



Legislation Text

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Report to Mayor and City Council

Tuesday, March 16, 2021

Discussion

SUBJECT:

THIS STAFF REPORT REPLACES FILE ID NO. 2021-202

(LISTED ON AGENDA IMMEDIATELY PRIOR TO THIS REPORT)

CONSIDERATION OF ADOPTION OF RESOLUTIONS AND INTRODUCTION OF ORDINANCES TO CONSOLIDATE, MERGE, ELIMINATE, AND/OR MODIFY VARIOUS CITY COMMISSIONS, COMMITTEES AND BOARDS (CITY COUNCIL)

I. SUMMARY

At the January 26, 2021, City Council meeting, the City Council approved by minute order the formation of an Ad Hoc Committee consisting of Mayor Lula Davis-Holmes and Mayor Pro-Tempore Jim Dear to develop recommendations for consolidating the Commissions, Committees, and Boards (the "CCBs") for the City of Carson.

The Ad Hoc Committee met to develop their recommendations and presented them to the City Council for discussion at the February 16, 2021, City Council meeting. At the meeting, the City Council eliminated by minute order of six City Council Sub-Committees, as recommended by the Ad Hoc Committee. The City Council also approved the other recommendations of the Ad Hoc Committee, subject to one modification pertaining to the Human Relations Commission - that the Human Relations Commission be retained with membership reduced from nine (9) to seven (7) regular members instead of eliminating that commission, and directed staff to bring back proposed ordinances and resolutions as necessary to effectuate these changes.

This item proposes introduction of the relevant ordinances and adoption of the relevant resolutions required to implement the recommendations of the Ad Hoc Committee as approved (with modifications) by the City Council on February 16, 2021. The City Council's February 16 direction and actions are summarized in Exhibit No. 1, the proposed ordinances are included as Exhibits No. 2(A) - 2(I), and the proposed resolutions are included as Exhibits No. 3(A)-3(D).

The Mayor has rethought her original recommendation accepted by the Ad Hoc Committee

and approved by the City Council to reduce the regular membership of the Human Relations Commission, Public Relations Commission, Public Safety Commission, and Public Works Commission from nine (9) regular members to seven (7) regular members. As part of the action the City Council is taking tonight, the Mayor is asking the City Council to consider reinstating the regular members of these Commissions to nine (9). Also, the Mayor recommends maintaining the Youth Commission at eleven (11) members with no reduction. The items potentially affected by the Mayor's proposals are the Bullying/Public Safety Ordinance (Exh. 2(B)), the Human Relations Commission Ordinance (Exh. 2(E)), the Public Relations Commission Ordinance (Exh. 2(G)), the Public Works Commission Ordinance (Exh. 2(H)), and the Youth Commission Ordinance (Exh. 2(I)).

II. RECOMMENDATION

1. INTRODUCE, for first reading by title only with further reading waived, the following ordinances:

A. 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 (the "Beautification/Environmental Ordinance");

B. ORDINANCE NO. 21-2104, 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 (the "Bullying/Public Safety Ordinance");

C. ORDINANCE NO. 21-2105, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, REPEALING ORDINANCE NO. 98-1149 TO REMOVE PART O, SECTIONS 27101.1, 27101.2, 27101.3, 27101.4, 27101.5, 27101.6, 27101.7 AND 27101.8 (CITYWIDE ADVISORY COMMISSION) FROM CHAPTER 7 (DEPARTMENTS, BOARDS, COMMISSIONS) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE TO ELIMINATE THE CITYWIDE ADVISORY COMMISSION (the "Citywide Advisory Commission Ordinance");

D. ORDINANCE NO. 21-2106, 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 CULTURAL ARTS COMMISSION INTO THE PARKS, RECREATION AND CULTURAL ARTS COMMISSION (the "Cultural Arts/Parks & Rec Ordinance");

E. 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 (the “Human Relations Commission Ordinance”);

F. ORDINANCE NO. 21-2108, 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 TECHNOLOGY ADVANCEMENT AND INNOVATION COMMISSION INTO THE ECONOMIC DEVELOPMENT COMMISSION AND TO REDUCE THE REGULAR MEMBERSHIP OF THE COMMISSION FROM ELEVEN TO NINE REGULAR MEMBERS (the “Technology/Economic Development Ordinance”);

G. ORDINANCE NO. 21-2109, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 27105.2 (MEMBERS) OF CHAPTER 7 (DEPARTMENTS, BOARDS, COMMISSIONS) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE TO REDUCE THE MEMBERSHIP OF THE PUBLIC RELATIONS COMMISSION FROM NINE REGULAR MEMBERS AND THREE ALTERNATES TO SEVEN REGULAR MEMBERS AND TWO ALTERNATES (the “Public Relations Commission Ordinance”);

