

ORDINANCE NO. 6175

AN ORDINANCE OF THE CITY OF ANAHEIM REPEALING SECTION 1.04.995 OF CHAPTER 1.04 OF TITLE 1 RELATING TO THE INVESTMENT ADVISORY COMMISSION AND SECTION 1.04.997 OF CHAPTER 1.04 OF TITLE 1 RELATING TO THE BUDGET ADVISORY COMMISSION AND ADDING A NEW SECTION 1.04.996 OF CHAPTER 1.04 OF TITLE 1 OF THE ANAHEIM MUNICIPAL CODE RELATING TO THE ESTABLISHMENT OF THE BUDGET, INVESTMENT AND TECHNOLOGY COMMISSION

THE CITY COUNCIL OF THE CITY OF ANAHEIM HEREBY ORDAINS

AS FOLLOWS:

SECTION 1.

That Section 1.04.995 of Title 1 of the Anaheim Municipal Code be, and the same is hereby, repealed in its entirety, and that the Investment Advisory Commission is hereby dissolved.

SECTION 2.

That Section 1.04.997 of Title 1 of the Anaheim Municipal Code be, and the same is hereby, repealed in its entirety, and that the Budget Advisory Commission is hereby dissolved.

SECTION 3.

That a new Section 1.04.996 of Chapter 1.04 of Title 1 of the Anaheim Municipal Code be, and the same is hereby, added to read as follows:

1.04.996 BUDGET, INVESTMENT AND TECHNOLOGY COMMISSION.

.010 Establishment. The Budget, Investment and Technology Commission is hereby established pursuant to Section 900 of the Charter of the City of Anaheim.

.020 Membership.

.0201 For the year ending June 30, 2011, the Commission shall consist of eleven (11) members, and shall include those persons who were members of the Investment Advisory Commission as of the effective date of the dissolution of such Investment Advisory Commission and all persons who were members of the Budget Advisory Commission as of the effective date of the dissolution of such Budget Advisory Commission (hereinafter the "Transferred Members"). The

remaining member(s) of the Commission shall be appointed in accordance with Section 1.04.995.030. Thereafter, commencing July 1, 2011, the Commission membership shall be reduced to nine (9) members.

.0202 No member of the Commission shall hold any paid office or employment in the City government and each of whom shall reside or work within the City of Anaheim. The members shall also meet and retain certain qualifications, if any, as may be established by resolution of the City Council. No member shall be financially interested in any contract, or otherwise conduct any business with, the City or any of its agencies, either on an individual basis or as a partner, shareholder, member or employee of any firm.

.030 Appointment and Removal. The members of the Commission shall be appointed by the affirmative votes of a majority of the entire City Council and shall be subject to removal at any time by motion of the City Council adopted by the affirmative votes of a majority of the entire City Council.

.040 Term of Office.

.0401 The appointed members shall serve terms of four (4) years, or until their respective successors are appointed. However, the initial Commission appointees shall serve the terms specifically expiring as follows:

Five (5) on the thirtieth day of June of the first year following appointment.

Two (2) on the thirtieth day of June of the second year following appointment.

Two (2) on the thirtieth day of June of the third year following appointment.

Two (2) on the thirtieth day of June of the fourth year following appointment.

.0402 In order to reduce the Commission membership in accordance with Section 1.04.995.0201, only three of the five vacancies occurring on the thirtieth day of June of the first year following appointment shall be filled.

.0403 For purposes of complying with Section 1.04.395 relating to limitations on City board and commission service, the terms served by the Transferred Members on either the Investment Advisory Board or the Budget Advisory Board as of the effective date of the ordinance enacting this new

Chapter 1.04.995 shall be considered a term on this Commission as of the effective date of this new Chapter.

.050 Vacancies. Any vacancy occurring before the expiration of the term of a Commission member shall be filled by appointment by the City Council for the remainder of such term.

.060 Organization, Meetings and Procedures.

.0601 Annually, at its first regular meeting following the first day of July in each year, the Commission shall elect a Chair and Vice-Chair and conduct such other business as may be necessary.

.0602 The Commission shall meet regularly at least once each quarter and shall hold such other meetings as from time to time shall be called in the manner and form required by law. Meetings shall be conducted in accordance with Section 904 of the Anaheim City Charter. Regular meeting dates and times shall be established by the Commission. A majority of the total number of members of the Commission then in office shall constitute a quorum.

.0603 The meetings and procedures of the Commission shall be subject to and governed by the resolutions and ordinances of the City Council establishing rules and regulations for City boards and commissions.

.0604 The Commission shall have the power to appoint subcommittees of less than a quorum of the Commission to perform tasks within the scope of the Commission's responsibility and to make reports and recommendations for consideration by the Commission.

