

**RESOLUTION NO. 2018-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, APPROVING THE IMPLEMENTATION OF AN AUTOMATED LICENSE PLATE READER SYSTEM**

**WHEREAS**, the City of Desert Hot Springs ("City") is a charter city and a political subdivision of the State of California; and

**WHEREAS**, the Desert Hot Springs Police Department ("Police") provides high visibility preventive patrol, enforcement of local, state and federal laws and ordinances, traffic enforcement, traffic collision investigation, and non-criminal requests for service; and

**WHEREAS**, the Police maintains an Automated License Plate Reader System Policy, which is posted on the City's website; and

**WHEREAS**, pursuant to California Civil Code Section 1798.90.55, the City Council has provided the public an opportunity to comment at a regularly scheduled public meeting and has considered all comments offered at said meeting regarding the proposed implementation of an Automated License Plate Reader System within the City's jurisdictional boundaries; and

**WHEREAS**, the City Council authorizes the Police to use the Automated License Plate Reader System and directs City staff to prepare and approve any necessary amendments to the current Police's contract to permit the Police to implement an Automated License Plate Reader System.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.                    RECITALS.**

That based upon and in consideration of staff reports, presentations, public comment, and such other matters presented to the City Council during the public comment period on this matter, the City Council finds and declares the foregoing recitals to be true and correct and incorporates the same as substantive findings herein.

**Section 2.                    AUTHORIZE USE OF ALPR.**

That City Council authorizes the Police to implement an Automated License Plate Reader System.

**Section 3.                    CONTRACT MODIFICATIONS.**

That the City Council directs City staff to prepare and approve any necessary amendments to the current Police's contract and authorize the City Manager or his or her designee to execute the same, as approved by the City Attorney.

**Section 4.                    SEVERABILITY.**

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution or Automated License Plate Reader System Policy 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 or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 5.                    EFFECTIVE DATE.**

That this Resolution shall take effect upon its adoption.

**Section 6.                    CERTIFICATION.**

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

**Section 7.                    REPEAL OF CONFLICTING PROVISIONS.**

That all provisions of any resolution in effect prior to the effective date of this Resolution as adopted by the City Council that are in conflict with the provisions of this Resolution, are hereby repealed.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the 17th of April, 2018, by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

[SIGNATURES FOLLOW ON THE NEXT PAGE]

**ATTEST:**

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Jerryl Soriano, City Clerk

**APPROVED:**

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Scott Matas, Mayor

**APPROVED AS TO FORM:**

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Jennifer Mizrahi, City Attorney