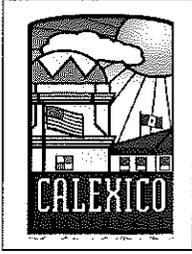


**AGENDA  
ITEM**

**8**



# AGENDA STAFF REPORT

**DATE:** September 21, 2016

**TO:** Mayor and City Council

**APPROVED BY:** Armando G. Villa, City Manager 

**PREPARED BY:** Carlos Campos, Interim City Attorney

**SUBJECT:** Second Reading and Adoption of Ordinance No. 1172: An Ordinance of the City Council of the City of Calexico, California, Consolidating Certain City Commissions, Boards and Committees

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## Recommendation:

Recommend approval of Ordinance No. 1172: An Ordinance of the City Council of the City of Calexico, California, Consolidating Certain City Commissions, Boards and Committees.

## Background:

At the City Council meeting on May 3, 2016, Council Member Real requested an agenda item to consider the consolidation of City Commissions, Boards and Committees. At the May 17, 2016 City Council meeting, Council approved the consolidation of the various commissions presented to be carried out following the November 2016 election. At the request of then Mayor Kim, this item was brought back on June 8, 2016 for Council consideration to immediately implement the consolidation of certain City Commissions, Boards and Committees.

Ordinance No. 1172 was introduced and approved for first reading at the City Council meeting of September 7, 2016.

## Discussion & Analysis:

Consolidation of these commissions would reduce the amount of meetings held, cost of materials and supplies and staff time for preparation of pre and post meeting documentation, which include the preparation of agendas, notices, and minutes. It has also become apparent that some of the commissions overlap in their specific duties making it possible for consolidation.

As such, the proposed Ordinance would amend the Municipal Code to reflect the reorganization of certain commissions as presented to the City Council on June 8, 2016:

- The Parks and Recreation Commission, Beautification Committee, and Senior Citizens Commission have been consolidated under Chapter 2.32 as the Parks, Recreation, Beautification, and Senior Services Commission.



- The Planning Commission will now take over the responsibilities of the Street Naming Committee.
- The Financial Advisory Board and the Economic Development Commission have been consolidated under Chapter 2.30 as the Economic Development and Financial Advisory Commission.
- The Calexico Library Board, Arts Commission and Historical Commission have been consolidated under Chapter 2.60 as the Library, Arts and Historical Board.

All City Commissions, Boards and Committees are governed by a general set of rules, which can be found in Municipal Code Chapter 2.19 titled *Eligibility and Procedures for Commissions, Boards, and Committees*. The proposed Ordinance includes references to Chapter 2.19 and removes certain duplicative, redundant provisions for the purpose of cleaning up and clarifying the Municipal Code.

**Fiscal Impact:**

Reduced staff time, materials and supplies. Cost unknown – possible reduction in Staff time, materials and costs.

**Coordinated With:**

City Manager and City Clerk.

**Attachment:**

1. Ordinance No. 1172: An Ordinance of the City Council of the City of Calexico, California, Consolidating Certain City Commissions, Boards and Committees.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, CONSOLIDATING CERTAIN BOARDS AND COMMISSIONS.**

**WHEREAS**, the California Government Code gives the City Council of the City of Calexico ("City Council") broad authority to appoint boards and commissions as part of the sub-government of the City of Calexico ("City"), unless otherwise limited by state law; (see Gov. Code, §65100); and

**WHEREAS**, Chapter 2.19 of the Calexico Municipal Code ("Municipal Code") includes a procedure by which the City Council may appoint members to each board or commission it has established; and

**WHEREAS**, there are a number of City boards and commissions that deal with similar issues, overlap in their specific duties, and could be more effective if consolidated; and

**WHEREAS**, consolidating certain boards and commissions would also reduce the number of meetings held, cost of materials and supplies, and staff time for preparation of pre and post meeting documentation, e.g. agendas, notices, minutes, etc.; and

**WHEREAS**, the City Council wishes to amend the Municipal Code to reflect the newly created and organized commissions.

**NOW, THEREFORE**, the City Council of the City of Calexico does hereby ordain as follows:

**Section 1.** Amendment to Chapter 2.26 of the Calexico Municipal Code. Chapter 2.26 of the Calexico Municipal Code is hereby amended in its entirety to read as below. Additions are underlined. Deletions are ~~stricken~~.

"Chapter 2.26 LIBRARY, ARTS, AND HISTORICAL BOARD

2.26.005 – Established.

A board to be known and designated as the Library, Arts, and Historical Board of the city is created and established. The rules and regulations set forth in Chapter 2.19 shall apply to this board, except as otherwise required by State law.

2.26.010 - Organization.

