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Article I. In General.Sec. 2-1. City council--Meeting time.<sup>2</sup>

The City Council shall meet in regular session on the first Tuesday of each month at 6:00 p.m. (Mun. Code, Sec. 2000; Ord. Nos. 202, 303, 1033)

Sec. 2-2. Same--Meeting place.

The City Council shall hold its regular meetings at the Council Chambers in the City Hall, 16400 Colorado Avenue, Paramount, California. (Mun. Code, Sec. 2001; Ord. No. 190 )

Sec. 2-3. Same--Disorders at meetings.

No person shall create any disorder at any meeting of the City Council, or disturb the deliberations of the same, or in any manner interfere with the deliberations of the City Council. Any person attending a meeting of the City Council and who is called to order by the presiding officer thereof, shall immediately come to order and shall not disturb the deliberations of the City Council. (Mun. Code, Sec. 2002)

Sec. 2-4. Council salaries.

Upon the seating of new Councilmembers after the general municipal election in March 2007, Councilmember salaries shall be \$1,061.33 per month. (Ord. Nos. 460, 506, 780, 814, 842, 871, 906, 924, 952, 972, 988)

Sec. 2-5. Municipal elections.

Beginning with elections held after April, 1994, the General Municipal Election for the Paramount City Council shall be held on the first Tuesday after the first Monday in March of odd-numbered years. The first General Municipal Election after the April, 1994 City Council election shall be on the first Tuesday after the first Monday in March, 1997. (Ord. Nos. 460, 838)

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<sup>2</sup> For state law as to city council meetings, see Gov. C., secs. 54953 to 54959. See also, Gov. C., secs. 36802, 36803, 36803, 36805, 36807 to 36811, 36813, 36814.

Sec. 2-6. Affidavits of circulators and candidates for city council elections.

- (a) Affidavits of circulators for city council elections. In addition to the affidavits required by Article 2 of Chapter 2 of Part 2 of the California Elections Code (commencing with section 10220) or successor State legislation, circulators of nomination papers shall acknowledge the requirements of State Law that the candidate nominated shall be a registered voter of the City at the time the elections official issues the nomination papers to the circulator, in substantially the following form, which shall be filed with the elections official with the nomination papers:

"I hereby acknowledge that State Law requires that the candidate I have nominated be a registered voter of the City at the time the elections official issued the nomination papers. I understand that pursuant to Elections Code Sections 359 and 321, a "registered voter" is a U.S. Citizen 18 years of age or older and a resident of the City for at least 15 days prior to an election. I solemnly swear (or affirm) that the candidate I have nominated is and was a registered voter of the City at the time I obtained these nomination papers from the elections official."

(Ord. Nos. 460, 944, 966)

- (b) Affidavits of candidates for city council elections. In addition to the affidavits required by Article 2 of Chapter 2 of Part 2 of the California Elections Code (commencing with section 10220) or successor State legislation, nominees or candidates for City Council shall acknowledge the requirements of State Law that the nominee or candidate shall be a registered voter of the City at the time the elections official issues the nomination papers to the circulator or candidate, in substantially the following form, which shall be filed with the elections official with the nomination papers:

"I hereby acknowledge that State Law requires that a candidate for elective office in the City be a registered voter of the City at the time the elections official issued the nomination papers. I understand that pursuant to Elections Code Sections 359 and 321, a "registered voter" is a U.S. Citizen 18 years of age or older and a resident of the City for at least 15 days prior to an election. I solemnly swear (or affirm) that as a candidate for City Council I am and was a registered voter of the City at the time the elections official issued these nomination papers."

(Ord. Nos. 460, 944, 966)

Sec. 2-7 to 2-8.

Repealed by Ordinance No. 460.

Sec. 2-8.1.

Repealed by Ordinance No. 403.

## Article II. Administrative Officers.

### Division 1. Generally.

#### Sec. 2-9. Establishment of offices.

The following offices of the city are established:

- (a) City Manager.
- (b) City Clerk.
- (c) Chief Deputy City Clerk.
- (d) City Treasurer.
- (e) Director of Public Works.
- (f) Director of Finance.
- (g) Administrative Assistant.
- (h) City Attorney.

(Mun. Code, Sec. 2100; Ord. No. 161)

#### Sec. 2-10. Subordinate administrative positions.

Subordinate administrative positions shall be those established from time to time by the City Council. (Mun. Code, Sec. 2101)

#### Sec. 2-11. Residence requirements.

The following administrative officers need not be a resident of the city at the time of appointment to such office, but shall establish residence within the city within ninety days after appointment to such office, unless such period is extended by the City Council, City Manager, City Clerk, Chief Deputy City Clerk and City Treasurer. (Mun. Code, Sec. 2102; Ord. No. 161)

#### Sec. 2-12. Bond.<sup>3</sup>

Forthwith upon their appointment and before entering upon the duties of their respective offices, the City Manager, the Administrative Assistant, the City Clerk, the City Treasurer and the Director of Finance shall each execute a bond to the city in the respective penal sum hereinafter set forth:

- (a) City Manager. Twenty-five thousand dollars.
- (b) City Clerk. Ten thousand dollars.
- (c) City Treasurer. Ten thousand dollars.
- (d) Director of Finance. Ten thousand dollars.
- (e) Administrative Assistant. Ten thousand dollars.

(Mun. Code, Sec. 2451; Ord. Nos. 147, 161)

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<sup>3</sup>For state law as to bonds for city officers, see Gov. C., secs. 36518 to 36521.

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Sec. 2-13. Compensation.

Each administrative officer and employee of the city shall receive such compensation and expense allowances as the council shall from time to time determine and fix by resolution. Such compensation and expense shall be a proper charge against such funds of the city as the council shall designate. (Mun. Code, Sec. 2104)

Sec. 2-14. Attendance at meetings.

All administrative officers of the city shall attend all meetings of the council and of all city commissions, unless excused therefrom. All subordinate administrative employees shall attend all meetings of the council and all meetings of all city commissions, as required by the City Manager. (Mun. Code, Sec. 2105)

Sec. 2-15. Hours of employment.

