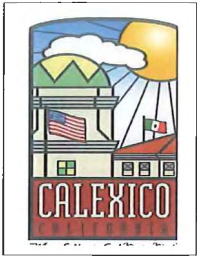


AGENDA
ITEM

12



AGENDA STAFF REPORT

DATE: September 1, 2021

TO: Mayor and City Council

PREPARED BY: Miguel Figueroa, City Manager
Best Best & Krieger LLP, City Attorney

APPROVED BY: Miguel Figueroa, City Manager *MK*

SUBJECT: Introduction and First Reading by Title Only of An Ordinance Amending Calexico Municipal Code Chapters 2.19, 2.20, 2.23, 2.26, 2.27, 2.28, 2.32, and 2.56 Regarding General Commission Procedures, Personnel Commission, 2010 General Tax Citizen Oversight Advisory Committee, Library Board of Trustees, Arts and Historical Commission, Parks, Recreation, Beautification, and Senior Services Commission, and Community Police Advisory Commission

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Recommendation:

It is recommended that the City Council:

Review and conduct first reading by title only of Ordinance No. _____ An Ordinance Amending Calexico Municipal Code Chapters 2.19, 2.20, 2.23, 2.26, 2.27, 2.28, 2.32, and 2.56 Regarding General Commission Procedures, Personnel Commission, 2010 General Tax Citizen Oversight Advisory Committee, Library Board of Trustees, Arts and Historical Commission, Parks, Recreation, Beautification, and Senior Services Commission, and Community Police Advisory Commission

Discussion and Analysis:

The proposed Ordinance amends Chapter 2.19, which includes procedures for all city commissions, committees, and boards and also makes various amendments to certain City commissions and committees to better define the roles and procedures for commissioners, members, and assists City staff with administration.

**AGENDA
ITEM
12**

Proposed Ordinance

The proposed Ordinance amends Chapter 2.19 *Eligibility and Procedures for Commissions, Boards and Committees*, Chapter 2.20 *Personnel Commission*, Chapter 2.23 *2010 General Tax Citizen Oversight Advisory Committee*, Chapter 2.26 *Library Board of Trustees*, Chapter 2.27 *Arts and Historical Commission*, Chapter 2.32 *Parks, Recreation, Beautification, and Senior Services Commission*, and Chapter 2.56 *Community Police Advisory Commission*.

1) Chapter 2.19 Eligibility and Procedures for Commissions, Boards and Committees

Chapter 2.19 provides general guidance for all city commissions, boards, and committees subject to a few exceptions. A summary of the proposed amendments is as follows:

- Reference to an application, interview, and appointment process for the Planning Commission and Community Police Advisory Commission;
- For most seven member committees, two members will be chosen by the City Manager and Department Head assigned to that particular committee, respectively, through an application and interview process. If a member seat appointed by City Manager or Department Head becomes vacant, that person will appoint a new member to fill the seat;
- Department Heads assigned to committees will notify the City Clerk when vacancies arise;
- Department staff will report attendance to the City Clerk;
- Appointees will undergo a Live Scan or other finger print screening prior to being sworn in and can be disqualified for certain criminal history;
- Officers will include a chairperson and vice-chair person; no secretary;
- Meetings will occur quarterly (January, April, July, October);
- Special meetings may be called by the City Manager or Department Head.

2) Chapter 2.20 Personnel Commission

The personnel commission hears appeals of city personnel regarding discipline, demotion or dismissal. The proposed amendment to this chapter would require a commission chairperson and vice chairperson to be elected during the month of January.

3) Chapter 2.23 2010 General Tax Citizen Oversight Advisory Committee

The 2010 General Tax Citizen Oversight Advisory Committee oversees, recommends and reports to the City Council on the expenditure of the proceeds of the Measure H General Fund Transactions and Use Tax. The proposed amendments conform to Chapter 2.19 and other commission chapters by establishing two officers—chairperson and vice chairperson, the ability of the committee to create bylaws for conduct of business as long as they do not conflict with other Municipal Code chapters and state law, and quarterly meetings.

