

**ORDINANCE NO. 09-2021**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AMENDING ELK GROVE MUNICIPAL CODE CHAPTER 2.12 RELATING TO THE  
YOUTH COMMISSION**

**WHEREAS**, the City Council adopted Ordinance No. 45-2008 on September 10, 2008, to add Chapter 2.12 to the Elk Grove Municipal Code (EGMC) establishing a Youth Commission that would serve to represent the youth of the City; and

**WHEREAS**, the City Council adopted Ordinance No. 30-2010 on January 11, 2011, amending EGMC Chapter 2.12 to update the guidelines for membership, include term limits, and to modify the meetings, rules, records, duties, and responsibilities of the Elk Grove Youth Commission; and

**WHEREAS**, the City Council adopted Ordinance No. 17-2012 on July 25, 2012, which removed the requirement for by-district appointments to the Youth Commission and adopted Ordinance No. 21-2012 on October 10, 2012 to delegate appointment authority to the directly elected mayor; and

**WHEREAS**, staff is now recommending amendments to EGMC Chapter 2.12 to update selection and participation requirements, duties, and organization of the Elk Grove Youth Commission.

**NOW, THEREFORE**, the City Council of the City of Elk Grove does hereby ordain as follows:

Section 1: Purpose

The purpose of this ordinance is to amend Elk Grove Municipal Code Chapter 2.12 Youth Commission to reflect updates to selection and participation requirements, organization of the Commission, and duties of Commission officers.

Section 2. Amendment.

Elk Grove Municipal Code Chapter 2.12 Youth Commission is hereby amended to read as follows:

*(All additions are shown as **bold text**, deletions in ~~strikethrough~~)*

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2.12.020 Membership.

A. The Commission shall consist of ten (10) members. At time of appointment each member shall be: 1) no less than thirteen (13) years of age and no more than eighteen (18) years of age; 2) a student in grades seven (7) through twelve (12), in an approved education program for middle school or high school students; and 3) a resident of the City or its sphere of influence, at the time of application for appointment and continuously thereafter. The sphere of influence is defined to include circumstances where a member attends an Elk Grove school but lives just outside the city limits. Immediate family members of City Council Members shall not be eligible for appointment.

In addition to ensuring each Council district is represented to the greatest extent possible given the number of qualified applicants, every effort will also be made to ensure that the composition of the Youth Commission equitably represents area high schools (public, private, and charter), provided that each appointee meets the residency requirement. Every effort will also be made to appoint applicants from a variety of grade levels who also meet the age requirements for membership.

#### 2.12.030 Term limits.

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B. The Commission shall select a Chair, Vice Chair, Secretary, Historian, and Communications Officer from among its members. Vice Chair will ~~resume~~ **assume** Chair responsibilities when Chair is absent. If Chair and Vice Chair are both absent, ~~a respective member shall be chosen by the City Manager, or his or her designee~~ **an acting Chair shall be selected from the Commission officers in attendance either by the City Manager or authorized designee (Youth Commission Advisor)** to facilitate the meeting. A **Commission** member ~~can~~ **may only** serve in ~~any~~ **the same officer** position **for** no more than a total of two (2) years. The term of each officer **position** shall be one (1) year. The Commission will vote yearly to appoint members to the offices of Chair, Vice Chair, Secretary, Historian, and Communications Officer. **Commissioners holding officer positions agree to fulfilling duties and tasks listed in Section 2.12.060.**

C. Any member may resign from the Commission prior to the completion of his or her term by submitting a resignation letter to the City Clerk with a copy to the City Manager or authorized designee (Youth Commission Advisor). If a mid-term vacancy occurs, the City Council may consider applicants from the most recent annual appointment process or authorize a new recruitment process.

