

ORDINANCE 2005-05

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF AMERICAN CANYON
AMENDING CHAPTERS 2.28, 2.29 AND 2.32 OF THE MUNICIPAL CODE
RELATING TO PAY AND ATTENDANCE OF COMMISSIONERS**

WHEREAS, the City Council discussed the issue of attendance and pay for Commissioners at its July 21st meeting, at which time direction was given to staff to bring back a draft ordinance modifying the current language, and

WHEREAS, the importance of Commissioner attendance needs to be clearly emphasized on the one hand, but some reasonable flexibility added on the other, and

WHEREAS, each Commission should be able to manage its own attendance and other internal operations, and

WHEREAS, all Commissioners should be paid the same, regardless of the particular Commission, and

WHEREAS, a properly noticed public hearing was held on August 18, at which time members of the public were allowed to submit written and/or oral testimony on the proposed amendments;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN THE FOLLOWING:

SECTION 1: : Section 2.28.010, General Rules regarding appointments, terms and vacancies, shall be amended as follows:

- B. Any member of a board or commission of this city may be removed from office at any time, with or without cause, by a majority vote of the city council, except in cases where the mayor or city council are not the appointing authority (in which cases such regular appointing authority may exercise this power of removal).
- C. Commissioners and board members are expected to attend all meetings, regular and special. If a commissioner or board member cannot attend a regular or special meeting, he shall notify either the commission or board chair or the appropriate staff person assigned to support that commission or board.. The full commission or board will make a determination to either excuse the absence or not excuse it.
 - 1. Whenever a commissioner or board member has more than three unexcused absences in a twelve-month period, then that commissioner or board member shall be removed from office. The commission or board chair shall be responsible for notifying the commissioner or board member. The chair shall also notify the city council regarding the removal and request the appointment of a replacement commissioner or board member. This rule of three unexcused absences shall apply to regular meetings only.

2. In lieu of attending a regular or special meeting in person, a commissioner or board member may participate by telephonic means, subject to any State or Federal laws or regulations.

Current subsections C and D shall be renamed to subsections D and E, respectively.

SECTION 2. Section 2.29.030, Compensation of commissioners, shall be amended as follows:

A. The members of the parks and community services commission shall each receive a stipend payable out of the general fund of the city, provided adequate funds have been budgeted therefore, in the amount of one hundred five dollars (\$105.00) per month.

SECTION 3. Section 2.32.030, Compensation of planning commissioners, shall be amended as follows:

A. The members of the planning commission shall each receive a stipend payable out of the general fund of the city, provided adequate funds have been budgeted therefore, the sum of one hundred five dollars (\$105.00) per month.

SECTION 4: The provisions of this Ordinance shall be severable. If any portion is found to be unconstitutional, illegal or invalid, the remainder shall survive and remain effective and enforceable.

SECTION 5: A summary of this Ordinance shall be published once in the Vallejo Times Herald, a newspaper of general circulation serving the City of American Canyon, within fifteen (15) days after its passage and shall become effective thirty (30) days after the date of its adoption.

SECTION 6: The foregoing Ordinance was introduced and read at the regular meeting of the City Council of the City of American Canyon, State of California, held on the 18th day of August 2005, and approved and adopted at a regular meeting on the 1st day of September 2005, by the following vote:

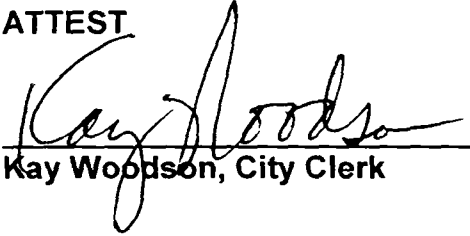
AYES: Shaver, Garcia, Anderson, Coffey, Luporini
NOES: None
ABSTAIN: None
ABSENT: None


Cecil Shaver, Mayor

APPROVED AS TO FORM


William D. Ross, City Attorney

ATTEST


Kay Woodson, City Clerk