

ORDINANCE NO. 21-2103

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CHAPTER 7 (DEPARTMENTS, BOARDS, COMMISSIONS) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE TO MERGE THE BEAUTIFICATION COMMISSION INTO THE ENVIRONMENTAL COMMISSION

WHEREAS, the City Council of the City of Carson, a charter city (“City”), has broad authority under state law and the City’s Charter (“Charter”) to establish and appoint commissions as part of the sub-government of the City, and to modify the characteristics of such commissions, including their membership composition; and

WHEREAS, the City Council established the City’s Environmental Commission in 1970 and has conferred upon the Environmental Commission the power and duty, except as otherwise provided by law, to: (a) undertake investigation and studies, and to hold hearings concerning the pollution of the City’s environment, and to make recommendations to the City Council of reasonable and practical means of creating and maintaining a desirable, healthy environment in and throughout the City; (b) consult and advise with public officials and agencies on the local, state and federal level, with members of the industrial, civic, educational and professional communities, either individually or in concert, towards the goal of accomplishment and execution of the environmental plans, programs and policies approved by the City Council; (c) endeavor to promote public interest in and understanding of the problems of environmental pollution and remedies therefor; (d) recommend to the City Council the adoption of standards or guidelines relating to permitted levels of noise, air pollution and water pollution; (e) act as the City Underground Utilities Advisory Committee; (f) coordinate enforcement by, and cooperative efforts between, other concerned governmental agencies, private firms and organizations and the several departments of the City; and (g) review proposed legislation, Federal, State and local, which may have a bearing upon environmental factors affecting the City, and make recommendations to the City Council as to any position or action to be taken with respect thereto; and

WHEREAS, the Environmental Commission, as currently constituted, is comprised of nine (9) regular member positions and three (3) alternate member positions, all of which are currently vacant; and

WHEREAS, the City Council established the City’s Beautification Commission in 2015 to act in an advisory capacity to the City Council, the City Manager and their designees in matters related to the beautification of the City, and to provide recommendations to the City Council concerning enhancements to the aesthetics of the City and ways to enhance the beauty of the City for the benefit of its residents; and

WHEREAS, the Beautification Commission, as established and currently constituted, is comprised of nine (9) regular member positions and three (3) alternate member positions, all of which are currently vacant; and

WHEREAS, the City Council has determined that it is in the best interest of the City to merge the Beautification Commission into the Environmental Commission, and now sees fit do so.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The forgoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Part V (Beautification Commission) (consisting of Sections 27108.1 – 27108.8, inclusive) of Chapter 7 (Departments, Boards, Commissions) of Article II (Administration) of the Carson Municipal Code is hereby repealed in its entirety.

SECTION 3. Section 2753 (Duties) of Chapter 7 (Departments, Boards, Commissions) of Article II (Administration) of the Carson Municipal Code is hereby amended to read in its entirety as follows (deletions shown in ~~strike through~~, additions shown in ***bold italics***):

“The Environmental Commission shall have the power and duty, except as otherwise provided by law, to:

(a) Undertake investigation and studies, and to hold hearings concerning the pollution of the City’s environment, and to make recommendations to the City Council of reasonable and practical means of creating and maintaining a desirable, healthy environment in and throughout the City of Carson. Said investigations and studies may be made by committees created by the Commission, chaired by a member of the Commission and comprised of Commission members, citizens of the City of Carson and any other individuals having experience or expertise which would be helpful in the accomplishment of the committee’s purposes.

(b) Consult and advise with public officials and agencies on the local, state and federal level, with members of the industrial, civic, educational and professional communities, either individually or in concert, towards the goal of accomplishment and execution of the environmental plans, programs and policies approved by the City Council.

(c) Endeavor to promote public interest in and understanding of the problems of environmental pollution and remedies therefor.

(d) Recommend to the City Council the adoption of standards or guidelines relating to permitted levels of noise, air pollution and water pollution.

(e) Act as the City Underground Utilities Advisory Committee.

(f) Coordinate enforcement by, and cooperative efforts between, other concerned governmental agencies, private firms and organizations and the several departments of the City.

(g) Review proposed legislation, Federal, State and local, which may have a bearing upon environmental factors affecting the City, and make recommendation to the City Council as to any position or action to be taken with respect thereto.

(h) Act in an advisory capacity to the City Council, the City Manager and their designees in matters related to the beautification of the City of Carson.

(i) Review and provide advice and recommendations concerning beautification of the City of Carson and recommend to the full City Council enhancements to the aesthetics of the City of Carson and ways to enhance the beauty of the City of Carson for Carson residents."

SECTION 4. A new Section 2758 (Membership Qualifications) is hereby added to Chapter 7 (Departments, Boards, Commissions) of Article II (Administration) of the Carson Municipal Code, to read in its entirety as follows:

"2758 Membership Qualifications.

Each member of the Environmental Commission shall be and remain a resident of the City of Carson, and shall be at least eighteen (18) years of age at the time of the member's appointment. Each member shall be a person having interest, experience or ability in community beautification."

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 6. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 7. The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted and codified in the manner required by law.

PASSED, APPROVED and ADOPTED at a regular meeting of the City Council on this 6th day of April, 2021.

APPROVED AS TO FORM:

CITY OF CARSON:

/s/
Sunny K. Soltani, City Attorney

/s/
Lula Davis-Holmes, Mayor

ATTEST:

/s/
Donesia Gause-Aldana, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Donesia Gause-Aldana, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing ordinance, being Ordinance 21-2103 passed first reading on the 16th day of March, 2021, adopted by the Carson City Council at its meeting held on the 6th day of April, 2021, by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Davis-Holmes, Dear, Hilton, Hicks
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None
RECUSED:	COUNCIL MEMBERS:	None

/s/
Donesia Gause-Aldana, MMC, City Clerk