

ORDINANCE NO. 21-2110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 2798.2 (MEMBERS) OF CHAPTER 7 (DEPARTMENTS, BOARDS, COMMISSIONS) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE TO REDUCE THE MEMBERSHIP OF THE PUBLIC WORKS 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 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 Works Commission (“Commission”) in 1999 to: (a) act in an advisory capacity to the City Council and the Director of Engineering Services in all matters pertaining to public works issues; (b) provide advice on capital Improvement Program formulation and review, including deficiency and feasibility reports, project priorities and capital improvement reports; (c) provide advice on activities within the public rights-of-way which are not subject to administrative permit procedure, including encroachments and undergrounding of utilities; (d) provide advice on traffic management, including matters germane to traffic circulation, regulatory traffic control devices which require action by City Council or Planning Commission, special traffic and parking studies, temporary street closures and the proposed use of Proposition A and Proposition C Local Return Funds; (e) provide advice on environmental enhancement and beautification, including design review for aesthetic evaluation of landscaped median improvement projects within the public right-of-way; and (f) review and provide advice concerning the operations of and contract for the Carson circuit transportation system; and

WHEREAS, the Commission, as currently constituted, is comprised of nine (9) 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 Public Works 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. RECITALS. The foregoing recitals are true and correct, and are incorporated herein as findings of fact.

SECTION 2. AMENDMENT. Section 2798.2 (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 ~~strike through~~, additions shown in ***bold italics***):

“The Public Works Commission shall consist of ~~seven nine~~ ***(79)*** 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 member shall be a person having interest, experience or ability in construction, transportation, traffic or circulation areas to ensure that traffic, vehicle parking, bikeways, and transportation systems and other City facilities are regulated and constructed in a manner calculated to best provide for the safety and welfare of the public. 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 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 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