H. 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 (the “Public Works Commission Ordinance”); AND

I. ORDINANCE NO. 21-2111, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 27100.3 (MEMBERS) OF CHAPTER 7 (DEPARTMENTS, BOARDS, COMMISSIONS) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE TO REDUCE THE MEMBERSHIP OF THE YOUTH COMMISSION FROM ELEVEN REGULAR MEMBERS AND THREE ALTERNATES TO SEVEN REGULAR MEMBERS AND TWO ALTERNATES (the “Youth Commission Ordinance”); AND

2. ADOPT the following resolutions:

A. RESOLUTION NO. 21-029, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, RESCINDING RESOLUTION NO. 11-070, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CREATING A COMMUNITY CIVIC ENGAGEMENT BOARD, RESCINDING RESOLUTION NO. 16-141, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE DUTIES, FUNCTIONS, AND COMPOSITION OF THE COMMUNITY CIVIC ENGAGEMENT BOARD, AND RESCINDING RESOLUTION

NO. 19-028, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION NO. 16-141 TO REDUCE THE MEMBERSHIP OF THE COMMUNITY CIVIC ENGAGEMENT BOARD TO FIVE MEMBERS AND NO ALTERNATE MEMBERS, AND SETTING THE TERM OF THE MEMBERS PRESENTLY SERVING ON THE BOARD, THEREBY ELIMINATING THE COMMUNITY CIVIC ENGAGEMENT BOARD (the “CCEB Resolution”);

B. RESOLUTION NO. 21-030, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA MODIFYING THE MEMBERSHIP OF MEASURE C’S BUDGET OVERSIGHT COMMITTEE TO ADD TWO ALTERNATE MEMBER POSITIONS, AMENDING THE RESPONSIBILITIES OF THE COMMITTEE TO INCLUDE MEASURE K BUDGET OVERSIGHT, AND RENAMING THE COMMITTEE THE “MEASURE C AND MEASURE K BUDGET OVERSIGHT COMMITTEE” (the “Measure C/K Resolution”); AND

C. RESOLUTION NO. 21-031, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA ADDING TWO ALTERNATES FROM ZERO TO THE MEMBERSHIP OF THE GENERAL PLAN ADVISORY COMMITTEE (the “GPAC Resolution”).

D. RESOLUTION NO. 21-032, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, RESCINDING RESOLUTION NOS. 09-130, 10-007, 12-112, 13-045, 13-066 AND 19-026, THEREBY ELIMINATING THE CARSON HISTORICAL COMMITTEE (the “CHC Resolution”).

III. ALTERNATIVES

TAKE another action that City Council deems appropriate.

IV. BACKGROUND

This item has been prepared at the direction of the City Council as the first step to implementing the necessary resolutions and ordinances to effectuate the consolidation of the CCBs.

Any ordinances that are being introduced for first reading (Exhibits 2(A) - 2(I)) would need to be brought back for second reading as part of the standard ordinance adoption process.

The Mayor has requested that, with respect to the commissions for which regular membership reductions to seven (7) members were recommended by the Ad Hoc Committee as approved by the City Council on February 16, that these Commissions instead be set at nine (9) regular members. This would include the Human Relations Commission, Public Relations Commission, Public Safety Commission, Public Works Commission, and Youth Commission. While not integrated into the recommendation as set forth in this staff report (because the recommendation embodies the Ad Hoc Committees recommendations as approved by City Council on February 16), if the City Council sees fit

to make these changes, it could do so on the floor by moving the recommendation subject to modifications to the ordinances attached as Exhibits 2.B, 2.E, 2.G, and 2.H to set the regular membership of the respective aforementioned commissions at nine (9) members, and subject to exclusion of Exhibit 2.I (the Youth Commission Ordinance) from the action, thereby not introducing said ordinance because it does not provide for any modification other than the membership change that would be negated by the Mayor's proposal (in other words, no change to the Youth Commission is needed if the Mayor's proposal is accepted). The Ordinances would then be brought back for second reading with the modifications integrated at the next meeting.