#### 2.12.040 Meetings.

A. The Commission shall schedule at least one (1) meeting per month at a designated time and place. **The Youth Commission year runs September through May and takes recess June through August.** All members are required to attend every scheduled regular and special meeting **and Youth Commission events.** ~~Two~~ **Three (23)** excused absences shall be allowed per year. **An absence must be communicated to the Youth Commission Advisor in advance of the scheduled meeting to be considered excused. Appropriate reasons for absence may include but not be limited to death in the family, illness, school activity, or other unforeseen circumstance.** More than ~~two~~ **(2) three (3)** excused absences shall result in ~~termination~~ **forfeiture of the appointment to from** the Commission. **Commission Members are required to contact the Youth Commission Advisor prior to the meeting start time if they will be absent or late. If a Commissioner does not contact the Advisor and arrives more than 15 minutes after the start of a scheduled meeting or event, an unexcused absence will be counted. Two late arrivals shall count as one unexcused absence. Commissioners holding officer positions are expected to exceed these attendance and punctuality expectations.**

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D. The City Manager, or ~~his or her~~ **authorized** designee (**also defined as Youth Commission Advisor**) will provide support to the Commission.

2.12.050 Rules and records.

Minutes of the Commission shall be prepared by the **Youth Commission Secretary, in consultation with the City Manager or his or her designee, Youth Commission Advisor, and** filed with the Office of the City Clerk. **Minutes approved by formal action of the Commission and shall be held as** a public record.

2.12.060 Duties and responsibilities.

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**A. Commission Officer Roles**

a. **Chair – Runs all meetings, acts as a spokesperson for the Commission, meets regularly with the Youth Commission Advisor, engages Commission participation.**

b. **Vice Chair – Works closely with the Chair and fills in when Chair is unavailable; monitors and reports attendance; and provides guidance and updates to Commission Members absent from meeting(s).**

c. **Secretary – Documents meeting notes and official records, drafts minutes, presents to Youth Commission Advisor for review and Commission approval.**

d. **Historian – Documents events and projects for Commission, takes pictures, and prepares presentation for semi-annual City Council report.**

e. **Communications Officer – Develops and maintains a communication network to disseminate information about projects and events to the City Council, community youth, and other stakeholders; monitors Youth Commission website and social media platforms and works with Youth Commission Advisor for edits and content.**

**AB.** Develop and maintain a yearly strategic plan outlining the areas of focus for the Commission.

**BC.** Review issues relating to programs and services for children and youth.

**CD.** Identify and recommend priorities among programs and services for children and youth.

**DE.** Create a forum for discussion with children, youth and their families.

**EF.** Advocate for services and programs for children and youth.

**FG.** Make recommendations for programs, policies, and necessary legislation to promote the health and well-being of children, youth and their families.

~~GH.~~ Work with the public and private sectors to bring forth the concerns of children and youth as well as evaluate programming that will enhance the development of children and youth.

~~H. Develop a communication network to disseminate information about services to children and youth.~~

I. Provide ~~two (2) biyearly~~ **two** presentations **each year** to the City Council at designated City Council Meetings.

~~J. Communicate with their respective Councilmember once (1) a month.~~ **Commissioners who hold officer positions are expected to fulfill assigned duties and have increased participation.**

## Section 2: No Mandatory Duty of Care

This ordinance is not intended to and shall not be construed in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

## Section 3: Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

## Section 4: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and effect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 5: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

**ORDINANCE:**       **09-2021**  
**INTRODUCED:**     March 24, 2021  
**ADOPTED:**        April 14, 2021  
**EFFECTIVE:**      May 14, 2021



BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,  
CITY ATTORNEY

Date signed: April 15, 2021

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL ORDINANCE NO. 09-2021**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )     ss  
CITY OF ELK GROVE         )

*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on March 24, 2021 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 14, 2021 by the following vote:*


**AYES:           COUNCILMEMBERS: Singh-Allen, Nguyen, Hume, Spease, Suen**

**NOES:           COUNCILMEMBERS: None**

**ABSTAIN:       COUNCILMEMBERS: None**

**ABSENT:        COUNCILMEMBERS: None**

***A summary of the ordinance was published pursuant to GC 36933(c) (1).***

  
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**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**