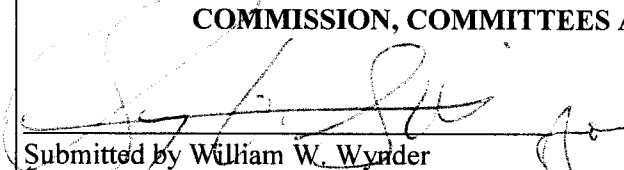





# City of Carson Report to Mayor and City Council

April 2, 2013  
New Business Discussion

**SUBJECT: CONSIDER ORDINANCE NO. 13-1516 AMENDING THE CARSON MUNICIPAL CODE REGARDING THE NUMBER AND COMPOSITION OF VARIOUS COMMISSION, COMMITTEES AND BOARDS**

  
Submitted by William W. Wylder  
City Attorney

  
Approved by David C. Biggs  
City Manager

## I. SUMMARY

During the budget workshop and adoption process in 2012, the City Council determined to change the number and composition of several city boards, commissions and committees. Subsequently on October 2, 2012, the Council voted to change the number and composition of several commission, committee and boards.

The Mayor has now requested that this item be added to the agenda to restore the number and composition of the boards, commissions and committees back to what they were prior to the October 2, 2012 changes.

With respect to increasing the number and composition of city commissions, it will be necessary to amend the municipal code. The attached ordinance accomplishes this initial step.

Step two will require adoption of three (3) resolutions changing the composition of three (3) committees whose existence are not established by ordinance but rather by resolution.

Accordingly, it is the City Attorney's plan to bring back the resolutions necessary to change the composition of the Beautification Committee, the U.U.T. Oversight Committee and the Carson Historical Committee with the second reading of the attached ordinance.

## II. RECOMMENDATION

CONSIDER and PROVIDE direction.

## III. ALTERNATIVES

1. WAIVE further reading and INTRODUCE Ordinance No. 13-1516, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE REGARDING THE NUMBER AND COMPOSITION OF VARIOUS COMMISSIONS."
2. MODIFY the attached draft ordinance.
3. TAKE another action the City Council deems appropriate consistent with law.

19

**IV. BACKGROUND**

During the budget workshop and deliberation process, the City Council determined to reduce the number and composition of several city boards, commissions, and committee. Subsequently on October 2, 2012, the Council changed the number and composition of several boards, commissions and committees. Specifically, the Council merged the Parks and Recreation Commission and the Cultural Arts Commission into a single 9 person commission, reduced the size of the Public Relations Commission from 9 to 7, reduced the size of the Youth Commission form 11 to 9, reduced the size of the Veterans Affairs Commission form 11 to 9, reduced the size of the Beautification Committee from 11 to 9, reduced the size of the U.U.T. Oversight Committee from 21 to 11, and reduced the size of the Historical Committee from 9 to 7. The Mayor has now requested that all commissions, boards and committees go back to their original sizes and that the Council forms a Cultural Arts Commission.

Forming the Cultural Arts Commission again and increasing the size of the Public Relations, Youth, and Veterans Affairs commissions all require amendments to the municipal code. These are accomplished in the attached ordinance. Increasing the size of the three identified committees can be accomplished by resolutions, and will be presented for Council consideration with the second reading of the attached ordinance.

**V. FISCAL IMPACT**

It is anticipated that there will be budget savings from these actions.

**VI. EXHIBITS**

- 1. Ordinance No. 13-1516. (pgs. 3-8)

Prepared by: William W. Wynder, City Attorney  
TO:Rev04-23-12

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

<b>Action taken by City Council</b>	
Date _____	Action _____

ORDINANCE NO. 13-1516

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON,  
CALIFORNIA, AMENDING CARSON MUNICIPAL CODE REGARDING THE  
NUMBER AND COMPOSITION OF VARIOUS COMMISSIONS

NOW, THEREFORE, the CITY COUNCIL of the CITY of CARSON, CALIFORNIA,  
does hereby ordain as follows:

SECTION 1. Section 2736 of the Carson Municipal Code is amended, in its entirety, to  
read as follows (new text is identified in ***bold & italics***, deleted text in ~~strike through~~):