.070 Appropriations. The City Council shall include in its annual budget such appropriations of funds as, in its opinion, shall be sufficient for the efficient and proper functioning of the Commission.

.080 No Compensation. Members of the Commission shall serve without compensation.

.090 Powers and Duties. The Budget, Investment and Technology Commission is an advisory body to the City Council and, as such, shall have the following powers and duties:

.0901 Investment Policy

.01 Review the annual investment policy proposed by the City Treasurer and the monthly City Treasurer's report as submitted to the City

Council pursuant to Section 53607 of the Government Code; and review other investment reports, if any, prepared for submission to the City Council.

.02 Make recommendations to the City Council regarding said investment policy, monthly City Treasurer's reports, and other investment reports, if any, submitted to the City Council.

.03 Act in an advisory capacity to the City Council in matters pertaining to the investment of City funds and the funds of other agencies governed by the City Council and which funds are invested by the City Treasurer (including but not limited to funds of the Anaheim Redevelopment Agency, Anaheim Housing Authority, and Anaheim Public Financing Authority).

.04 Review and make recommendations on the City Treasurer's investment strategies and portfolio asset and maturity structure. Emphasis of the Commission shall be on overall investment activities incorporating cash flow, permitted investments and risk/return factors. The Commission shall function in a general oversight capacity and shall not make investment decisions on individual securities.

0902. Budget

.01 Review the annual budget proposed by the City Manager pursuant to Section 1201 of the City Charter.

.02 Hold public meetings concerning the proposed annual budget and make recommendations regarding said budget to the City Council in conjunction with, and prior to the conclusion of, the public hearing thereon required pursuant to Section 1202 of the City Charter.

.03 Act in an advisory capacity to the City Council in matters pertaining to short- and long-range financial planning and funding of City activities.

.04 Review the City's general fund, capital improvement program, and special funds budgets, including review of policies and procedures, time frames, format, and specific allocation proposals. Emphasis of the Commission shall be on programs and/or major expenditures, not on line item detail.

.05 Review proposals and make recommendations regarding new and increased revenue sources.

.06 Review proposals and make recommendations regarding service delivery alternatives.

.07 Explore alternative approaches for financing future capital improvement projects.

.08 It shall not be the purpose of the Commission to advise on regular or routine Treasury administration. It is intended that the Commission act in an advisory capacity to the City Council only and that the Commission not be vested with final authority in the establishment of investment strategies or the purchase of specific securities nor that it direct City staff to conduct costly analyses unless specifically directed and approved by the City Council.

.0903. Technology

.01 Act in an advisory capacity to the City Council in matters relating to the use of that information technology that will assist in the accomplishment of the City's goals and objectives.

.02 Partner with City leaders and key stakeholders, businesses and residents to identify long-term, strategic goals and objectives of City technology uses.

.03 Recommend technologies aimed at addressing the needs of a diverse cross-section of the City's residents, businesses and visitors.

.04 Review and maintain knowledge of current and future technology trends.

.0904 Perform such additional duties and functions as may be required from time to time by specific action and direction of the City Council.

.0905 Receive such administrative support, assistance and information from the City Manager, and/or such other appointed officers or employees of the City as directed by the City Manager, and/or such consultants, advisors or professionals as engaged by the City for such purpose, as may be directed by the City Council, or as may from time to time reasonably be requested by the Commission for purposes of performing the duties and functions specified herein; provided, however, any such requests must be consistent with the City Charter and all City ordinances, resolutions, contracts, policies and rules, including any limitations contained in the City Charter which are otherwise applicable to the City Council or its members.

SECTION 3. SEVERABILITY

The City Council of the City of Anaheim hereby declares that should any section, paragraph, sentence or word of this ordinance of the Code, hereby adopted, be declared for any reason to be invalid, it is the intent of the Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION 4. SAVINGS CLAUSE

Neither the adoption of this ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this ordinance, insofar as they are substantially the same as ordinance provisions previously adopted by the City relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

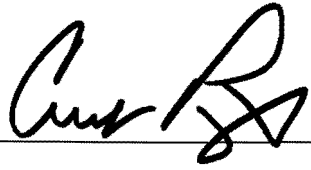
THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council of the City of Anaheim held on the 27th day of July, 2010, and thereafter passed and adopted at a regular meeting of said City Council held on the 24th day of August, 2010, by the following roll call vote:

AYE: Mayor Pringle, Council Members Sidhu, Hernandez, Galloway, Kring

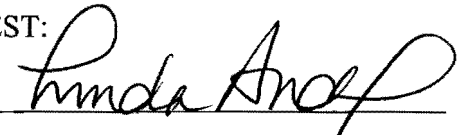
NO: NONE

ABSENT: NONE

ABSTAIN: NONE



MAYOR OF THE CITY OF ANAHEIM

ATTEST:


CITY CLERK OF THE CITY OF ANAHEIM