

CHAPTER 32: COMMISSIONS, AGENCIES AND AUTHORITIES

Section

City Commissions - General Provisions

- 32.01 Appointment
- 32.02 Service
- 32.03 Terms
- 32.04 Meetings
- 32.05 Absence from meetings
- 32.06 Organization
- 32.07 Secretary
- 32.08 Vacancies
- 32.09 Removal
- 32.10 Compensation
- 32.11 Qualifications

Housing Commission

- 32.20 Creation
- 32.21 Membership
- 32.22 Terms
- 32.23 Functions
- 32.24 Limitations

Recreation/Community Services Commission

- 32.35 Creation
- 32.36 Membership
- 32.37 Terms
- 32.38 Duties

Personnel Commission

- 32.50 Creation
- 32.51 Membership
- 32.52 Terms
- 32.53 Meetings
- 32.54 Duties

Planning Commission

- 32.65 Creation
- 32.66 Membership
- 32.67 Terms
- 32.68 Duties

Community Redevelopment Agency

- 32.80 Creation and regulations

Industrial Development Authority

- 32.90 Creation and authorization

CITY COMMISSIONS - GENERAL PROVISIONS

§ 32.01 APPOINTMENT.

Members of each city commission shall be appointed by the Mayor with the advice and consent of the City Council.

§ 32.02 SERVICE.

Each member of a city commission shall serve at the pleasure of the City Council.
(83 Code, § 2.28.020)

§ 32.03 TERMS.

(A) *Expiration of terms.* The term of a commission office shall expire on June 30 of the designated expiration year.

(B) *Continuation in office.* Each member of a city commission holding such office, as of the effective date of this subchapter, shall continue in the office until his or her successor is appointed and qualified, unless a City Council order of removal otherwise provides.

(C) *Continuity in office.* The City Council in making appointments and reappointments to all commission offices shall observe, whenever possible, the principle of staggered terms so as to provide for continuity in membership for each such commission.
(83 Code, § 2.28.030) (Ord. 822, passed - -81)

§ 32.04 MEETINGS.

Except as expressly provided in this code, each commission shall establish the time and place of its regular meetings. All the meetings shall be conducted in accordance with the provisions of the Ralph M. Brown Act codified in Cal. Gov't Code §§ 54950 et seq. Each commission shall adopt rules for the transaction of its business and shall keep a record of its proceedings, which shall be open for inspection by any member of the public.

('83 Code, § 2.28.040)

§ 32.05 ABSENCE FROM MEETINGS.

(A) Any member of any commission who is absent, without cause, from three successive regular meetings of the commission, shall be deemed, automatically, to have vacated his office.

(B) An absence due to illness or an unavoidable absence from the city shall be deemed an excused absence; provided, that notice thereof is given to the secretary of the commission by the member, on or before the day of any regular meeting of the commission.

('83 Code, § 2.28.050)

§ 32.06 ORGANIZATION.

Each city commission shall annually elect one of its members as chairman and one of its members as vice-chairperson. The election shall take place at the first commission meeting in July of each year. ('83 Code, § 2.28.060)

§ 32.07 SECRETARY.

The City Manager shall designate the secretary of each such commission. He shall provide appropriate clerical assistance for each commission, and shall be responsible for the maintenance of all permanent records of each such commission.

('83 Code, § 2.28.070)

§ 32.08 VACANCIES.

(A) Whenever a vacancy occurs on any city commission, the vacancy shall be filled in the manner set forth in § 32.01. Where a vacancy occurs leaving an unexpired term, the subsequent appointment shall be made for the balance of the unexpired term.

(B) Except for the removal of a commission member, as provided in § 32.09, or vacancy due to absence, as provided in § 32.05, notwithstanding the expiration of the term of a commission member, the member shall continue to serve as such, until his successor is appointed and qualified.

('83 Code, § 2.28.080)(Am. Ord. 1155, passed 1-19-00)

§ 32.09 REMOVAL.

Any member of any city commission may be removed from the office, with or without cause, at any time, by the City Council. No such removal shall be effective unless a motion to that effect, made at a regular, adjourned regular, special or adjourned special meeting, is carried by not less than the affirmative votes of three members of the Council. ('83 Code, § 2.28.090)

§ 32.10 COMPENSATION.