4) Chapter 2.26 Library Board of Trustees

The Library Board of Trustees was formed to make recommendations to City Council regarding the Camarena Memorial Library and its services and to generally support the community's educational, recreational, informational, and cultural needs to encourage lifelong learning and the pursuit of knowledge. The proposed amendments are intended to make the chapter compliant with Chapter 2.19, better clarify the Board's role, and define its meeting procedures.

5) Chapter 2.27 Arts and Historical Commission

The Arts and Historical Commission was formed to advise staff and the City Council regarding arts and history programs, issues, funding, and events. In its advisory role, the Commission supports arts and history in the City and makes recommendations to the City Council for programming, funding, and other arts/historical-related issues. The proposed amendments are intended to make the chapter compliant with Chapter 2.19 and better define the responsibilities of the Commission.

6) Chapter 2.32 Parks, Recreation, Beautification, and Senior Services Commission

The Parks, Recreation, Beautification, and Senior Services Commission's purpose is to advise the City Council regarding recreation facilities/programs, City beautification, senior services, and perform community outreach. The proposed amendments clarify the Commission's role as an advisory body that can be tasked with action items by the City Council. The Commission will provide recommendations, but will not perform services that are typically handled by other City departments, such as Code Enforcement.

7) Chapter 2.56 Community Police Advisory Commission

This commission provides a forum for the receipt of citizen complaints brought by individuals against the city police department or any of its officers and provides recommendations to the police department designed to improve police department relations with the community. The proposed amendments also bring this chapter in line with Chapter 2.19, require quarterly meetings, and better defines commission

responsibilities.

Fiscal Impact:

Adoption of the ordinance is not expected to have a fiscal impact. Requiring Live Scan or other finger printing background checks for all commission, board, and committee members would create an additional expense for the City.

Attachment:

1. Ordinance No. _____ - An Ordinance Amending Calexico Municipal Code Chapters 2.19, 2.20, 2.23, 2.26, 2.27, 2.28, 2.32, and 2.56 Regarding General Commission Procedures, Personnel Commission, 2010 General Tax Citizen Oversight Advisory Committee, Library Board of Trustees, Arts and Historical Commission, Parks, Recreation, Beautification, and Senior Services Commission, and Community Police Advisory Commission.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, AMENDING CALEXICO MUNICIPAL CODE CHAPTERS 2.19, 2.20, 2.23, 2.26, 2.27, 2.28, 2.32, and 2.56 REGARDING GENERAL COMMISSION PROCEDURES, PERSONNEL COMMISSION, 2010 GENERAL TAX CITIZEN OVERSIGHT ADVISORY COMMITTEE, LIBRARY BOARD OF TRUSTEES, ARTS AND HISTORICAL COMMISSION, PLANNING COMMISSION, PARKS, RECREATION, BEATIFICATION, AND SENIOR SERVICES COMMISSION, AND COMMUNITY POLICE ADVISORY COMMISSION

The City Council of the City of Calexico, California, does hereby ordain as follows:

SECTION 1. Amendment to Calexico Municipal Code. Calexico Municipal Code Chapter 2.19 *Eligibility and Procedures for Commissions, Boards and Committees* is hereby amended as follows:

“Chapter 2.19 Eligibility and Procedures for Commissions, Boards and Committees

2.19.010 - Appointments to Commissions, Boards and Committees—Process.

A. Appointments to all city commissions, boards and committees, shall be made by the following process:

1. When the commission, board or committee consists of five (5) members, each City Council Member will appoint one commissioner, board member or committee member. If after a reasonable amount of time (not to exceed forty-five (45) days after an election is certified or vacancy otherwise exists), a City Council Member has failed to make an appointment, the appointment will be made by a majority vote of the City Council and the appointee shall not be removed from office except by majority vote of the City Council. This subsection will not apply to the Planning Commission where instead commissioners will be chosen pursuant to an application, interview, and appointment process set by City Council resolution.

2. When the commission, board or committee consists of seven (7) members, the first five (5) members will be appointed in the following manner: each City Council Member will appoint one commissioner. If after a reasonable amount of time, a City Council Member has failed to make an appointment, the appointment will be made by a majority vote of the City Council. The appointment of the final two (2) members will be made by a majority vote of the City Council the City Manager and Department Head of the department assigned to the particular commission, board or committee, respectively, through an application and interview process. This subsection will not apply to the Community Police Advisory Commission where instead commissioners will be chosen

pursuant to an application, interview, and appointment process set by City Council resolution.

