

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON,
CALIFORNIA, AMENDING FULLERTON MUNICIPAL CODE CHAPTER
2.04 ESTABLISHING PROCEDURES FOR MAYOR AND MAYOR PRO
TEM SELECTION

WHEREAS the City of Fullerton follows Administrative Policy No. 226 ("Selection of Mayor Pro Tem"), adopted October 6, 2020, to determine the Mayor Pro Tem selection process.

WHEREAS City Council desires to formalize this process by codifying in the Fullerton Municipal Code to ensure long-term consistency, clarity and transparency for the public and future City Councils.

WHEREAS the Mayor Pro Tem selection and subsequent rotation into the Mayor role is an essential part of the City governance structure. Codification improves predictability and continuity in leadership transitions.

WHEREAS City Council finds adding these procedures to Fullerton Municipal Chapter 2.04 (Council) supports good governance, enhances public understanding and aligns with City practices to maintain clear and accessible rules for City Council operations.

WHEREAS this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), as it can be seen with certainty that this ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON ORDAINS AS FOLLOWS:

SECTION 1. CHAPTER 2.04 AMENDMENT. City Council amends Fullerton Municipal Code Chapter 2.04 to add the following:

Sections:

- 2.04.080 Mayor Pro Tem Selection*
- 2.04.090 Seniority Tie-Breakers – Selection by Lot*
- 2.04.100 Advancement to Mayor*
- 2.04.110 Council Member Declining to Serve*
- 2.04.120 City Clerk Responsibilities*
- 2.04.130 Transition Timing*

2.04.080 Mayor Pro Tem Selection.

- A. City Council selects the Mayor Pro Tem based on seniority according to the number of years a Council Member served consecutively without serving as Mayor.

- B. The Mayor Pro Tem shall serve as Vice Chair of legislative bodies convened with all Council Members comprising the legislative body as its members (Successor Agency, Finance Authority, Housing Authority, etc.)
- C. The rotation matrix shall include new City Council members upon election. If the most recent Mayor remains on City Council, the newly elected member shall place before the outgoing Mayor in the matrix.

2.04.090 Seniority Tie-Breakers.

- A. When two newly elected Council Members begin service at the same time, seniority shall be determined by lot, such as a coin toss or other mutually agreed-upon random method.
- B. When three or more newly elected Council Members begin service at the same time, seniority shall be determined by random draw, including drawing names or numbers.
- C. The City Clerk shall administer the tie-breaker using a neutral, publicly observable process.

2.04.100 Advancement to Mayor.

- A. The Mayor Pro Tem shall automatically become Mayor after serving one year as Mayor Pro Tem on City Council, unless the office of Mayor becomes vacant earlier.
- B. If the office of Mayor becomes vacant, the Mayor Pro Tem shall automatically advance to Mayor, and the next most senior Council Member shall serve as Mayor Pro Tem.
- C. The Mayor shall serve as Chair of legislative bodies convened with all Council Members comprising the legislative body as its members (Successor Agency, Finance Authority, Housing Authority, etc.)

2.04.110 Council Member Declining to Serve.

- A. If the Council Member scheduled to become Mayor Pro Tem chooses not to serve, the Member will move down to the “second position” and the next most senior eligible Member shall move up to serve.
- B. If the Council Member scheduled to become Mayor chooses not to serve, the Member shall continue to serve as Mayor Pro Tem and the next most senior eligible Member shall serve as Mayor.

2.04.120 City Clerk Responsibilities.

The City Clerk shall:

- A. maintain and update the rotation matrix following each election and Council vacancy
- B. document seniority, additions and adjustments to the matrix
- C. administer tie-breaking procedures pursuant to Section 2.04.090.

2.04.130 Transition Timing.

- A. The Mayor and Mayor Pro Tem selection shall occur at the first regular City Council meeting in December in years without a General Municipal Election for council members.
- B. The Mayor and Mayor Pro Tem selection shall occur at the same meeting City Council certifies Council Member election results in years with a General Municipal Election for council members.

SECTION 2. Existing Policy Repealed. City Council repeals City of Fullerton Administrative Policy 226.

SECTION 3. Severability. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 4. Exempt from CEQA. This Ordinance is exempt from California Environmental Quality Act ("CEQA") requirements pursuant to State CEQA Guidelines because there is no possibility that this Ordinance or its implementation would have a significant negative effect on the environment. (14 California Code Regulations Section 15061(b)(3).)

SECTION 5. Certification. The City Clerk shall certify to this Ordinance passage and publish required by law. This ordinance and shall take effect as provided by law.

ADOPTED BY THE FULLERTON CITY COUNCIL ON JANUARY ____, 2026.

Fred Jung
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date