“The Parks and Recreation Commission shall consist of ***seven (7)***  
~~nine (9)~~ members, each of whom shall be and remain a resident of  
the City of Carson. All members shall be appointed by the Mayor  
with the approval of a majority of the entire City Council present,  
including the Mayor. The tenure of any member of the  
Commission shall be terminable at any time by removal by the  
Mayor with the approval of a majority of the entire City Council  
present, including the Mayor. Subject to the provisions of this  
Section, the tenure of Commission members appointed on or after  
April 1, 1997, shall expire at midnight on the last day of the  
calendar month in which the next general municipal election after  
the member’s appointment is held for seats on the Carson City  
Council. Each Commission member shall continue to serve until a  
successor has been appointed by the Mayor with the approval of a  
majority of the entire City Council present, including the Mayor,  
and has qualified unless the City Council declares the position to  
be vacant. Should any vacancy exist on the Commission, an  
appointment shall be made by the Mayor with the approval of a  
majority of the entire City Council present, including the Mayor.  
All appointments shall be made in an open meeting of the City  
Council.”

SECTION 2. Chapter 7 of the Carson Municipal Code is amended to add Sections  
2796.1, .2, .3, .4, .5, .6, .7 in their entirety as follows:

“2796.1 Cultural Arts Commission – Establishment of.

There is hereby established a Cultural Arts Commission. Said shall  
be known and referred to as the “Cultural Arts Commission.”

2796.2 Members.

The Cultural Arts Commission shall consist of seven (7) members,  
each of whom shall be and remain a resident of the City of Carson.

EXHIBIT NO. 01



All members shall be appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. The tenure of any member of the Commission shall be terminable at any time by removal by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. Subject to the provisions of this Section, the tenure of Commission members appointed on or after April 1, 1997, shall expire at midnight on the last day of the calendar month in which the next general municipal election after the member's appointment is held for seats on the Carson City Council. Each Commission member shall continue to serve until a successor has been appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor, and has qualified unless the City Council declares the position to be vacant. Should any vacancy exist on the Commission, an appointment shall be made by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. All appointments shall be made in an open meeting of the City Council.

#### 2796.3 Organization.

The Cultural Arts Commission shall elect a Chairman and a Vice Chairman, for terms of one (1) year, at its first regular meeting in September of each year. The Commission may also appoint such other officers as may be necessary or convenient for the administration of its business, at the same time and for like terms. Said officers shall enter in the duties of their office at the first regular meeting in September of each year. The Commission shall adopt rules and regulations for the transaction of its business and shall keep a record of all its minutes, resolutions, actions, findings and determinations, all of which shall be filed with the City Clerk and the City. The Parks and Recreation Director shall appoint a City employee to serve as staff advisor to the Commission.

#### 2796.4 Meetings.

The Cultural Arts Commission shall establish a regular time and place for meetings and shall hold at least one (1) regular meeting each month. Special meetings of the Cultural Arts Commission may be called at any time by the Presiding Officer, or by any four (4) or more members of the Cultural Arts Commission by providing notice of such meeting as required by law.

#### 2796.5 Absence from Meetings.



If a member of the Cultural Arts Commission is absent from three (3) successive regular meetings without being excused by the Commission, or is absent for any reason for more than six (6) regular meetings in any twelve (12) month period, the office of such member shall be vacated and the Chair shall immediately notify the City Manager, who shall notify the City Council that said office is vacant. Upon such notification, a successor for the remainder of the term of such member shall be appointed by the appointing authority for the member whose position is vacated.

2796.6 Duties and Functions of Commission.

The Cultural Arts Commission will be a functioning arm of the City structure, as all other appointed commissions, and will be the responsibility of the Parks and Recreation Department.

The functions of the Cultural Arts Commission shall be to advise and recommend to the City Council and City staff on all matters relating to cultural arts and shall also:

- (a) Encourage programs for the cultural enrichment of the City.
- (b) Coordinate and strengthen existing organizations in the cultural arts field.
- (c) Propose methods to encourage private initiative in the arts and culture.
- (d) Advise and consult with other groups and individuals of the community, and coordinate with the State and Federal cultural commissions in obtaining the benefits of this knowledge, experience and resource in the fields of culture and the arts.
- (e) Formulate programs and methods to encourage creative activities to the highest standards, as well as to encourage increased public understanding, appreciation and enjoyment of the cultural art forms and activities.
- (f) Review and make recommendations upon all works of art to be acquired by the City, either by purchase, gift or otherwise, and the location thereof.
- (g) Review and make recommendations with respect to the removal, relocation or alteration of any existing works of art in the possession of the City.



