ORDINANCE NO. 21-____

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 BULLYING PREVENTION COMMISSION INTO THE PUBLIC SAFETY COMMISSION AND TO REDUCE THE MEMBERSHIP OF THE COMMISSION FROM NINE REGULAR MEMBERS AND THREE ALTERNATES TO SEVEN REGULAR MEMBERS AND TWO ALTERNATES.

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 Public Safety Commission in 1999, and has conferred upon the Public Safety Commission the authority and duty to: (a) act in an advisory capacity to the City Council, City Manager, and Director of Public Safety in certain matters pertaining to public safety services within the City; (b) recommend general policies on public safety services for approval by the City Council, City Manager, or Director of Public Safety; (c) advise the City Council, City Manager, and Director of Public Safety concerning the development of public safety programs and services; and (d) provide a forum for community discussion of public safety concerns and issues; and

WHEREAS, the Public Safety 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 Bullying Prevention Commission in 2015 to: (a) act in an advisory capacity to the City Council, the City Manager, and their designees in matters related to the identification and prevention of bullying, including cyber-bullying, in the City; (b) review and provide advice and recommendations concerning a shared understanding of the causes and effects of bullying, to create a public service announcement that would educate and create heightened awareness of the effects of bullying to the full City Council, to develop educational tools to be presented to students, parents, and other interested persons or entities about ways to identify and prevent bullying, including cyber-bullying, in the City; and (c) perform such other tasks as may be assigned to the Bullying Prevention Commission by the City Council from time to time related to the identification and prevention of bullying, including cyber-bullying, in the City; and

WHEREAS, the Bully Prevention 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 Bullying Prevention Commission into the Public Safety Commission, and to amend the membership composition of the Public Safety Commission to reduce the number of regular member positions from nine (9) to seven (7) and the number of alternate member positions from three (3) to two (2), 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 W (Bullying Prevention Commission) (consisting of Sections 27109.1 - 27109.8, 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 27103.2 (Members) 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 ~~strikethrough~~, additions shown in ***bold italics***):

> "The Public Safety Commission shall consist of ~~nine (9)~~ ***seven*** (***7)*** members, and ~~three (3)~~ ***two (2)*** alternate members who shall be called upon, when necessary, in the order of their appointments as Alternate 1~~,~~ ***or*** 2~~ or 3~~, to substitute for any absent commissioner, 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 and any Alternate shall be terminable at will, and without cause, by removal on the motion of any member of the Council, duly seconded, and 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 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 27103.6 (Duties and Functions of Commission) 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 ~~strikethrough~~, additions shown in ***bold italics***):

"The Carson Public Safety Commission shall have the following authority and duties:

(a) Act in an advisory capacity to the City Council, City Manager, and ~~Director of~~ Public Safety ***Manager*** in certain matters pertaining to public safety services within the City of Carson.

(b) Recommend general policies on public safety services for approval by the City Council, City Manager, or ~~Director of~~ Public Safety ***Manager***.

(c) Advise the City Council, City Manager, and ~~Director of~~ Public Safety ***Manager*** concerning the development of public safety programs and services.

(d) Provide a forum for community discussion of public safety concerns and issues.

(e) "Public safety" as used herein refers to law enforcement, fire suppression, code enforcement, and disaster and emergency aid services provided within the City of Carson***, and also refers to bullying prevention authority and duties as detailed in subsections (h)-(j), inclusive***.

(f) The Public Safety Commission shall have no responsibility or authority to review, evaluate, investigate, or comment upon individual personnel complaints involving any public agency or contractor employee. Any and all such matters are solely within the jurisdiction of the involved public agency or contract employer and its internal affairs and personnel policies and procedures.

(g) The Public Safety Commission shall have no responsibility or authority to direct or interfere with the operations and management of any public safety agency or contractor, nor shall any individual member of the Public Safety Commission at any time attempt to direct, interfere with, or participate in the operations or management of any public safety agency or contractor or their personnel.

(h) Act in an advisory capacity to the City Council, the City Manager, and their designees in matters related to the identification and prevention of bullying, including cyber-bullying, in the City of Carson.

(i) Review and provide advice and recommendations concerning a shared understanding of the causes and effects of bullying, to create a public service announcement (PSA) that would educate and create heightened awareness of the effects of bullying to the full City Council, to develop educational tools to be presented to students, parents, and other interested persons or entities about

ways to identify and prevent bullying, including cyber-bullying, in the City of Carson.

(j) Perform such other tasks as may be assigned to the Commission by the City Council from time to time related to the identification and prevention of bullying, including cyber-bullying, in the City of Carson.

~~(h)~~ ***(k)*** The Public Safety Commission shall have no responsibility or authority to review, evaluate, investigate, or comment upon matters which are within the duties and functions of any other City of Carson commission or committee."

SECTION 5. Section 27103.8 (Membership Qualifications) 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 ~~strikethrough~~, additions shown in ***bold italics***):

"Each member of the Public Safety Commission shall be a resident of the City of Carson and be at least eighteen (18) years of age at the time of the member's appointment. ***Additionally, each member shall be a person having interest, experience or ability in the identification, education, and prevention of bullying, including cyber-bullying, and could be a credentialed educator, licensed psychologist, credentialed counselor.***"

SECTION 6. 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 7. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 8. 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.

[signatures on the following page]

PASSED, APPROVED and **ADOPTED** at a regular meeting of the City Council on this _____ day of _____, 2021.

_____
MAYOR LULA DAVIS-HOLMES

ATTEST:

_____
CITY CLERK DONESIA GAUSE-ALDANA

APPROVED AS TO FORM:

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CITY ATTORNEY SUNNY K. SOLTANI