

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY OF AMERICAN CANYON ADOPT TO AN ORDINANCE REGARDING THE ADDITION OF CHAPTER 2.30 TO THE AMERICAN CANYON MUNICIPAL CODE CREATING THE OPEN SPACE, ACTIVE TRANSPORTATION, AND SUSTAINABILITY COMMISSION

The Council of the City of American Canyon does hereby ordain as follows:

SECTION 1. A new Chapter is hereby added to the American Canyon Municipal Code regarding the creation of an Open Space, Active Transportation, and Sustainability Commission, to read as follows:

CHAPTER 2.30 OPEN SPACE, ACTIVE TRANSPORTATION, AND SUSTAINABILITY COMMISSION

Section 2.30.010	Creation of the Open Space, Active Transportation, and Sustainability Commission/Terms of Commissioners
Section 2.30.020	Jurisdiction and Functions of Commission
Section 2.30.030	Compensation of Commissioners
Section 2.30.040	Designation of Chairperson and Vice Chairperson, Committees and Staff
Section 2.30.050	Time and Place of Meetings, Definition of Commission Quorum
Section 2.30.060	Commission Rules and Records

Section 2.30.010 Creation of the Open Space, Active Transportation, and Sustainability Commission/Terms of Commissioners.

There is created an Open Space, Active Transportation, and Sustainability Commission for the City of American Canyon. It shall consist of five (5) members, appointed in the manner and for the terms prescribed in Sections 2.04.070 and 2.28.010, respectively, of this Code.

Section 2.30.020 Jurisdiction and Functions of Commission.

- A. The Open Space, Active Transportation, and Sustainability Commission for the City of American Canyon shall perform all functions as described below and shall serve in an advisory capacity to City staff and the City Council.
- B. The functions, powers, and duties of the Open Space, Active Transportation, and Sustainability Commission shall include the review of issues referred to the Commission by the City Council, the City Manager, and City staff, residents, or organizations of the City; to provide advice, comment and make recommendations regarding such issues as requested; to organize or facilitate community benefit activities or functions; and other duties as assigned by the City Council.
- C. Areas of purview of the Commission shall include, but not be limited to, review and provide input on plans and policy documents supporting Open Space, Active

Transportation, and Sustainability efforts, and recognize further Open Space, Active Transportation, and Sustainability efforts needed.

- D. The City Council may from time to time refer a matter to the Commission for review, comment, recommendation, and action. All actions of the Open Space, Active Transportation, and Sustainability Commission are subject to appeal to the City Council by any person or organization affected by such action through the procedures set forth in Chapter 2.04 of this Code.
- E. All actions taken by the Commission shall be reported by City Staff to the City Clerk and shall be placed on the next regular agenda of the City Council after receipt of the report by the City Clerk. Actions taken by the Commission shall not be considered final until the City Council has heard and further considered the matter or has determined that further consideration of the matter is not required. When placed on the agenda of the City Council, the City Council may elect to consider the matter and may schedule the matter for a hearing of public hearing before the City Council. The City Council shall consider any appeal of an action taken by the Open Space, Active Transportation, and Sustainability Commission by an interested person or organization through the procedures set forth in Chapter 2.04 of this Code. The decision of the City Council, after considering or hearing the matter shall be final.

Section 2.30.030 Compensation of Commissioners.

The members of the Open Space, Active Transportation, and Sustainability Commission shall each receive compensation payable out of the general fund of the City, provided adequate funds have been budgeted, therefore, in the amount of one hundred and five dollars (\$105.00) per meeting. Standing or temporary committee or subcommittee members shall not be compensated. The compensation for Commissioners prescribed herein shall be exclusive of any amount payable as reimbursement for actual or necessary expenses authorized by the City Council and incurred in the performance of official duties for the City.

Section 2.30.040 Designation of Chairperson and Vice Chairperson, Committees, and Staff.

- A. Designation of the Chairperson and Vice Chairperson for the Commission shall be governed by section 2.28.20 of this Code.
- B. The Commission may, from time to time, create committees or subcommittees to study issues, to perform work on behalf of the Commission, to provide a service to the residents, or a segment of the residents, of the City, or to improve the quality of the environment of the City and living conditions of the residents of the City.
- C. Standing or temporary committee or subcommittee shall have at least one Commissioner assigned to the committees. The Commission shall make appointments of

committee and subcommittee members with the approval of the City Manager or designee.

- D. The City Manager may appoint a department head, or other staff, and provide compensation for their services as may be authorized by the City Council and by an annual City Budget.

Section 2.30.050 Time and Place of Meetings, Definition of Commission Quorum.

- A. The Commission shall hold at least one regular meeting each month at such time, date, and place designated by the Commission. The Chairperson or a majority of the Commission, after giving notice to the Commissioners, and to any media and members of the public who have previously requested such notices in writing, so that the notice is received at least twenty-four (24) hours before the meeting, may hold a special meeting.
- B. A majority of the Commissioners shall constitute a quorum.

Section 2.30.060 Commission Rules and Records.

The Open Space, Active Transportation, and Sustainability Commission shall adopt rules for the transaction of its business and shall keep a public record of its resolutions, transactions, findings, recommendations, and actions. Minutes of the Open Space, Active Transportation, and Sustainability Commission meetings shall be filed with the City Clerk.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

SECTION 3. SEVERABILITY. The ordinance shall be liberally constructed to achieve its purpose and preserve its validity. If any provision or clause of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are declared to be servable and are intended to have independent validity.

The foregoing ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 17th day of January, 2023, by the following vote:

AYES: Councilmembers Aboudamous, Joseph, Oro, Vice Mayor Washington, and Mayor Garcia
NOES: None
ABSTAIN: None
ABSENT: None

The foregoing ordinance was adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 7th day of February, 2023, by the following vote:

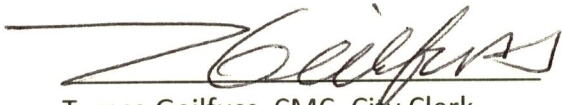
AYES: Councilmembers Aboudamous, Joseph, Oro, Vice Mayor Washington, and Mayor Garcia
NOES: None
ABSTAIN: None
ABSENT: None



Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:



Taresa Geilfuss, CMC, City Clerk



William D. Ross, City Attorney