The following administrative officers shall devote their whole time to the duties of their respective offices in the interests of the city: City Manager, City Clerk, Chief Deputy City Clerk, Director of Public Works and Administrative Assistant. (Mun. Code, Sec. 2106; Ord. No. 161)

Sec. 2-16. Primary responsibility.

It shall be the primary responsibility of all administrative officers at all times to keep the council and the members thereof fully and completely informed on all affairs and matters affecting or relating to the city government, the council or any officer or employee of the city. (Mun. Code, Sec. 2107)

Sec. 2-17. Political activity.

Neither the City Manager nor any administrative officer or employee under his jurisdiction shall take any part in securing or shall contribute any money toward the nomination or election of any candidate for a municipal office within the city. (Mun. Code, Sec. 2108)

Sec. 2-18. Cooperation of officers with city manager.

It shall be the duty of all subordinate officers, including the City Treasurer and the City Attorney, to cooperate with and assist the City Manager in administering the affairs of the city most efficiently, economically and harmoniously so far as may be consistent with their duties as prescribed by law and the ordinances of the city. (Ord. No. 165)

Division 2. City Manager.<sup>4</sup>Sec. 2-19. Office created; contract; term of office.

The office of the City Manager of the city is hereby created and established. The City Manager shall be appointed by the City Council solely on the basis of that candidate's executive and administrative qualifications, ability and experience. The City Council is hereby authorized to enter into a written contract of employment with the City Manager. In the absence of such written contract, the City Manager shall hold office at and during the pleasure of the City Council. (Ord. Nos. 165, 175, 950)

Sec. 2-20. Eligibility.

Residence in the city at the time of appointment shall not be required as a condition of appointment.

Any person who is eligible for appointment as City Manager shall, at a minimum, possess the following qualifications:

- (1) Bachelor's degree from an accredited college or university;
- (2) Five (5) years responsible experience in public administration, including service at a Department Head level or equivalent; or
- (3) Five (5) years responsible experience in private sector administration in senior management in an organization having fifty (50) or more employees.

No person elected to membership on the City Council shall, subsequent to such election, be eligible for appointment as City Manager until five (5) years have elapsed after that person has ceased to be a member of the City Council.

(Ord. Nos. 165, 950)

Sec. 2-21. Designation of person to act during absence or disability.

In case of the absence or disability of the City Manager, the Assistant City Manager shall be the person to perform the duties of the City Manager during the period of absence or disability of the City Manager subject, however, to such person furnishing a corporate surety bond and conditioned on faithful performance of the duties required to be performed. In the case of the absence or disability of the Assistant City Manager, the City Council may designate a duly qualified person to perform the duties of the City Manager during the absence or disability of the City Manager, subject to the eligibility requirements of Section 2-20 herein. (Ord. Nos. 165, 950)

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<sup>4</sup>For state law as to City Manager form of government, see Gov. C., secs. 34851 to 34858.

Sec. 2-22. Compensation.

The City Manager shall receive such compensation as the City Council shall from time to time determine and fix. Such compensation shall be a proper charge against funds of the city and the City Council shall designate such funds.

The City Manager shall be reimbursed for all sums necessarily incurred or paid by him in the performance of his duties, or incurred when traveling on business pertaining to the city under direction of the City Council. Reimbursement shall only be made, however, when a verified itemized claim, setting forth the sums expended for which reimbursement is requested, has been presented to the City Council, and duly approved and allowed. (Ord. Nos. 165, 950)

Sec. 2-23. Powers and duties.

The City Manager shall be the administrative head of the city government under the direction and control of the City Council, except as otherwise provided in this chapter. The City Manager shall be responsible for the efficient administration of all the affairs of the city which are under the City Manager's control. In addition to those general powers as administrative head, and not as a limitation thereon, it shall be the City Manager's duty and the City Manager shall have exclusive authority:

- (a) To see that the laws of the state pertaining to the city and all laws and ordinances of the city are duly enforced, and that all franchises, permits and privileges granted by the city are faithfully observed.
- (b) To control, order and give direction to all heads of departments, subordinated officers and employees of the city, except the City Attorney and the City Treasurer; and to transfer employees from one department to another; and to consolidate or combine offices, positions, departments or units under the City Manager's direction.
- (c) To appoint, promote, discipline, demote and remove any officers and employees of the city, except the City Attorney and the City Treasurer.
- (d) To exercise control over and to supervise in general all departments and divisions of the city government and all appointive officers and employees thereof, except the City Attorney and the City Treasurer.
- (e) To attend all meetings of the City Council and its committees unless excused therefrom by the City Council, except when removal is under consideration by the City Council.
- (f) To recommend to the City Council for adoption such measures and ordinances as the City Manager deems necessary or expedient.
- (g) To keep the City Council at all times fully advised as to the financial conditions and needs of the city.
- (h) To prepare and submit to the City Council the annual budget and to administer it after adoption.
- (i) To purchase or cause to be purchased all supplies for all of the departments or divisions of the city.

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- (j) To make investigations into the affairs of the city and any department or division thereof, and any contract or the proper performance of any obligation running to the city.
- (k) To investigate all complaints in relation to matters concerning the administration of the government of the city and in regard to the service maintained by public utilities in the city.
- (l) To exercise general supervision over all public buildings, public parks, streets and other public property which are under the control and jurisdiction of the City Council and not specifically delegated to a particular board or officer.
- (m) To devote such time as required by the duties and interest of the city.
- (n) To make reports and recommendations as may be desirable or as requested by the City Council.
- (o) To serve in any appointed office or as head of department within the city government to which the City Manager may be qualified when appointed thereto by the City Council and to hold and perform the duties thereto by the pleasure of the City Council.
- (p) To provide leadership for civic movements designed to benefit the residents of the city when so authorized by the City Council.
- (q) To perform such other duties and exercise such other powers as may be delegated to the City Manager from time to time by ordinance or resolution of the City Council.

(Ord. Nos. 165, 950)

Sec. 2-24. To appoint city clerk.

Pursuant to the provisions of Section 34856 of the Government Code of the State of California, the City Manager of the City of Paramount is hereby empowered to appoint the City Clerk. (Ord. Nos. 165, 844, 950)

Sec. 2-25. Ex-officio member of boards and commissions.