A. The board shall be composed of five members.

B. The board shall be organized as described in Section 2.19.070.

~~A. The city may appoint an advisory library board consisting of five members pursuant to Chapter 2.19 of this code.~~

~~B. The board shall consult with and make recommendations to the city council, and shall have such powers and duties as the city council may from time to time prescribe by resolution.~~

2.26.0320 – Powers and duties.

A. The board shall have such specific duties and powers as the city council shall from time to time invest in it.

B. In addition, the board shall have the following duties and powers:

1. Library

a. Support the Camarena Memorial Library and other public libraries;

b. Aid in meeting the community's educational, recreational, informational, and cultural needs to encourage lifelong learning and the pursuit of knowledge;

c. Encourage the use of traditional and innovative library services;

2. Arts

a. Encourage individuals and organizations that provide educational experience in the arts for the citizens;

b. Provide direction and support for continued development and presentation of a variety of arts in the city;

c. Generate a wide range of programs that develop the skills of the participants at all levels of creative expression;

d. Provide a forum whereby the public can provide recommendations and voice concerns regarding art issues;

e. Encourage citizens to take advantage of the art programs offered by agencies and institutions in the community;

f. Make recommendations to the city council regarding public art program funding;

g. Promote school and community cooperation to create artistic and cultural events;

h. Recognize and assist those who have specialized knowledge and skills in the arts;

- i. Assist in developing cooperative arrangements between the city and other agencies, local, state, and federal, to provide needed arts facilities for the city;
- j. Encourage the planning and development of new or improved arts facilities as may be needed;
- k. Provide for the selection, installation, and maintenance of art work within public facilities;
- l. Encourage private businesses to display works of art in their public places;
- m. Seek private funding in all areas of the arts;
- n. Promote cooperative arrangements between the city and other agencies (local, state, and federal) to provide works of fine art for display in public places;
- o. Facilitate the use of free public exhibition spaces;
- p. Review and make recommendations upon all works of art to be acquired by the city, either by purchase, gift or otherwise, and their proposed locations;
- q. Review and make recommendations with reference to any existing works of art in the city's possession regarding the removal, relocation or alteration thereof;
- r. Act as a liaison between the city and other art organizations, such as the Imperial County Arts Council, Inc.

3. Historical

- a. Aid in identifying historical structures and landmarks;
- b. Provide advice and recommend plans to the city to preserve historical structures and landmarks;
- c. Coordinate educational projects with San Diego State University, Calexico Campus, I.V. Museum, I.V. Historical Society.

C. Nothing contained in this section shall be construed to abridge or change the powers and duties of other commissions, departments, boards or bodies of the city."

A. — ~~The library board of trustees shall meet on the Second Wednesday of the month at seven p.m. at the Enrique S. "Kiki" Camarena Memorial Library in the multipurpose room, except when Wednesday falls on a legal holiday, the meeting will be held on the following day.~~

~~B. — The board shall select a president and vice president annually. The president shall approve a written agenda to be mailed for all meetings subject to approval by the board.~~

~~C. — At the appointed time of the meeting, the president shall call the meeting to order and shall cause the roll to be called. The first business after roll call shall be the approval of the minutes of the last meeting. These minutes may be approved without reading if the board members have been furnished copies in advance.~~

~~D. — Special meetings may be held from time to time as circumstances may demand, at the call of the president or on petition of a majority of the members of the board. A notice of a special meeting shall be received by each member at least forty-eight hours before the time set for the meeting.”~~

**Section 2.** Addition of Section 2.28.045 to the Calexico Municipal Code. Section 2.28.045 is hereby added to the Calexico Municipal Code as follows:

“2.28.045 – Powers and duties—Street naming.

A. The commission shall study, investigate, and make recommendations to the city council for the naming of new streets in the city of Calexico.

B. Procedure for selection of new street names.

1. All requests for street names are to be forwarded to the Planning Commission for review and its recommendation which will then be forwarded to the city council for its final approval.

2. The following basic rules shall be followed by the Planning Commission in selecting names to recommend to the council:

a. Street names shall be selected through a common theme within a particular neighborhood, subdivision, or sub-area.

b. The extension of existing neighborhoods shall use the theme common to existing street names found within a neighborhood.

c. Where possible, an attempt will be made to locate the name of local pioneers to those areas where they resided.

C. Changing existing street names and addresses.

1. Street names, or addresses, may be changed at the request of the city council, or under limited circumstances, at the request of property owner if an error has been made in assigning the original street name or address. Valid reasons to initiate a change include:

a. To correct past errors in spelling and address;

b. Duplication of layout as the result of redevelopment or consolidation of properties;

c. Creation of conflict or confusion.

2. All recommendations for change of existing street names or addresses shall be made only after consultation with the local United States Post Office administration.