B. Pursuant to this code and Government Code Section 54974, the following procedures shall be employed in filling vacancies on commissions, boards and committees in the city:

1. The City Clerk shall advise the City Council of the names of those persons whose term of office on a City commission, board or committee will be expiring thirty (30) days prior to such expiration.

2. The City Clerk shall promptly advise the City Council of any unscheduled vacancy whether due to resignation, death, termination or other causes.

a. Whenever an unscheduled vacancy occurs in any commission, board or committee for which the City Council has the appointing power, whether due to resignation, death, termination or other causes, a special vacancy notice shall be posted in the office of the City Clerk, and in other places as directed by the City Council not earlier than twenty (20) days before or not later than twenty (20) days after the vacancy occurs. Final appointment to the board, commission or committee shall not be made by the city council for at least ten (10) working days after the posting of the notice in the city clerk's office.

b. Notwithstanding subsection (C)(2)(a) of this section, the City Council may, if it finds that an emergency exists, fill the unscheduled vacancy immediately. Such emergency appointments shall be made by the Mayor with the approval of the City Council. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made pursuant to this section.

3. ~~The chair of~~ Department Head of the department assigned to each City commission, board or committee shall notify the City Clerk of any position which should be declared vacant pursuant to the provisions of this code or state law. The City Clerk shall in turn advise the City Council of all such notification.

4. The City Council shall provide by ordinance any additional procedures necessary for appointments to commissions, boards and committees.

2.19.020 - Vacancies and removal of members.

A. Any member of the commission may resign from any commission, board or committee at any time.

B. A member of any commission, board, or committee may be removed at any time by the city council member who appointed such member to the respective commission, board, or committee for any reason and/or if absent from three regularly scheduled meetings in a calendar year. Such removal must be announced at a public meeting of the city council.

C. Notwithstanding any other provision of this chapter, any member of any commission, board or committee (except non-voting ex-officio members) who absents himself or herself from any three regularly scheduled meetings (for any reason) in a twelve-month period shall automatically forfeit his or her position and shall automatically be removed from the membership of the commission, board or committee. Any member so removed shall not be reappointed for a period of one year to any city commission, board or committee. It shall be the responsibility of the ~~chairman, vice chairman or presiding officer~~ assigned department to report attendance at each meeting of the commission, board or committee to the city clerk.

D. Members will also be automatically removed for violating the Political Reform Act of 1974 as determined by the appropriate agency with authority to render such decisions or failing to comply with mandatory ethics training or conflict-of-interest filings required by the state or the city.

E. For commissions, boards or committees of seven (7) members, the City Manager or Department Head who appointed any member whose seat becomes vacant will appoint a new member to fill that seat. If after a reasonable amount of time (not to exceed forty-five (45) days after a vacancy exists), the City Manager, or Department Head, as applicable, has failed to make an appointment, the appointment will be made by a majority vote of the City Council and the appointee shall not be removed from office except by majority vote of the City Council.

2.19.030 - Eligibility.

A. To be eligible for, and to hold appointment, each appointee shall neither hold public office, or city employment, nor shall he/she be an officer of any local, state or national partisan official group. All members of commissions, boards and committees of the city shall be residents of the city or shall regularly work within the city.

B. Members of the city council may be appointed by the majority of the city council to attend commission, board or committee meetings as liaisons to the city council.

C. Appointee shall be subject to the conflict-of-interest sections of the Political Reform Act of 1974.

D. An individual may serve on only one committee, board or committee at any time.

E. With the exception of the planning commission, which shall receive compensation as determined by the city council, members commissions, boards and committees shall serve without compensation, provided that the city manager or city council may authorize the reimbursement of reasonable expenses incurred by the members in the performance of their duties.

F. All appointees will undergo a Live Scan or other finger print screening prior to being sworn in as a commission, board, or committee member.

2.19.040 - Disqualifying activity.

A. In the event that any commissioner, board member, or committee member shall place his/her name as a candidate or permit his/her name to be placed as a candidate for any elective office in the city, the term of said commissioner shall automatically terminate effective on the date that his/her name is received by the public officer charged with the duty of receiving said names as candidates for elective office in the city.