The City Manager shall be an ex-officio member of all boards and commissions appointed by the mayor or the City Council pursuant to law, with a right to participate in all deliberations or actions by the City Manager's voice but without vote. (Ord. Nos. 165, 950)

Sec. 2-26. Removal--Generally.

The removal of the City Manager shall be only on a majority vote of the whole council subject, however, to the provisions of Section 2-27. In case of the City Manager's intended removal by the council, the City Manager shall be furnished with a written notice stating the council's intention to remove and the reasons therefore at least thirty (30) days before the effective date of removal.

Within seven (7) days after delivery to the City Manager of such notice, the City Manager may by written notification to the mayor request a public hearing before the council. Thereafter, the council shall fix a time for the public hearing, which shall be held at its usual meeting place, but before the expiration of the thirty (30) day period, and at which time the City Manager shall appear and be heard.

After furnishing the City Manager with written notice of intended removal, the City Council may suspend the City Manager from duty, but all compensation shall continue until the City Manager's removal by resolution of the council passed subsequent to the aforesaid public hearing.

In removing the City Manager, the City Council shall use its uncontrolled discretion, and its action shall be final and shall not depend upon any particular showing or degree of proof at the hearing, the purpose of such hearing is to allow the City Manager to publicly present to the City Council grounds of opposition to removal prior to its action. (Ord. Nos. 165, 950)

Sec. 2-27. Same--After municipal election.

Notwithstanding the provisions of this division hereinbefore enumerated, the City Manager shall not be removed from office during or within a period of ninety (90) days next succeeding any general municipal election held in the city at which election a member of the City Council is elected. The purpose of this provision is to allow any newly elected member of the City Council or a reorganized City Council to observe the actions and ability of the City Manager in the performance of the powers and duties of office. After the expiration of the ninety (90) day period, the provisions of the preceding section as to the removal of the City Manager shall apply and be effective. (Ord. Nos. 165, 950)

Sec. 2-28. Same--When employed under written contract.

In the event of a written contract of employment, as set forth in Section 2-19, the provisions of Section 2-26 and Section 2-27 shall not apply. (Ord. Nos. 175, 950)

Sec. 2-28.1. Amendment--Repeal.

Any action taken by the City Council to amend or repeal any or all provisions of this Ordinance shall require a four-fifths (4/5) vote for passage. (Ord. No. 950)

Division 3. City Clerk.<sup>5</sup>Sec. 2-29. Powers and duties.

The City Clerk shall report to the City Manager. Subject to the transfer to the Director of Finance of certain duties of the City Clerk, as set forth in Section 2-41, the City Clerk shall perform all the duties and have all the powers, duties and responsibilities as prescribed by the laws of the state, the code and other ordinances of the city. He/she shall be responsible for the efficient administration of all of the affairs of the city under his/her jurisdiction. He/she shall prescribe such administrative rules and procedures as he may deem proper or necessary for the general conduct and operation of city functions under his/her jurisdiction. In addition to his/her general powers and duties, and not as a limitation thereon, he/she shall have the powers and duties set forth in the following paragraphs.

- (a) Serve as secretary to the council and maintain as accurate minute record of all proceedings of the council.
- (b) Maintain records of all ordinances, resolutions, contracts and other public documents of the city.
- (c) Serve as election officer in all municipal elections, and shall cooperate with the county in all other elections.
- (d) Responsible for the preparation of transcripts for the issuance of government bonds as required by law.
- (e) Perform such other duties and exercise such other powers as may be assigned or delegated to him/her from time to time by the council.

(Ord. No. 844)

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<sup>5</sup>For state law as to City Clerk generally, See Gov. C., secs. 40800 to 40814.

Sec. 2-30. Vacancy in office.

When a vacancy occurs in the office of the City Clerk, the City Manager shall within five days after the office becomes vacant appoint an acting City Clerk from among the officers or employees of the city. (Ord. No. 844)

Sec. 2-31. Acting city clerk.

In the case of the absence or disability of the City Clerk, the City Manager may designate some qualified city officer or employee to perform the duties of the City Clerk during the period of absence or disability of the City Clerk, subject, however, to such person furnishing a bond as set forth in Section 2-12. (Ord. No. 844)

Sec. 2-32. Chief deputy city clerk.

The office of Chief Deputy City Clerk is hereby established and created. The Chief Deputy City Clerk shall be under and subject to the supervision of the City Clerk. He shall perform such duties and have such responsibilities as may be prescribed to him by the City Clerk. For the purposes of departmental administration only, the Chief Deputy City Clerk shall be treated as the chief administrative officer of the City Clerk's office. (Ord. No. 161)

Sec. 2-33. Deputy city clerks.

Upon approval of the City Council the Chief Deputy City Clerk may, with concurrence of the City Manager, appoint not more than three deputy City Clerks, who shall be under the jurisdiction of the City Clerk. A deputy City Clerk shall perform the duties and have all of the powers and responsibilities of the City Clerk. Deputy City Clerks may be disciplined or removed by the City Clerk, subject to approval by or ratification by the council. (Mun. Code, Sec. 2201; Ord. Nos. 145, 161)

Division 4. City Treasurer.<sup>6</sup>Sec. 2-34. Powers and duties.

The City Treasurer shall perform all of the duties and have all of the powers and responsibilities of the City Treasurer as prescribed by the laws of the state. It shall be the duty of the City Treasurer to perform such other duties and exercise such other powers and responsibilities as may be assigned or delegated to him from time to time by the council. (Mun. Code, Sec. 2250)

Sec. 2-35. Filling vacancy in office.

When a vacancy occurs in the office of City Treasurer, the council shall, within five days after the office becomes vacant, appoint an acting City Treasurer from among the officers or employees of the city. (Mun. Code, Sec. 2251)

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<sup>6</sup>For state law as to City Treasurer generally, see Gov. C., secs. 41001 to 41007. As to finance generally, see ch. 18 of this Code. As to taxation generally, see ch. 40.

Sec. 2-36. Acting city treasurer.

