



Agenda Item

City Council

Item #: 6. 1.

1/12/2021

File #: 20-334

TO: Honorable Mayor and Members of the City Council

THRU: Rick Otto, City Manager

FROM: Gary A. Sheatz, City Attorney
Pamela Coleman, City Clerk

1. SUBJECT

City Council discussion and possible direction for changes or amendments to the duties, roles and responsibilities of the various City Boards, Committees and Commissions.

2. SUMMARY

At the November 10, 2020 City Council meeting staff was directed to provide a report to the City Council summarizing the duties, roles and responsibilities of the various City appointed Boards, Committees and Commissions for Council discussion and possible future action. This report provides an overview of the eight appointed bodies for City Council consideration.

3. RECOMMENDED ACTION

City Council direction on changes or amendments to the duties, roles and responsibilities for the various Boards, Committees and Commissions.

4. FISCAL IMPACT

As this item is presented to the City Council for discussion and direction for possible future action, there is no fiscal impact identified at this time. Any expenditures associated with changes to the duties, roles, and responsibilities of the various Boards, Committees or Commissions will be funded through General Fund (100).

5. STRATEGIC PLAN GOALS

This action does not correlate to any of the adopted strategic plan goals; however, updates or amendments to the Orange Municipal Code reflecting policy direction may be required.

6. DISCUSSION AND BACKGROUND

At the November 10, 2020 City Council meeting staff was directed to provide a report to the City Council summarizing the duties, roles and responsibilities of the various City appointed Boards, Committees and Commissions. At the December 8, 2020 City Council meeting staff was asked to also include an overview of the Certified Local Government program as part of the aforementioned report. A memo from the Community Development Director to the City Manager detailing the program is provided in Attachment 2.

Provided below is a summary of each board's legal authority, department responsibility, duties per the OMC, member qualifications per resolution, and current membership. Of the eight Orange Municipal Code (OMC) recognized boards listed below, only six are active as the Audit Committee and the Park

Planning and Development Committee has no members and has not met in many years. Note that staff has verified that all current members are still willing to serve on their respective boards.

AUDIT COMMITTEE

Legal Authority:

- Resolution No 8802 (1997)
- Updated Resolution No. 11064 (2018)
- OMC Chapter 2.55

Staffing Department:

- Finance

Duties:

- Select independent financial auditor for the financial statement audit.
- Monitor progress of the financial statement audit.
- Evaluate results of the financial statement audit.
- Ensure control weaknesses and legal compliance violations identified in the financial statement audit are promptly and effectively remedied.
- Serve as a direct communications link between the City Council and the independent auditor.
- Monitor the adequacy of the City's internal control structure, such as cash disbursements, cash receipting, treasury transactions, etc.
- Review results of contract compliance audits and financial statement reviews conducted by the City's internal audit function, such as trash contracts, internal controls, and revenue audits.
- Review results of compliance audits and reviews conducted by outside agencies, such as DOT grants, M2 funds for the Senior Mobility program and the Ground Emergency Medical Transport (GEMT) supplemental reimbursement program.

Qualifications/Term/Meetings:

- Four appointed members plus City Treasurer.
- Qualifications of applicants reviewed by City Manager, Finance Director, and Internal Audit Manager.
- Reside or be permanently employed in the City.
- Designation of Certified Public Accountant, or other related business experience, is required.
- 2-year term of office.
- Meetings held twice annually and as needed.
- Last meeting held in 2012.

There currently are no members on the Committee and the Committee has not met in over eight years. Although Resolution No. 11064 was adopted in 2018 in an effort to renew community interest in this committee, to date the City has received no applications for this Committee.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM COMMITTEE

Legal Authority:

- 24 Code of Federal Regulations Part 91.105 (Citizen Participation Plan)

- Resolution No. 11012 (2006)
- City's internal CDBG Program Policies & Procedures Manual
- OMC Chapter 2.55

Staffing Department:

- Community Development

Duties:

- Conduct public workshops and hearings regarding funding availability.
- Conduct a public needs hearing.
- Evaluate applications for CDBG funding.
- Recommend draft funding allocations to the City Council.

Qualifications/Term/Meetings:

- Five appointed members
- Primary residence in the City.
- Show an interest in and knowledge of housing and community development issues, especially as they relate to affordable housing and public service for residents of low and moderate income.
- 2-year term of office.
- Meetings held as necessary during the CDBG funding cycle.

