



City of Carson Report to Mayor and City Council

May 7, 2013
New Business Discussion

SUBJECT: CONSIDER ORDINANCE NO. 13-1520 ADDING TIERED ALTERNATE MEMBERS TO VARIOUS CITY COMMISSIONS INCLUDING AUTHORIZING COMPENSATION FOR THE SERVICES OF SUCH ALTERNATE COMMISSION MEMBERS, RESOLUTION NOS. 13-045, INCREASING THE COMPOSITION OF THE CARSON HISTORICAL COMMITTEE, 13-046 INCREASING THE COMPOSITION OF THE CARSON UTILITY USERS TAX CITIZENS BUDGET OVERSIGHT COMMITTEE, INCLUDING A MINUTE ORDER INCREASING THE COMPOSITION OF THE CARSON BEAUTIFICATION COMMITTEE, AND ADDING TIERED ALTERNATE MEMBERS TO THREE (3) COMMITTEES

Submitted by William W. Wynder
City Attorney

Approved by David C. Biggs
City Manager

I. SUMMARY

This staff report represents the implementation of the final actions necessary to increase the composition of all boards, commissions, and committees to a minimum of nine (9) members and adding three (3) tiered alternates to the same.

The four (4) actions recommended in this agenda item will add a system of tiered alternates to the city's remaining commissions, will increase the composition of three committees whose existence were not established by ordinance but rather by resolution or minute action, and will add tiered alternates to these committees. Attached are the ordinance and the resolutions necessary to accomplish these tasks (Exhibit Nos. 1, 2 and 3).

Ordinance No. 13-1520 makes two (2) categories of changes to a series of sections of the Municipal Code relating to the various commissions identified therein:

Section 1 of the ordinance (Triangle 4) amends to *composition subsections* of various Municipal Code sections to add tiered alternate members to each identified commission.

Section 2 of the ordinance (Triangle 4) amends the *compensation subsections* of various Municipal code sections to include the tiered alternate members of various commissions as being eligible for compensation for their services.

Resolution No 13-045 increases the membership on the Historical Committee from seven (7) to nine (9) members, and adds three (3) tiered alternate members. Resolution No 13-046 increases the membership on the UUT Oversight

Committee from eleven (11) to twenty-one (21) members, and adds three (3) tiered alternate members.

After further investigation with the City Clerk's Office, it is determined that there was no resolution creating the Carson Beautification Committee. Accordingly, all that will be required is a minute action by the City Council setting forth the total membership of this committee at nine (3) members with three (3) tiered alternate members.

II. RECOMMENDATION

1. WAIVE further reading and INTRODUCE for first reading Ordinance No. 13-1520, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE CARSON MUNICIPAL CODE REGARDING THE COMPOSITION OF VARIOUS COMMISSIONS;" *and*
2. WAIVE further reading and ADOPT Resolution No. 13-045, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION NO. 12-113 REGARDING THE COMPOSITION OF THE CARSON HISTORICAL COMMITTEE;" *and*
3. WAIVE further reading and ADOPT Resolution No. 13-046, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION NO. 12-113 REGARDING THE COMPOSITION OF THE CARSON UTILITY USERS TAX CITIZENS BUDGET OVERSIGHT COMMITTEE;" *and*
4. DETERMINE, by minute order, that the composition of the Carson Beautification Committee will be nine (9) members with three (3) tiered alternate members.

III. ALTERNATIVES

1. MODIFY the attached draft ordinance and/or resolutions and proposed minute order.
2. TAKE another action the City Council deems appropriate consistent with law.

IV. BACKGROUND

In prior actions of the City Council, it was determined to merge the Parks and Recreation Commission and the Cultural Arts Commission into a single 9 person commission, reduce the size of the Public Relations Commission from 9 to 7, reduce the size of the Youth Commission from 11 to 9, reduce the size of the Veterans Affairs Commission from 11 to 9, reduce the size of the Beautification Committee from 11 to 9, reduce the size of the UUT oversight committee from 21 to 11, and reduce the size of the Historical Committee from 9 to 7.

These actions were accomplished by ordinance, resolutions, and minute action. It

has been the stated intent of the current members of the City Council to reverse these actions, restore all previously existing commissions, restore the size of all commissions, boards, and committees to a minimum of nine (9) numbers and established a tiered system of three (3) alternate members of all boards, commission, or committees.

V. FISCAL IMPACT

Unknown as of the writing of this staff report.

