

CITY OF OJAI
ORDINANCE NO. 909

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF OJAI AMENDING TITLE 4 CHAPTER 8 OF THE OJAI
MUNICIPAL CODE RELATING TO THE HISTORICAL
PRESERVATION COMMISSION AND AMENDING TITLE
2 CHAPTER 4 OF THE OJAI MUNICIPAL CODE
RELATING TO THE PARKS AND RECREATION
COMMISSION**

**THE CITY COUNCIL OF THE CITY OF OJAI CALIFORNIA DOES ORDAIN AS
FOLLOWS:**

SECTION 1. Code Amendment. Ojai Municipal Code Section 4-8.03 is hereby amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck-through text~~:

There is hereby established a City Historic Preservation Commission, consisting of ~~seven~~ (7) five (5) members who shall be appointed by the Mayor subject to the approval of the Council. Each Councilmember shall appoint one Commissioner, ratified by the approval of a majority of the full Council. ~~No more than three (3) members of the Commission shall be nonresidents of the City. Four (4) members of the Commission shall constitute a quorum, however no quorum shall consist of a majority of nonresidents of the City.~~ While it is preferred that all members of the Commission have primary residence and be domiciled within the City, a minimum of three (3) members of the Commission must have primary residence and be domiciled within the City. All members must live within the Ojai Area of Interest, as defined by the Ventura County Local Agency Formation Commission. Members of the Commission shall be appointed for four (4) years on a staggered basis and shall hold office at the discretion of the Council until their successors have been appointed even if their designated term has expired. The first Commission seat to become vacant after passage of Ordinance No. 909 amending this section shall be filled by the Councilmember representing City Council District 4. The second seat to become vacant shall be filled by the Mayor. Subsequent appointments shall be made in the following order: City Council District 1, City Council District 2, City Council District 3, City Council District 4, and the Mayor, repeating as terms expire such that the five Commission members correspond to the Mayor and four City Council Districts. If a member resigns before the end of their term, the City Councilmember for the Voting District that appointed that member shall appoint their replacement. ~~Vacancies shall be filled by appointment for the unexpired portion of the designated term.~~ The designated terms of all members of the Commission shall expire at the second regular Council meeting of May.

SECTION 2. Code Amendment. Ojai Municipal Code Section 2-4.102 is hereby amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck-through text~~:

The Parks and Recreation Commission shall be composed of ~~seven (7)~~ five (5) members and one non-voting youth member who shall be a full-time high school student living within the boundaries of the Ojai Unified School District, ~~appointed by the Mayor with the approval of the Council;~~ Each Councilmember shall appoint one Commissioner, ratified by the approval of a majority of the full Council. The youth member shall be appointed by the Mayor, ratified by the approval of a majority of the full Council, and will be a nonvoting member. No more than three (3) members of the Commission shall be non-residents of the City. Four (4) members of the Commission shall constitute a quorum. While it is preferred that all members of the Commission have primary residence and be domiciled within the City, a minimum of three (3) members of the Commission must have primary residence and be domiciled within the City. All members must live within the Ojai Area of Interest, as defined by the Ventura County Local Agency Formation Commission.

SECTION 3. Code Amendment. Ojai Municipal Code Section 2-4.103 is hereby amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck-through text~~:

The members of the Parks and Recreation Commission shall, subject to the conditions set forth in this section, be appointed to the following terms:

(a) All members of the Parks and Recreation Commission other than the youth member shall be appointed for terms of four (4) years.

(b) The youth member shall be appointed for a term of ~~one year~~ two years; and can be appointed for a maximum of ~~four (4)~~ two (2) terms.

(c) All members shall hold office until their successors have been appointed and qualified. A person appointed to fill a vacancy on the Commission shall hold office for the remainder of the unexpired term. Any member of the Parks and Recreation Commission may be removed by the Mayor, subject to the approval of the Council, or by a majority vote of the Council.

(d) The first voting Commission seat to become vacant after passage of Ordinance No. 909 amending this section shall be filled by the Councilmember representing City Council District 4. The second voting Commission seat to become vacant shall be filled by the Mayor. Subsequent appointments shall be made in the following order: City Council District 1, City Council District 2, City Council District 3, City Council District 4, and the Mayor, repeating as terms expire such that the five Commission members correspond to the Mayor and four City Council

Districts. If a member resigns before the end of their term, the City Councilmember for the Voting District that appointed that member shall appoint their replacement.

(d) (e) The terms of members of the Commission shall expire at the second regular City Council meeting of May. Appointments will be for four (4) years, except for the youth member, who shall be appointed for two (2) years. The term of the youth member of the Commission shall expire at the second regular Council meeting in May of each every other year.

SECTION 4. Environmental Determination. The City Council determines that the following findings and conclusions reflect the independent judgment of the City Council. The City Council finds that the adoption of the foregoing amendment to the Ojai Municipal Code is exempt from the California Environmental Quality Act (CEQA) for the following independent reasons:

Under California Code of Regulations, Title 14, Section 15061, subdivision (b)(3), of the CEQA Guidelines, CEQA review is not required if an activity is not a project as defined in California Code of Regulations, Title 14, Section 15378, of the CEQA Guidelines. Under Section 15378, subdivision (b)(5), project for purposes of CEQA does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. This ordinance is administrative in nature and will not result in any direct or indirect physical changes in the environment. The adoption of this ordinance is therefore exempt from CEQA review pursuant to California Code of Regulations, Title 14, Sections 15060 and 15378, subdivision (b)(5) of the CEQA Guidelines.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.



SECTION 6. Certification. The City Clerk shall cause this Ordinance to be published once, within fifteen (15) calendar days after its passage, in the *Ojai Valley News*, a newspaper of general circulation, printed, published and circulated in the City, and shall cause a copy of this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

City of Ojai
City Council Ordinance No. 909

SECTION 7. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937.


PASSED, APPROVED AND ADOPTED this 25th day of August, 2020.

CITY OF OJAI, CALIFORNIA

By 
John F. Johnston, Mayor

Date signed

ATTEST:


Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

Matthew T. Summers, City Attorney

STATE OF CALIFORNIA)
COUNTY OF VENTURA)
CITY OF OJAI)

I, Gail Davis, Deputy City Clerk of the City of Ojai do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Ojai held on July 14th, 2020 and adopted at a regular meeting held on August 25th 2020 by the following vote:

- AYES:** Blatz, Francina, Haney, Johnston, Weirick
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None


Gail Davis
Deputy City Clerk for the City of Ojai