

Legislation Text

File #: #20-114, Version: 1

PREPARED BY: LYNN TRACY NERLAND

DATE OF MEETING: 03/16/20

SUBJECT:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING MUNICIPAL CODE SECTIONS 1.16.020, 2.16.020, 8.02.070, 10.28.030 AND 15.48.070 REGARDING THE LOCATION OF CITY HALL; REPEALING CHAPTERS 2.24 AND 2.36 REGARDING THE COMMUNITY SERVICES COMMISSION AND DISASTER COUNCIL; REPEALING SECTION 2.04.040 AS REDUNDANT; AND AMENDING SECTION 9.10.100 REGARDING PERMITS TO SELL FIREARMS

CITY MANAGER RECOMMENDATION

Waive second reading; adopt Ordinance

COMPLIANCE STATEMENTS

Updating the Municipal Code to amend or repeal governance provisions was not identified in the Council's Workplan. However, the Municipal Code is the compilation of the City's ordinances and should be updated to reflect current practices and laws as much as possible.

CEQA Compliance Statement

The proposed Municipal Code amendments regarding City governance issuance are not a project under the California Environmental Quality Act (CEQA) as it is not an activity that may cause a direct or reasonably foreseeable indirect physical environment change pursuant to Public Resources Code section 21080(a) and 14 California Code of Regulations section 15002(d). If deemed a project, it would be exempt as having no possible significant effect on the environment pursuant to 14 California Code of Regulations section 15061.

BACKGROUND

It has come to staff's attention that there are some outdated provisions in the Municipal Code that do not reflect current operations or law, including identifying the new address for City Hall. Similar to the State's annual clean-up legislation, staff recommends that these outdated provisions be amended or repealed. This is not to say that there are no other outdated provisions in the Municipal Code, but these are the ones identified at this time. The proposed ordinance addresses the following subjects:

1. Update City Hall Address

Section 1.16.020 Designation of places where notices to be posted.

Section 2.16.020 Place - Open to public - Notice of change of place [Council meetings]

Section 8.02.070 Notice of hearing on abatement of nuisance

Section 15.48.070 Notice of hearing before city council

2. Delete Redundant Section

Municipal Code section 2.04.040 should be deleted because Section 2.04.050 already addresses eligibility for the position of City Manager and limits a current council member or board or commission member from becoming the city manager to avoid undue political pressures in choosing a city manager.

3. Delete Obsolete Disaster Council and Community Services Commission

Chapter 2.24 establishes a Community Services Commission to advise the Council on the use of publicly owned facilities and community services programs operated by the City. This Commission has not existed for many years and most of the functions are now handled by staff.

Chapter 2.36 establishes a Disaster Council to develop and recommend emergency and mutual aid plans and agreements. This Council has not existed for many years and most of the functions are now handled by staff or consultants.

4. Update Address for Permit Submittal and Indemnification

9.10.100 Liability insurance [application for a permit to sell firearms and munitions]

10.28.030 Application process [application for interstate truck terminals]

The City Council introduced the Ordinance as presented by staff on March 2, 2020. As indicated, the second reading of the proposed Ordinance is on the Consent Calendar for adoption.

FISCAL IMPACT

No fiscal impact identified.