

ORDINANCE NO. 1702

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN FERNANDO, CALIFORNIA, REPEALING DIVISION 7, (TREE COMMISSION) OF CHAPTER 2 "ADMINISTRATION" AND AMENDING ARTICLE II, (PLANNING AND PRESERVATION COMMISSION) OF CHAPTER 62, (PLANNING) OF THE SAN FERNANDO MUNICIPAL CODE

RECITALS

WHEREAS, on April 6, 2015, the City Council created an Ad Hoc Committee on City Commissions to do an overview of all commissions and provide final recommendations to the full City Council; and

WHEREAS, on June 6, 2016, upon review of recommended changes to City Commissions, the City Council approved the dissolution of the Tree Commission; and

WHEREAS, the City Council further approved that the duties of the Tree Commission be consolidated with those of the Planning and Preservation Commission; and

WHEREAS, the proposed amendments to Article II, (Planning and Preservation Commission) of Chapter 62, (Planning) of the San Fernando Municipal Code put the Ad Hoc Committee's recommendation into effect.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The Recitals set forth above are true and correct and incorporated into this Ordinance.

SECTION 2. Division 7, (Tree Commission) of Chapter 2, (Administration) of the San Fernando Municipal Code is hereby repealed in its entirety.

SECTION 3. Article II, (Planning and Preservation Commission) of Chapter 62, "Planning" of the City of San Fernando Municipal Code is hereby amended to read:

"ARTICLE II. – PLANNING AND PRESERVATION COMMISSION"

Sec. 62-26. - Established.

A planning commission for the city is established pursuant to Government Code § 65101 and shall be known as the planning and preservation commission. All references in this Code to the "planning commission" or "city planning commission" shall be to the planning and preservation commission. All references in Ch. 106, art. VI, div. 14, of this Code to the "commission" shall be to the planning and preservation commission.

Sec. 62-27. - Composition and appointment of members.

The planning and preservation commission shall be composed of five members, each with full participation and voting rights. Such members shall be registered voters and city residents. Each member shall be appointed by a different appointing councilperson, with such appointment to be ratified by the city council.

Sec. 62-28. - Compensation.

The council shall fix the amount of compensation, if any, to be paid to the members of the planning and preservation commission.

Sec. 62-29. - Officers.

The members shall organize the planning and preservation commission and shall elect a Chair and Vice-Chair. In the absence of the Chair and Vice-Chair, any other member shall call the commission to order, whereupon a Chair shall be elected from the members present to preside for that meeting. The community development director shall serve as secretary.

Sec. 62-30. - Meetings generally.

- (a) The members of the planning and preservation commission shall meet once each month, at such time and place as may be fixed by resolution, and may hold such other meetings as from time to time may be called in the form and manner required by law.
- (b) The planning and preservation commission shall discuss at least once a quarter matters pertaining to trees and the City's urban forest during regularly scheduled commission meetings.

Sec. 62-31. - Absence from meetings.

- (a) Absence from three consecutive regular meetings of the planning and preservation commission by a member with or without consent of the commission shall be deemed to constitute a retirement of such member, and the office shall become vacant. The vacancy thus created shall thereafter be filled by appointment by the city councilmember so assigned of a successor to fill the unexpired term of office.
- (b) Absence from three regular meetings of the commission in a 12-month period by a member without consent of the commission or absence from four regular meetings of the commission within a 12-month period by a member with the consent of the commission shall be deemed to constitute a retirement of such member, and the office shall become vacant. The vacancy thus created shall thereafter be filled by appointment

by the city councilmember so assigned of a successor to fill the unexpired term of office.

Sec. 62-32. - Quorum.

Three members of the planning and preservation commission shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time for want of a quorum and until a quorum can be obtained.

Sec. 62-33. - Rules and regulations.

The planning and preservation commission may make and alter rules and regulations for its organization and procedure consistent with state laws and this article and other city ordinances.

Sec. 62-34. - Records and reports.

The planning and preservation commission shall keep an accurate record of all its proceedings and transactions. The commission shall also, upon demand of the council, make other investigations and reports upon subjects within its jurisdiction.

Sec. 62-35. - Powers and duties generally.

The planning and preservation commission shall have the powers and shall perform the duties prescribed by the city council and by state law for planning commissions established pursuant to Government Code § 65101.

In addition, for purposes of ch. 106, art. VI, div. 14, of this Code, the duties of the planning and preservation commission shall include the following:

- (1) Initiating studies, investigations and surveys and making recommendations to the city council relative to the designation, selection, establishment, maintenance, management, and control of historic resources and the preservation thereof.
- (2) Upon request of the city council, making other investigations, reports, and recommendations upon subjects related to the implementation of the historic preservation element of the general plan and ch. 106, art. VI, div. 14, of this Code, or other matters related to the city's historic preservation program referred to it by the city council.

Sec. 62-36. - Powers and duties, trees and City's urban forest.

In addition to the duties discussed in Sec. 62-35, the planning and preservation commission shall have duties related to trees and the City's urban forest, including the following:

- (1) To act in an advisory capacity to the city council on matters pertaining to the improvement and beautification of the city's urban forest, and to provide an official entity through which the city may organize and implement plans.
- (2) To establish procedures and rules of operation, as it deems necessary to give effect to the intent and purpose of this ordinance, subject to the approval of the city council, and to perform such other duties as may be prescribed by the city council.
- (3) To oversee the preparation of, the reviewing of, and the recommendation of a city-owned tree inventory, master plan, and work plan/budget to the city council for implementation.
- (4) To be instrumental in evaluating needs, setting goals, and establishing policies for the community forestry program.
- (5) To recommend legislation to the city council regarding the urban forest.
- (6) To provide information regarding the selection, planning and maintenance of trees on public property.

SECTION 4. The City Clerk shall cause this ordinance or a summary hereof to be published in a newspaper of general circulation, published in the County of Los Angeles and circulated in the City, and if applicable, to be posted, in accordance with Section 36933 of the California Government Code; shall certify to the adoption of this ordinance and shall cause a certified copy of this ordinance, together with proof of publication, to be filed in the Office of the City Clerk.

SECTION 5. This ordinance shall go into effect and be in full force effective at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of San Fernando this 16th day of August, 2021.

ATTEST:

Julia Fritz, City Clerk

Sylvia Ballin, Mayor of the City of San Fernando, California

APPROVED AS TO FORM:

Richard A. Padilla, Assistant
City Attorney

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing is a full, true, and correct copy of Ordinance No. 1702 which was introduced August 2, 2021 and adopted by the City Council of the City of San Fernando, California at a regular meeting thereof held on the 16th day of August, 2021 by the following vote of the City Council:

AYES: Pacheco, Montañez, Mendoza, Ballin - 4

NAYS: None

ABSENT: Rodriguez - 1

ABSTAINED: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this 18th day of August 2021.

Julia Fritz, City Clerk