VI. EXHIBITS

1. Ordinance No. 13-1520. (pgs. 4-5)
2. Resolution No. 13-045. (pg. 6)
3. Resolution No. 13-046. (pg. 7)

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

Action taken by City Council

Date_____ Action_____

ORDINANCE NO. 13-1520

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

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

SECTION 1. Sections 2701 (Planning Commission), 2736 (Parks & Recreation Commission), 2762 (Human Relations Commission), 2796.2 (Cultural Arts Commission), 2799.2 (Senior Citizens Commission), 27100.2 (Youth Commission), 27102.2 (Veteran's Commission) and 27104.2 (Economic Development Commission) of the Carson Municipal Code are amended, in part, to insert the following text after the word "members," to wit: ***“,and three (3) alternate members who shall called upon, when necessary, in the order of their appointments as Alternate 1, 2 or 3, to substitute for any absent commissioner,”*** (new text, if any, is identified in ***bold & italics***, deleted text, if any, in ~~strike through~~).

SECTION 2. Sections 2707 (Planning Commission), 2742 (Parks & Recreation Commission), 2767 (Human Relations Commission), 2796.7 (Cultural Arts Commission), 2799.7 (Senior Citizens Commission), 27100.7 (Youth Commission), 27102.7 (Veteran's Commission) and 27104.7 (Economic Development Commission) are each amended, in part, to insert the following text after the phrase "Each member" to wit: ***and alternate member***" (new text, if any, is identified in ***bold & italics***, deleted text, if any, in ~~strike through~~).

SECTION 3. 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 4. This Ordinance shall be in full force and effect thirty (30) days after its second reading and adoption.

SECTION 5. 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.

EXHIBIT NO. 01

[MORE]



PASSED, APPROVED and ADOPTED at a regular meeting of the City Council on this
_____ day of May, 2013.

Mayor Jim Dear

ATTEST:

City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

City Attorney



RESOLUTION NO. 13-045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON,
CALIFORNIA, AMENDING RESOLUTION NO. 12-112 REGARDING
THE COMPOSITION OF THE CARSON HISTORICAL COMMITTEE

WHEREAS, on November 17, 2009, the City Council adopted Resolution No. 09-130 creating a Carson. Historical Committee, amended the same in 2010 by Resolution No. 10-007, and amended the same again by Resolution No. 12-112; and

WHEREAS, the City Council desires to amend Resolution No. 12-112 regarding the composition of the Carson Historical Committee.

NOW, THEREFORE, the City Council of the city of Carson, does hereby RESOLVE as follows:

1. Section 2 of Resolution No. 10-007 is hereby amended to read in its entirety as follows:

“SECTION 2. The Carson Historical Committee shall be deemed a standing committee, subject to the requirements of the "Ralph M. Brown Act," and consist of ***nine (9) seven (7) members, and three (3) alternate members who shall called upon, when necessary, in the order of their appointments as Alternate 1, 2 or 3, to substitute for any absent committee member,*** that are residents of, former residents of, or have worked in 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 Committee 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.”

PASSED, APPROVED and ADOPTED this ____ day of May, 2013.

Mayor Jim Dear

ATTESTED:

City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

City Attorney

EXHIBIT NO. 02



RESOLUTION NO. 13-046

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON,
CALIFORNIA, AMENDING RESOLUTION NO. 12-113 REGARDING
THE COMPOSITION OF THE CARSON UTILITY USERS TAX
CITIZENS BUDGET OVERSIGHT COMMITTEE

WHEREAS, on May 5, 2009, the City Council adopted Resolution No. 09-052 creating what is now called the Utility Users Tax Citizens Budget Oversight Committee and amended the same by Resolution No. 12-113; and

WHEREAS, the City Council desires to amend Resolution No. 12-113 regarding the composition of such committee.

NOW, THEREFORE, the City Council of the city of Carson, does hereby RESOLVE as follows:

1. Section 2 of Resolution No. 09-052 is hereby repealed, in its entirety.
2. A new Section 2 of Resolution No. 09-052 is hereby added, to read in its entirety as follows:

*"2. The Carson Utility Users Tax Citizens Budget Oversight Committee shall be deemed a standing committee, subject to the requirements of the "Ralph M. Brown Act," and consist of **twenty-one (21)** ~~eleven (11)~~ members, **and three (3) alternate members who shall called upon, when necessary, in the order of their appointments as Alternate 1, 2 or 3, to substitute for any absent committee member**, that are residents 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 Committee 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."*

PASSED, APPROVED and ADOPTED this ____ day of May, 2013.

Mayor Jim Dear

ATTESTED:

City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

City Attorney

EXHIBIT NO. 13

