

ORDINANCE NO. 2020-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, TO REPEAL AND REPLACE ESCONDIDO MUNICIPAL CODE CHAPTER 2 ADMINISTRATION, ARTICLE 2, CITY COUNCIL, SECTION 2-24, SELECTION OF DEPUTY MAYOR

WHEREAS, California Government Code Section 36801 authorizes a City Council to appoint a mayor pro tempore; and

WHEREAS, the terms “mayor pro tempore” and “deputy mayor” are synonymous; and

WHEREAS, Escondido Municipal Code (“EMC”) Chapter 2, Administration, Article 2, City Council, Section 2-24 provides procedures for the City Council to appoint a deputy mayor; and

WHEREAS, in 2013, the City Council established four city council districts; and

WHEREAS, the City Council desires to update the deputy mayor selection procedures to better ensure a fair and equitable rotation among councilmembers representing their respective districts.

NOW, THEREFORE, IT IS HEREBY RESOLVED and the City Council of the City of Escondido DOES HEREBY ORDAIN as follows:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. That EMC, Chapter 2, Administration, Article 2, City Council, Section 2-24 is repealed and replaced as follows:

Sec. 2-24. Deputy Mayor Selection.

(a) The city council shall meet on the first Wednesday following certification of the results of the general municipal election and select a deputy mayor by appointment from among the councilmembers. If the deputy mayor

leaves elected office, the city council shall appoint a new deputy mayor at the next regular city council meeting.

(b) The deputy mayor shall serve a one-year term.

(c) The deputy mayor position shall rotate among councilmembers representing the four council districts.

(1) The city council shall appoint the deputy mayor based on seniority in current office. Each councilmember shall be appointed deputy mayor at least once during their four-year term in office.

(2) If multiple councilmembers have the same seniority at the time of appointment, the city council shall appoint the deputy mayor based on the highest votes received in the general election.

(3) If a councilmember fails or refuses to serve as deputy mayor, the councilmember shall not serve as deputy mayor until the other three councilmembers have another opportunity for appointment.

(d) No city councilmember should be appointed deputy mayor during their first year in office.

(e) The city council retains the right to appoint the deputy mayor by majority vote, notwithstanding subsection (b), whenever it deems necessary.

SECTION 3. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 4. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15

days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 18th day of November, 2020 by the following vote to wit:

AYES : Councilmembers: DIAZ, MARTINEZ, MORASCO, MCNAMARA

NOES : Councilmembers: NONE

VACANT : Councilmembers: DISTRICT 2

APPROVED:

DocuSigned by:
Paul McNamara
CAACE20782954D3...
PAUL MCNAMARA, Mayor of the
City of Escondido, California

ATTEST:

DocuSigned by:
Zack Beck
A58535D0BDC1430...
ZACK BECK, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2020-28 passed at a regular meeting of the City Council of the City of Escondido held on the 18th day of November, 2020, after having been read at the regular meeting of said City Council held on the 21st day of October, 2020.

DocuSigned by:
Zack Beck
A58535D0BDC1430...
ZACK BECK, City Clerk of the
City of Escondido, California

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