

ORDINANCE NO. 3404

AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, AMENDING CHAPTERS 2.35 AND 2.37 AND REPEALING CHAPTER 2.58 OF THE CORONA MUNICIPAL CODE TO MERGE THE PLANNING COMMISSION AND HOUSING COMMISSION INTO ONE COMMISSION AND TO ESTABLISH TERM LIMITS FOR HOUSING AUTHORITY TENANTS IF THEY ARE EVER REQUIRED BY LAW TO BE APPOINTED AS ADDITIONAL COMMISSIONERS AND REPEALING RESOLUTION NO. 2012-024

WHEREAS, Article XI, § 7 of the California Constitution authorizes cities to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, Corona Municipal Code (“CMC”) Chapter 2.37 established the Planning Commission to serve as the planning agency for the City of Corona (“City”) pursuant to Government Code section 65100; and

WHEREAS, pursuant to Resolution No. 2011-009, the City Council established the City of Corona Housing Authority (“Housing Authority”) for the purpose of engaging in activities to execute and implement affordable housing pursuant to the provisions of the Housing Authorities Law, codified at Health and Safety Code section 34200 et seq. and declared itself to be the Housing Authority board of commissioners; and

WHEREAS, pursuant to Health and Safety Code section 34290, if the City Council declares itself to be the Housing Authority's board of commissioners and if the Housing Authority has tenants the City Council must also appoint two of the Housing Authority's tenants to serve as members of the Housing Authority board; and

WHEREAS, alternatively, pursuant to Health and Safety Code section 34290, the City Council can create a housing commission by ordinance pursuant to Health and Safety Code section 34291 to review and make recommendations to the Housing Authority and appoint tenant commissioners to serve on the housing commission; and

WHEREAS, Health and Safety Code section 34272 provides that commissioners may be officers or employees of the City, or members, commissioners, or employees of any other agency created for the community, provided such officers or employees do not exercise powers or duties that may conflict with the exercise of the independent judgment required to carry out the Housing Authority purposes; and

WHEREAS, as authorized by Health and Safety Code section 34290, the City Council enacted CMC Chapter 2.58 to establish the Housing Commission, for the purpose of reviewing and making recommendations to the Housing Authority on all matters to come before the Housing Authority; and

WHEREAS, pursuant to CMC Section 2.58.030, the members of the Housing Commission consist of the members of the Planning Commission established pursuant to Chapter 2.37, along with two additional members to be appointed by the City Council if the Housing Authority has tenants (“Tenant Commissioners”); and

WHEREAS, since the Housing Authority does not currently have any tenants, there are no current Tenant Commissioners, and they will be appointed at such time that the Housing Authority has tenants; and

WHEREAS, the City Council desires to amend and update CMC Chapter 2.37 to merge the Planning Commission and the Housing Commission into one commission, to repeal CMC Chapter 2.58 and to amend CMC Chapter 2.35 to establish term limits for the Tenant Commissioners; and

WHEREAS, on March 21, 2012, the City Council adopted Resolution No. 2012-024 approving bylaws for the Housing Commission, which includes rules and procedures for the conduct of its meetings; and

WHEREAS, CMC Section 2.37.035, as amended by this Ordinance, authorizes the Planning and Housing Commission to adopt, by resolution, rules, procedures and standards for the conduct of its meetings; and

WHEREAS, the City Council desires to repeal Resolution No. 2012-024 because the resolution adopted pursuant to CMC Section 2.37.035 will now govern the rules and procedures for the conduct of the Planning and Housing Commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

SECTION 2. CEQA Findings. This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action merely amends and updates language in the Corona Municipal Code to merge two

commissions, and there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required.

SECTION 3. Amendments to Chapter 2.35. Sections 2.35.010 (Limits on Successive Terms) and 2.35.015 (Terms Concurrent with Councilmembers) of Chapter 2.35 (Term Limits for Officials Appointed to Certain City Boards and Commissions) of Title 2 (Administration and Personnel) of the Corona Municipal Code is hereby amended in their entirety to read as follows:

“2.35.010 Limits on successive terms.

(A) **Four-year terms.** Subject to the terms of this chapter, persons appointed to the following boards and commissions shall serve no more than three successive terms on the same board or commission (12 consecutive years maximum): (1) Park and Recreation Commission; (2) Planning and Housing Commission; and (3) any other standing board, commission or committee formally created by the City Council and expressly made subject to this chapter.

(B) **Three-year terms.** Subject to the terms of this chapter, persons appointed to the Library Board of Trustees shall serve no more than four successive terms on the same board (12 consecutive years maximum).

(C) **Two-year terms.** Subject to the terms of this chapter, persons appointed to the Planning and Housing Commission pursuant to Section 2.37.020(C) shall serve no more than six successive terms on the same commission (12 consecutive years maximum).

2.35.015 Terms concurrent with Councilmembers.

Subject to the City Council's ability to remove appointees pursuant to applicable provisions of this code and except for persons appointed to the Planning and Housing Commission pursuant to Section 2.37.020(C) who are appointed by majority vote of the City Council, appointees under this chapter shall serve terms concurrently with the City Councilmembers selecting them for appointment by the City Council. However, appointees to the Library Board of Trustees shall serve three-year terms as required pursuant to California Education Code § 18911 and Corona Municipal Code § 2.48.040.”

SECTION 4. Exhibit “A” - Amendments to Chapter 2.37. Chapter 2.37 (Planning Commission) of Title 2 (Administration and Personnel) of the Corona Municipal Code is hereby amended in its entirety to read as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 5. Repeal of Chapter 2.58. Chapter 2.58 (Housing Commission) of Title 2 (Administration and Personnel) of the Corona Municipal Code is hereby repealed in its entirety.

SECTION 6. Repeal of Resolution No. 2012-024. Resolution No. 2012-024 is hereby repealed.

SECTION 76. Severability. If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 87. Conflicting Ordinances. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 98. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a genal circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force on the 30th day after its adoption.

PASSED, APPROVED AND ADOPTED this 16th day of October 2024.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held on the 2nd day of October 2024, and thereafter at a regular meeting held on the 16th day of October 2024, it was duly passed and adopted by the following vote of the City Council:

AYES:
NOES:
ABSTAINED:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 16th day of October 2024.

City Clerk of the City of Corona, California

(SEAL)

EXHIBIT “A”

CHAPTER 2.37 PLANNING AND HOUSING COMMISSION

Sections

- 2.37.010 Establishment.
- 2.37.020 Members - Qualifications.
- 2.37.030 Terms of office.
- 2.37.035 Organization.
- 2.37.040 Stipend.
- 2.37.050 Prior acts legalized.
- 2.37.060 Power and duties.
- 2.37.070 Code references.

2.37.010 Establishment.

Pursuant to the provisions of the California Government Code and the Health and Safety Code, there is established a Planning and Housing Commission for the City of Corona.

2.37.020 Members - Qualifications.

- (A) Planning and Housing Commissioners shall be residents of the city.
- (B) Subject to subsection (C) below, the Planning and Housing Commission shall consist of five members selected by City Councilmembers pursuant to state and local law.

(C) At such time that the Housing Authority has tenants, two additional members shall be appointed to the Planning and Housing Commission by majority vote of the City Council. The members appointed pursuant to this subsection shall be tenants of the Housing Authority and one of the members shall be over 62 years of age if the Housing Authority has tenants over that age. The powers and duties of the members appointed pursuant to this subsection shall be limited to those specified in Section 2.37.070(B). If a member appointed pursuant to this subsection ceases to be a tenant of the Housing Authority, the member shall be disqualified to serve as a member of the Planning and Housing Commission and another tenant of the Housing Authority shall be appointed to fill the member’s unexpired term.

2.37.030 Terms of office.

(A) Except as provided in subsection (B) below and subject to the provisions of Chapter 2.35, Planning and Housing Commissioners shall be appointed for a term of four years and until a successor is appointed and qualified.

(B) Subject to the provisions of Chapter 2.35, the members of the Planning and Housing Commission appointed pursuant to Section 2.37.020(C) shall be appointed for a term of two years and until a successor is appointed and qualified.

(C) The City Council may by majority vote to remove any member at any time without cause.

(D) The office of any member of the Planning and Housing Commission shall be declared vacant pursuant to Section 2.12.010 of this code.

2.37.035 Organization.

The Planning and Housing Commission shall meet at least once a year, or more frequently as the workload requires for the transaction of its business. The Planning and Housing Commission shall elect a Chair annually, shall elect a Vice-Chair to preside in the absence of the Chair, and shall adopt by resolution the rules, procedures and standards for the conduct of its meetings.

2.37.040 Stipend.

Each member of the Planning and Housing Commission shall receive \$50 for each regular meeting attended, not to exceed \$100 per month.

2.37.050 Prior acts legalized.

All acts and proceedings of the Planning and Housing Commission established and functioning pursuant to the terms of prior ordinances and code sections and all acts and proceedings of the members thereof while acting as Planning and Housing Commissioners until the effective date of this chapter are legalized, ratified, conformed and validated to all intents and purposes.

2.37.060 Powers and duties

(A) The Planning and Housing Commission shall have all the powers and duties necessary to enable it to perform the functions of the planning agency as provided in California Government Code §65100 *et seq.*, other state statutes and local ordinances.

(B) The Planning and Housing Commission shall serve in an advisory capacity to the Housing Authority for the city and shall review and make recommendations on matters to come before the Housing Authority, except emergency matters and matters that the Planning and Housing Commission excludes from its review by resolution.

2.37.070 Code references.

All references in this code to Planning Commission shall mean the Planning and Housing Commission established by this chapter.