

## **ORDINANCE 1059B**

AN ORDINANCE AMENDING LINCOLN MUNICIPAL CODE SECTIONS 2.50.070 AND 2.50.080 REGARDING ATTENDANCE REQUIREMENTS FOR PARTICIPATION IN CITY BOARDS, COMMITTEES AND COMMISSIONS; AND FINDING THE ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER CEQA

**WHEREAS**, the Lincoln Municipal Code establishes several committees, boards and commissions that serve in an advisory capacity to the City Council, including the Airport Committee, Economic Development Committee, Library Board, Parks & Recreation Committee, Planning Commission, Financial Investments and Oversight Committee, and Accessibility Advisory Committee; and

**WHEREAS**, appointments to these committees, boards and commissions are made following a publicly advertised application process, interviews, and appointments by the Mayor with City Council approval; and

**WHEREAS**, the work of these committees, boards and commissions is important, and their contributions and insights to the Council valuable; and

**WHEREAS**, staff expends significant time and resources preparing meeting materials and staff reports, agendas, and staffing these meetings with relevant departments, including Department heads and managers, the City Attorney, City Manager, Clerk, and Information Technology; and

**WHEREAS**, when a meeting of a board, committee or commission fails to draw a quorum, no action may be taken on the agenda, which is particularly problematic if regular meetings of the advisory body occur only bi-monthly or quarterly; and

**WHEREAS**, the current attendance requirement for the City's committees, commissions and boards provides that a member is deemed removed following three consecutive absences without cause; and

**WHEREAS**, it is the desire of the Council to encourage stronger attendance and foster more efficiency amongst its advisory bodies.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LINCOLN** does ordain as follows:

**Section 1. Incorporation of Recitals.** The City Council hereby incorporates by reference the recitals set forth above.

**Section 2. CEQA Analysis.** This Ordinance is not subject to the California Environmental Quality Act ("CEQA"), as codified at Public Resources Code §§ 21000, et seq., and as further governed by 14 California Code of Regulations §§ 15000, et seq., because it is not a project as contemplated by 14 C.C.R. § 15378. Even if this Ordinance were subject to CEQA, the City Council finds this Ordinance exempt from the requirements of CEQA pursuant to 14 C.C.R. § 15061(b)(3), because there is no possibility it will have a significant effect on the environment.

**Section 3. Severability.** If any section, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, sub-section, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

**Section 4. Publication.** Within fifteen days of passage of this Ordinance, the City Clerk shall cause the full text of the Ordinance, with the names of those City Councilmembers voting for and against the Ordinance, to be published in the Lincoln News Messenger. In lieu of publishing the full text of the Ordinance, the City Clerk, if so directed by the City Attorney and within fifteen days, shall cause a summary of the Ordinance, prepared by the City Attorney and with the names of the City Councilmembers voting for and against the Ordinance, to be published in the Lincoln News Messenger, and shall post in the office of the City Clerk a certified copy of the City Councilmembers voting for and against the Ordinance. The publication of a summary of the Ordinance in lieu of the full text of the Ordinance is authorized only where the requirements of Government Code § 36933(c)(1) are met.

**Section 5. Amendment.** Lincoln Municipal Code Section 2.50.070 is hereby amended as follows:

**2.50.070 - Absence from meetings without cause.**

If a member of any committee, commission, or board is absent from ~~three successive~~ twenty-five percent or more of regular meetings of the committee, commission, or board without cause during the previous twelve months, the office of such member shall be deemed vacant and the secretary of the committee, commission, or board shall immediately inform the city manager of such termination.

**Section 6. Amendment.** Lincoln Municipal Code Section 2.50.080 is hereby amended as follows:

**2.50.080 - Absence from meetings with cause.**

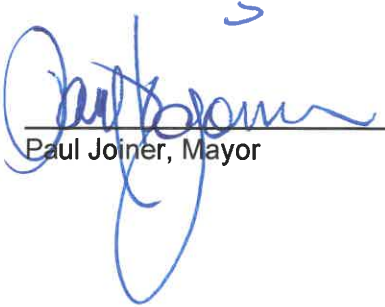
An absence due to illness or an unavoidable absence from the city where written notice of the absence is given to the secretary of the committee, commission, or board on or before the day ~~of~~ any ~~regular~~ meeting of the committee, commission, or board shall be deemed absence for cause.

**INTRODUCED** at a regular meeting of the City Council of the City of Lincoln held on January 10, 2023.

AYES: COUNCILMEMBERS: Karleskint, Brown, Andreatta, Joiner

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS: Lauritsen



Paul Joiner, Mayor

ATTEST:  
  
Gwen Scanlon, City Clerk