In the case of the absence or disability of the City Treasurer, the council may designate some qualified city officer or employee to perform the duties of the City Treasurer during the period of absence or disability of the City Treasurer, subject, however, to such person furnishing a bond as set forth in section 2-12. (Mun. Code, Sec. 2252)

Division 5. Director of Public Works.Sec. 2-37. Powers and duties.

The Director of Public Works shall be responsible for the efficient administration of all of the affairs of the city which are under his jurisdiction. He shall prescribe such administrative rules and procedures as he may deem proper or necessary for the general conduct and operation of city functions under his jurisdiction. In addition to his general powers, duties and responsibilities as Director of Public Works, and not as a limitation thereon, he shall have the powers and duties set forth in the following paragraphs:

- (a) Perform all the duties and have all of the powers and responsibilities of the superintendent of streets, and when performing the duties of the superintendent of streets, the Director of Public Works shall have and use the title "superintendent of streets."
- (b) Maintain constant inspection of all streets and alleys in the city.
- (c) Supervise all proceedings in connection with public works and public improvement projects.
- (d) Coordinate all proceedings and requirements in connection with streets, lighting, sewers, utilities, parks, recreation facilities, construction permits and community improvements within the city.
- (e) Approve the plans, specifications, and any subsequent modifications for improvements in the public right-of-way or on public lands that are or will be maintained by the City. (Mun. Code, Sec. 2300; Ord. No. 765)
- (f) Perform such other duties and exercise such other powers and responsibilities as may be assigned or delegated to him from time to time by the Paramount Municipal Code or by the City Manager. (Ord. No. 765)

Sec. 2-38. Filling vacancy in office.

When a vacancy occurs in the office of Director of Public Works, the City Manager shall, within ten days after the office becomes vacant, appoint an acting Director of Public Works from among the officers or employees of the city, subject to approval of or ratification by the council. (Mun. Code, Sec. 2301)

Sec. 2-39. Acting director of public works.

In the event of the absence or disability of the Director of Public Works, and subject to approval of or ratification by the council, the City Manager may designate some qualified city officer or employee to perform the duties of the Director of Public Works during the period of such absence or disability. (Mun. Code, Sec. 2302)

Division 5.1 Utilities and Infrastructure Director.Sec. 2-39.1. Powers and duties.

The Utilities and Infrastructure Director shall be responsible for the efficient administration of all of the affairs of the city which are under his jurisdiction. He shall prescribe such administrative rules and procedures as he may deem proper or necessary for the general conduct and operation of city functions under his jurisdiction. In addition to his general powers, duties and responsibilities as Director of Utilities and Infrastructure, and not as a limitation thereon, he shall have the powers and duties set forth in the following paragraphs:

- (a) Perform all the duties and have all of the powers and responsibilities of the superintendent of streets, and when performing the duties of the superintendent of streets, the Director of Utilities and Infrastructure shall have and use the title "superintendent of streets." (Ord. No. 946)
- (b) Maintain constant inspection of all streets and alleys in the city. (Ord. No. 946)
- (c) Supervise all proceedings in connection with public improvement projects. (Ord. No. 946)
- (d) Coordinate all proceedings and requirements in connection with the water utility, streets, and annual capital improvement program within the city. (Ord. No. 946)
- (e) Approve the plans, specifications, and any subsequent modifications for improvements in the public right-of-way or on public lands that are or will be maintained by the City. (Ord. No. 946)
- (f) Perform such other duties and exercise such other powers and responsibilities as may be assigned or delegated to him from time to time by the Paramount Municipal Code or by the City Manager. (Ord. No. 946)

Sec. 2-39.2. Filling vacancy in office.

When a vacancy occurs in the office of Utilities and Infrastructure Director, the City Manager shall, within ten days after the office becomes vacant, appoint an acting Utilities and Infrastructure Director from among the officers or employees of the city, subject to approval of or ratification by the council. (Ord. No. 946)

Sec. 2-39.3 Acting Utilities and Infrastructure Director.

In the event of the absence or disability of the Utilities and Infrastructure Director, and subject to approval of or ratification by the council, the City Manager may designate some qualified city officer or employee to perform the duties of the Director of Utilities and Infrastructure during the period of such absence. (Ord. No. 946)

Division 6. Director of Finance.<sup>7</sup>Sec. 2-40. Office established.

Pursuant to authority granted by sections 37209 and 40805.5 of the California Government Code, the office of Director of Finance of the city is hereby established. The City Council hereby finds that the tasks and duties bestowed upon the City Clerk and the City Manager and staff are so numerous that it is necessary to have his position created, to appoint someone to fill such position, and to transfer certain duties of the City Clerk to the Director of Finance as allowed by law. (Mun. Code, Sec. 2350)

Sec. 2-41. Transfer of certain duties of city clerk to director of finance.

The duties imposed upon the City Clerk by article 1 of chapter 2, part 3, division 3, title 4 of the California Government Code, are hereby transferred to the Director of Finance in accordance with section 37209 of such code. In addition, the finance and accounting duties imposed upon the City Clerk by sections 40802 through 40805 of such code are hereby transferred to the Director of Finance. (Mun. Code, Sec. 2351)

Sec. 2-42. Powers and duties generally.

The Director of Finance shall perform all of the duties and have all of the powers and responsibilities imposed upon the City Clerk by article 1, chapter 4, part 2, division 3, title 4 of the California Government Code. He shall be responsible for the efficient administration of all the affairs of the city which are under his jurisdiction. He shall prescribe such administrative rules and procedures as he may deem necessary or proper or the general conduct and operation of city functions under his jurisdiction. In addition to his general powers, duties and responsibilities as Director of Finance, and not as a limitation thereon, he shall have the powers, duties and responsibilities set forth in the following paragraphs:

- (a) Charge of the administration of all financial affairs of the city, under the direction of the City Manager, and subject to the control of the City Council.
- (b) Be the accounting officer of the city, shall maintain a general accounting system and records reflecting financial condition of the city and shall prepare and present to the council or to other agencies all financial reports required by law or as instructed by the council or City Manager.
- (c) Prepare all vouchers for payment, prepare the register of demands and prepare monthly financial statements.
- (d) Maintain current inventories of all property of the city, its departments, offices and agencies.
- (e) Perform such other duties and exercise such other powers and responsibilities as may be assigned or delegated to him from time to time by the council.