For the ordinances merging one commission into another (Exhibits 2.A, 2.B, 2.D, and 2.F), it should be noted that the proposed ordinances do not provide for name changes to the receiving commission (i.e., the surviving commission into which the other commission is being merged). For example, the Beautification Commission is being merged into the Environmental Commission, but the receiving commission (the Environmental Commission in this example) will remain under the name "Environmental Commission," rather than being renamed the "Environmental and Beautification Commission." The same applies for the ordinance merging the Bullying Prevention Commission into the Public Safety Commission, and the ordinance merging the Technology Advancement and Innovation Commission into the Economic Development Commission - the receiving commissions will remain named the Public Safety Commission and the Economic Development Commission. Note that this concern does not apply for the Cultural Arts/Parks & Rec Ordinance despite the fact that it involves merging one commission into another, because the name of the receiving commission is actually already the "Parks, Recreation and Cultural Arts Commission" as a result of a prior ordinance.

The foregoing naming approach is believed to be consistent with the direction of the Ad Hoc Committee and the City Council on February 16. However, if the City Council would like the names of the receiving commissions changed, it could do so on the floor by moving the recommendation subject to modifications to the ordinances attached as Exhibits 2.A, 2.B, and 2.F to provide for the respective receiving Commissions to be renamed the "Environmental and Beautification Commission," the "Public Safety and Bullying Commission," and the "Economic Development and Technology Advancement and Innovation Commission." The Ordinances would then be brought back for second reading with the modifications integrated at the next meeting.

Also in regards to the ordinances merging one commission into another, it should be noted that the proposed changes are effectuated by repealing the part of the Municipal Code applicable to the commission being merged out (referred to hereinafter as the "merging commission"), and then incorporating the duties and functions, and in some cases the membership qualifications (discussed below), of such commission into the receiving commission's duties, functions and/or membership qualifications. This generally results in the other characteristics of the receiving commission prevailing over any conflicting characteristics of the merging commission.

As an example, Technology Advancement and Innovation Commissioners are entitled to receive compensation of \$35 per meeting, whereas Economic Development Commissioners do not receive compensation. Because the Technology Advancement and

Innovation Commission is the merging commission and the Economic Development Commission is the receiving commission, the result is that the future commissioners of the Economic Development will not be compensated after the merger, whereas if the Economic Development were being merged into the Technology Advancement and Innovation Commission, the result would be that the commissioners would be compensated after the merger.

The City Council can avoid the foregoing result by approving the Technology/Economic Development Ordinance (Exhibit 2.F) subject to a modification that the commissioners of the Economic Development Commission shall receive compensation at the rate currently provided for members of the Technology Advancement and Innovation Commission. However, there may be other nuances similar to this which also may be affected by the determination of which commission is the merging commission and which commission is the receiving commission.

In regards to membership qualifications in the ordinances merging one commission into another, staff endeavored to apply the merging commission's membership qualifications to the receiving commission. As an example, Beautification Commissioners are required to have interest, experience or ability in community beautification, so that would be made a requirement of the receiving commission into which the Beautification Commission is being merged (the Environmental Commission), in addition to any requirements of being an Environmental Commissioner in the proposed Beautification/Environmental Ordinance. However, Beautification Commissioners need not reside in Carson; it is sufficient for them to have a place of business in Carson, whereas Environmental Commissioners are required to reside in Carson. As noted above, where conflicts such as this occur, the receiving commission will prevail under the proposed ordinances unless the City Council directs otherwise, so in this case, the option to only have a business in the City would be dropped and the residency requirement would apply to the Environmental Commission after the merger.

V. FISCAL IMPACT

The elimination of CCBs or reduction of membership will likely reduce costs depending on the specific number of overall CCBs, the number of members for each CCB, whether those members receive compensation, and how often they meet.

VI. EXHIBITS

1. Summary of City Council Direction Provided / Actions Taken at February 16, 2021, City Council Meeting (pgs. 8 - 11)
2. Proposed Ordinances
 - A. Beautification/Environmental Ordinance (pgs. 12 - 15)

- B. Bullying/Public Safety Ordinance (pgs. 16 - 20)
- C. Citywide Advisory Commission Ordinance (pgs. 21 - 23)
- D. Cultural Arts/Parks & Rec Ordinance (pgs. 24 - 27)
- E. Human Relations Commission Ordinance (pgs. 28 - 31)
- F. Technology/Economic Development Ordinance (pgs. 32 - 36)
- G. Public Relations Commission Ordinance (pgs. 37 - 39)
- H. Public Works Commission Ordinance (pgs. 40 - 42)
- I. Youth Commission Ordinance (pgs. 43 - 45)

3. Proposed Resolutions

- A. CCEB Resolution (pgs. 46 - 48)
- B. Measure C/K Resolution (pgs. 49 - 51)
- C. GPAC Resolution (pgs. 52 - 53)
- D. CHC Resolution (pgs. 54 - 56)

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