



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814 5

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Meeting Date: 6/21/2011

Report Type: Consent

Title: Ordinance: Repeal Chapter 2.54 of the Sacramento City Code, relating to the Small Business Development and Employment Advisory Board [2/3 Vote Required]

Report ID: 2011-00593

Location: Citywide

Recommendation: Adopt an emergency Ordinance repealing Chapter 2.54 of the Sacramento City Code, relating to the Small Business Development and Employment Advisory Board (SBDEA), to be effective upon the passage of the City Budget which proposes the elimination of the SBDEA. (Six Votes Required)

Contact: James R. Rinehart, (916) 808-5054, Economic Development Department

Presenter: None

Department: Economic Development Dept

Division: Citywide Development

Dept ID: 18001031

Attachments:

1-Description/Analysis

2 - Ordinance Repealing Chapter 2.54

City Attorney Review

Approved as to Form

Jerry Hicks

6/15/2011 8:47:32 AM

Approvals/Acknowledgements

Department Director or Designee: Jim Rinehart - 6/13/2011 4:08:22 PM

Assistant City Manager: John Dangberg - 6/14/2011 5:37:10 PM



Description/Analysis

Issue: The Economic Development Department budget for Fiscal Year 2011/2012 (Budget) proposes the elimination of the Small Business Development and Employment Advisory Board (SBDEA) and its associated funding. Chapter 2.54 of the Sacramento City Code requires that one member of the Board be a current city department or division manager and that City Manager's office provide staff services by one or more city employees on a monthly basis. Unless this ordinance is enacted as an emergency ordinance, the Board will continue in existence with the attendant staffing requirement and the absence of funding to pay for this requirement.

Policy Considerations: If the City Council adopts the Budget as it is currently proposed, the funding for SBDEA staffing will be eliminated, therefore, Chapter 2.54 of the Sacramento City Code must be repealed.

Environmental Considerations: None

Sustainability: None

Commission/Committee Action: The City Manager's office deemed this matter urgent, therefore Law and Legislation did not review this item.

Rationale for Recommendation: Chapter 2.54 of the Sacramento City Code must be repealed if the City adopts the Budget as it is currently proposed. If this ordinance is not enacted as an emergency ordinance, the Board will continue in existence with the attendant staffing requirement and the absence of funding to pay for this requirement.

Financial Considerations: The City's Budget proposes for the elimination of the SBDEA and the associated budget, saving the City general fund approximately \$40,000 per year.

Emerging Small Business Development (ESBD): None



ORDINANCE NO. 2011-

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE REPEALING CHAPTER 2.54 OF THE SACRAMENTO CITY CODE, RELATING TO THE SMALL BUSINESS DEVELOPMENT AND EMPLOYMENT ADVISORY BOARD AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. Findings

The City Council finds and determines that:

The Fiscal Year 2011/2012 Budget eliminates the Small Business Development and Employment Advisory Board and its funding. Sacramento City Code Chapter 2.54 requires that that one member of the Board be a current city department or division manager and that the City Manager staff the Board on a monthly basis. Unless this ordinance is enacted as an emergency ordinance, the Board will continue in existence with the attendant staffing requirement and the absence of funding to pay for this requirement.

SECTION 2.

Chapter 2.54 of the Sacramento City Code is repealed.

SECTION 3. Declaration of Emergency

Pursuant to Section 32(g)(2) of the City Charter, this ordinance shall be enacted as an emergency ordinance to take effect upon the passage of the City Budget which proposes the elimination of the SBDEA. The facts constituting the emergency are set forth in Section 1 of this ordinance.

Adopted by the City of Sacramento City Council on _____ by the following vote:

Ayes:

Noes:

Abstain:

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Absent:

MAYOR

Attest:

City Clerk

Passed for Publication:

Published:

Effective:

CURRENT CITY CODE BEING REPEALED

Chapter 2.54

Chapter 2.54 THE SMALL BUSINESS DEVELOPMENT AND EMPLOYMENT ADVISORY BOARD

2.54.010 Establishment of board.

The city of Sacramento small business development and employment advisory board is established. (Ord. 2000-040 § 1 (part))

2.54.020 Definitions.

As used in this chapter, the following words and phrases shall have the meaning given to them in this section unless the context clearly requires otherwise:

“Board” means the city of Sacramento small business development and employment advisory board.

“City” means the city of Sacramento.

“City council” means the city council of the city of Sacramento.

“Mayor” means the mayor of the city of Sacramento. (Ord. 2000-040 § 1 (part))

2.54.030 Purposes and functions of board.

The board is established to accomplish the following objectives:

A. To provide advisory recommendations to the mayor and city council on strategies and policies designed to assure equitable and nondiscriminatory practices in the areas of city employment, contracting and purchasing.

