



STAFF REPORT
1/27/2021

TO: Honorable Mayor and City Council Members

FROM: William B. Pattison, Jr., City Manager
Carlos Campos, Best Best & Krieger LLP, City Attorney

SUBJECT: Ordinance No. 1172, an Ordinance Regarding Commission and Committee Appointments; Establishment of Cultural and Arts Commission

RECOMMENDATION:

Pursuant to the request of Mayor Hernandez and Council Member Galarza: Introduce and waive first reading of Ordinance No. 1172 An Ordinance of the City Council of the City of Coachella, California, Regarding City Commission and Committee Appointments and Establishing the Cultural and Arts Commission.

BACKGROUND:

In general-law cities where the office of mayor is an elective office, the mayor, with the approval of the city council, must make all appointments to boards, commissions, and committees, unless otherwise specifically provided by statute. (Gov. Code, § 40605.)

Coachella Municipal Code section 2.26.020 follows this requirement by stating, “Unless otherwise provided by law, appointments to all commissions shall be made by the mayor, with approval by the city council, at open session of a regular or special city council meeting.”

DISCUSSION/ANALYSIS:

1. Summary

The proposed Ordinance, while complying with Government Code section 40605, would allow each council member to nominate an individual to each commission or committee, subject to mayoral appointment and approval of the city council.

The proposed Ordinance would also rename the Public Arts Commission the Cultural and Arts Commission and make it a stand-alone commission separate from the Planning Commission. Currently, the Planning Commission serves as the Public Arts Commission and holds both meetings on the same date and time.

2. Appointment Procedure and Terms

The proposed Ordinance applies to the Planning Commission, Parks and Recreation Commission, and Cultural and Arts Commission. It provides that each council member may nominate one individual to serve on each city commission and committee subject to appointment by the mayor, with approval by the city council. If a council member fails to nominate an individual, the mayor may appoint someone with approval by the city council.

If there is an interim vacancy, the council member who nominated the vacating member may nominate another individual, subject to appointment by the mayor with approval by the city council, for the unexpired term of the member replaced.

Terms will continue to be four years or less, but they will correspond with the nominating council member's term. Each commissioner's term will continue for the nominating council member's term and automatically terminate when the council member's term ends. If a council member is reelected, that council member is entitled to make all new nominations or may choose to re-nominate the council member's previous nominee.

Chapter 2.28 *Parks and Recreation Commission* and Chapter 2.68 (renamed) *Cultural and Arts Commission* have been simplified to include their distinct purposes and a reference to the general commission and committee regulations found in Chapter 2.26 *Commission Member Requirements*.

The Utility Users Tax Citizen Oversight Committee rules have been established by ballot measure and state that "[t]he committee shall have five citizen-members appointed by the city council." (CMC, § 4.30.030.) The proposed nomination, appointment, and approval procedure may be used for the Citizen Oversight Committee.

3. Cultural and Arts Commission

The proposed Ordinance renames the Public Arts Commission the Cultural and Arts Commission and makes it separate from the Planning Commission.

As noted above, the Cultural and Arts Commission would follow the general appointment and meeting procedures set forth in Chapter 2.26.

FISCAL IMPACT:

None anticipated.

ATTACHMENTS:

1. An Ordinance of the City Council of the City of Coachella, California, Regarding City Commission and Committee Appointments and Establishing the Cultural And Arts Commission.
2. Coachella Municipal Code Chapter 2.26 *Commission Member Requirements* (current).