

ORDINANCE NO. 05-__

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF COSTA MESA, CALIFORNIA,
AMENDING TITLES 2, 12, AND 13 OF THE
COSTA MESA MUNICIPAL CODE REGARDING
CITY COUNCIL APPOINTMENT OF
COMMISSIONS, BOARDS AND COMMITTEES**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. Title 2, section 2-4, subdivision (b), of the Costa Mesa
Municipal Code is hereby amended to read as follows:

“Sec. 2-4. City council policies; commissions, boards and
committees; terms and procedures.

(b) All commissions, boards and committees appointed by the
city council, except as otherwise provided by the city council in this
Code or by policy or as otherwise required by law, shall consist of
five members with each member having a term of office of four
years, provided, that in order to have overlapping terms, two or
three members may initially be assigned two-year terms. The term
of any member shall be automatically extended, if necessary, until
his or her replacement is appointed. All members will serve at the
sole pleasure of the city council and may be removed at any time
without cause.”

Section 2. Title 12, section 12-59, of the Costa Mesa Municipal Code is
hereby amended to read as follows:

“Sec. 12-59. Membership.

The parks and recreation commission shall consist of five members
appointed by a majority vote of the entire city council. The city
council may, by majority vote, remove any member of the parks
and recreation commission. Additional details for the appointment
procedures and member qualifications, terms, and compensation
may be set by city council policy.”

Section 3. Title 13, section 13-10, subdivision (b), of the Costa Mesa
Municipal Code is hereby amended to read as follows:

“Sec. 13-10. Planning commission.

(b) Appointment of commission. The Planning Commissioners shall be appointed, and may be removed, by a majority vote of the entire city council. Additional details for the appointment procedures and member qualifications, terms and compensation may be set by city council policy.”

Section 4. Appointment of Staggered Terms.

When the City Council makes the new appointments pursuant to the provisions of this ordinance, it shall appoint two of the Planning Commissioners and two of the Parks and Recreation Commissioners to two-year terms. The four commissioners who receive two-year terms shall be determined by random drawing of their names.

Section 5. Severability.

If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, State, or Federal law, regulation, or codes dealing with life safety factors.

Section 6. Publication.

This Ordinance shall take effect and be in full force and effect thirty (30) days from and after its passage and, before the expiration of fifteen (15) days after its passage, shall be published once in the NEWPORT BEACH/COSTA MESA DAILY PILOT, a newspaper of general circulation printed and published in the City of Costa Mesa, or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED this ____ day of _____, 2005

Mayor

ATTEST:

APPROVED AS TO FORM:

Deputy City Clerk of the
City of Costa Mesa

City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, Deputy City Clerk and ex-officio clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Ordinance No. 05-__ was introduced and considered section by section at a special meeting of said City Council held on the ____ day of _____, 2004, and thereafter passed and adopted as a whole at a regular meeting of said City Council held on the ____ day of _____, 2005, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Costa Mesa this ____ day of _____, 2005.

Deputy City Clerk and ex-officio
Clerk of the City Council of the
City of Costa Mesa