B. A commissioner, board member, or committee member will be disqualified from serving if convicted of a crime of moral turpitude, which can include convictions pursuant to Health and Safety Code section 11351, Penal Code sections 118, 187, 211, 261, 273(d), 288, 290, 422, 487, 451, 459, 496, 19219, and 29800; Vehicle Code section 20001; and Welfare and Institutions Code section 10980.

2.19.050 - Terms of office.

A. The term of office of any commissioner, board member, or committee member appointed under this chapter shall commence upon his/her appointment to said office and shall continue for the duration of the term of office of the appointing councilperson, automatically terminating at the day and hour that the city clerk shall certify the results of the election for the office to which the appointing councilperson was elected. If a city council member is elected to serve another term of office, that city council member is entitled to make all new appointments to city commissions, boards, and committees, however, such city council member can choose to re-appoint his/her previous appointees for a new term concurrent with the respective city council member's new term of office. If the appointing councilperson shall die while holding office or be sooner removed from office by recall or resignation, the term of said city council member's appointee on the commission, board or committee shall terminate upon the appointment or election of a new city council member assuming the office of the said deceased or removed city council member.

By way of clarification, therefore, in the event the nominating city council member shall not be a full term city council member then the appointment of said new commissioner, board member or committee member shall be only for the unexpired portion of the term of the commissioner, board member or committee member being replaced by said appointment.

B. The term of office of any commission, board or committee member appointed by the ~~whole city council~~ City Manager or Department Head on a seven-member commission, board or committee, shall be ~~for four years~~ as long as the City Manager or Department Head maintains that particular position of employment with the City. When a new City Manager or Department Head is hired, the newly hired individual may remove or retain the current member appointed by the previous City Manager or Department Head.

C. The term of office of a commissioner, board member, or committee member can also be terminated pursuant to Section 2.19.020.

2.19.060 - Alternates and interim members.

A. Any commissioner, board member, or committee member appointed pursuant to this chapter who is unable to attend a scheduled meeting shall immediately notify the city council member who appointed them of their anticipated absence at the meeting. The city council member who appointed the commissioner, board member, or committee member may serve as an alternate at the meeting.

B. Whenever a vacancy occurs on any commission, board, or committee, the city council member who has the power to appoint a successor pursuant to this chapter may serve as an interim member of the commission, board, or committee until the vacancy has been filled.

C. Any city council member serving as an alternate or interim member of a commission, board, or committee shall be counted for the purposes of reaching a quorum and may vote and otherwise participate in all matters before the commission, board, or committee.

D. This section does not apply to the planning commission, ~~or the personnel commission,~~ 2010 General Tax Citizen Oversight Committee, or Business Improvement District Advisory Board.

E. No more than two city council members may serve as alternates or interim members of the same commission, board, or committee at any given time.

2.19.070 - Organization.

A. The officers of city commissions, boards and committees shall consist of a chairman, ~~and vice chairman and secretary~~ to be elected by the commission, board, or committee, and such other offices as commission may from time to time designate. The term of said officers shall be fixed by the commission, board or committee.

B. Each commission, board and committee shall make its own ~~rules and regulations~~ bylaws and fix the procedure for calling, holding and conducting meetings; providing, that such ~~rules and regulations~~ bylaws are not in conflict with the Brown Act or with the provisions of any laws of the state or the city.

2.19.080 - Meetings and quorum.

A. Each commission, board or committee shall meet ~~regularly~~ quarterly (January, April, July, October) at a time and place in the city to be determined by the commission, board or committee. Meetings shall not be held on legal holidays of the city.

B. Special meetings ~~of the~~ may be called by the ~~chairman of the commission or the vice chairman in the chairman's absence,~~ majority of the commission, city council,

~~Department Head, or city manager or staff member assigned to work with the commission, board or committee.~~ Notice of special meetings shall be given each member of the commission, board or committee in compliance with the Brown Act and in a reasonable time in advance of the meeting.

C. Three voting members of the commission, board or committee shall constitute a quorum of the commission, board or committee for the purpose of transacting business.

D. ~~No action-authorizing recommendation for the expenditure of funds shall be taken by the commission, board or committee at any meeting other than a regular meeting by a majority vote, as long as it does not conflict with any State or City laws.~~

E. Each commission, board or committee shall keep a public record of its transactions, findings, determinations and recommendations.

