

RESOLUTION NO. 2019-004

A RESOLUTION OF THE OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS ADOPTING A POLICY FOR CITY COUNCILMEMBERS, INCLUDING THE MAYOR, PLACING ITEMS ON THE AGENDA

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

WHEREAS, the City Council has adopted a document titled "City of Desert Hot Springs City Council and Commissions Meeting Guidelines and Procedures" ("Meeting Guidelines and Procedures"); and

WHEREAS, the Meeting Guidelines and Procedures provides a skeletal outline of how items get placed on the agenda; and

WHEREAS, this Policy for City Councilmembers, Including the Mayor, Placing Items on the Agenda ("Subject Policy") is intended to set forth the procedures for placing items on the agenda and to provide clarity in this regard, notwithstanding the Meeting Guidelines and Procedures; and

WHEREAS, the Subject Policy will provide clear direction to staff as to when action items come before the City Council, as requested by the mayor or councilmembers; and

WHEREAS, this Subject Policy is for the betterment of the public health, safety and welfare inasmuch as it promotes a more transparent government.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS AS FOLLOWS:

Section 1. RECITALS.

That the recitals set forth above are true and correct.

Section 2. ADOPTION OF A POLICY FOR CITY COUNCILMEMBERS, INCLUDING THE MAYOR, PLACING ITEMS ON THE AGENDA

Solely with respect to placing future items on the agenda by councilmembers or the mayor, the city manager is authorized and directed to do so as follows:

- (1) by direction of the mayor;
- (2) by direction of two city councilmembers

Councilmembers wishing to place items on a future agenda shall submit requests to the city manager at least ten (10) days before the council meeting. The items shall be placed on the agenda for discussion purposes only, and not as action items. The item shall identify the mayor or councilmembers making the request and contain a brief description of the subject matter. The city council, during the discussion item, will consider whether to direct staff to place an item on a future agenda for action. Upon direction of a majority of the city council present, staff will prepare a staff report and other documents as may be needed for any future action item.

This policy does not affect urgency items, which are those limited situations where an item requires immediate action, and the need to take immediate action came to the attention of the councilmember subsequent to the distribution of the agenda.

Section 3. SEVERABILITY.

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution or the Policy attached hereto 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 and Policy as hereby adopted shall remain in full force and effect.

Section 4. REPEAL OF CONFLICTING PROVISIONS.

That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution or the Policy attached hereto are hereby repealed.

Section 5. EFFECTIVE DATE.

That this Resolution shall take effect immediately upon its adoption.

Section 6. CERTIFICATION.

That the City Clerk shall certify to the passage and adoption of this Resolution, enter the same in the book for original resolutions of the City, and make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Resolution is passed and adopted.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the 15th day of January, 2019, by the following vote:

AYES: 4 – Betts; Gardner; Zavala; and Mayor Matas.

NAYS: 1 – Pye.

ABSENT: None.

ABSTAIN: None.

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:



Jerryl Soriano, City Clerk

APPROVED:



Scott Matas, Mayor

APPROVED AS TO FORM:



Jennifer A. Mizrahi, City Attorney