



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Shelley Chapel, MMC, City Clerk
Meeting Date: Tuesday, November 19, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Approval of the City Council to Reappoint Incumbent to the Port Commissioner Position for a 4-Year Term.

RECOMMENDATION:

Provide Staff Direction. As a City Council Appointment this action would require the majority of the City Council to move forward with this approach.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

On June 13, 2024, the City Council appointed GilAnthony Ungab as Port Commissioner to fulfill the remaining 6 months of a term. The vacancy was caused by action of the City Council at the meeting of Tuesday, May 7, 2024, to remove Sandy Naranjo as Port Commissioner.

The end of term for this position is December 2024. As we are near the end of the calendar year with two-regular City Council Meetings scheduled, it is pertinent that the City Council provide staff direction on how they would proceed with this appointment for the next 4-year term ending December 2028.

City Council Policy #107, Section Policy – Appointment Process (B) (Exhibit A) does provide an option for the City Council:

- B. Unexpired terms. If an incumbent Appointee was appointed to fill an unexpired term and the Appointee serves for less than one year in that position, the Council may re-appoint the incumbent without considering other applicants.

Should the City Council decide that they would like to exercise this option, direction to staff would be to advertise the vacancy to fulfill the legal requirement of noticing vacancies. This noticing is in addition to the fulfillment of the posted Maddy Act, Local Appointments List which was posted December 6, 2023 for all known vacancies for the following calendar year due to the end of terms required by G.C. 54970. Additionally noticing was provided with the report to City Council June 13, 2024, providing end of term is December 2024.

This City Council Appointment to the Port Commission is per the San Diego Unified Port District Act Section 16 (Exhibit B) regarding the appointment of the Port Commissioners. The Port Clerk administers the Oath of Office of new Commissioners, usually scheduled for the first meeting of the Board of Port Commissioners in January of the new year.

Staff could return to City Council Tuesday, December 3rd with a report to appoint the incumbent appointee GilAnthony Unngab if directed by the City Council.

FINANCIAL STATEMENT:

Not Applicable.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Communication and Outreach

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review. CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

The Agenda Report was posted within 72 hours of the meeting date and time in accordance with the Ralph M. Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A – City Council Policy #107

Exhibit B – San Diego Unified Port District Act Section 16