2.19.090 - Commission, board or committee staff support.

The city manager will assign a ~~staff member~~ department to each commission, board or committee.

2.19.100 - Commission, board or committee budget.

Each commission, board and committee may receive funds by an annual appropriation in the city budget or by government corporate or private grants or donations, and from the proceeds of city-approved functions. All such funds shall be held and managed as the ~~city manager or city council~~ Department Head of the assigned department may direct, contingent on funding availability."

SECTION 2. Amendment to Municipal Code. Calexico Municipal Code Chapter 2.20 *Personnel Commission*, Section 2.20.050 *Election of chairman of commission* is hereby amended as follows:

"Chapter 2.20 – Personnel Commission

...

2.20.050 – Election of chairman of commission.

Annually, during the month of January ~~on or before June 15th~~, the commission shall elect a chairman and vice chairperson from its duly appointed membership who shall preside at the commission's hearings and meetings.

SECTION 3. Amendment to Municipal Code. Calexico Municipal Code Chapter 2.23 *2010 General Tax Citizen Oversight Advisory Committee* is hereby amended as follows:

"Chapter 2.23 – 2010 General Tax Citizen Oversight Committee

...

2.23.050 - Officers.

The officers of the committee shall consist of a chairperson, and vice chairperson, ~~and secretary,~~ to be elected by the committee by a majority vote, and such other officers as the committee may from time to time designate. ~~The term of said officers shall be fixed by the committee.~~

2.23.060 - ~~Rules and regulations~~ Bylaws.

The committee shall make its own ~~rules and regulations~~ bylaws and fix the procedure for calling, holding and conducting meetings; provided that such ~~rules and regulations~~ bylaws are not in conflict with the provisions of any laws of the state of California, city of Calexico, or laws or ordinances of any political subdivision thereof.

...

2.23.080 - Meetings; time; quorum.

A. The committee will hold ~~one formal meeting annually, with additional quarterly meetings scheduled as needed by the committee in January, April, July, and October on dates set by the committee.~~

B. All committee meetings shall be properly noticed and held in compliance with the Brown Act.

C. Three members of the committee shall constitute a quorum for the transaction of business.”

SECTION 4. Amendment to Municipal Code. Calexico Municipal Code Chapter 2.26 *Library Board of Trustees* is hereby amended as follows:

“Chapter 2.26 – Library Board of Trustees

2.26.010 - Established.

A board to be known and designated as the of t Library Board of t Trustees (“b Board”) ~~will advise of~~ the Camarena Memorial Library (“Library”) is created and established to advise the Library in accordance with Chapter 5 of Title 1 of the California Education Code commencing at Section 18900, as it may be amended (“Municipal Libraries Act”).

2.26.020 - Organization.

The board will consist of five members, to be appointed pursuant to Calexico Municipal Code Section 2.19.010 and otherwise organized under the provisions of

Calexico Municipal Code Chapter 2.19 by the mayor, with the consent of the city council. Members shall hold office for three years.

2.26.030 - Duties.

The board shall have the following duties and powers:

1. Support the Camarena Memorial Library and other public libraries;
2. Aid in meeting the community's educational, recreational, informational, and cultural needs to encourage lifelong learning and the pursuit of knowledge;
3. Encourage the use of traditional and innovative library services;
4. Promote and encourage public knowledge and use of library services and facilities;
5. Advise the City Council with regard to the Library and its services.

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

2.26.040 – Officers

The officers of the Board shall consist of a Chairperson and Vice-Chairperson, to be elected by the Board, and such other officers as the Board may from time to time designate.

1. Chairperson and Vice-Chairperson will serve for a one-year term.
2. In the event of a vacancy in the Chairperson's position, the Vice-Chairperson shall succeed as Chairperson for the balance of the Chairperson's term and the Board shall elect a successor to fill the vacancy in the Vice-Chairperson's position for the remainder of the Vice-Chairperson's term.
3. Members willing to serve in either of these positions may submit their names for nomination. Members may also submit names of other members for nomination.
4. The Vice-Chairperson shall perform the duties of the Chairperson when the Chairperson is absent.

