

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.

THE CITY COUNCIL OF THE CITY OF COACHELLA DOES ORDAIN AS FOLLOWS:

SECTION 1. Amendment to Coachella Municipal Code. Coachella Municipal Code Chapter 2.26 *Commission Member Requirements*, Section 2.26.020 is hereby amended as follows:

“2.26.020 - Appointment.

A. The number of members on each commission shall be set by the city council.

B. Unless otherwise provided in this code or by other law, each council member may nominate an individual to serve on each city commission and committee subject to 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. If a council member fails to nominate an individual, the mayor may appoint someone with approval by the city council.

C. Members of the city council may be appointed by the majority of the city council to be nonvoting, ex-official members of a commission.

D. In the event of 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.”

SECTION 2. Amendment to Coachella Municipal Code. Coachella Municipal Code Chapter 2.26 *Commission Member Requirements*, Section 2.26.040 is hereby amended as follows:

“2.26.040 - Term.

A.—Members of commissions shall be appointed for four year terms or less. The term of each commission member shall continue for the term of the nominating council member 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. expire on December 31st of the year that occurs no more than four years after the date of the appointment.

B.—~~For a newly established commission, members first appointed shall be made on a staggered term basis.”~~

SECTION 3. Amendment to Coachella Municipal Code. Coachella Municipal Code Chapter 2.28 *Parks and Recreation Commission*, is hereby amended as follows:

“Chapter 2.28 - PARKS AND RECREATION COMMISSION

2.28.010 - Powers and duties.

There shall be a parks and recreation commission consisting of five members and one alternate member; all members shall be adults. Their duties shall include:

1. Act in an advisory capacity to the city council in all matters pertaining to parks and recreation.
2. Promote and stimulate interest in recreational programs.
3. Recommend policies for improving parks and playgrounds.
4. To consider, advise and make recommendations to the city council relative to:
 - a. Methods and policies for the acquisition, planning, development and improvement of public recreation facilities, including parks, playgrounds and special use facilities and including the selection of contract consultants for the implementation of such activities;
 - b. Permits, fees and charges to be made for recreation programs and for the use of public recreation facilities, including parks, playgrounds, and special use facilities;
 - c. Rules and regulations for the use of existing public recreation facilities, including parks, playgrounds and special use facilities, with an emphasis on equal opportunity of use and on minimizing adverse environmental impacts.
5. The city council shall respect the responsibilities of the commission and, accordingly, will endeavor, in good faith, to refer matters pertaining to parks and recreation to the commission for advice and recommendations. Notwithstanding the forgoing, nothing in this code shall prohibit the city council from acting on urgent or other matters without referring the same to the commission.

2.28.020 – ~~Appointments~~ Organization and procedure.

~~The community members of this commission must live within the city and shall serve a term of four years. A vacancy occurring before expiration of a term shall be filled by appointment for the remainder of the term by the city council. The term of each community member commissioner shall expire on December 31 of the year that occurs no more than four years after the date of the appointment. The parks and recreation commission shall follow the provisions in Chapter 2.26.~~

~~2.28.030 – Vacancies.~~

~~In the event a member of the commission has three consecutive unexcused absences from meetings of the commission, the city council may declare the office of such member vacant. Vacancies, whether scheduled or unscheduled, shall be filled by the city council.~~

~~2.28.040 Membership.~~

~~Membership of this commission shall be as follows:~~

~~A. The total membership of the commission shall be made up of five adults in the following manner:~~

~~1. Four adult resident community members to serve without compensation;~~

~~2. The desert recreation district general manager or a designated representative shall serve as a commissioner without compensation;~~

~~3. One member of the city council shall be a nonvoting, ex-official member of the commission.~~

~~B. Alternate parks and recreation commissioner. 1. The alternate parks and recreation commissioner shall attend parks and recreation commission meetings as a nonvoting, nonparticipating member. In the event of an absence of a regular parks and recreation commissioner, the alternate parks and recreation commissioner shall sit with the commission as a voting, participating member.~~

~~2.28.050 Election of officers.~~

~~At the first meeting of the commission, and thereafter at its first meeting of each subsequent year, the members shall elect a chair and vice chair. In the absence or disability of the chair or vice chair, the commission may designate a temporary chair.~~

~~2.28.060 Meetings.~~

~~1. The commission shall meet once a month. All its meetings shall be held in accordance with the Ralph M. Brown Act and shall be open to the public except as provided by law.~~

~~2. A quorum shall be a majority of the commission. No action of the commission shall be valid without the affirmative vote of at least three members.~~

SECTION 4. Amendment to Coachella Municipal Code. Coachella Municipal Code Chapter 2.68 *Public Arts Commission* is hereby amended as follows:

“Chapter 2.68 - ~~PUBLIC~~ CULTURAL AND ARTS COMMISSION”

2.68.010 - Necessity and purpose.

A. Necessity Declared. It is hereby found and declared that there is a need for a public cultural and arts commission within the city.

B. Purpose. The purpose of the ~~public cultural and~~ arts commission shall be to act in an advisory capacity to the city council on matters pertaining to the enrichment of the community through fine arts, visual arts, performing arts, arts education, historic preservation and cultural issues; to serve as an advocate for cultural activities and programs within the city; to implement the city's art in public places program, and to encourage the integration of cultural affairs into the social and economic fabric of the city to improve the quality of life for city residents.

~~2.68.020 - Membership; qualifications; terms of office~~ Organization and procedure.

~~The cultural and arts commission shall follow the provisions in Chapter 2.26. A. Membership and Qualifications. City of Coachella Planning Commission shall act in the capacity as the public arts commission.~~

~~B. Term. The term of each public arts commission member shall be the same term assigned in their capacity as a planning commission member as specified in Section 2.32.020 of the Municipal Code.~~

~~2.68.030 - Meetings; quorum; change in meeting place.~~

~~A. Meetings. The meetings of the public arts commission will be conducted before or after the regular meetings of the planning commission as stated in Section 2.32.060(A) of the Municipal Code. At least one regular meeting per month shall be held. The chairperson and vice-chairperson of the planning commission shall serve as the chairperson and vice-chairperson of the public arts commission. Rules shall be adopted for transaction of business. Meetings shall at all times be open to the public. Meetings shall be held in the council chambers except when such chambers are required for any meeting of the city council, or when the commission determines that a meeting should be held in a different location due to the subject matter being considered.~~

~~B. Quorum. The public arts commission shall comply with the requirements for quorum of the planning commission as stated in Section 2.32.060(B) of the Municipal Code.~~

~~C. Change in Meeting Place. Notice of a change in meeting place shall be posted in front of the council chambers.~~

~~2.68.040 - Absences from meetings~~

~~All members of the public arts commission shall comply with the attendance requirements for members of the planning commission as stated in Section 2.32.060(B) of the Municipal Code.~~
~~2.68.050 - Term limits.~~

~~All members of the public arts commission shall comply with the term limits for members of the planning commission as stated in Section 2.32.020 of the Municipal Code.~~

SECTION 5. 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 reasonable 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.

SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 7. 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 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.

SECTION 8. 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.

PASSED, APPROVED, and ADOPTED this _____ 2020.

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Ordinance No. 1172 was duly and regularly introduced at a meeting of the City Council on the 27th day of January 2021, and that thereafter the said ordinance amendment was duly passed and adopted on _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Andrea J. Carranza, MMC
Deputy City Clerk