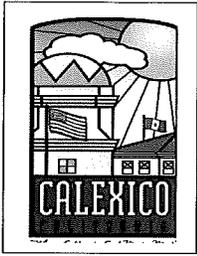


**AGENDA
ITEM**

14



AGENDA STAFF REPORT

DATE: August 2, 2016

TO: Mayor and City Council

APPROVED BY: Armando G. Villa, City Manager *AV*

PREPARED BY: Carlos Campos, Interim City Attorney

SUBJECT: Adoption of the Following Resolution and Ordinance Related to City Council Meeting Times and Dates:
1) A Resolution of the City Council of the City Of Calexico, California, Designating the First and Third Wednesday of Each Month as the Regular City Council Meeting Date, Establishing the Times of Said Meetings.
2) Ordinance No. _____ An Ordinance of the City Council of the City Of Calexico, California, Amending Calexico Municipal Code Section 2.04.020(A) Designating the First and Third Wednesday of Each Month as the Regular City Council Meeting Date.

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Recommendation:

Staff requests that the City Council adopt the following resolution and ordinance:

(1) Resolution No. 2016 - _____ A Resolution of the City Council of the City of Calexico, California, Designating the First and Third Wednesday of Each Month as the Regular City Council Meeting Date, Establishing the Times of Said Meetings.

(2) Ordinance No. _____ An Ordinance of the City Council of the City of Calexico, California, Amending Calexico Municipal Code Section 2.04.020(A) Designating the First and Third Wednesday of Each Month as the Regular City Council Meeting Date.

Background:

The Calexico Municipal Code allows the City Council, by resolution, to change the scheduled dates of regular City Council meetings. (Municipal Code § 2.04.040.) The City Council currently holds its regular meetings on the first and third Tuesdays of each month.

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Discussion:

On July 19, 2016, at its regular meeting, the City Council discussed their master calendar for City Council meetings for the fiscal year 2016-2017. It was suggested that the regular meetings be changed from the first and third Tuesdays to the first and third Wednesdays of each month.

As a result of the above-described discussions, the attached resolution has been prepared, which would designate the regular City Council meetings to be held on the first and third Wednesdays of the month, at 5:30 p.m. at Calexico City Hall, 608 Heber Avenue, Calexico, California.

In addition, the attached ordinance would amend the Municipal Code so that it would be consistent with the proposed resolution, in that it would designate the first and third Wednesdays of each month as the date set for each regular City Council meeting.

Attachment:

1. A Resolution of the City Council of the City of Calexico, California, Designating the First and Third Wednesday of each Month as the Regular City Council Meeting Date, Establishing the Times of Said Meetings.
2. Ordinance No. _____ An Ordinance of The City Council of the City of Calexico, California, Amending Calexico Municipal Code Section 2.04.020(A) Designating the First and Third Wednesday of Each Month as the Regular City Council Meeting Date.

RESOLUTION NO. 2016-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, DESIGNATING THE FIRST AND THIRD WEDNESDAY OF EACH MONTH AS THE REGULAR CITY COUNCIL MEETING DATE, ESTABLISHING THE TIMES OF SAID MEETINGS.

WHEREAS, Section 2.04.040 of the Calexico Municipal Code allows the City Council of Calexico to change the date and time of regular City Council meetings by resolution; and

WHEREAS, the City Council desires to change the date of regular City Council meetings to the first and third Wednesdays of each month.

NOW, THEREFORE, be it resolved, determined, and ordered by the City Council of the City of Calexico:

Section 1. Incorporation of Recitals. The foregoing recitals are true and correct, and are incorporated herein and made an operative part of this Resolution.

Section 2. Change to City Council Regular Meeting Dates. City Council Regular Session meetings will be held on the first and third Wednesday of each month at 5:30 p.m. in Council Chambers at City Hall, 608 Heber Avenue Calexico, California 92231, or at an alternate location as required by the Public Meeting Laws of the State of California.

Section 3. Certification. The City Clerk shall certify to the passage and adoption of this Resolution.

Section 4. Immediately Effective. This Resolution shall become effective immediately upon its passage and adoption.

PASSED, ADOPTED and APPROVED this _____ day of August, 2016, by the City Council of the City of Calexico.

Luis J. Castro, Mayor

ATTEST:

Gabriela Garcia, City Clerk

State of California)
County of Imperial) ss.
City of Calexico)

I, Gabriela Garcia, City Clerk of the City of Calexico do hereby certify the above Resolution No. 2016-_____ was approved at a regular City Council meeting held on the _____ day of August 2016, by the following vote to-wit:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Gabriela Garcia, City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, AMENDING CALEXICO MUNICIPAL CODE SECTION 2.04.020(A) DESIGNATING THE FIRST AND THIRD WEDNESDAY OF EACH MONTH AS THE REGULAR CITY COUNCIL MEETING DATE.

WHEREAS, Section 2.04.040 of the Calexico Municipal Code states that regular Calexico City Council meetings are held on the first and third Tuesdays of each month and allows the City Council to change the date and time of regular City Council meetings by resolution; and

WHEREAS, the City Council plans to adopt a Resolution rescheduling the regular City Council meetings from the first and third Tuesdays to the first and third Wednesdays of each month; and

WHEREAS, this Ordinance would amend the Municipal Code to reflect the change in date for the regular City Council meetings.

NOW, THEREFORE, the City Council of the City of Calexico does hereby ordain as follows:

Section 1. Amendment to Title 2, Chapter 2.04, Section 2.04.020(A) of the Calexico Municipal Code. Section 2.04.020(A) of the Calexico Municipal Code is hereby amended to read as below. Additions are underlined. Deletions are ~~stricken~~.

“2.04.040 - Time and place of meetings.

A. Unless otherwise specified by resolution, the city council must hold regular meetings on the first and third ~~Tuesday~~ Wednesday of each month at an hour to be set by resolution. Regular meetings will be held in the council chambers at Calexico City Hall, located at 608 Heber Avenue, Calexico, California or at another place within the city limits, if noticed in the agenda.”

Section 2. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase

be declared unconstitutional. If for any reason any portion of this ordinance is found to be invalid by a court of competent jurisdiction, the balance of this ordinance shall not be affected.

Section 4. Certification. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

Section 5. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

PASSED, ADOPTED, AND APPROVED by the City Council of the City of Calexico at the regular meeting this _____ day of August, 2016.

Luis J. Castro
Mayor

ATTEST:

Gabriela Garcia, City Clerk

APPROVED AS TO FORM:

Carlos Campos
Interim City Attorney

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) ss
CITY OF CALEXICO)

I, Gabriela Garcia, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Calexico held on the _____ day of August, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Gabriela Garcia
City Clerk