

ORDINANCE NO. 2019-6

AN ORDINANCE OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, AMENDING CHAPTERS 2.18, 2.44, 2.46, 2.56, 2.58, AND 2.60 OF THE VISTA MUNICIPAL CODE REGARDING VARIOUS CITY COMMISSIONS

The City Council of the City of Vista does ordain as follows:

1. Findings. The City Council hereby finds and declares all of the following:

A. The City Council desires to amend the Vista Municipal Code sections covering the following: General Provisions and Requirements Affecting City Commissions, Boards and Committees; Parks & Recreation Commission, Public Arts Commission; Senior Citizen Affairs Commission; Youth Advisory Commission, and Traffic Commission.

2. Code Amendment

A. Section 2.18.045, Conduct of Members, is added to read as follows:

“Section 2.18.045 Conduct of Members

Outside of commission, board or committee meetings, members shall act only within the express authority delegated by the City Council and with prior authorization of the staff liaison. All marketing/promotional materials and media contact must be approved by, and in coordination with, the staff liaison. Members may not claim to represent the commission, board or committee outside of meetings or activities of the commission, board or committees. Under no circumstance shall members participate in political activities while representing the commission, board or committee; this includes, but is not limited, using the title “Commissioner”, “Board Member”, or “Committee Member” when supporting or opposing political issues. Use of titles is limited to those activities and communications dealing solely with commission, board or committee business.”

B. Section 2.18.060.A, Qualifications for Appointment, is amended to read as follows:

“A. General Qualifications. Except as provided herein below, no person shall be appointed to any commission, board or committee of the City, unless that person is deemed qualified pursuant to the requirements of this section. A person is qualified for appointment to any commission, board or committee of the City if, at the time of appointment, the person satisfies all of the following conditions:

1. The person is a bona fide resident of the City of Vista;
2. The person is at least 18 years of age; and
3. The person is not employed by the City of Vista.”

C. Section 2.18.095, Order and Decorum, is added to read as follows:

“Section 2.18.095 Order and Decorum

A. Presiding Officer. While the commission, board, or committee is in session, the presiding officer at all times shall maintain order and decorum at the meeting.

B. Commission, Board, and Committee Members. Members of the commission, board, or committee shall avoid disruption or unreasonable delay of the proceedings, and shall not interrupt or disturb any other Member of the commission, board, or committee who has the floor, but shall wait to be recognized by the presiding officer. Members of the commission, board, or committee shall conform to the orders of the presiding officer unless, by majority vote upon a motion and second, such orders are overruled by the commission, board, or committee.

C. Members of the Public. Every member of the public attending a meeting of a commission, committee, or board shall observe and conform to the following rules of conduct:

1. No person shall seek or attempt to disrupt a meeting by making any statement against the reputation, character or motive of any person.

2. No person shall seek or attempt to disrupt a meeting by making any statement that is intended to inflame passion or anger, or is purely of a personal nature, or is defamatory, slanderous, impertinent, or profane.

3. No person shall make any noise, whistle, shout, sing, applaud, or disparage any speaker, or commit other acts, with the intent of disrupting, disturbing, or delaying the proceedings.

4. No person shall bring into the place where the commission, board, or committee is meeting any knife, gun, chain, rope, rock, stick, pole, board, or other material that is capable of causing harm or injury to persons, including any such materials used to support or to display any sign, placard or symbol.

5. No person shall address the commission, board, or committee until having been recognized by the presiding officer.

6. Every person addressing the commission, board, or committee on a matter appearing on the agenda shall avoid making repetitious or irrelevant statements to the issue being discussed.

7. Every person addressing the commission, board, or committee under Opportunities for Public Comment (Oral Communications) on matters not appearing on the agenda shall avoid making statements concerning issues that are not within the subject matter jurisdiction of the commission, board, or committee.

8. A person having been ruled out of order by the presiding officer shall immediately conform to the orders of the presiding officer. Any person who refuses when ordered to conform to the rules of conduct is subject to being removed from the place of the meeting of the commission, board, or committee by order of the presiding officer.

D. Prohibited Conduct. No person shall intentionally disrupt, disturb or interfere with the proceedings of a meeting. A person shall be deemed to have intentionally disrupted, disturbed or interfered with the proceedings of a meeting of the commission, board, or committee if the person refuses or does not come to order, after having been ruled out of order by the presiding officer. A violation of this Subsection D is a misdemeanor which shall be punishable by

a fine not to exceed \$1,000, imprisonment in the county jail for up to six months, or both.”

