beginning of that City Council member's term, the City Council may itself appoint an individual to fill that position.

- (4) The City Council, by a majority vote, shall appoint two (2) of its members to serve as a Nominations Committee to bring forward nominees from the applicant pool to serve as the at-large members on committees, commissions or boards. These nominees must be approved by the Mayor and the concurrence of the City Council.
- (5) In the case of a vacancy on committees, commissions or boards, the City Council member who made the original nomination shall have the right to nominate a person to fill the vacancy subject to the approval of the Mayor and the concurrence of the City Council in accordance with subsection (d)(3). If the City Council member who made the original nomination fails to make a successful nomination following the vacancy, the City Council may itself appoint an individual to fill that position. If the vacancy occurs by an at-large member appointed through the process in subsection (d)(4), then the nomination of a replacement shall be made in accordance with that subsection.
- <u>SECTION 2.</u> Section 2-2.101(e) of Chapter 2, of Title 2 of the Ontario Municipal Code is hereby amended, in its entirety, to read as follows:
- (e) A City Council member may submit to the Mayor the name of an appointee proposed for removal from a commission, committee or board, and upon approval of such name by the Mayor and concurrence of the City Council, such appointee's removal shall be recorded in the minutes of the City Council meeting.
- SECTION 3. This updated amendment to the ordinance shall become effective thirty (30) days following its adoption.

SECTION 4. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 1st day of July 2014.

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP

CITY ATTORNEY

STATE OF CALIFORNIA	,
COUNTY OF SAN BERNARDINO	,
CITY OF ONTARIO	,

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 2996 was duly introduced at a regular meeting of the City Council of the City of Ontario held June 17, 2014 and adopted at the regular meeting held July 1, 2014 by the following roll call vote, to wit:

AYES: MAYOR/COUNCIL MEMBERS: LEON, WAPNER, BOWMAN,

DORST-PORADA AND AVILA

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

MARY E. WIRTES, MMC, CITY CLER

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 2996 duly passed and adopted by the Ontario City Council at their regular meeting held July 1, 2014 and that Summaries of the Ordinance were published on June 24, 2014 and July 8, 2014, in the Inland Valley Daily Bulletin newspaper.

(SEAL)