(Mun. Code, Sec. 2352)

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<sup>7</sup>As to finance generally, see ch. 18 of this Code. As to taxation generally, see ch. 40.

Sec. 2-43. Filling vacancy in office.

When a vacancy occurs in the office of Director of Finance, the City Manager shall, within ten days after the office becomes vacant, appoint an acting Director of Finance, subject to approval of or ratification by the council. (Mun. Code, Sec. 2353)

Sec. 2-44. Acting director of finance.

In case of the absence or disability of the Director of Finance, and subject to approval of or ratification by the council, the City Manager may designate some qualified person to perform the duties of the Director of Finance during the period of absence or disability of the Director of Finance, subject, however, to such person furnishing a bond to the city as set forth in section 2-12. (Mun. Code, Sec. 2354)

Division 7. Administrative Assistant.Secs. 2-45 to 2-47.

Repealed by Ordinance No. 460.

Article III. Planning Commission.<sup>8</sup>Sec. 2-48. Created.

The City Council hereby creates a planning commission to be known as the city planning commission. (Ord. No. 246)

Sec. 2-49. Composition; qualifications, appointment and term of office of members; filling vacancy in office.

The planning commission of the city shall consist of five members, who shall be qualified electors of the city, none of whom shall hold any paid office or employment in the city government. The five members of the city planning commission heretofore appointed to office shall continue to hold such office for the term heretofore created, subject to the terms and provisions of this article. Successors to such offices of the city planning commission shall serve for a term of four years and until their successors are appointed and qualified. If vacancies occur, otherwise than by expiration of term, they shall be filled by appointment for the unexpired portion of the term by the City Council. Members shall be appointed by the mayor with the approval of the City Council. (Ord. No. 246)

Sec. 2-50. Removal of members; attendance at meetings; compensation of members.

Any member of the planning commission shall be subject to removal by motion of the City Council adopted by at least three affirmative votes. The office of any member of the planning commission shall be vacated if the member absents himself from three regular meetings of the commission, unless by permission of the commission, or if he is convicted of a crime involving moral turpitude or ceases to be an elector of the city. The members of the planning commission shall receive compensation on a monthly basis at a rate to be determined from time to time and set forth by resolution of the City Council. (Ord. No. 867)

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<sup>8</sup>For state law as to local planning, see Gov. C., sec. 65100 et seq. As to subdivisions and other divisions of land generally, see ch. 39 of this Code. As to zoning generally, see ch. 44.

Sec. 2-51. Powers and duties generally.

It shall be the duty of the members of the planning commission to inform themselves on matters affecting the function, duties and matters before the commission. The planning commission shall have all powers and duties given to them by general state statutes and this Code, and in its deliberations, conduct and acts, be governed by the statutes of the state and this Code in reference thereto. In addition to the aforementioned duties, the members of the planning commission shall also serve as the development review board pursuant to Article XV of the Paramount Municipal Code and, when necessary, shall also sit as the economic development board to receive information regarding economic development activities in the city. (Ord. No. 867)

Sec. 2-52. Officers; meetings; rules and regulations; records.

The planning commission shall elect its chairman from among its appointed members for a term of one year, and shall likewise elect one of its members to serve as presiding officer pro tempore (vice-chairman) at the pleasure of the commission. The planning commission shall hold at least one meeting in each month in the City Council chambers which shall be open to the public, and may adjourn or readjourn any regular meeting to a date and hour certain which shall be specified in the order of adjournment. When so adjourned, such adjourned meeting shall be a regular meeting for all purposes. If at any time any regular meeting falls on a holiday, such regular meeting shall be held in the next business day. The planning commission shall adopt rules and regulations for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which records shall be a public record. (Ord. No. 246)

Sec. 2-53. Applicability of state law.

The city planning commission and the City Council shall be governed in all their actions, where not specifically covered by this article, by sections 65000 to 65711 of the Government Code of the state. (Ord. No. 246)

Article IV. Public Works Commission.Sec. 2-54. Establishment.

The City Council does hereby establish a Public Works Commission which shall act as an advisory board, subject to City Council direction, for the development and operation of the city's public works department. (Ord. No. 863)

Sec. 2-55. Membership and terms of office.

- (a) Membership. The commission shall consist of five members who shall be appointed by the City Council of the city. All members of the Public Works Commission shall be residents of the city and shall serve at the will and pleasure of the City Council.
- (b) Terms of office-Vacancy. Members to the commission shall be appointed for a term of two years or until their successors are duly appointed. The Public Works Commission shall elect a chairman and a vice chairman from among its appointed members for a term of one year at its regular meeting in May of each year.
  - (1) If a vacancy occurs otherwise than by expiration of a term it shall be filled by appointment for the unexpired portion of the term.

(Ord. No. 863)

Sec. 2-56. Duties and functions.

- (a) Recommendation-Hearings. The Public Works Commission shall be charged with the responsibility for making recommendations regarding matters affecting public works in the city, and such related matters that may be directed by order of the City Council, and in that connection shall hold monthly meetings to effect these purposes. Actions of this commission shall take the form of recommendations and reports to the City Council.
- (b) Power and authority. The Public Works Commission shall cause proper records to be kept of all its official acts and proceedings. The commission shall have no power or authority to bind or obligate the city or any officer or department thereof for any money, debt, undertaking or obligation of any kind in excess of the appropriation which the City Council may have made for the purpose of the commission in any fiscal year.
- (c) Rules of organization and procedure. The commission is a reviewing and recommending body and shall have no power to direct members of the city staff or contract entities. Except as otherwise provided in this chapter or by law, the commission shall have power to and shall provide for its own organization, shall adopt rules and regulations for the transaction of business before it, and shall designate the time and place for the regular monthly meeting or meetings of the commission.
- (d) Review areas. The Public Works Commission shall review, advise, and report to the City Council on topics related to the development and operation of a city public works department including the operation of the city's water system, road maintenance issues, traffic safety requests for stop signs, street lighting, colored curbs, etc., and other related items which may from time to time be referred to them.

(Ord. No. 863)

Sec. 2-57. Compensation.