Current Membership:

<i>Name</i>	<i>Apptd/Reapptd</i>	<i>Term Exp.</i>
• Eva Perez	2-14-2006 / 5-12-2012	6-30-2014
• Mary-Ellen Manning	6-13-2000 / 5-12-2012	6-30-2014
• Fernando Rico	6-24-2003	6-30-2014
• Janice Mickelson-Weilmuenster	4-14-2015	6-30-2017
• Vacant		

DESIGN REVIEW COMMITTEELegal Authority:

- Ordinance No. 4-74 (1974)
- OMC Chapter 2.55
- OMC §17.08.020.D
- Resolution No. 9643 (2002)
- Resolution No. 10112 (2006)

Staffing Department:

- Community Development

Duties:

- Review all development and building projects not otherwise exempted.
- Examine material submitted for site utilization, architectural, landscape and graphics

considerations based on specific City Council-adopted standards.

- Make final determination on signs and sign programs.
- Make final determination on architectural and landscaping design matters for minor site plan reviews referred by Community Development Director.
- Make final determination on architectural and landscaping design matters for external remodeling of commercial, industrial, institutional and large scale multiple family developments, except for minor site plan review projects.
- Make final determination on architectural and landscaping design matters for projects in Historic Districts, when no Planning Commission review is otherwise required.
- Review and make recommendations to the Planning Commission on architectural and landscaping design matters for all development projects and proposed demolitions requiring Planning Commission recommendation or approval.

Qualifications/Term/Meetings:

- Five appointed members
- Primary residence or primary place of employment in the City.
- Qualified to analyze and interpret architectural and site planning information, including, but not limited to, licensed landscape architects, architects, urban planners, engineers and licensed general contractors.
- At least 2 members with professional experience in urban planning, architectural history or historic preservation and possess a general knowledge of architecture in the Old Towne Historic District.
- 4-year term of office.
- Meetings held on the first and third Wednesdays of each month at 5:30 p.m.

Current Membership:

<i>Name</i>	<i>Apptd/Reapptd</i>	<i>Term Exp.</i>
• Tim McCormack	2-26-2008 / 5-12-2012	6-30-2016
• Carol Fox	1-10-2012 / 5-12-2012	6-30-2016
• Robert Imboden	4-10-2012	6-30-2016
• Anne McDermott	3-10-2015	6-30-2019
• Mary Anne Skorpanich	8-8-2017	6-30-2021

INVESTMENT ADVISORY COMMITTEE

Legal Authority:

- Ordinance No. 17-92 (1992)
- Resolution No. 9625 (2002)
- Resolution No. 10112 (2006)
- OMC Chapter 2.55

Staffing Department:

- Finance

Duties:

- Review City's Investment Policy annually and recommend revisions as necessary.
- Review Treasurer's Report for conformance with the Statement of Investment Policy and review related factors such as risk, diversification, and maturity.
- Provide advice regarding potential investment, potential investment strategies, and suitability of pools such as Local Agency Investment.
- Provide written recommendations to the Investment Oversight Committee.

Qualifications/Term/Meetings:

- Three appointed members plus the City Treasurer and Finance Director.
- Primary residence or primary place of employment in the City.
- Substantial education and 5 years of demonstrated managerial experience in one or more of the following areas: investment banking, investment brokerage and sales, investment management, financial management and planning or commercial banking.
- 2-year term of office.
- Meetings held at least once each quarter and as-needed.

Current Membership:

<i>Name</i>	<i>Apptd/Reapptd</i>	<i>Term Exp.</i>
• Robert Foley	2-12-2008	1-30-2013
• Larry Salinger	10-13-2009	1-30-2013
• Vacant		

ORANGE PUBLIC LIBRARY BOARD OF TRUSTEESLegal Authority:

- Education Code §18910 et seq.

Staffing Department:

- Library

Duties:

- Make and enforce all rules, regulations, and bylaws necessary for the administration, government, and protection of libraries and library property.
- Administer any trust declared or created for the library; receive any gift, devise, or property; and dispose of any property for the benefit of the library.
- Prescribe duties and powers of the librarian, secretary, and other officers and employees of the library; determine the number of and appoint all officers and employees, and fix their compensation.
- Purchase necessary books, journals, publications, and other personal property.
- Purchase real property, and erect or rent and equip, such buildings or rooms, as may be necessary, when in its judgment a suitable building, or portion thereof, has not been provided.
- Request appropriate state officials to furnish the library with copies of reports, laws, and other publications of the state not otherwise disposed of by law.

- Borrow books from, lend books to, and exchange books with other libraries, and allow nonresidents to borrow books upon such conditions as the board may prescribe.
- Do and perform any and all other acts and things necessary or proper to carry out these duties.

Qualifications/Term/Meetings:

- Five appointed members.
- Primary residence in the City.
- An understanding and appreciation of the role of the public library in the community and in a democracy.
- Library users and value books and information delivery.
- 3-year term of office.
- Meetings held on the third Monday of each month at 3:30 p.m.

