

ORDINANCE NO. 1251

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE AMENDING SOUTH EL MONTE'S MUNICIPAL CODE SECTION 2.48.020 OF CHAPTER 2.48 TO REDUCE THE NUMBER OF COMMISSIONERS ON THE COMMUNITY SERVICES COMMISSION FROM SEVEN TO FIVE COMMISSIONERS AND SECTIONS 2.48.040, 2.56.070 and 2.58.070, REQUIRING COMMISSION CHAIRS TO ROTATE

**WHEREAS**, the City of South El Monte ("City") currently establishes the Community Service Commission through South El Monte Municipal Code ("SEMMC") Chapter 2.48;

**WHEREAS**, Section 2.48.020 of the SEMMC requires that the Community Services Commission consist of seven City residents;

**WHEREAS**, the City Council desires to reduce the size of the Community Services Commission to 5 City residents;

**WHEREAS**, the City Council also desires for members of City commissions to have the opportunity to sit as chairperson to the commission; and

**WHEREAS**, the City Council would like the position of chairperson to rotate.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1:** The above recitals are true and correct and incorporated herein by reference.

**SECTION 2:** Section 2.48.020 (Membership) of Chapter 2.48 (Community Service Commission) of Title 2 (Administration and Personnel) of the South El Monte Municipal Code is hereby amended to read in its entirety as follows:

"2.48.020 - Membership.

The community services commission shall consist of five city residents appointed by a majority of the city council, including two persons at least sixty years of age and one person between the ages of sixteen and twenty-one. The city council shall consider the nominations of the city's senior advisory committee in appointing the senior members. No city employee is eligible to serve as a member of the commission. No person shall remain a member if that person ceases being a resident of the city. The term of office for members shall be one year. Notwithstanding the foregoing, a member shall continue to serve until a qualified successor assumes that member's seat. If a vacancy occurs during the term, the council shall appoint a qualified successor to serve the remainder of the term. A majority of the council may remove a member at any council meeting."

**SECTION 3:** Section 2.48.070 (Organization) of Chapter 2.48 (Community Service Commission) of Title 2 (Administration and Personnel) of the South El Monte Municipal Code is hereby amended to read in its entirety as follows:

“2.48.070 - Organization.

The chairperson of community services commission shall rotate among its appointed members for a period of two months. The first commissioner who shall be eligible as chairperson, is the commissioner with the most amount of time served (most seniority) on the commission. Prior to the expiration of the two month period, the commissioner with the second most seniority shall be eligible. Every two months thereafter the commissioner with the most seniority, which has not yet held the position of chairperson, shall be eligible for the position of chairperson. Any commissioner eligible for the position of chairperson, may decline the opportunity and the commissioner with next level of seniority shall become eligible for the position. Subject to other provisions of law, the commission may create and fill such other offices as it may determine. The community services commission shall adopt rules for transaction of business and shall keep a record of the resolutions, transactions, findings and determinations, which record shall be a public record.”

**SECTION 4:** Section 2.56.070 (Organization) of Chapter 2.56 (Planning Commission) of Title 2 (Administration and Personnel) of the South El Monte Municipal Code is hereby amended to read in its entirety as follows:

“2.56.070 - Organization.

The chairperson of the planning commission shall rotate among its appointed members for a period of two months. The first commissioner who shall be eligible as chairperson, is the commissioner with the most amount of time served on the commission (most seniority) . Prior to the expiration of the two month period, the commissioner with the second most seniority shall be eligible. Every two months thereafter the commissioner with the most seniority, which has not yet held the position of chairperson, shall be eligible for the position of chairperson. Any commissioner eligible for the position of chairperson, may decline the opportunity and the commissioner with the next level of seniority shall become eligible for the position. Subject to other provisions of law, the commission may create and fill such other offices as it may determine. The planning commission shall hold at least one regular meeting in each month unless canceled at the discretion of the director. It shall adopt rules for transaction of business and shall keep a record of the resolutions, transactions, findings and determinations, which record shall be a public record.”

**SECTION 5:** Section 2.58.070 (Organization) of Chapter 2.58 (Patriotic Commission) of Title 2 (Administration and Personnel) of the South El Monte Municipal Code is hereby amended to read in its entirety as follows:

“2.58.070 - Organization.

The chairperson of the patriotic commission shall rotate elect its chairperson from among its appointed members for a term of one year, and for a period of two months. The first commissioner who shall be eligible as chairperson, is the commissioner with the most amount of time served on the commission (most seniority) . Prior to the expiration of the two month period, the commissioner with the second most seniority shall be eligible. Every two months thereafter the commissioner with the most seniority, which has not yet held the position of chairperson, shall be eligible for the position of chairperson. Any commissioner eligible for the position of chairperson, may decline the opportunity and the commissioner with the next level of seniority shall become eligible for the position. Subject to other provisions of law, the commission may create and fill such other offices as it may determine. The patriotic commission shall adopt rules for transaction of business and shall keep a record of the resolutions, transactions, findings and determinations, which record shall be a public record."

**SECTION 6: Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

**SECTION 7:** The City Clerk shall certify to the adoption of this ordinance.

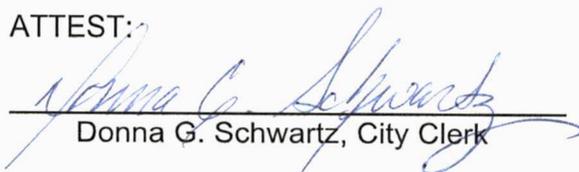
**SECTION 8: Publication.** The City Clerk is directed to cause this Ordinance to be published within fifteen (15) days of its passage in a newspaper of general circulation published and circulated within the City of South El Monte.

**SECTION 9: Effective Date.** The ordinance shall be in full force and effect thirty (30) days after its final passage and adoption.

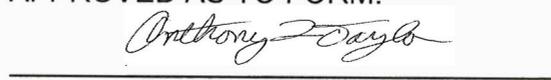
PASSED, APPROVED AND ADOPTED this 23<sup>rd</sup> day of February, 2021.

  
\_\_\_\_\_  
Gloria Olmos, Mayor

ATTEST:

  
\_\_\_\_\_  
Donna G. Schwartz, City Clerk

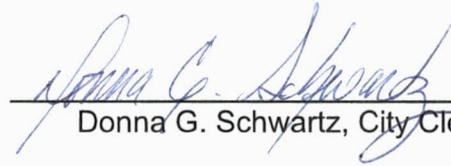
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Anthony R. Taylor, City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF SOUTH EL MONTE     )

I, Donna G, Schwartz, City Clerk of the City of South El Monte, do hereby certify that the foregoing Ordinance, being Ordinance No. 1251, was duly passed and approved by the South El Monte City Council at a regular meeting of said Council held on the 23<sup>rd</sup> day of February, 2021, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

  
\_\_\_\_\_  
Donna G. Schwartz, City Clerk