The members of the public works commission shall receive compensation on a monthly basis at a rate to be determined from time to time and set forth by resolution of the City Council. (Ord. Nos. 863, 867)

Article V. Personnel System.Sec. 2-58. Adoption of personnel system.

In order to establish an equitable and uniform procedure for dealing with personnel matters; to attract to municipal service the best and most competent persons available; to assure the appointments and promotions of employees will be based on merit and fitness; and to provide a reasonable degree of security for quality employees, the following personnel system is hereby adopted. (Ord. Nos. 460, 815)

Sec. 2-59. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (a) Classification: All positions sufficiently similar in duties, authority and responsibility to permit grouping under a common title in the application with equity of common standards of selection, transfer, promotion, demotion and salary.

- (b) Competitive service: All positions of employment in the service of the City except those specifically excluded by this article.
- (c) Consanguinity: No person related to a member of the City Council or their spouse by consanguinity or affinity within the fourth degree shall be employed, nor hold appointive positions on city commissions, by the city. The degrees of consanguinity or affinity shall be determined as follows:

First Degree:	Spouses, Parents, Children
Second Degree:	Grandchildren, Grandparents, Brothers and Sisters
Third Degree:	Nephews, Nieces, Aunts, Uncles
Fourth Degree:	First Cousins, Grand Nephews, Grand Nieces
Related:	Includes Half-Brothers, Half-Sisters, Parent-In-Law, Brother-In-Law, Sister-In-Law, Son-In-Law, or Daughter-In-Law

- (d) Employee: Shall mean any person, excluding an appointive position on a City Commission, who receives a paycheck for services rendered to the City for the purposes of this section.

Notwithstanding the provisions of this section, no employee or commissioner serving on the effective date of this Ordinance, shall be discharged, or otherwise removed, solely as the result of the subsequent election of a member to the City Council. Further, the employment of a spouse shall not be prohibited unless based on a bonafide occupational qualification, or except when based upon applicable security regulations established by the United States or the State of California; the City of Paramount reserves the right to reasonably regulate, for reasons of supervision in the same department, division or facility, consistent with rules and regulations adopted by the City.

- (e) Days: Calendar days unless otherwise stated.
- (f) Demotion: The movement of an employee from one class to another class having a lower maximum rate of pay.
- (g) Examination: Selection techniques used to measure the relative capacities of the persons applying for positions within the competitive service.
- (h) Full-time position: A position requiring an employee to work a minimum of 40 hours per week.
- (i) Layoff: The separation of employees from the active work force due to lack of work or funds, or to the abolition of positions by the City Council for the above reasons or due to organizational changes.
- (j) Position: A group of duties and responsibilities in the competitive service requiring the full-time or part-time employment of one person.
- (k) Promotion: The movement of an employee from one class to another class having a higher maximum rate of pay.

- (l) Provisional appointment: An appointment of a person who possesses the minimum qualifications established for a particular class and who has been appointed to a position in that class in the absence of available eligible persons.
- (m) Regular employee: A full-time employee who has successfully completed his training period.
- (n) Reinstatement: The reemployment, without examination, of a former regular employee or an employee in their training period.
- (o) Suspension: The temporary separation from the service of an employee without pay, for disciplinary purposes.
- (p) Training period: A working test period during which an employee is required to demonstrate his fitness for the position to which he is appointed by actual performance of the duties of the position.
- (q) Transfer: A change of an employee from one position to another position in the same class or in a comparable class.

(Ord. Nos. 460, 722, 815)

Sec. 2-60. Personnel officer.

The City Manager shall administer the City personnel system and may delegate any of the powers and duties of such administration to any other officer or employee of the City or may recommend that such powers and duties be performed under contract. The City Manager shall:

- (a) Act as the appointing authority for the City in accordance with this article.
- (b) Administer all the provisions of this article and of the personnel policies not specifically reserved to the Council.
- (c) Prepare or cause to be prepared personnel rules and provisions and amendments to such rules.
- (d) Recommend to the City Council personnel policy issues involving financial commitments such as, but not limited to, pay rates and employee benefit programs.
- (e) Prepare, or cause to be prepared, a position classification plan, including class specifications, and revisions of the plan. The plan, and any revisions thereof, shall become effective upon approval by the City Council.
- (f) Prepare, or cause to be prepared, a plan of compensation, and revisions thereof, covering all classification titles for authorized City Positions. The plan and any revisions thereof shall become effective upon approval of the Council.
- (g) Have the authority to discipline employees in accordance with this article and the personnel rules and as amended from time to time.

(Ord. Nos. 460, 815, 1029)

Sec. 2-61. Personnel board is hereby repealed in its entirety.

(Ord. Nos. 460, 815, 1029)

Sec. 2-62. Duties of the personnel board is hereby repealed in its entirety.

(Ord. Nos. 460, 815, 1029)

Sec. 2-63. Applicability of article.

The provisions of this article shall apply to all offices, positions, and employments in the competitive service of the City, except:

- (a) City Manager;
- (b) Deputy City Manager;
- (c) Department heads and other administrative positions as designated by the City Manager;
- (d) Elective officers;
- (e) Members of appointive boards, commissions, and committees;
- (f) City Attorney;
- (g) Persons engaged under contract to supply expert, professional, technical, or any other services;
- (h) Volunteer personnel;
- (i) Emergency employees who are hired to meet the immediate requirements of an emergency condition, such as extraordinary fire, flood, or earthquake which threatens life or property; emergency employee positions include those positions funded through special county, state, or federal employment programs; and
- (j) Employees, other than those listed elsewhere in this section, who are not employed in regular full-time positions.

The above employees serve at the pleasure of the appointing authority.

(Ord. Nos. 460, 815)

Sec. 2-64. Adoption and amendment of rules.

Personnel rules shall be adopted by resolution of the City Council after notice of such action has been publicly posted in at least three public places designated by the City Council, and at least five days prior to City Council consideration. Amendments and revisions may be suggested by any interested party and shall be processed as provided in personnel rules. The rules shall establish regulations governing the personnel system which may include:

- (a) Preparation, installation, revision, and maintenance of a position classification plan covering all positions in the competitive service, including employment standards and qualifications for each class.
- (b) Public announcements of all examinations and acceptance of applications for employment.
- (c) Preparation and conducting of tests.
- (d) Appointment of persons.
- (e) Establishment of training periods and evaluation of employees during the training period.
- (f) Transfer, promotion, demotion, reinstatement, disciplinary action, and layoff of employees in the competitive service.
- (g) Separation of employees from the City service.
- (h) The establishment of adequate personnel records.
- (i) The establishment of appeal procedures concerning the interpretation or application of this article and any rules adopted hereunder.