Current Membership:

<i>Name</i>	<i>Apptd/Reapptd</i>	<i>Term Exp.</i>
• Patti VanVoorst	10-13-2009 / 6-14-2011	6-30-2014
• Steven Freeman	6-8-2010 / 5-22-2012	6-30-2015
• Peggy Calvert	3-13-2018	6-30-2021
• Rebecca Martinez	1-12-2016	6-30-2019
• Susie Huber	7-14-2020	7-14-2023

PARK PLANNING & DEVELOPMENT COMMISSIONLegal Authority:

- OMC Chapter 2.60
- Resolution No. 10112 (2006)

Staffing Department:

- Community Services

Duties:

- Advise and make recommendations re implementation of Master Plan of Parks.
- Advise and recommend to the City Council the acquisition of new park land.
- Advise and recommend to the City Council the conceptual design of new park land.
- Advise and recommend to the City Council the allocation of new park land between passive and active parks.
- Advise and recommend to the City Council the renovation of current park land.
- Perform such other duties as may be prescribed by the City Council.

Qualifications/Term/Meetings:

- Five appointed members.

- Primary residence in the City.
- General knowledge of sports complexes and/or park development.
- 4-year term of office.
- Meetings held as determined by City Council.

This Commission held its last meeting in April of 2014 and currently has no membership.

PLANNING COMMISSION

Legal Authority:

- Government Code §65100 et seq.
- OMC Chapter 2.64
- OMC Chapter 2.55
- OMC §17.08.020.B
- Resolution No. 10112 (2006)

Staffing Department:

- Community Development

Duties:

- Prepare, review, and revise, as necessary, the general plan.
- Implement the general plan through actions including, the administration of specific plans and zoning and subdivision ordinances.
- Annually review the CIP and local public works projects for consistency with the general plan.
- Promote public interest in, comment on, and understanding of the general plan.
- Consult and advise with public officials and other organizations, and citizens generally concerning implementation of general plan.
- Promote the coordination of local plans and programs with the plans and programs of other public agencies.
- Authority to hear and decide:
 - Conditional use permits.
 - Variances.
 - Major site plan reviews.
 - Negative declarations and mitigated negative declarations.
 - Design review for those projects requiring PC approval.
- Authority to make recommendations to the City Council:
 - Zone changes and zoning ordinance amendments.
 - Land divisions-tentative tract maps.
 - General plan amendments.
 - Certain conditional use permits.
 - Environmental documentation.
 - Appeals of any order, permit, decision or determination made by lower body.
- Perform other functions as the City Council provides.

Qualifications/Term/Meetings:

- Five appointed members.
- Primary residence in the City.
- General knowledge of land use and development.
- 4-year term of office.
- Meetings held on the first and third Mondays of each month at 7:00 p.m.

Current Membership:

<i>Name</i>	<i>Apptd/Reapptd</i>	<i>Term Exp.</i>
• Doug Willits	7-14-2015	6-30-2016
• Ernie Glasgow	7-14-2015	6-30-2016
• David Simpson	9-8-2015	6-30-2016
• David Vazquez	2-12-2019	6-30-2022
• Rick Martinez	1-8-2019	7-14-2022

TRAFFIC COMMISSIONLegal Authority:

- OMC Chapter 10.06
- OMC Chapter 2.55
- Resolution No. 10112 (2006)

Staffing Department:

- Traffic (Public Works)

Duties:

- Final Action:
 - Review and act in matters of traffic and transportation planning.
 - Review all requests for speed limit increases or decreases and traffic control signals.
 - Initiate special studies on any unsafe or malfunctioning traffic conditions.
 - Assist staff, Planning Commission, and City Council in short and long range transportation planning, including the review of streets and highways master planning and designation of truck routes.
 - Review and answer all complaints concerning traffic safety conditions.
 - Perform such other functions as the City Council may request from time to time.
 - Act as the local authority (as used in the Vehicle Code) for the approval of certain traffic regulations.
- Advisory Action to City Council:
 - Matters for which State law requires a decision by the City Council.
 - Traffic improvements not previously budgeted.
 - Traffic-related modifications to a larger geographic area, as opposed to a single location

-specific item.

Qualifications/Term/Meetings:

- Five appointed members of which one member nominated by OUSD.
- Primary residence in the City.
- 4-year term of office.
- Meetings held on the second Wednesday of each month at 5:30 p.m.

Current Membership:

<i>Name</i>	<i>Apptd/Reapptd</i>	<i>Term Exp.</i>
• Jim Beil	8-12-2003 / 5-22-2012	6-30-2016
• Michael Lebeau	2-10-2009 / 6-14-2015	6-30-2019
• Adam Feliz	3-10-2015	6-30-2019
• Christian Vaughan	5-10-2011	6-30-2015
• Larry Dick	1-12-2016	6-30-2020

7. ATTACHMENTS

- Attachment 1 - Attendance Report for Boards, Committees and Commissions.
- Attachment 2 - Memo from Community Development Director, William Crouch, to City Manager, Rick Otto, regarding the Certified Local Government program.