B. To monitor goals established by the city council relating to equal opportunity in the city’s employment, contracting and procurement activities, and to small business development in the city’s contracting and procurement activities.

C. To increase awareness among city departments, vendors, contractors, and the general community, and to provide a forum for public discussion, of the city’s efforts to obtain diversity and inclusiveness in the areas of city employment, contracting and procurement activities. (Ord. 2000-040 § 1 (part))

2.54.040 Powers and duties of board.

The powers and duties of the board shall be as follows:

A. To recommend to the mayor and the city council, and to the personnel and public

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employee committee, programs, practices and strategies relating to the objectives set forth in Section 2.54.030.

B. To review the achievements of the city's efforts to obtain equal opportunity in city employment for all citizens and to provide an annual report to the mayor and city council containing comments and recommendations.

C. To review the achievements of the city's emerging and small business development program and to provide an annual report to the mayor and city council containing comments and recommendations.

D. To recommend to the mayor and the city council educational and other activities that prevent and discourage discrimination and foster fair and equitable treatment in the areas of city employment, contracting and purchasing.

E. To perform such other duties as the city council shall direct. (Ord. 2000-040 § 1 (part))

2.54.050 Board membership.

The board shall be comprised of eleven (11) members appointed by the mayor with approval by a majority of the city council, subject to the following requirements:

A. Four of the members shall represent the small business sector and/or possess substantial knowledge and experience concerning the operation of small businesses in the Sacramento area.

B. Four of the members shall be actively involved in employment issues and/or possess substantial knowledge and experience concerning employment issues, including equal employment opportunity, in the Sacramento area.

C. One member shall be a person who resides in the city.

D. One member shall be a person between the ages of sixteen (16) and twenty (20) who resides in the city.

E. One member shall be a current city department or division manager recommended for appointment by the Sacramento city manager. (Ord. 2000-040 § 1 (part))

2.54.060 Term of office.

Members of the board shall serve a term of two years, except for the member appointed pursuant to Section 2.54.050(E), who shall serve a term of one year. In order to establish staggered terms, the initial appointments of each member, other than the member appointed pursuant

to Section 2.54.050(E), may vary between one and three year terms as decided by the mayor with approval of a majority of the city council. No member shall serve for more than two consecutive terms. In the event a vacancy occurs during the term of any member, the mayor shall appoint, with the approval of a majority of the city council, a successor to serve the unexpired term, subject to the requirements set forth in Section 2.54.050. A member shall hold office until his or her successor has been appointed. A successor appointed to complete an unexpired term because of a vacancy shall be eligible to serve up to two consecutive terms in addition to the unexpired term. (Ord. 2000-040 § 1 (part))

2.54.070 Organization and procedures of the board.

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At its first meeting, and annually thereafter, the board shall elect a board chairperson and a vice chairperson, who each shall hold office at the pleasure of the board. When there is a vacancy in the office of chairperson or vice chairperson, the board shall fill the office from among its members. The board may adopt rules and procedures for the conduct of its business and may do any other thing necessary or proper to carry out its functions, which may include the formation of one or more committees. Staff services to the board shall be provided by one or more city employees designated by the Sacramento city manager or his or her authorized representative. (Ord. 2000-040 § 1 (part))

2.54.080 Board meetings.

The board shall establish a time and place for regular meetings to be held not less than once each month, which shall be noticed and held in accordance with the provisions of the Ralph M. Brown Act, Government Code Section 54950 et seq. The board shall have the authority to notice and hold special meetings in the manner specified by the Ralph M. Brown Act. (Ord. 2000-040 § 1 (part))

2.54.090 Quorum—Voting.

A quorum shall be required for the board to take any action. A quorum shall be at least six members present who have not been required to abstain due to a conflict of interest. The affirmative vote of a majority of the quorum shall be necessary to approve any item. (Ord. 2000-040 § 1 (part))

2.54.110 General requirements.

Unless specifically provided otherwise in this chapter, the general requirements set forth in Chapter 2.40 of this code, governing the appointment of city board members, attendance at city board meetings, voting, term limits and removal, shall apply to the board. (Ord. 2000-040 § 1 (part))

2.54.120 Conflict of interest—Statements of economic interests.

The provisions of Article III of Chapter 2.16 of this code governing conflicts of interest on city boards shall apply to members of the board. In addition, all appointees to the board shall be required to file statements of economic interests pursuant to a conflict of interest code, which shall be adopted for the board. (Ord. 2000-040 § 1 (part))