

CITY OF YUBA CITY
STAFF REPORT

Date: October 5, 2021
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Dave Vaughn, City Manager

Summary

Subject: Youth Commission Ordinance Update

Recommendation: Adopt an Ordinance of the City Council of the City of Yuba City updating the Yuba City Municipal Code to allow for three alternate members for the Youth Commission by amending Sections 2-11.01 and 2-11.02 of Chapter 11 of Title 2 of the Yuba City Municipal Code, and waive the second reading

Fiscal Impact: None

Purpose:

To update the City's Youth Commission Ordinance to allow the City Council increased flexibility with alternate appointments.

Background:

The Youth Commission acts in an advisory capacity to the City Council, City Manager and the Community Services Director in all matters pertaining to youth and all general matters concerning issues affecting youth and the City of Yuba City. The Commission consists of nine members and one alternate. The Commission meets on the 3rd Wednesday of each month at 7:00 p.m. in the Sutter Room at City Hall and members must be between the ages of 12 and 19 years of age and reside within the City limits.

Analysis:

Municipal Code 2-11 defines the Youth Commission as nine (9) members with one (1) alternate.

On September 21, 2021, the proposed Ordinance amendment was introduced to City Council.

In order to increase the flexibility of the City Council, and to allow additional youth to participate, staff recommends amending the Municipal Code to allow for up to three (3) alternates.

Fiscal Impact:

None

Alternatives:

1. Reject the proposed Ordinance.
2. Provide staff with direction for modifying the proposed Ordinance.

Recommendation:

Adopt an Ordinance of the City Council of the City of Yuba City updating the Yuba City Municipal Code to allow for three alternate members for the Youth Commission by amending Sections 2-11.01 and 2-11.02 of Chapter 11 of Title 2 of the Yuba City Municipal Code, and waive the second reading.

Attachments:

1. Ordinance Amending the Yuba City Municipal Code, Title 2 Chapter 11, Youth Commission

Prepared By:

[/s/ Ciara Wakefield](#)
Ciara Wakefield
City Clerk Administrator

Submitted By:

[/s/ Dave Vaughn](#)
Dave Vaughn
City Manager

Reviewed By:

City Attorney

[SLC by email](#)

ATTACHMENT 1

ORDINANCE NO. _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
UPDATING THE YUBA CITY MUNICIPAL CODE TO ALLOW FOR
THREE ALTERNATE MEMBERS FOR THE YOUTH COMMISSION BY
AMENDING SECTIONS 2-11.01 AND 2-11.02 OF CHAPTER 11 OF
TITLE 2 OF THE YUBA CITY MUNICIPAL CODE**

WHEREAS, the City Council periodically assesses the Yuba City Municipal Code to ensure efficient use of City resources and streamlining to promote the public health, safety and welfare; and

WHEREAS, the City has a Youth Commission who acts in an advisory capacity to the City Council, City Manager, and Parks and Recreation Department, to recommend general policies involving recreation programs for youth; foster involvement of youth in municipal government, and to evaluate and seek solutions to problems, activities and concerns of youth; and

WHEREAS, City Council presently may appoint only one (1) alternate member to the Youth Commission; and

WHEREAS, City Council desires to have the option to appoint up to three (3) alternate members to the Youth Commission; and

WHEREAS, the City Council now desires to adopt this Ordinance.

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

SECTION 1. The above recitals are incorporated are hereby by reference.

SECTION 2. Section 2-11.01 of Chapter 11, of Title 2, of the Yuba City Municipal Code is amended in its entirety to read as follows:

Sec. 2-11.01. - Creation/membership.

The City of Yuba City Youth Commission is hereby established. It shall be composed of nine members confirmed by the City Council. The City Council may choose to appoint ~~one~~ up to three alternate members to the Commission, who would serve normally as a non-voting members. In the absence of a regular member of the Commission, ~~an~~ the alternate member shall take the absent individual's seat and have the right to vote based on seniority by the date first appointed of those alternate member(s) present, or by seniority based on age if the appointment date is the same. All members of the Youth Commission shall reside within Yuba City. The Community Services Director, or his/her designee shall be the ex officio member and shall serve as Secretary of the Commission.

It is the intent of the City Council that a diversified group of young people be appointed to the Commission. Members of the Commission shall be of High School age (14-19), for example entering their freshman year of high school through a senior in High School. Every effort shall be made to select Commissioners who represent a broad section of

views related to programs for the youth. Eligible persons shall hold the office to which he/she has been appointed until the expiration of such member's term of office notwithstanding that said appointee has reached the age in excess of 19.

SECTION 4. Section 2-11.02 of Chapter 11, of Title 2, of the Yuba City Municipal Code is amended in its entirety to read as follows:

Sec. 2-11.02. - Term of office.

Members of the Youth Commission shall be appointed for the following terms of office:

Each member, including ~~the~~ alternate members, shall serve in office for a term of two years and the method of appointment shall remain the same. The anniversary date for all appointments shall be June 30 of any year. Four members shall be appointed in odd years, and the remaining five members shall be appointed in even years. The first alternate member shall be appointed in odd years, any second alternate shall be appointed in even years, and any third alternate shall be appointed in odd years.

~~The four current members of the Youth Commission with anniversary dates of December 31, 2012 will have their terms extended to June 30, 2013. The five current members of the Youth Commission with anniversary dates as of December 31, 2013 will have their terms extended to June 30, 2014.~~

The terms of office set forth in this section shall not be deemed arbitrary. If it is determined by a majority vote of the City Council that it would be in the best interest of the Youth Commission that a member be removed, Council may so order and appoint a successor for the unexpired term of office of the removed member. Should a vacancy occur during the term of a regular member of the Commission, it is the City Council's expectation that ~~the an~~ alternate member will be appointed to complete the unexpired term of the vacant position by order of seniority based on date of original appointment, then by age if appointed on the same date. Vacancies on the Commission, other than that to be filled by ~~the~~ alternate members, shall be filled in the same manner as appointments for the unexpired term of office, as shall the appointment of up to three alternate members.

Council may establish by resolution appropriate service requirements and criteria and attendance standards governing service on the Youth Commission. Selection shall reflect as nearly as possible the diverse demographic characteristics of the youth population of Yuba City. Commissioners are expected to attend all Commission meetings.

Every effort shall be made to outreach into the community for a cross section of individuals to participate on the City's Youth Commission. This shall be done through high schools, middle schools, continuation schools, youth related organizations, clubs, social groups, media, City newsletters, etc. in seeking participation on the Youth Commission. Selection of Youth Commissioners can include the participation by youth advisors and Youth Commissioners in making recommendations to the City Council for appointments.

SECTION 4: SEVERABILITY. If any article, section, sentence, clause or phrase of this ordinance 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 portion of this ordinance. The Council hereby declares that it would have adopted this chapter and adopted each article, section, sentence, clause or phrase thereof, irrespective of the fact that any one or more articles, sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the ordinance, or a summary of the ordinance, shall be published once in a newspaper of general circulation.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the 21st day of September 2021, and adopted the Ordinance after the second reading at a regular meeting held on the 5th day of October 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST

CIARA WAKEFIELD,
City Clerk Administrator

CITY OF YUBA CITY

By: _____
MARC BOOMGAARDEN, Mayor

APPROVED AS TO FORM:

By: _____
SHANNON L. CHAFFIN, City Attorney
Aleshire & Wynder, LLP