D. Section 2.18.120.B, Removal of Members; Abandonment of Office, is amended to read as follows:

“B. Abandonment of Office. Whenever any member of a City commission, board or committee, without having given prior written notice or reason to the City Clerk or to the designated Secretary of the commission, board or committee, fails to attend three successive meetings of the commission, board or committee, or fails to attend more than 50% of the regularly scheduled meetings of the board, commission or committee held in any consecutive 12 month period, the member shall be deemed to have abandoned his or her office, and the City Clerk shall declare the office vacant. The City Clerk shall send a written notice of such abandonment and vacation of office to the member deemed to have abandoned the office, with copies to the Chairperson of the commission, board or committee and to the City Council. Within ten calendar days of the written notice being sent to the member, the member may appeal the abandonment in writing to the City Council, stating the reasons and causes why the office shall not be deemed abandoned, and the City Council shall determine whether or not to reinstate the member. In making such decision, the City Council shall request a report on the member’s participation from the staff liaison or secretary of the commission, board or committee.”

E. Section 2.44.010, Purpose, is amended to read as follows:

“Section 2.44.010 Purpose

The purpose of this commission is to advise the City Council, City Manager, and the Department of Recreation and Community Services on matters concerning parks and recreation.”

F. Section 2.44.020, Establishment, Composition, and Additional Qualifications, first paragraph is amended to read as follows:

“There is hereby established the Parks and Recreation Commission of the City of Vista, which is an advisory commission to the City Council. The Parks and Recreation Commission shall be composed of seven regular members and two non-voting youth members.”

G. Section 2.44.060, Powers and Duties, is amended to read as follows:

“Section 2.44.060 Powers and Duties

The duties of the Parks and Recreation Commission shall be as follows:

A. To act in an advisory capacity to the City Council, City Manager and the Director of Recreation and Community Services in matters concerning parks and recreation planning and programming.

B. Advise the Director of Recreation and Community Services in formulating policies on recreation services for approval by the City Council;

C. Recommend to the City Council and Vista Unified School District Board the best joint use of recreation facilities.

D. Recommend to the City Council the advisability of acquiring and/or utilizing various parcels of land for parks and recreation purposes.

E. Advise the Director of Recreation and Community Services on development of recreation areas, facilities, programs and recreation services.

F. Review staff recommendations for the adoption of standards on organization, personnel, areas and facilities, program and financial support of parks and recreation activities.

G. Make periodic inventories of recreation services that exist or may be needed and make recommendations to the City Council and the Director of Recreation and Community Services.

H. Review staff recommendations for the annual budget request and on long-range parks and recreation capital improvement program.

I. I. Consider all requests for permanent facilities to be erected on park area.

J. J. Promote and stimulate public interest in the Department of Recreation and Community Services.

K. K. Promote recreation and community services.”

H. Section 2.46.070, Powers and Duties, is amended to read as follows:

“Section 2.46.070 Powers and Duties

The duties of the Public Arts Commission shall be as follows:

A. To act in an advisory capacity to the City Council and City Manager in all matters concerning public visual arts.

B. To facilitate communication and cooperation among local visual arts groups.

C. To take action on items that do not require City Council approval and provide recommendations to the City Council regarding the public display of visual art in accordance with City Council adopted policies or resolutions.

D. To develop and maintain a public visual arts plan for presentation to and approval by the City Council.

F. To explore and suggest outside funding sources for public visual arts.

G. To advise staff on how to expand and enhance visual arts education in the community.

H. To promote and stimulate public interest in visual arts.

I. To perform such additional functions relating to public art as may be delegated to the Commission pursuant to a policy or resolution adopted by the City Council.”

I. Section 2.56.070, Powers and Duties, is amended to read as follows:

“Section 2.56.070 Powers and Duties

The following are the duties and functions of the Commission:

A. To identify community resources that promote the physical, emotional and social wellbeing of older adults and to involve them in all aspects

of community life.

B. To periodically review the effectiveness of Center programs and recommend modifications as necessary.

C. To provide a forum for senior citizens to bring forth related matters.

D. To make recommendations to the City Council on matters relevant to senior citizens as deemed appropriate by the City Council or the Commission.”

