

REPORT TO CITY COUNCIL

DATE: OCTOBER 9, 2013

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: RAMIRO ADEVA, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

SUBJECT: INTRODUCTION AND FIRST READING OF ORDINANCE NO. 13-402, AMENDING TITLE 15 OF THE LOS ANGELES COUNTY CODE, AS ADOPTED BY REFERENCE, AND CHAPTER 2 OF ARTICLE III OF THE AGOURA HILLS MUNICIPAL CODE

On April 1, 1983, the City adopted Title 15 of the Los Angeles County Traffic Code, by reference, to serve as the City's traffic ordinance. A traffic code, generally, refers to the collection of local regulations and ordinances that have been officially adopted to govern the orderly operation and interaction of motor vehicles, bicycles, and pedestrians upon the public roads. In addition, it includes provisions relating to the establishment of authority and enforcement procedures, statement of rules of the road, and other safety provisions.

Throughout the Traffic Code, certain levels of authority and responsibilities are assigned to the County's "Commissioner" as it relates to those safety and enforcement procedures. Furthermore, the Los Angeles County Code Section 15.08.70 defines "Commissioner" as the Road Commissioner for the County of Los Angeles.

Because the City, technically, does not have a designated Road Commissioner, staff is recommending amending the definition to read as follows: "Commissioner" means the City Manager of the City of Agoura Hills or his or her designee." It should be noted, the change in definition only clarifies the designated authority at the city level, and does not alter any regulations currently in place.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Introduce, read by title only, and waive further reading of Ordinance No. 13-402; amending Title 15 of the Los Angeles County Code, as adopted by reference, and Chapter 2 of Article III of the Agoura Hills Municipal Code, and
2. Set a Public Hearing for Ordinance No. 13-402 for October 23, 2013.

Attachment: Ordinance No. 13-402

ORDINANCE NO. 13-402

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING TITLE 15 (VEHICLES AND TRAFFIC) OF THE LOS ANGELES COUNTY CODE, AS ADOPTED BY REFERENCE, AMENDING THE DEFINITION OF COMMISSIONER AND AMENDING CHAPTER 2 OF ARTICLE III OF THE AGOURA HILLS MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Intent.

- A. The City of Agoura Hills previously adopted, by reference, Title 15 (Vehicles and Traffic), Division 1 (Traffic Code) of the Los Angeles County Code, as the Traffic Ordinance of the City of Agoura Hills.
- B. The City of Agoura Hills desires to amend the Traffic Code to amend the definition of the term "Commissioner."
- C. California Government Code Section 50022.2, *et seq.*, authorizes the adoption by reference of County Codes and also authorizes amendments to previously adopted County Codes to be adopted in the same manner as adoption by reference.
- D. A duly noticed public hearing, as required by California Government Code Section 50022.3, has been conducted and concluded prior to the adoption of this Ordinance.
- E. At least one (1) copy of Title 15 of the Los Angeles County Code, certified as full, true and correct, has been filed in the office of the City Clerk of the City of Agoura Hills in accordance with the provisions of California Government Code Section 50022.6.
- F. All legal prerequisites to the adoption of this Ordinance have occurred.

Section 2. Section 3204 (Amendments to county traffic code) of Chapter 2 (Traffic Regulations) of Article III (Public Safety) of the Agoura Hills Municipal Code is hereby further amended by adding the following paragraph, amending Section 15.08.070 (Commissioner) of Chapter 15.08 (Definitions) of Division 1 (Traffic Code) of Title 15 (Vehicles and Traffic) of the Los Angeles County Code, as amended and in effect on April 1, 1983, to read as follows:

"Notwithstanding the provisions of section 3200, Chapter 15.08 of Division 1 of Title 15 of the Los Angeles County Code is hereby amended by amending Section 15.08.070 to read:

Section 15.08.070 Commissioner.

‘Commissioner’ means the City Manager of the City of Agoura Hills, or his or her designee.”

Section 3. CEQA. The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption and implementation of this Ordinance may have a significant effect on the environment, because this Ordinance simply makes administrative changes regarding the person(s) who will administer provisions of the City’s traffic regulations, and will, therefore, result in no significant impact whatsoever on the environment. Therefore, the City Council hereby finds that this Ordinance is exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

Section 4. Severability. If any section, subsection, 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 this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 5. Certification and Posting. The City Clerk of the City of Agoura Hills shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law. This Ordinance shall go into effect on the 31st day after its adoption.

PASSED, APPROVED, AND ADOPTED this 23rd day of October, 2013, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

CITY OF AGOURA HILLS:

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney