

**ORDINANCE NO. 97-121**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING THE CALABASAS MUNICIPAL CODE, TITLE 2, ADMINISTRATION AND PERSONNEL BY ADDING THERETO CHAPTER 2.38 ENTITLED COMMUNICATIONS AND TECHNOLOGY COMMISSION.**

**WHEREAS**, the City Council desires to create a Communications and Technology Commission; and

**WHEREAS**, the Communications and Technology Commission shall advise the City Council on matters pertaining to cable television, wireless and other topics within the subject of communication and technology.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**Section 1. TITLE**

This Ordinance shall be known as "Amending Title 2, Administration and Personnel, of the Calabasas Municipal Code by adding Chapter 2.38 Communications and Technology Commission" Ordinance.

**Section 2. AMENDMENT TO TITLE 2, ADMINISTRATION AND PERSONNEL:**

Title 2, Administration and Personnel, of the Calabasas Municipal Code, is hereby amended by adding the following Chapter thereto:

**"Chapter 2.38"**

**COMMUNICATIONS AND TECHNOLOGY COMMISSION**

**Sections:**

- 2.38.010 Creation.**
- 2.38.020 Membership.**
- 2.38.030 Organization.**
- 2.38.040 Duties.**
- 2.38.050 Regular Meetings.**
- 2.38.060 Absence from Meetings.**
- 2.38.070 Records.**
- 2.38.080 Reimbursement for Expenses.**

### **2.38.010 Creation of Communications and Technology Commission**

The City Council hereby recognizes and directs the establishing of the Calabasas Communications and Technology Commission.

### **2.38.020 Membership**

A. The Communications and Technology Commission shall consist of five (5) members who shall be residents of the city and electors during their respective terms of office. Commission members shall be appointed by a majority vote of the entire city council. Each commission member shall be selected for their familiarity with the issues, interests, and needs of the community regarding technical aspects of cable television, performing arts, business, media or communications technology. Any member of the commission may be removed from office with or without cause by a majority vote of the entire city council.

B. Of the members of the commission first appointed hereunder, three appointments to the commission shall be made for an initial one (1) year term, and two appointments shall be made for a two (2) year term, length of initial terms to be determined by lot.

C. Following the initial appointments, all terms of office shall run for a period of two (2) years. The terms of office for each commission member shall continue to and include March 31 of the year in which the term shall expire, and thereafter until a successor for the commission member whose term is expiring has been appointed.

D. If a vacancy shall occur other than by expiration of a term, such vacancy shall be filled by the City Council by appointment for the unexpired portion of the term.

### **2.38.030 Organization.**

A. The Communications and Technology Commission shall elect a chair and vice-chair from among its members, each for a term of one year, at its regular meeting in April of each year. No officer shall serve more than two (2) successive terms. The chair and vice-chair shall have charge of administering the affairs of the commission, subject to the direction and policies of the City Council.

B. The commission may also appoint such other officers as may be necessary for the administration of its business, at the same time and for like terms.

C. The commission may appoint committees from its membership and appoint advisory committees from other interested public and private groups.

D. The commission shall adopt rules and regulations for the transactions of its business. The commission is subject to the "Ralph M. Brown Act", Section 54950, et seq. of the Government Code.

E. The City Channel Operations/Program Manager, or a designee, shall serve as

the Secretary of the Communications and Technology Commission.

**2.38.040 Duties.**

The purpose of the commission is to advise the City Council on matters related to the City's cable television franchises and communication technology. The commission will be responsible for recommendations to the City Council on the following:

- A. Monitor the performance of cable franchises with respect to technical quality of signals; service performance and customer complaints.
- B. Provide input on any changes to the accepted regulatory conditions requested by cable franchises.
- C. Monitor the progress of all State and Federal legislation regarding communications and television matters, provide representation at pertinent meetings and recommend a position to the City Council.
- D. Any changes during the life of the franchises seen as desirable or required.
- E. Terms and conditions for renewal of franchises.
- F. Various issues involved with the changing field of communication technology.
- G. Provide input on programming and production for CTV, the Calabasas Channel.
- H. Provide input on the content of the City's web-site.
- I. At the request of the City Council, the commission shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.

**2.38.050 Regular meetings.**

Regular meetings shall be held at least once a month, as necessary, and shall be open to the public. Meeting dates may change by a majority vote of the commission. Regular meetings may be adjourned by public announcement to a specified date, and any such adjourned meeting shall be deemed a regular meeting.

**2.38.060 Absence from meetings.**

Notwithstanding any other provisions of this Code, any commission member who absents himself/herself from any three (3) regular meetings of the commission, unless excused from attendance by consent of the commission expressed by action recorded in its minutes, shall thereby automatically forfeit his or her position as a member of the commission. In such cases, the name of such commission member shall be automatically removed from the membership of the commission immediately after the adjournment of any such third consecutive meeting at which the commission member has not appeared. The

chair or vice-chair of the commission shall thereupon promptly notify the city council and any such person so ceasing to be a commission member, of the fact of such vacancy.

**2.38.070 Records.**

The Communications and Technology Commission shall cause proper records to be kept of its minutes, actions, findings and determinations. Said records shall be forwarded to the city clerk for filing and they shall be public records.

**2.38.080 Reimbursement for Expenses.**

The commission members shall serve without compensation, but shall receive reimbursement for actual and necessary expenses incurred in connection with the performance of their duties. No expenses of any kind shall be incurred by the Communications and Technology Commission, or members thereof, unless first authorized and approved by the city council."

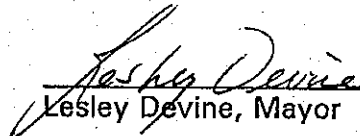
**Section 3. SEVERABILITY**

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, words of this Ordinance shall remain in full force and effect.


**Section 4. CERTIFICATION**

The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be processed in the manner required by law.

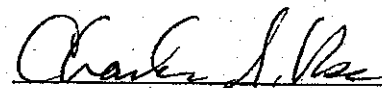
**PASSED, APPROVED AND ADOPTED** this 3rd day of September, 1997.

  
Lesley Devine, Mayor

ATTEST:

  
Robin Parker, CMC, City Clerk

APPROVED AS TO FORM:

  
Charles Vose, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF CALABASAS )


I, **ROBIN PARKER**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 97-121** was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held September 3, 1997, and that it was adopted by the following vote, to wit:

AYES: Mayor Devine, Mayor pro Tem Bozajian, Councilmembers Hill, Sibilis, Washburn.

NOES: None.

ABSTAIN: None.

ABSENT: None.



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Robin Parker, CMC, City Clerk  
City of Calabasas, California