2.26.050 Meetings

1. Regular meetings of the Board shall be held quarterly, in January, April, July, and October, on dates set by the Board. The Board meetings shall commence at 6:00 p.m., at the Fernando "Nene" Torres Council Chambers in City Hall 608 Heber Avenue, Calexico, California. Whenever a regular meeting falls on a holiday observed by the City of Calexico, the meeting shall be held on another day or canceled at the direction of Library Administration.

2. The Board meetings shall be subject to the "Brown Act" (California Government Code Section 54952.3) for purposes of notices, agendas, and holding meetings open to the public.

3. For the purpose of conducting business, the Board shall have a quorum if a majority of members currently on the roster are present. If there is no majority after 15 minutes, the members may adjourn the meeting.

4. The Library Manager will act as secretary but may be assisted by a library clerk to keep a proper record of the proceedings."

SECTION 5. Amendment to the Calexico Municipal Code. Calexico Municipal Code Chapter 2.27 *Arts and Historical Commission* is hereby amended as follows:

"Chapter 2.27 – Arts and Historical Commission

...

2.27.030 Powers and Duties

...

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

1. 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~~ Recommend 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 arts issues;

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

f. Make recommendations to the ~~e City e Council~~ regarding ~~public arts~~ program funding for the department during the budget process;

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. i. Encourage the planning and development of new or improved arts facilities as may be needed;~~

~~k. j. Provide for the Make recommendations regarding selection, installation, and maintenance of art in work within public places facilities;~~

~~l. k. Encourage private businesses to display works of art in their public places;~~

~~m. l. Seek-Assist in seeking private funding in all areas of the arts;~~

~~n. m. 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. n. Act as a liaison between the city and other art organizations, such as the Imperial County Calexico Arts Council, Inc."~~

2.27.040 – Officers

The officers of the Commission shall consist of a Chairperson and Vice-Chairperson, to be elected by the Commission, and such other officers as the Commission may from time to time designate.

1. Chairperson and Vice-Chairperson will serve for a one-year term.

2. In the event of a vacancy in the Chairperson's position, the Vice-Chairperson shall succeed as Chairperson for the balance of the Chairperson's term and the Board shall elect a successor to fill the vacancy in the Vice-Chairperson's position for the remainder of the Vice-Chairperson's term.

3. Members willing to serve in either of these positions may submit their names for nomination. Members may also submit names of other members for nomination.

4. The Vice-Chairperson shall perform the duties of the Chairperson when the Chairperson is absent."

SECTION 6. Amendment to Calexico Municipal Code. Calexico Municipal Code Chapter 2.28 *Planning Commission* is hereby amended as follows:

“Chapter 2.28 – Planning Commission.

...

2.28.020 - Designation of members.

The planning commission shall consist of five members. The city manager or his/her designee shall have the power to discuss, advise and make recommendations to the commission with reference to any and all matters properly before the commission. The commission shall elect one of its members as chairperson, one of its members as vice-chairperson, each of whom shall hold office for one year, or until a successor is elected. No officer shall be eligible to succeed herself/himself in the same office.

...

2.28.050 - Powers and duties—Organization, rules and meetings.

Except as otherwise provided by law, the commission shall have power to, and shall, provide for its own organization; shall adopt ~~rules and regulations~~ bylaws for the transaction of business before it; and shall designate the time and place of the meeting of the commission, which shall be submitted to the city council for approval.”

SECTION 7. Amendment to Calexico Municipal Code. Calexico Municipal Code Chapter 2.32 *Parks, Recreation, Beautification, and Senior Services Commission* is hereby amended as follows:

“Chapter 2.32 Parks, Recreation, Beautification, and Senior Services Commission

...

Section 2.32.030 Power and duties

...

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. d.~~ Assist in collecting and disseminating information on the parks and recreation facilities and programs available to the city residents;

~~f. e.~~ 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. f.~~ Communicate the value of parks and recreation as an essential service by creating community through people, parks, and programs.

2. Beautification.

~~a. Make recommendations to 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;~~

~~e. b.~~ Plant or cause to be planted and to e Encourage and promote the planting, placing and/or preservation of trees, flowers, plants, shrubbery and other objects of ornamentation in the city;

~~d. c.~~ 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 as tasked by city council;

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

~~h. e.~~ Engage in Promote 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. f.~~ Carry out Promote activities and projects approved by the city manager or city council to improve the quality of life for the city's senior citizens.