Each member of a commission shall be entitled to such compensation as may be set by the City Council. The commission members shall be entitled to reimbursement for expenses incurred in the performance of his official duties, if the same is approved, in advance, by the City Council. No commission shall have any authority to expend, or authorize the expenditure of any public funds, except with the prior express approval of the City Council. ('83 Code, § 2.28.100)

§ 32.11 QUALIFICATIONS.

(A) Commission members shall be qualified residents of the city at the time of their appointment and at all other times during their term.

(B) Commission members shall not hold public office as an elected official at the time of their appointment or at any other time during their term. (Ord. 1155, passed 1-19-00)

HOUSING COMMISSION

§ 32.20 CREATION.

There is created a Housing Commission, which commission shall have the duties as prescribed in this subchapter. ('83 Code, § 2.36.010) (Ord. 826, passed - -81)

§ 32.21 MEMBERSHIP.

(A) The Housing Commission shall consist of seven members who shall be designated as Commission Office Nos. 1 through 7 respectively.

(B) Commissioners Nos. 6 and 7 shall be persons who are tenants of the authority. Commissioner No. 7 shall be over 62 years of age if the authority has tenants of such age. Tenant Commissioners shall have all the powers, duties, and privileges as any other

Commissioner.

('83 Code, § 2.36.020) (Ord. 826, passed - -81; Am. Ord. 1155, passed 1-19-00)

§ 32.22 TERMS.

(A) Three of the Commissioners first appointed shall be designated by the appointing authority to serve terms of one, two, and three years, respectively, from the date of their appointments, and two shall be designated to serve for terms of four years from the date of their appointments.

(B) The two Tenant Commissioners shall serve for terms of two years from the date of their appointments and their successors shall be tenants. Successors of Commissioners shall be appointed for a term of four years, except that successors of Tenant Commissioners shall be appointed for a term of two years and all vacancies shall be filled for the unexpired term.

(C) If a Tenant Commissioner ceases to be a tenant of the authority, the person shall be disqualified as a Commissioner and another tenant shall be appointed to fill the unexpired term.

(D) Any appointment of a successor to a Commissioner of the Housing Commission shall be made by the Mayor subject to the concurrence of the City Council.
(83 Code, § 2.36.030) (Ord. 826, passed - -81)

§ 32.23 FUNCTIONS.

The functions of the Housing Commission shall be as follows:

(A) To serve as required in an advisory capacity to the City Council/Housing Authority on matters relating to housing in the community.

(B) To assist in developing long-range objectives and goals for housing in the community.

(C) To recommend changes from time to time in the City Housing Assistance Plan.

(D) To undertake studies in areas of concern or as may be assigned by the City Council/Housing Authority.
(83 Code, § 2.36.040) (Ord. 826, passed - -81)

§ 32.24 LIMITATIONS.

The Housing Commission shall have no power or authority to bind or obligate the city or any officer or department thereof for any money, debts undertaking or obligation of any kind in

excess of the appropriation which the City Council may have made for the purposes of the Commission in any fiscal year.

('83 Code, § 2.36.050) (Ord. 826, passed - -81)

Recreation/Community Services Commission

§ 32.35 CREATION.

The Recreation/Community Services Commission of the city is created.
(83 Code, § 2.48.010) (Ord. 822, passed - -81; Am. Ord. 1133, passed 8-5-98)

§ 32.36 MEMBERSHIP.

(A) The Recreation/Community Services Commission of the city shall consist of seven members, five of who shall be designated as Commission Office Nos. 1 through 5 respectively.

(B) Three members shall be designated to Commission Office Nos. 6, 7, and 8 respectively and:

(1) Shall be over the age of 16 years, and less than 19 years of age during their terms of office;

(2) One member shall be a student at Baldwin Park High School, the other member shall be a student at Sierra Vista High School, and one member shall be a student at North Park High School at the time of their respective appointments; and

(3) No person shall be appointed to Office Nos. 6, 7 or 8 unless the principal of his/her high school has certified his/her eligibility for the appointment. Certification shall only be made after an appropriate selection process has been observed, involving as a part thereof, the wishes of the student body of each high school as to appropriate candidates.

('83 Code, § 2.48.020) (Ord. 822, passed - -81; Am. Ord. 1133, passed 8-5-98; Am. Ord. 1155, passed 1-19-00; Am. Ord. 1168, passed 11-15-00)

§ 32.37 TERMS.