2796.7 Compensation and Expenses.

Each member of the Cultural Arts Commission shall receive compensation at the rate of \$35.00 for each meeting of the Commission attended by such member, not to exceed a total compensation of \$70.00 in any one (1) month. The Secretary of the Commission shall submit to the Finance Officer at the end of each calendar month a statement showing the number of meetings of the Commission attended by each member during such month. No additional compensation shall be paid for the expenses incurred by the members of the Commission in the performance of their duties, except the City Council may, from time to time, authorize in advance expenditures for attendance at seminars, institutes or other meetings which the City Council finds beneficial to the Commissioners in the performance of their duties, and in the best interests of the City. Claims for such expenditures shall be filed with the Finance Officer and shall be subject to audit and approval by the City Council.”

SECTION 3. Section 27100.2 of the Carson Municipal Code is amended, in its entirety, to read as follows (new text is identified in ***bold & italics***, deleted text in ~~strike through~~):

“The Youth Commission shall consist of ***eleven (11)*** ~~nine (9)~~ members, each of whom shall be and remain a resident of the City of Carson and be at least thirteen (13) but not more than eighteen (18) years of age at the time of their appointment. All members shall be appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. The tenure of any member of the Commission shall be terminable at any time by removal by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. The term of office of Commission members shall be for one (1) year commencing July 1st and expiring at midnight on June 30th unless a different expiration date is prescribed by the City Council at the time of the member’s appointment. Each Commission member shall continue to serve until a successor has been appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor, and has qualified unless the City Council declares the position to be vacant. Should any vacancy exist on the Commission, an appointment shall be made by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. All appointments shall be made in an open meeting of the City Council.”



SECTION 4. Section 27102.2 of the Carson Municipal Code is amended, in its entirety, to read as follows (new text is identified in ***bold & italics***, deleted text in ~~strike-through~~):

“The Veterans Affairs Commission shall consist of ***eleven (11)*** ~~nine (9)~~ members, each of whom shall have the qualifications hereinafter set forth. All members shall be appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. The tenure of any member of the Commission shall be terminable at any time by removal by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. Subject to the provisions of this Section, the tenure of Commission members appointed on or after March 4, 1999, shall expire at midnight on the last day of the calendar month in which the next general municipal election after the member’s appointment is held for seats on the Carson City Council. Each Commission member shall continue to serve until a successor has been appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor, and has qualified unless the City Council declares the position to be vacant. Should any vacancy exist on the Commission, an appointment shall be made by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. All appointments shall be made in an open meeting of the City Council.”

SECTION 5. Section 27105.2 of the Carson Municipal Code is amended, in its entirety, to read as follows (new text is identified in ***bold & italics***, deleted text in ~~strike-through~~):

“The Public Relations Commission shall consist of ***nine (9)*** ~~seven (7)~~ members, each of whom shall have the qualifications hereinafter set forth. All members shall be appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. The tenure of any member of the Commission shall be terminable at any time by removal by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. Subject to the provisions of this Section, the tenure of Commission members appointed on or after February 7, 2002, shall expire at midnight on the last day of the calendar month in which the next general municipal election after the member’s appointment is held for seats on the Carson City Council. Each Commission member shall continue to serve until a successor has been appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor, and has qualified unless the City Council declares the position to be vacant. Should any vacancy exist on the Commission, an appointment shall be made by the Mayor with the approval of a

7

majority of the entire City Council present, including the Mayor.  
All appointments shall be made in an open meeting of the City Council.”

SECTION 6. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance 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 portions of this Ordinance. The City Council of the city of Carson hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 7. This Ordinance shall be in full force and effect thirty (30) days after its second reading and adoption.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Ordinance by the City Council of the city of Carson and shall cause a summary of this ordinance to be published in accordance with Government Code § 36933.

**PASSED, APPROVED and ADOPTED** at a regular meeting of the City Council on this \_\_\_\_\_ day of April, 2013.

\_\_\_\_\_  
MAYOR JIM DEAR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

