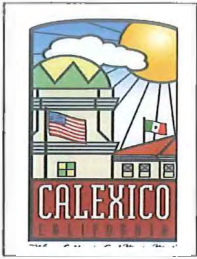


AGENDA  
ITEM

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# AGENDA STAFF REPORT

**DATE:** September 1, 2021

**TO:** Mayor and City Council

**PREPARED BY:** Miguel Figueroa, City Manager  
Best Best & Krieger LLP, City Attorney

**APPROVED BY:** Miguel Figueroa, City Manager 

**SUBJECT:** Adopt a Resolution of the City Council Adopting a City Commission, Committee, and Board Agenda Policy

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## Recommendation:

It is recommended that the City Council adopt Resolution 2021-\_\_\_\_ A Resolution of the City of Calexico, California, Adopting a City Commission, Board, and Committee Agenda Policy.

## Discussion:

Procedure for setting City Council agendas is found in the "City Council Agenda Policy." However, City commissions, committees, and boards do not have universally adopted agenda procedures. It is recommended that the City Council adopt the proposed Agenda Policy applicable to City commissions, committees, and boards to create consistent procedure for commission, committee, and board members and City staff.

The City Commission, Board, and Committee Agenda Policy is summarized as follows:

- Agenda reports and communications are due to committee department head at least 13 days prior to each meeting.
- City to distribute agenda and agenda materials at least 72 hours prior to each meeting.
- Department head prepares agenda, commissioners can submit requests for agenda items.
- Special meetings can be called at least 24 hours in advance and department head will prepare special meeting agendas.

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- Commissioners should contact staff ahead of time with questions.
- Emergency items can be added to an agenda pursuant to the Brown Act.

**Fiscal Impact:**

No impact.

**Attachment:**

1. Resolution 2021-\_\_\_\_\_ (Commission, Board, and Committee Agenda Policy as Attachment "1").

RESOLUTION 2021-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, ADOPTING A CITY COMMISSION, BOARD, AND COMMITTEE AGENDA POLICY

**WHEREAS**, the City of Calexico (“City”) commissions, boards, and committees do not have uniform agenda policies; and

**WHEREAS**, the City desires to adopt a Commission, Board, and Committee Agenda Policy to provide a uniform procedure for commission, board, and committee members and staff to prepare, organize, and present meeting agendas in a consistent manner by providing guidance on how and when to submit agenda items, how to organize agendas, and how to amend agendas to include urgent items.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Calexico, as follows:

**SECTION 1. Incorporation of Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**SECTION 2. Adoption of Commissions, Boards, and Committees Agenda Policy.** The City Council hereby adopts the City Commission, Board, and Committee Agenda Policy (“Policy”) attached hereto and incorporated herewith as **Attachment “1.”**

**SECTION 3. CEQA.** The City Council hereby finds and determines that this Resolution relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, section 15378(b)(5).

**SECTION 4. Severability.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

**SECTION 5. Effective Date of Resolution.** This Resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Calexico, California, at a regular meeting held on this 1<sup>st</sup> day of September, 2021.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Javier Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Gabriela Garcia, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carlos Campos, City Attorney

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

I, Gabriela T. Garcia, City Clerk of the City of Calexico do hereby certify the above Resolution No. 2021-\_\_\_\_ was approved at a regular City Council meeting held on the 1<sup>st</sup> day of September 2021, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Gabriela T. Garcia, City Clerk

**COMMISSION, BOARD AND COMMITTEE  
AGENDA POLICY  
EFFECTIVE: \_\_\_\_\_, 2021**

**1. DEADLINE TO SUBMIT ITEMS FOR THE AGENDA.**

All requests and back-up documents such as reports, communications, and staff reports for items to be placed on the next regular meeting agenda should be given to the Department Head no later than five p.m. on the thirteenth day prior to the meeting.

**2. PUBLICATION AND DISTRIBUTION OF THE AGENDA.**

Barring insurmountable difficulties, the Department will distribute and post the agenda for regular meetings at least 72 hours prior to the regular meeting in accordance with the California Government Code. The Department shall also post the agenda and agenda materials on the City website by the same deadline.

**3. AGENDA ITEM REQUESTS.**

A) The Department Head shall be in charge of the placement of matters on the agenda. All matters to be placed on the agenda by City staff require approval by the Department Head prior to placement on the agenda. If there is a question regarding the legality of the placement of a proposed agenda item, the City Attorney shall be consulted.

B) Any Commissioner, Board or Committee Member may place an item on an upcoming agenda by submitting a written request to the Department Head with the concurrence and proof that one other Commissioner, Board or Committee Member has consented to the item being placed on the agenda. The written request shall include any proposed back-up documents such as reports, communications, and staff reports for the item.

C) Any background information or preparation for an item placed on an agenda by a Commissioner, Board or Committee Member is the sole responsibility of that Commissioner, Board or Committee Member until such time as the full Commission, Board or Committee has considered the item and recommendation has been made on the item presented.

D) Any member of the public can address the Commission, Board or Committee on an item during the "Public Comment" portion of the agenda. If two Commissioners, Board or Committee Members concur that the item raised by the citizen should be placed on a future agenda, then such item will be placed on a future agenda.

E) The Department Head has the discretion to limit reports and presentations to be made during meetings. The agenda shall conform to the applicable requirements of the California Government Code.

**COMMISSION, BOARD AND COMMITTEE  
AGENDA POLICY  
EFFECTIVE: \_\_\_\_\_, 2021**

**4. LOCATION OF ITEMS ON THE AGENDA.**

Items of a routine nature that are not anticipated to be controversial or to require Commission, Board or Committee deliberation, may be placed on the consent calendar by the Department Head. If a Commissioner, Board or Committee Member has requested that an item be on the agenda as described above, the item will be placed on the agenda pursuant to the agenda order of business for Commissions, Boards or Committees.

**5. SPECIAL MEETING AGENDAS.**

Special meetings may be called by the Department Head and noticed as specified in section 54956 of the California Government Code. Special meeting agendas shall be posted at least 24 hours in advance of the meeting pursuant to the California Government Code. The Department Head shall oversee the preparation of the special meeting agenda. The back-up materials shall be provided as soon as is reasonably possible, but in no event later than 24 hours prior to the meeting.

**6. COMMISSIONER, BOARD OR COMMITTEE MEMBER QUESTIONS REGARDING AGENDA ITEMS.**

Prior to the meeting, Commissioners, Board or Committee Members should contact appropriate staff with questions on the agenda items so that staff can provide accurate and timely answers.

**7. ADDENDUMS TO THE REGULAR AGENDA.**

Due to the fact that the Department will post the agenda at least 72 hours prior to the regular meeting in accordance with the California Government Code, there may be a need to add additional items to the regular meeting agenda that require immediate action. Such addendums, to be posted at least 72 hours in advance of the regular meeting, shall be discouraged and limited to urgent matters only that require immediate action which is needed prior to the next regularly scheduled meeting. Such addendums will be allowed only if approved by the Department Head and the City Manager. This does not prohibit the Commission, Board or Committee from adding items to an agenda during a the meeting if it meets the requirements of section 54954.2 of the California Government Code.