

ORDINANCE NO. 21-2101

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SUBSECTION (A) (“REGULAR MEETINGS”) OF SECTION 2403 (“COUNCIL MEETINGS”) OF CHAPTER 4 (“CITY OFFICES – COUNCIL CHAMBERS – MEETINGS”) OF ARTICLE II (“ADMINISTRATION”) OF THE CARSON MUNICIPAL CODE TO MODIFY THE REGULAR CITY COUNCIL MEETING SCHEDULE FOR THE MONTHS OF JANUARY AND DECEMBER OF EACH YEAR

WHEREAS, Section 308(B) of the City’s Charter provides that “unless otherwise provided by ordinance, or resolution of the city council, the city council shall hold regular meetings twice per month, unless otherwise determined by the city council. City council meetings shall be held at such times as it shall fix by ordinance or resolution”

WHEREAS, Carson Municipal Code (CMC) Section 2403(A) currently provides, in part, that regular meetings of the City Council of the City of Carson shall be held on the first and third Tuesdays of each month during the months of February through November, that regular meetings during the month of January shall be held on the second and fourth Tuesdays of the month, and that for the month of December, only one regular meeting shall be held, on the first Tuesday of the month.

WHEREAS, in recent years, the City Council has experienced difficulties with the aforementioned December and January regular meeting schedule. The lack of a second regular meeting in December and the delayed first meeting in January have made it difficult to fully accommodate City business, including but not limited to matters that require City Council action or consideration prior to the end of the calendar year due to changes in laws, regulations, policies, or programs that take effect at the beginning of the new year, as is frequently the case.

WHEREAS, as a result of the aforementioned December and January regular meeting schedule, the City Council has been obligated to hold special meetings to accommodate City business. However, special meetings must be specially called and noticed, and certain limitations apply to the actions the Council may take at special meetings. For example, Section 313(A) of the City’s Charter provides that ordinances shall be introduced, deliberated, and passed upon at a regular or adjourned regular meeting of the City Council.

WHEREAS, based on the foregoing, the City Council sees fit to amend CMC Section 2403(A) to provide for a second regular meeting to be held in the month of December each year, on the third Tuesday of the month, and to provide for the two regular meetings during the month of January to be held on the first and third Tuesdays of the month, consistent with the schedule applicable to the months of February through November; and

WHEREAS, consistent with and pursuant to Charter Section 308(B), the City Council, by this Ordinance, intends to set only the City Council’s general or default regular meeting schedule, while reserving the authority, by resolution or minute action, to cancel or reschedule any given regularly-scheduled or rescheduled regular City Council meeting, and now sees fit to clarify same in CMC Section 2403(A).

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

SECTION 1. RECITALS. The foregoing recitals are true and correct, and the same are incorporated herein as findings of fact.

SECTION 2. AMENDMENT. Subsection (A) (“Regular Meetings”) of Section 2403 (“Council Meetings”) of Chapter 4 (“City Offices – Council Chambers – Meetings”) of Article II (“Administration”) of the Carson Municipal Code is hereby amended as follows (added text shown in *bold italics*, deleted text shown in ~~strikethrough~~):

“2403 Council Meetings.

A. Regular Meetings. Regular meetings of the City Council shall be held on the first and third Tuesdays of each month during the months of ~~January~~ February through ~~December~~ November, ***unless otherwise determined by the City Council.*** ~~For the month of January, regular meetings shall be held on the second and fourth Tuesdays of the month. For the month of December, only one regular meeting shall be held, on the first Tuesday of the month.~~ All regular meetings are to be held at the hour of 5:00 p.m. If any such day is on a holiday, then the meeting shall be held on the next succeeding day which is not a holiday, ***or on such other day as determined by the City Council.*** If any such day is a Statewide election day or a regular or special municipal election day, then the meeting shall be held on the next succeeding day or on such other day as determined by the City Council. During the second City Council meeting of January of each year the City Council shall select one of its members to serve as Mayor Pro Tempore. The Mayor Pro Tempore shall serve for a term of one (1) year from the date of selection, shall not serve consecutive terms of office, and shall be selected on a rotating basis with each succeeding Mayor Pro Tempore being selected on the basis of the Councilmember with the longest continuous service on 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 3rd day of August, 2021.

ATTEST:

Lula Davis-Holmes, Mayor

John W. Carroll, Sr., Chief Deputy City Clerk

APPROVED AS TO FORM:

Sunny K. Soltani, City Attorney