The term of office for members of the Recreation/Community Services Commission shall be, as to Offices 1 through 5, inclusive, a period of two years. The terms of office for Offices 6 and 7 shall be for a period of one year, subject to the provisions of §§ 32.01 through 32.10.

('83 Code, § 2.48.030) (Ord. 822, passed - -81; Am. Ord. 1133, passed 8-5-98)

§ 32.38 DUTIES.

The Recreation/Community Services Commission shall perform the following duties:

(A) Act in an advisory capacity to the City Council in all matters pertaining to parks, public recreation and social services including playgrounds, parks, stables, bridle trails and beautifications.

(B) Act in an advisory capacity to the City Council with respect to the development of Human Services recreational programs in the city, stimulate public interest in recreational and social service programs and cooperate with schools located in the city for summer recreation and swimming pool programs and all other agencies relating to securing and developing an adequate recreational and social services program.

(C) Act in an advisory capacity to the City Council with respect to the acquisition, development and maintenance of park, recreation and social service facilities in the city.

(D) Exercise such other powers and duties as may be assigned by order of the City Council.

('83 Code, § 2.48.040) (Ord. 822, passed - -81; Am. Ord. 1133, passed 8-5-98)

PERSONNEL COMMISSION

§ 32.50 CREATION.

There is created a Personnel Commission for the city.
(83 Code, § 2.40.010)

§ 32.51 MEMBERSHIP.

The Personnel Commission of this city shall consist of a total of three members.
(83 Code, § 2.40.020) (Ord. 822, passed - -81)

§ 32.52 TERMS.

The term of office for members of the Personnel Commission shall be for a period of two years, subject to the provisions of §§ 32.01 et seq.
(83 Code, § 2.40.030) (Ord. 822, passed - -81)

§ 32.53 MEETINGS.

The Commission shall meet upon noticed call of the Chairman. Its meetings shall be held in the Council Chambers of City Hall of the city.

('83 Code, § 2.40.040)

§ 32.54 DUTIES.

The Personnel Commission shall perform the following duties.

(A) Hear disciplinary actions as set forth in the city's personnel rules.

(B) Such other duties as the Council shall, from time to time, require.

('83 Code, § 2.40.050)

PLANNING COMMISSION

§ 32.65 CREATION.

A Planning Commission for the city is created.

('83 Code, § 2.44.010)

Statutory reference:

Planning Commissions, see Cal. Gov't Code §§ 65100 - 65102

§ 32.66 MEMBERSHIP.

The Planning Commission of this city shall consist of a total of five members.

('83 Code, § 2.44.020) (Ord. 996, passed - -88; Am. Ord. 1057, passed - -92; Am. Ord. 1155, passed 1-19-00)

§ 32.67 TERMS.

Each member of the Planning Commission shall serve for two-year terms, subject to the provisions of §§ 32.01 et seq.

('83 Code, § 2.44.030)

§ 32.68 DUTIES.

The City Planning Commission shall perform the duties required by applicable state law, and such other duties as may be ordered by the City Council.

('83 Code, § 2.44.040)

COMMUNITY REDEVELOPMENT AGENCY

§ 32.80 CREATION AND REGULATIONS.

There being a need for a redevelopment agency to function in the city, a Community Redevelopment Agency is created in and for the city. The City Council, pursuant to the Community Redevelopment Law of the state, declares itself to be the Community Redevelopment Agency. The City Council, when acting as the agency, shall be vested with all of the rights, powers, duties, privileges and immunities incident thereto. Each member of the City Council shall receive compensation for serving as a member of the Agency, to the maximum extent permitted by Cal. Health & Safety Code § 33114.5.

('83 Code, § 2.32.010) (Ord. 867, passed - -83)

INDUSTRIAL DEVELOPMENT AUTHORITY

§ 32.90 CREATION AND AUTHORIZATION.

There being a need in the city for an industrial development authority to provide industry with an alternative and additional method of finance in accordance with state policy as set forth in the California Industrial Development Financing Act, Title 10, commencing with Cal. Gov't Code § 91500, the Industrial Development Authority of this city established by the act is declared organized and shall function under the name Industrial Development Authority of the city and be authorized to transact business and exercise all powers and other authority conferred upon industrial development authorities by the act. The City Council shall constitute the Industrial Development Authority's legislative body.

('83 Code, § 2.52.010) (Ord. 834, passed - -82)