

STAFF REPORT

City of Lancaster

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01/22/13
MVB

Date: January 22, 2013

To: Mayor Parris and City Council Members

From: Mark V. Bozigian, City Manager
Dave McEwen, City Attorney

Subject: **Ordinance Amending Chapters 2.34, 2.30 and Section 2.04.080 of the Lancaster Municipal Code**

Recommendation:

Introduce **Ordinance No. 986**, restating and amending chapter 2.34 of the Lancaster Municipal Code relating to the Architectural and Design Planning Commission, Chapter 2.30 of the Lancaster Municipal Code relating to the Criminal Justice Commission and Section 2.04.080 of the Lancaster Municipal Code relating to the position of Deputy Mayor.

Fiscal Impact:

None.

Background:

On June 24, 2008 the City Council adopted Ordinance No. 902 which added Chapter 2.34 to the Lancaster Municipal Code and established the City's Architectural and Design Planning Commission. On July 22, 2008, the City Council adopted Ordinance No. 904 which added Chapter 2.30 to the Lancaster Municipal Code and established the City's Criminal Justice Commission.

The City Council subsequently amended Ordinance No. 902 and Ordinance No. 904 by its adoption of Ordinance No. 909 on October 28, 2008, Ordinance No. 915 on January 27, 2009, and Ordinance No. 943 on May 25, 2010 (collectively, Ordinance No. 909, Ordinance No. 915 and Ordinance No. 943 are referred to as the "Amendments"); pursuant to the terms of Ordinance No. 902 and Ordinance No. 904, as modified by the Amendments, the City's Architectural and Design Planning Commission and the City's Criminal Justice Commission were to terminate and be of no force or effect as of July 1, 2012.

On June 22, 2010, the City Council adopted Ordinance No. 944 which added Section 2.04.080 to the Lancaster Municipal Code and established the position of Deputy Mayor. Pursuant to the terms of Ordinance No. 944, the provisions of the ordinance were to terminate and be of no force or effect as of May 12, 2012.

As a practical matter, sunset provisions for discretionary and/or advisory commissions and positions created by a legislative body such as a City Council are unnecessary as the commissions or positions exist at the pleasure of the legislative body and can be revised or disbanded at any time by a majority of the legislative body. Therefore it is in the public interest and welfare to restate Chapter 2.34 (originally added by Ordinance No. 902), Chapter 2.30 (originally added by Ordinance No. 904) and Section 2.04.080 (originally added by Ordinance No. 944), to remove sunset provisions for the City's Architectural and Design Planning Commission, Criminal Justice Commission, and the position of Deputy Mayor.

MVB:bsa

Attachment:
Ordinance No. 986