(Ord. Nos. 460, 815)

Sec. 2-65. Appointments.

Appointments to vacant positions in the competitive service shall be made in accordance with the personnel rules. Appointments and promotions shall be based on merit and fitness to be ascertained so far as practical by competitive examination. Examinations may be used and conducted to aid in the selection of qualified employees and shall consist of selection techniques which will test fairly the qualifications of candidates such as written tests, personal interviews, performance tests, physical agility tests, evaluation of daily work performance, work samples or any combination of these or other tests. The training period shall be considered an extension of the examination process. Health screenings may be given as a part of the appointment process.

In any examination, the Personnel Officer may include, in addition to competitive tests, a qualifying test, and set minimum standards therefor.

Appointments shall be made by the City Manager, or by the officer in whom the power to make appointments is vested. (Ord. Nos. 460, 815)

Sec. 2-66. Training period.

All regular full-time and temporary part-time appointments, including promotional appointments, shall be for a training period of not more than one year to allow the City the opportunity to observe the employee's work performance before granting regular status. During the training period, the employee may be rejected at any time without the right of appeal or hearing. The training period may be extended for any employee who is off work for more than two weeks during the initial one year training period.

An employee rejected during the training period from a position to which he has been promoted may be reinstated to a position in the class from which he was promoted unless he is discharged from the City service as provided in this article and the rules.

An employee in the competitive service, promoted or transferred to a position not included in the competitive service, may be reinstated to a position in the class from which he was promoted or transferred if action is taken to reject him unless he is discharged in the manner provided in this article and the personnel rules for positions in the competitive service. (Ord. Nos. 460, 815, 990)

Sec. 2-67. Status of present employees.

Any person holding a position included in the competitive service who, on the effective date of this article, shall have served continuously in such position, or in some other position in the competitive service, for a period equal to the training period prescribed in the rules for his class, shall assume regular status in the competitive service in the position held on such effective date without qualifying test, and shall thereafter be subject in all respects to the provisions of this article and the personnel rules.

All other persons holding positions in the competitive service shall be regarded as employees in their training period who are serving out the balance of their training periods as prescribed in the rules before obtaining regular status. The training period shall be computed from the date of appointment or employment. (Ord. Nos. 460, 815)

Sec. 2-68. Applicability of rules to incumbents of certain exempt positions.

The provisions of the personnel rules relating to attendance and leaves shall apply to the incumbents of full-time exempt positions, unless otherwise specified. (Ord. Nos. 460, 815)

Sec. 2-69. Demotion, dismissal, reduction in pay, and suspension.

The appointing power shall have the right, for due cause, to demote, dismiss, reduce in pay or suspend without pay for thirty calendar days any regular full-time employee. Notice of such action must be in writing. Such notice shall specify the penalty and contain a statement of the reason or reasons therefor.

The provisions of this section shall not apply to reductions in pay which are a part of a general plan to reduce salaries and wages or to eliminate positions. (Ord. Nos. 460, 815)

Sec. 2-70. Right to appeal.

The appeal rights of employees in the competitive service shall be provided in accordance with the requirements and the procedures as set forth in the personnel rules and as amended from time to time. (Ord. Nos. 460, 815, 1029)

Sec. 2-71. Layoff and reemployment.

Whenever in the judgment of the City Council it becomes necessary in the interest of economy, or because the necessity for a position no longer exists, the City Council may abolish any position or employment in the competitive service; and the employee holding such position for employment may be laid off without taking disciplinary action and without the right of appeal.

The order of layoff of employees shall be established by the Personnel Officer on the recommendation of the department head involved. Where skill, ability, and job performance are equal, length of service will be the determining factor when preparing a layoff list. No regular employee or employee in their training period shall be laid off from his position in any department while any emergency, temporary or provisional employee is serving in the same class in that department.

Employees to be laid off shall be given at least fourteen (14) days prior notice.

The names of regular employees and employees who are in their training period who are laid off shall be placed upon reemployment lists for those classes requiring basically the same qualifications, duties and responsibilities of the class from which a layoff was made. Persons whose names are placed on reemployment lists in accordance with this Section, and who are reemployed, shall be regarded as having been on leave of absence during this period. Persons whose names are placed on reemployment lists will lose all length of service and recall rights after one year. (Ord. Nos. 460, 815)

Sec. 2-72. Political activity.

The political activities of City employees shall conform to pertinent provisions of state law. (Ord. Nos. 460, 815)

Sec. 2-73. Discrimination.

No person in the competitive service, or seeking admission thereto, shall be employed, promoted, demoted or discharged, or in any way favored or discriminated against because of political opinions or affiliations, race, color, ancestry, national origin, religious creed, sex, age, handicap, marital status, or the exercise of his rights under Section 3502 of the Government Code." (Ord. Nos. 460, 815)

Secs. 2-74 to 2-79. Reserved.

Article VI. Public Safety Commission.Sec. 2-80. Created and established.

A public safety commission which shall be known as the public safety commission of the city is hereby created and established. (Ord. No. 863)

Sec. 2-81. Membership.

The commission shall consist of five members who shall be appointed by the mayor with the approval of the City Council of the city. All members serve at the will and pleasure of the City Council. (Ord. No. 863)

Sec. 2-82. Terms of office--Vacancy.

- (a) Members to the commission shall be appointed for terms of one year or until their successors are appointed.
- (b) If a vacancy occurs otherwise than by expiration of a term, it shall be filled by appointment for the unexpired portion of the term.

(Ord. No. 863)

Sec. 2-83. Recommendation--Hearings.

The public safety commission shall be charged with the responsibility for making recommendations regarding matters affecting police services and programs in the city, and such related matters that may be directed by order of the City Council, and in that connection shall hold monthly meetings to effect these purposes. Actions of this commission shall take the form of recommendations and reports to the City Council. (Ord. No. 863)

Sec. 2-84. Power and authority.