J. Section 2.58.010, Purpose and Intent, is amended to read as follows:

“Section 2.58.010 Purpose and Intent

It is the purpose and intent of the City Council of the City of Vista to establish a Youth Advisory Commission to which the City Council will refer youth-related matters for input and make recommendations to the City Council prior to Council acts on matters pertinent to the young people in the City of Vista, and to accomplish, among other things:

A. The development of mutual understanding and respect between said young people and the adult citizens of Vista.

B. To establish liaison and maintain communications with the young people of the community so as to better understand the problems and difficulties confronting young people in today's complex urban society.

C. To establish a forum for meaningful discussion where the youth of Vista can “say what's on their mind.”

D. To enhance a feeling of mutual respect and understanding on the part of all age groups in the City of Vista.

E. To encourage full and active participation in all phases of governmental process by the young people of this community.

F. To propose specific programs in areas in which it determines that the needs of youth are not being met by other organizations.”

K. 2.58.070.A, Powers and Duties, is amended to read as follows:

“A. To act in an advisory capacity to the City Council, City Manager in matters pertinent to youth activities.”

L. Section 2.60.050, Powers and Duties, is amended to read as follows:

“Section 2.60.050 Powers and Duties

It shall be the duty of the Traffic Commission to advise the City Council on matters relating to the safe and efficient movement of traffic brought to them by staff in accordance with Section 2.60.060, including pedestrians and bicycles, upon existing streets, roads and highways of this city. The Traffic Commission shall study all matters referred to it concerning traffic movement and safety and make recommendations to the City Council regarding measures that should be taken to promote traffic movement and safety within the city as follows:

A. Review staff studies and actions and make recommendations to the City Council on traffic matters.

B. Provide a public forum for citizens to communicate their traffic complaints, concerns, requests and suggestions. Staff shall consider and evaluate complaints, concerns, requests and suggestions expressed by citizens during Traffic Commission meetings and communicate directly with the citizens. If necessary, in accordance with Section 2.60.060, staff will bring back a report to the Traffic Commission for consideration and approval. .

C. 1. The Traffic Commission shall review and comment on priorities for road and street improvements in the city. Staff will present to the Traffic Commission on an annual basis a list of prioritized intersections that meet the established State and Federal traffic signal installation standards for the Commission's review and approval.

2. Nothing in this subsection shall authorize the Traffic Commission to make any decision/recommendation or take any action on any matter, which is properly under the jurisdiction and consideration of any other board or commission in accordance with this code.

D. The Traffic Commission shall periodically review the provisions of this chapter and may recommend any changes to this chapter as deemed necessary for consideration by the City Council."

3. Severability. If any word, sentence, paragraph, or other portion of this ordinance is deemed to be invalid or unenforceable for any reason by a court of competent jurisdiction, the City Council declares its intent that all remaining words, sentences, paragraphs or portions of the ordinance not held to be invalid or unenforceable shall remain in full force and effect, and shall, be so construed, as if the original ordinance did not contain the invalid or unenforceable language.

4. Effective Date. This Ordinance shall be effective on the thirty-first day following the date of its adoption.

5. Adoption. INTRODUCED AND ADOPTED at a meeting of the City Council held on February 26, 2019 by the following vote:

AYES: Mayor Ritter, Rigby, Franklin, Green, Contreras

NOES: None

ABSTAIN: None

By: 
JUDY RITTER, Mayor

APPROVED AS TO FORM:
DAROLD PIEPER, CITY ATTORNEY

By: 

ATTEST:
KATHY VALDEZ, CITY CLERK

By: 

APPROVED
Darold Pieper
20190212161153

CERTIFICATION

I, Kathy Valdez, City Clerk of the City of Vista, California, certify that I caused the foregoing Ordinance No. 2019-6 to be posted on February 27, 2019, at the following locations within the City of Vista: 1) the Reference Desk of the Vista Branch of the San Diego County Public Library, 700 Eucalyptus Avenue; 2) the Lobby Counter at the Gloria E. McClellan Senior Center, 1400 Vale Terrace Drive; and 3) the City Clerk's Office, 200 Civic Center Drive.

A handwritten signature in blue ink that reads "Kathy Valdez". The signature is written in a cursive style with a large initial 'K' and a long, sweeping tail.

Kathy Valdez, City Clerk