3. The city shall pay costs related to changes in municipal signage only. Residents and property owners shall be responsible for all private costs relating to a change in street name and address.”

**Section 3.** Amendment to Chapter 2.30 of the Calexico Municipal Code. Chapter 2.30 of the Calexico Municipal Code is hereby amended in its entirety to read as below. Additions are underlined. Deletions are stricken.

“Chapter 2.30 - ECONOMIC DEVELOPMENT AND FINANCIAL ADVISORY COMMISSION

2.30.010 - Established.

A ~~committee~~ commission to be known and designated as the ~~e~~Economic d~~Development and Financial Advisory~~ eCommission of the city is created and established. The rules and regulations set forth in Chapter 2.19 shall apply to this commission.

2.30.020 - Organization.

A. The ~~committee~~ commission shall be composed of ~~seven~~ five members.

B. The commission will have the right to solicit an honorary membership list to consist of any and all agencies interested in economic development. These agencies will have all rights except that of voting.

2.30.06~~30~~ - Powers and duties.

A. The ~~committee~~ commission shall have such specific duties and powers as the city council shall from time to time invest in it.

B. In addition, the ~~committee~~ commission shall have the following objects, duties and powers:

1. Economic Development

a. Study, investigate, develop, and carry out plans, subject to the approval of the city council, for promoting and improving the economic climate of the Calexico area;

b. Promote business and community growth;

- c. Prepare a comprehensive community action program designed to bring about economic and resources development;
- d. Coordinate all efforts of the departments of the city and representatives of other government agencies in the areas of economic development and planning;
- e. Follow through with prospective developers in helping them invest in Calexico;
- f. Investigate and report to the city council all specific matters referred to it by the council, together with its recommendations thereon;

2. Financial Advisory

- a. Study, investigate, and advise the council on budgetary issues and adoption of the yearly budget;
- b. Oversee department spending;
- c. Provide city council with a financial plan for the city;
- d. Review city partnerships with private developers when requested by city staff or the city council;

C. Nothing contained in this section shall be construed to abridge or change the powers and duties of other commissions, departments, boards or bodies of the city.”

**Section 4.** Repeal of Chapter 2.31 of the Calexico Municipal Code. Chapter 2.31 of the Calexico Municipal Code is hereby repealed and reserved.

**Section 5.** Amendment to Chapter 2.32 of the Calexico Municipal Code. Chapter 2.32 of the Calexico Municipal Code is hereby amended in its entirety to read as below. Additions are underlined. Deletions are ~~stricken~~.

“Chapter 2.32 – PARKS, ~~AND~~ RECREATION, BEAUTIFICATION, AND SENIOR SERVICES COMMISSION

2.32.010 – Established. ~~Creation and purpose.~~

A. ~~—A commission to be known and designated as the There is established in the government of the city a commission to be known as the~~ “Parks, and Recreation, Beautification, and Senior Services Commission.” of the city is created and established. The rules and regulations set forth in Chapter 2.19 shall apply to this commission.

~~B. — The purpose of this parks and recreation commission is to advise the city council and the city manager on all matters pertaining to the administration of the Calexico parks, and recreation activities, and senior services.~~

2.32.020 – Organization, Appointment—Compensation of members.

~~A. — The commission shall consist of seven members. Annually, before the last day of January, the city parks and recreation commission shall elect from their membership a chairman, vice chairman and secretary.~~

~~B. — Members of the commission shall serve without compensation, provided that the city council may authorize the reimbursement of reasonable expenses incurred by the members in the performance of their duties.~~

2.32.030 – Powers and Duties.

A. The commission shall have such specific duties and powers as the city council shall from time to time invest in it.

B. In addition, the commission shall have the following duties and powers:

1. Parks and Recreation

a. Be available to staff and the city council to assist as volunteers in implementing the Recreation Department’s goals;

b. Advise the city council and Recreation Department Director on policies, procedures, rules and regulations relating to the conduct of recreation centers, public parks, trails and facilities, open space, programs and services in the city, including rates or fees to be charged;

c. Provide advice on recreation programs, services and special events administered by the Recreation Department to meet the needs of the community and recommend review by the city council as needed;

d. Review, evaluate and recommend to the city council park and recreation facility acquisition, development, maintenance and operation methods that are sustainable and energy efficient;

e. Assist in collecting and disseminating information on the parks and recreation facilities and programs available to Calexico residents;

f. Advise and guide civic groups, youth organizations, senior organizations, and interested individuals who wish to plan community events or engage in community service projects for the benefit of the City and the community as staff resources and time permits;

g. Communicate the value of parks and recreation as an essential service by creating community through people, parks, and programs;

