

CITY OF OJAI
ORDINANCE NO. 956

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF OJAI, CALIFORNIA AMENDING ARTICLE 1
(PARKS AND RECREATION COMMISSION) OF
CHAPTER 4 OF TITLE 2 OF THE OJAI MUNICIPAL
CODE TO MODIFY THE PARKS AND RECREATION
COMMISSION NOMINATION PROCESS

THE CITY COUNCIL OF THE CITY OF OJAI CALIFORNIA DOES ORDAIN
AS FOLLOWS:

SECTION 1. Code Amendment. Ojai Municipal Code Section 2-4.102 is hereby amended to read as follows, with additions denoted by underlined text and deletions denoted by struck-through text:

Sec. 2-4.102. Members.

(a) ~~The Parks and Recreation Commission shall be composed of seven (7) members and one nonvoting youth member, who shall be a full-time high school student living within the boundaries of the Ojai Unified School District. The Mayor, a rotating Councilmember as determined by the City Clerk, and the Commission Chair shall nominate each Commissioner, ratified by the approval of a majority of the full City Council.~~

(b) Commissioners shall be nominated and appointed through the following process:

(1) A nominating committee comprised of the following three members shall nominate each Commissioner for confirmation by the City Council: the Mayor; a rotating City Council member, as determined by the City Clerk; and the Commission Chair, or the Vice-Chair if the Chair's office is under consideration within two months of the nomination. The youth member shall be nominated by the Mayor, ~~ratified~~ confirmed by the approval of a majority of the full City Council, and will be a nonvoting member.

- (2) If any member of the nominating committee affirmatively declines to participate in the nomination process, then their seat shall be forfeit and the next person, as appropriate and as determined by the City Clerk shall participate on the nominating committee instead: the next rotating Council Member, as determined by the City Clerk; the Chair, Vice-Chair, or Commission member; or the Mayor Pro Tem for the Mayor.
 - (3) The nominating committee shall interview each applicant under consideration together, virtually or in person, before selecting a nominee for City Council confirmation.
 - (4) The nominating committee must unanimously decide each nominee for confirmation by a majority vote of all members of the City Council. No nominee shall be submitted to the City Council for confirmation without unanimous support of the nominating committee.
 - (5) If a nominee fails to garner a majority vote of the full City Council, then the applicable nominating committee shall meet again to consider and propose a new nominee for confirmation by the City Council in accordance with the process in this section. This process shall repeat until a nominee is confirmed by a majority vote of the full City Council.
- (c) All Commission appointments are non-political appointments. While it is preferred that all members of the Commission have primary residence and be domiciled within the City, a maximum of three (3) members of the Commission may have primary residence and be domiciled outside the City. All members must live within the Ojai Area of Interest, as defined by the Ventura County Local Agency Formation Commission.

SECTION 2. Code Amendment. Ojai Municipal Code Section 2-4.103 is hereby amended to read as follows, with additions denoted by underlined text and deletions denoted by struck-through text:

Sec. 2-4.103. Terms.

The members of the Parks and Recreation Commission shall, subject to the conditions set forth in this section, be nominated and confirmed to the following terms:

(a) All members of the Parks and Recreation Commission, other than the youth member, shall be appointed for terms of four (4) years.

(b) The youth member shall be appointed for a term of two (2) years; and can be appointed for a maximum of two (2) terms.

(c) All members shall hold office until their successors have been appointed and qualified. If a mid-term vacancy occurs, the nominating committee may nominate their replacement to fill the remainder of the original term in accordance with the process in Section 2-4.102(b) and which must be ~~ratified by the approval of~~ confirmed by a majority of the full Council. Where feasible, the members of the nominating committee used to nominate the member whose seat is vacated shall be used to nominate their replacement. Where members of such nominating committee are no longer in office or otherwise unavailable to serve on the nominating committee to fill the vacant seat, the seat shall be filled by the following, as appropriate: the next rotating Councilmember, as determined by the City Clerk; the Mayor Pro Tem if the Mayor is unable to serve on the nominating committee; or the sitting Chair, or the Vice-Chair if the Chair's office is under consideration within two months of the nomination. A person appointed to fill a vacancy on the Commission shall hold office for the remainder of the unexpired term.

(d) A Commissioner may be removed from office by the following process: two (2) City Councilmembers must advise the City Manager of their intent to place an item on an upcoming City Council agenda to consider the removal of a Commissioner. The City Manager must then contact the Commissioner to advise him/her of that notification, and to provide the Commissioner with at least seven (7) days' advance notice of any agendaized City Council discussion regarding the possible Commissioner removal. The Commissioner may choose to resign or object to the proposed action. Commissioners serve "at will" and may be removed for any reason. The Commissioner shall be given an opportunity to speak to the full City Council at the agendaized public meeting if they wish to do so, before consideration of their removal. After completing this process, any Commissioner may be removed by majority City Council vote at a regular City Council meeting.

(e) The terms of members of the Commission shall expire at the second regular City Council meeting of May. Appointments will be for four (4) years, except for the youth member, who shall be appointed for two (2) years. The term of the youth member of the Commission shall expire at the second regular Council meeting in May of every other year. In the absence of specific rules of order and procedures, the conduct of such meetings shall be governed by the latest revised edition of Rosenberg's Rules of Order.

Four (4) members of the Commission shall constitute a quorum, without regard to residency.

SECTION 3. Environmental Determination. The City Council determines that the following findings and conclusions reflect the independent judgment of the City Council. The City Council finds that the adoption of the foregoing amendment to the Ojai Municipal Code is exempt from the California Environmental Quality Act (CEQA) for the following independent reasons:

Under California Code of Regulations, Title 14, Section 15061, subdivision (b)(3), of the CEQA Guidelines, CEQA review is not required if an activity is not a project as defined in California Code of Regulations, Title 14, Section 15378, of the CEQA Guidelines. Under Section 15378, subdivision (b)(5), project for purposes of CEQA does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. This ordinance is administrative in nature, and will not result in any direct or indirect physical changes in the environment. The adoption of this ordinance is therefore exempt from CEQA review pursuant to California Code of Regulations, Title 14, Sections 15060 and 15378, subdivision (b)(5) of the CEQA Guidelines.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 5. Certification. The City Clerk shall cause this Ordinance to be published as required by law, and shall cause a copy of this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

SECTION 6. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937.

CITY OF OJAI, CALIFORNIA

By Betsy Stix
Betsy Stix, Mayor

ATTEST:

Weston Montgomery
Weston Montgomery, Chief Deputy City Clerk

APPROVED AS TO FORM:

Matthew T. Summers
Matthew T. Summers, City Attorney

STATE OF CALIFORNIA)
COUNTY OF VENTURA)
CITY OF OJAI)

I, Weston Montgomery, Chief Deputy City Clerk of the City of Ojai do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Ojai held on June 11, 2024 and adopted at a regular meeting held on June 11, 2024 by the following vote:

AYES: **Francina, Lang, Rule**
NOES: **Whitman, Stix**
ABSTAIN:
ABSENT:



Weston Montgomery
Chief Deputy City Clerk
City of Ojai