The public safety commission shall cause proper records to be kept of all its official acts and proceedings. The commission shall have no power or authority to bind or obligate the city or any officer or department thereof for any money, debt, undertaking or obligation of any kind in excess of the appropriation which the City Council may have made for the purpose of the commission in any fiscal year. (Ord. No. 863)

Sec. 2-85. Rules of organization and procedure.

The commission is a reviewing and recommending body and shall have no power to direct members of the city staff or contract entities. Except as otherwise provided in this chapter or by law, the commission shall have power to and shall provide for its own organization, shall adopt rules and regulations for the transaction of business before it, and shall designate the time and place for the regular monthly meeting or meetings of the commission. (Ord. No. 863)

Sec. 2-86. Duties and functions.

The commission may review topics such as police service request for patrol services, neighborhood watch issues, public safety training in the schools as conducted by the city, drug education as conducted by the city, and other related items which may from time to time be referred to them. Also, the members of the public safety commission shall convene as the board of appeals, pursuant to Paramount Municipal Code Section 33-56, when an appeal has been filed with the city pursuant to that section. (Ord. No. 867)

Sec. 2-87. Compensation.

The members of the public safety commission shall receive compensation on a monthly basis at a rate to be determined from time to time and set forth by resolution of the City Council. (Ord. No. 867)

## Article VII. Parks and Recreation Commission.

### Sec. 2-88. Created.

A parks and recreation commission is hereby created and established.

### Sec. 2-89. Membership.

The commission shall consist of five members who shall be appointed by the mayor with the approval of the City Council of the city. All members serve at the will and pleasure of the City Council. Members to the commission shall be appointed for terms of one year or until their successors are appointed. If a vacancy occurs otherwise then by expiration of a term, it shall be filled by appointment for the unexpired portion of the term. (Ord No. 867)

### Sec. 2-90. Duties and functions.

The commission shall act in an advisory capacity to the City Council in matters pertaining to parks, recreation facilities, and local transportation; review community organization funding requests which are included in the annual budget; consider uses of recreational facilities; evaluate recreation programs to promote the development of open space for recreational and leisure activities; encourage the development of leisure opportunities for residents of all ages; and promote positive lifestyle choices and alternatives to self-destructive behavior. (Ord No. 867)

### Sec. 2-91. Power and authority.

The parks and recreation commission shall cause proper records to be kept of all its official acts and proceedings. The commission shall have no power or authority to bind or obligate the city or any officer or department thereof, for any money, debt, undertaking or obligation of any kind in excess of the appropriation which the City Council may have made for the purpose of the commission in any fiscal year. (Ord No. 867)

### Sec. 2-92. Rules of organization and procedure.

The commission is a reviewing and recommending body and shall have no power to direct members of the city staff or contract entities, except as otherwise provided in this chapter or by law the commission shall have power to and shall provide for its own organization, shall adopt rules and regulations for the transaction of business before it, and shall designate the time and place for the regular monthly meeting or meetings of the commission. (Ord No. 867)

### Sec. 2-93. Compensation.

The members of the parks and recreation commission shall receive compensation on a monthly basis at a rate to be determined from time to time and set forth by resolution of the City Council. (Ord No. 867)

### Article VIII. Senior Services Commission.

#### Sec. 2-94. Created and established.

A senior services commission which shall be known as the Senior Services Commission of the City is hereby created and established. (Ord. No. 1010)

#### Sec. 2-95. Membership.

The Commission shall consist of five members who shall be appointed by the Mayor with the approval of the City Council of the City. All members serve at the will and pleasure of the City Council. The minimum age for eligibility for appointment is 55 years of age. (Ord. No. 1010)

#### Sec. 2-96. Terms of office – vacancy.

- (a) Members to the Commission shall be appointed for terms of one year or until their successors are appointed. (Ord. No. 1010)
- (b) If a vacancy occurs otherwise than by expiration of a term, it shall be filled by appointment for the unexpired portion of the term. (Ord. No. 1010)

#### Sec. 2-97. Recommendation – hearings.

The Senior Services Commission shall be charged with the responsibility for making recommendations regarding matters affecting senior services in the City, and such related matters that may be directed by order of the City Council, and in that connection shall hold monthly meetings to effect these purposes. Actions of this Commission shall take the form of recommendations and reports to the City Council. (Ord. No. 1010)

#### Sec. 2-98. Power and authority.

The Senior Services Commission shall cause proper records to be kept of all its official acts and proceedings. The Commission shall have no power or authority to bind or obligate the City or any officer or department thereof for any money, debt, undertaking or obligation of any kind in excess of the appropriation which the City Council may have made for the purpose of the Commission in any fiscal year. (Ord. No. 1010)

#### Sec. 2-99. Rules of organization and procedure.

The Commission is a reviewing and recommending body and shall have no power to direct members of the City staff or contract entities. Except as otherwise provided in this chapter or bylaw, the Commission shall have power to and shall provide for its own organization, shall adopt rules and regulations for the transaction of business before it, and shall designate the time and place for the regular monthly meeting or meetings of the Commission. (Ord. No. 1010)

Sec. 2-100. Review areas.

The Commission may review topics such as the senior meal program; senior excursions; senior activities including instructional classes, bingo, and special events; and other related items which may from time to time be referred to them. (Ord. No. 1010)

Sec. 2-101. Compensation.

The regular members of the Senior Services Commission shall receive compensation of one-hundred dollars per meeting. (Ord. No. 1010)

(Mun. Code Secs. 2000, 2001, 2002, 2100, 2101, 2102, 2104, 2105, 2106, 2107, 2108, 2201, 2250, 2251, 2252, 2300, 2301, 2302, 2350, 2351, 2352, 2353, 2354, 2451; Ord. Nos. 145, 146, 147, 161, 165, 175, 190, 202, 246, 303, 403, 460, 506, 722, 765, 780, 814, 815, 838, 842, 844, 863, 867, 871, 906, 924, 944, 946, 950, 952, 966, 972, 988, 990, 1010, 1029, 1033)

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