2. Beautification

a. Study, investigate, develop and carry out plans, subject to the approval of the city council, for improving the health, sanitation, safety and cleanliness of the city by beautifying the streets, highways, alleys, lots, yards and other similar places in the city and by removing or causing to be removed unsightly objects, fire hazards, unsanitary articles or matters and unsafe conditions;

b. Aid in the prevention of fires, diseases and other casualties by the removal and elimination of trash and other debris from the streets, highways, alleys, lots, yards and other similar places;

c. Plant or cause to be planted and to encourage the planting, placing and/or preservation of trees, flowers, plants, shrubbery and other objects of ornamentation in the city;

d. Advise with and recommend plans to other agencies of the city for the beautification thereof and otherwise promote public interest in the general improvement of the appearance of the city;

3. Senior Citizens

a. Advise the city council and city manager on matters relating to the senior citizens of the city and assist the city council and city manager in meeting the needs of such citizens;

b. Recommend legislation, policies, funding allocations, and other measures, programs, projects or activities for the benefit of senior citizens;

c. Encourage senior citizen participation in public recreational activities inside and outside the city;

d. Continuously study and evaluate the conditions and needs of elderly persons in the community in relation to housing, employment, health, nutrition, transportation, recreation and other matters;

e. Analyze the services for the elderly provided by the community by public and private agencies, and make recommendations to the city council regarding the development, coordination and integration of the activities of public and private agencies and non-profit groups;

f. Develop and provide information to help senior citizens access resources available to them within the city, county and state;

g. Facilitate coordination between existing and proposed programs for senior citizens provided by various levels of government and non-profit agencies and groups;

h. Engage in community outreach to senior citizens to determine their needs and provide education and resources to address the issues, concerns and needs of senior citizens;

i. Carry out activities and projects approved by the city manager or city council to improve the quality of life for the city's senior citizens.

C. Nothing contained in this section shall be construed to abridge or change the powers and duties of other commissions, departments, boards or bodies of the city.

2.32.0640 - Budget.

Annually, before the fifteenth day of June, the ~~parks and recreation~~ commission shall submit to the city council for approval a recreation departmental budget for the ensuing fiscal year.

2.32.0750 - Funds—Collection.

All funds collected by the ~~parks and recreation~~ department shall be turned into city hall within twenty-four hours after collection, Sundays and holidays excepted, and shall be properly accounted for.

2.32.0860 - Funds—Expenditures.

All expenditures by the ~~parks and recreation~~ department shall be approved by the chairman of the ~~parks and recreation~~ commission or a person authorized by the commission before payment is made by the city.

2.32.0970 - Bonded employees.

Employees authorized by the commission to collect or handle any money payable to the city must file approved surety bonds in the principal sum of fifty thousand dollars payable to the city, prior to assuming their duties. The premium on each such bond shall be paid by the city.”

**Section 6.** Repeal of Chapter 2.34 of the Calexico Municipal Code. Chapter 2.34 of the Calexico Municipal Code is hereby repealed and reserved.

**Section 7.** Repeal of Chapter 2.35 of the Calexico Municipal Code. Chapter 2.35 of the Calexico Municipal Code is hereby repealed and reserved.

**Section 8.** Repeal of Chapter 2.60 of the Calexico Municipal Code. Chapter 2.60 of the Calexico Municipal Code is hereby repealed and reserved.

**Section 9.** Repeal of Chapter 2.66 of the Calexico Municipal Code. Chapter 2.66 of the Calexico Municipal Code is hereby repealed and reserved.

**Section 10.** Repeal of Chapter 12.10 of the Calexico Municipal Code. Chapter 12.10 of the Calexico Municipal Code is hereby repealed and reserved.

**Section 11.** Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

**Section 12.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional. If for any reason any portion of this ordinance is found to be invalid by a court of competent jurisdiction, the balance of this ordinance shall not be affected.

**Section 13.** Certification. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

**Section 14.** CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**PASSED, ADOPTED, AND APPROVED** by the City Council of the City of Calexico at the regular meeting this \_\_\_\_\_ day of September, 2016.

\_\_\_\_\_  
Luis J. Castro  
Mayor

ATTEST:

\_\_\_\_\_  
Gabriela Garcia, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carlos Campos

Ordinance No. 2016-\_\_\_\_\_

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Interim City Attorney

STATE OF CALIFORNIA )  
COUNTY OF IMPERIAL ) ss  
CITY OF CALEXICO )

I, Gabriela Garcia, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Calexico held on the \_\_\_\_\_ day of September, 2016, by the following vote:

AYES: COUNCIL MEMBERS:  
NOES: COUNCIL MEMBERS:  
ABSENT: COUNCIL MEMBERS:  
ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
Gabriela Garcia  
City Clerk