

ORDINANCE NO. 30-2010

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AMENDING ELK GROVE MUNICIPAL CODE CHAPTER 2.12 OF TITLE 2 RELATING
TO THE YOUTH COMMISSION**

WHEREAS, the City Council adopted Chapter 2.12 to the Elk Grove Municipal Code establishing the formation of a Youth Commission in September 2008 to create a body that would serve to represent the youth of the City; and

WHEREAS, after nearly two years of operational experience, staff recommends modifications to sections 2.12.020, 2.12.030, 2.12.040, 2.12.050 and 2.12.060 of the Elk Grove Municipal Code.

NOW, THEREFORE, the City Council of the City of Elk Grove does hereby ordain as follows:

Section 1. Amendment.

Chapter 2.12, "Youth Commission" is hereby amended to read as follows:

Elk Grove Municipal Code
Chapter 2.12 Youth Commission

Sections:

- 2.12.010 Established.
- 2.12.020 Membership.
- 2.12.030 Term limits.
- 2.12.040 Meetings.
- 2.12.050 Rules and records.
- 2.12.060 Duties and responsibilities.

2.12.010 Established.

A. The Youth Commission of the City, hereinafter referred to in this chapter as the "Commission," is created.

B. The Youth Commission is a standing commission.

2.12.020 Membership.

A. The Commission shall consist of ten (10) members. At time of appointment each member shall be: 1) no less than thirteen (13) years of age and no more than eighteen (18) years of age; 2) a student in grades seven (7) through twelve (12), in an approved education program for middle school or high school students; and 3) a resident of the City or its sphere of influence, at the time of application for appointment and continuously thereafter. The sphere of influence is defined to include circumstances where a member attends an Elk Grove school but lives just outside the city limits. Immediate family members of City Council Members shall not be eligible for appointment.

B. Each member of the City Council shall appoint two (2) members to the Commission from their district. Interested members can either live in the district or attend school in the district to be considered for appointment.

C. A quorum shall constitute six (6) members.

2.12.030 Term limits.

A. Members of the Commission shall serve for a two (2) year term. No person appointed as a *commissioner* shall be eligible to serve more than two (2) consecutive terms (a total of four (4) years).

B. The Commission shall select a Chair, Vice Chair, Secretary, Historian, and Communications Officer from among its members. Vice Chair will resume Chair responsibilities when Chair is absent. If Chair and Vice Chair are both absent, a respective member shall be chosen by the City Manager, or his or her designee, to facilitate the meeting. A member can serve in any position no more than a total of two (2) years. The term of each office shall be one (1) year. The Commission will vote yearly to appoint members to the offices of Chair, Vice Chair, Secretary, Historian, and Communications Officer.

2.12.040 Meetings.

A. The Commission shall schedule at least one (1) meeting per month at a designated time and place. All members are required to attend every scheduled regular and special meeting. Two (2) excused absences shall be allowed per year. More than two (2) excused absences shall result in termination from the Commission.

B. A majority of members shall constitute a quorum at any regular or special meeting of the Commission. For this commission, a quorum is defined by six (6) members.

C. The Commission will use an Ad Hoc committee structure to meet outside of the regularly scheduled monthly meeting. Ad Hoc committees will allow for spontaneous meetings to work on special projects. An Ad Hoc committee will consist of five (5) members or less so as not to violate the Brown Act or break the quorum requirements.

D. The City Manager, or his or her designee, will provide support to the Commission.

2.12.050 Rules and records.

Minutes of the Commission shall be prepared by the City Manager or his or her designee, filed with the Office of the City Clerk, and shall be a public record.

2.12.060 Duties and responsibilities.

The tasks outlined below lay the foundation of the commission and provide a guide of expectations of each commissioner by the City Council. These tasks are to be considered the charge and direction of the City Council.

A. Develop and maintain a yearly strategic plan outlining the areas of focus for the Commission.

- B. Review issues relating to programs and services for children and youth.
- C. Identify and recommend priorities among programs and services for children and youth.
- D. Create a forum for discussion with children, youth and their families.
- E. Advocate for services and programs for children and youth.
- F. Make recommendations for programs, policies, and necessary legislation to promote the health and well-being of children, youth and their families.
- G. Work with the public and private sectors to bring forth the concerns of children and youth as well as evaluate programming that will enhance the development of children and youth.
- H. Develop a communication network to disseminate information about services to children and youth.
- I. Provide two (2) biyearly presentations to the City Council at designated City Council Meetings.
- J. Communicate with their respective Councilmember once (1) a month.

Section 2: No Mandatory Duty of Care

This ordinance is not intended to and shall not be construed in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3: Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 4: Savings Clause

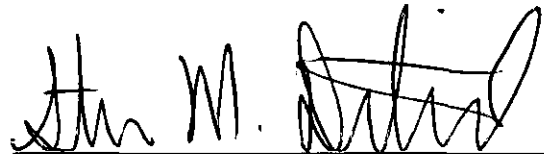
The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause

before such repeal shall take affect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and affect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 5: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

ORDINANCE: **30-2010**
INTRODUCED: December 8, 2010
ADOPTED: January 12, 2011
EFFECTIVE: February 11, 2011



STEVEN M. DETRICK, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

Date signed: January 18, 2011

**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 30-2010**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on December 8, 2010 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 12, 2011 by the following vote:

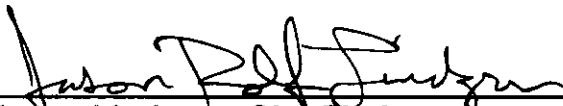
AYES : **COUNCILMEMBERS:** *Detrick, Cooper, Davis, Hume, Scherman*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*

A summary of the ordinance was published pursuant to GC 36933(c) (1).



**Jason Lindgren, City Clerk
City of Elk Grove, California**