2.32.040 – Officers

The officers of the Commission shall consist of a Chairperson and Vice-Chairperson, to be elected by the Commission, and such other officers as the Commission may from time to time designate.

1. Chairperson and Vice-Chairperson will serve for a one-year term.

2. In the event of a vacancy in the Chairperson's position, the Vice-Chairperson shall succeed as Chairperson for the balance of the Chairperson's term and the Board shall elect a successor to fill the vacancy in the Vice-Chairperson's position for the remainder of the Vice-Chairperson's term.

3. Members willing to serve in either of these positions may submit their names for nomination. Members may also submit names of other members for nomination.

4. The Vice-Chairperson shall perform the duties of the Chairperson when the Chairperson is absent.”

SECTION 8. Amendment to Calexico Municipal Code. Calexico Municipal Code Chapter 2.32 *Parks, Recreation, Beatification, and Senior Services Commission*, Sections 2.32.040 *Budget*, 2.32.050 *Funds—Collection*, and 2.32.060 *Funds—Expenditures*, 2.32.070 *Bonded employees* are hereby repealed.

SECTION 9. Amendment to Calexico Municipal Code. Calexico Municipal Code Chapter 2.56 *Community Police Advisory Commission* is hereby amended as follows:

"Chapter 2.56 Community Police Advisory Commission

...

2.56.030 - Membership and term of office.

The commission shall consist of ~~five~~ seven members.

2.56.040 - Organization and officers.

The commission shall elect one of its members as chairperson, and one of its members as vice-chairperson ~~and one of its members as secretary~~, each of whom shall hold office for one year, or until a successor is elected. No officer shall be eligible to succeed herself/himself in the same office.

2.56.050 - Regular and special meetings—Quorum.

The commission shall meet ~~regularly once each month~~ quarterly in January, April, July, and October on the dates selected by the commission. Special meetings may be called by ~~three members of the commission~~ the City Manager and Chief of Police. A majority of the appointed commissioners shall constitute a quorum for the transaction of business.

2.56.060 - Minutes of meetings—Clerical assistance.

The commission shall meet at regularly stated times and places, and meetings shall be open to the public. A copy of the action minutes of each meeting shall be delivered to the city clerk for filing as part of the official records of the city, and copies of the minutes shall be distributed to members of the city council. Such clerical assistance and secretarial assistance as are needed by the commission shall be provided by the ~~office of the city manager~~ Police Department.

2.56.070 - Powers and duties.

The commission shall have the following duties and powers:

A. To act as a liaison but not necessarily the only liaison, between the community, the police department and the city council;

B. To receive citizen complaints and transmit said filed complaints to the chief of police for investigation; ~~upon investigation, resolution and disposition of the complaint by the chief of police, if the complaint disagrees with the disposition of the complaint by the chief of police, the commission may recommend to the city council that the city council direct further investigation. The city council at its discretion, may direct further investigation including investigation by an outside agency.~~

2.56.080 - ~~Cooperation from city departments and offices.~~ Repealed.

~~In carrying out its objectives, the commission shall receive prompt and full cooperation and assistance from all departments and offices of the city."~~

SECTION 10. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 11. 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 12. Certification and Publication. The City Clerk of the City of Calexico shall certify to the adoption of this Ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the City in a manner permitted under California Government Code Section 36933.

SECTION 13. CEQA. The City Council finds that adoption of this Ordinance is not a "project," as defined in the California Environmental Quality Act because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and concerns general policy and procedure making.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Calexico, California on the _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAVIER MORENO, MAYOR

ATTEST:

GABRIELA GARCIA, CITY CLERK

APPROVED AS TO FORM:

CARLOS CAMPOS, CITY ATTORNEY

State of California)
County of Imperial) s.s.
City of Calexico)

I, Gabriela Garcia, City Clerk, hereby certify that the foregoing is a true copy of Ordinance No. _____, introduced at a regular meeting held on the _____ day of _____ 2021, and duly adopted by the City Council of the City of Calexico, California at a regular meeting thereof held the _____ day of _____, 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

GABRIELA GARCIA, CITY CLERK