

ORDINANCE NO. 21-2107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 2762 (MEMBERS) OF CHAPTER 7 (DEPARTMENTS, BOARDS, COMMISSIONS) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE TO REDUCE THE HUMAN RELATIONS COMMISSION GENERAL MEMBERSHIP FROM SEVEN TO FIVE WHILE MAINTAINING THE NUMBER OF TWO YOUTH MEMBERS AND TO REDUCE THE NUMBER OF ALTERNATES FROM THREE TO TWO

WHEREAS, the City Council of the City of Carson, a charter city ("City"), has broad authority under state law and the City's 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 Human Relations Commission ("Commission") in 1974 to: (a) advise and consult with the City Council, City Administrator, and the commissions, boards and officers of the City on all matters involving discrimination on the basis of race, religion, national origin, culture, economic status, age or sex; (b) recommend such corrective or legislative action as may be appropriate to effectuate the policy of the City Council which is declared in this Part; (c) invite and enlist the cooperation of racial, religious and ethnic groups, youth and senior citizen organizations, community organizations, fraternal and benevolent societies, veterans organizations, professional and technical organizations and other groups in the City of Carson in carrying on its work; (d) foster communication, mutual respect and understanding among all racial, religious and other groups in the community; (e) make such studies in any area of human relationship in the community as in the judgment of the Commission will aid in effectuating its general purpose; (f) cooperate with the City, County, State and Federal agencies whenever it deems such action appropriate in effectuating the policy of this Part; (g) initiate, conduct or recommend such educational programs as, in the judgment of the Commission, will increase good will among inhabitants of the community and open new opportunities into all phases of community life and society for all inhabitants of the City; (h) hold conferences, and other public meetings, in the interest of the constructive resolution of racial, religious or other group tensions, prejudice or discrimination; (i) receive, hear and investigate complaints of tensions, practices of discrimination and acts of prejudice against any person or group because of race, color, religion, ethnic origin, culture, economic status, age or sex, whether practiced by private persons, associations, corporations or public bodies, and to seek to resolve such matters through consultation and advice; (j) seek the best means of progressively improving human relations in the entire City; (k) issue such publications and such special reports concerning its work and investigations it may consider desirable and in the public interest, subject to the approval of the City Council; (l) refer all findings of discrimination within the jurisdiction of any County, State or Federal boards, commissions or departments to such agencies; (m) make recommendations and

reports to the City Council on all matters within the duties and functions of the Commission; and (n) submit an annual report to the City Council and such other reports as may be requested by the City Council; and

WHEREAS, the Commission, as currently constituted, is comprised of nine (9) members, seven (7) general members and two (2) youth members, and three (3) alternate members; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the membership composition of the Human Relations Commission to reduce the number of general member positions from seven (7) to five (5) while maintaining the number of two (2) youth members, and to reduce 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. RECITALS. The foregoing recitals are true and correct, and are incorporated herein as findings of fact.

SECTION 2. AMENDMENT. Section 2762 (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 ~~striketrough~~, additions shown in ***bold italics***):

“The Human Relations Commission shall consist of ~~seven~~ ***five*** ~~nine~~ (79) members, ~~seven~~ ***five*** (57) general members and two (2) youth members, and ~~two~~ ***three*** (23) 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 be a resident of the City of Carson. The members shall be appointed as follows.

(a) General Members. All general members shall be appointed 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 2762, the tenure of the first general members appointed after the effective date hereof shall expire April 30, 1994. Thereafter, all general members shall be appointed biennially for two (2) year terms expiring at midnight on April 30th of each regular municipal election year (each even-numbered year).

(b) Youth Members.* The two (2) youth members shall be appointed by the Mayor, based upon the recommendation of the general members, and subject to approval by the entire City Council present, including the Mayor. Each youth member shall serve for a one (1) year term or until his or her successor is appointed and qualified. All terms of office shall commence on July 1st of each year and expire on June 30th of the successive year. Thereafter, one (1) or both of the youth commissioners may

be appointed for one (1) additional year, for a maximum tenure of two (2) years. The two (2) youth members shall meet all of the following qualifications.

(1) Youth members shall be between the ages of sixteen (16) and twenty-one (21) and enrolled in school at the time of appointment;

(2) Youth members shall have maintained at least a 2.0 grade point average in the previous school year; and

(3) Youth members shall have an interest in human relations issues and concerns.

(c) Termination, Vacancies, Voting. 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 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 appointing power 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. Action taken by the Commission shall only be valid if a majority of the general members present, and in no event less than three (3) general members, have voted for it."

SECTION 3. SEVERABILITY. 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 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. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 5. CERTIFICATION. 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.

Lula Davis-Holmes, Mayor

ATTEST:

Donesia Gause-Aldana, City Clerk

APPROVED AS TO FORM:

Sunny K. Soltani, City Attorney