

**AGENDA
ITEM**


7




AGENDA STAFF REPORT

DATE: July 19, 2023

TO: Mayor and City Council

APPROVED BY: Esperanza Colio Warren, City Manager 

PREPARED BY: Sandra L. Fonseca, Interim Finance Director 

SUBJECT: Ratification of Bylaws for the 2010 General Tax Citizen Oversight Advisory Committee (Measure H) – Change in Meeting Day and Meeting Time

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Recommendation:

Recommend City Council ratify revised Bylaws for the 2010 General Tax Citizen Oversight Advisory Committee (Measure H).

Background:

The 2010 General Tax Citizen Oversight Advisory Committee (Measure H) met on a Special Meeting, on Thursday, June 8, 2023, and voted unanimously to revise the Committee’s Bylaws to better serve the City and upon the recommendation of Interim Finance Director Fonseca.

Discussion & Analysis:

The 2010 General Tax Citizen Oversight Advisory Committee (Measure H) met on February 21, 2023, and voted to revise the Committee’s bylaws as follows:

Article V, 5.1 Regular Meetings – change the quarterly meeting day from the third Monday of each quarter, (for the months of February, April, July, and November) to third Tuesday of the month for quarterly meeting. *Change meeting day to the third Tuesday for quarterly meeting day, due to calendared HOLIDAYS celebrated on Mondays, which causes the committee to re-schedule to SPECIAL MEETINGS due to city offices being closed for business.*

Article V, 5.1 Regular Meetings – change the meeting from to 5:15 p.m. to 5:30 p.m. *Change meeting time to 5:30 p.m. due to having ample time for committee members to attend meetings on time and not be late due to travel from work to City Hall.*

AGENDA ITEM 7

Fiscal Impact:

None.

Coordinated with:

None.

Attachment:

1. Revised Bylaws For the 2010 General Tax Citizen Oversight Advisory Committee June 8th 2023 Revision.

**BYLAWS FOR THE 2010 GENERAL TAX CITIZEN OVERSIGHT
ADVISORY COMMITTEE**

**Article I
GENERAL PROVISIONS**

- 1.1 Purpose
These Bylaws govern the proceedings of the 2010 General Tax Citizen Oversight Advisory Committee, an advisory committee established by the City of Calexico.
- 1.2 Definitions
- a. "Committee" means the 2010 General Tax Citizen Oversight Advisory Committee.
 - b. "Chairperson" means the chairperson of the Committee.
 - c. "Secretary" means the secretary of the Committee.
 - d. "Member Agency" means the City of Calexico.
 - e. "Staff" means assigned City staff as designated by the city manager of the City of Calexico.
 - f. "City Council" means the city council of the City of Calexico.

**Article II
DUTIES AND AUTHORITY**

- 2.1 Duties
The Committee shall have the following duties:
- a. To oversee expenditure of the proceeds of the tax created by CMC Chapter 3.27 to ensure they are consistent with the Expenditure Plan set out in CMC Section 3.27.070.
 - b. To review, make recommendations, and formally report, at least once annually, upon the tax expenditures to the city council.
 - c. To perform any other functions as directed by the city council from time to time.
- 2.2 Limitation on Authority
The Committee shall serve in an advisory capacity to the City Council. It shall have no independent duties and no authority to take actions that bind the City of Calexico. No expenditures or requisitions for service and supplies shall be made by the Committee and no individual member thereof shall be entitled to reimbursement for travel or other expenses except as authorized by the City Council.

**Article III
MEMBERSHIP**

- 3.1 Membership
The Committee shall be composed of 5 members. All members shall be residents of Calexico during their term and are governed under Chapter 2.19 and Chapter 2.23 of the Calexico Municipal Code.
- 3.2 Members' Terms
Committee members shall be appointed and serve in accordance with Calexico Municipal Code Chapter 2.19 and Chapter 2.23 as amended from time to time.

- 3.3 Vacancies
Vacancies shall be filled in accordance with the Calexico Municipal Code Chapter 2.19 and Chapter 2.23, as amended from time to time.

Article IV
OFFICERS

- 4.1 Chairperson and Vice Chairperson
The Committee shall elect from its membership a chairperson and a vice chairperson at its last meeting of the calendar year, to service for a one-year term effective January 1 of the following calendar year. In the event of a vacancy in the chairperson's position, the vice chairperson shall succeed as chairperson for the balance of the chairperson's term and the Committee shall elect a successor to fill the vacancy in the vice chairperson's position for the remainder of the vice chairperson's term. Members willing to serve in either of these positions may submit their names for nomination. Members may also submit names of other members for nomination.

The Chairperson shall preside at all meetings of the Committee and represent the Committee before the City Council. The chairperson shall provide to the City Council a verbal report of the previous meeting and any concerns of the Committee. The chairperson, in consultation with Staff, may identify items of interest for future Committee agendas that are relevant to the Committee's duties and responsibilities.

The vice chairperson shall perform the duties of the chairperson when the chairperson is absent.

- 4.2 Secretary
The City Clerk of the City of Calexico or his or her designee shall serve as the secretary of the Committee.

Article V
MEETINGS

- 5.1 Regular Meetings
Regular meetings of the committee shall be held quarterly, on the third Tuesday of the month, for each quarter. The Committee meeting shall commence at 5:30 p.m., at the Council Chambers in City Hall, 608 Heber Avenue, Calexico, California. Whenever a regular meeting falls on a holiday observed by the City of Calexico, the meeting shall be held on another day or canceled at the direction of the Committee. A rescheduled regular meeting shall be designated a regular meeting.
- 5.2 Special Meetings
A special meeting may be called by the chairperson. The meeting shall be called and noticed in accordance with the Brown Act.
- 5.3 Calling and Noticing of Meetings
All meetings shall be called, noticed and conducted in accordance with the applicable provisions of the Brown Act. The City Manager shall be given notice of all meetings. The committee shall meet at least once quarterly, unless the Committee's activities are suspended.
- 5.4 Quorum; Vote; Committee of the Whole
The presence of 3 members shall constitute a quorum for the transition of business. All acts of the Committee shall require the presence of a quorum.

- 5.5 **Fifteen Minute Rule**
If the quorum has not been established within 15 minutes of the noticed starting time for the meeting, the secretary and clerical support staff may be excused from further attendance at the meeting.
- 5.6 **Absences**
A member is allowed to be absent no more than three consecutive Committee meetings.
- 5.7 **Matters Not Listed On The Agenda Requiring Committee Action**
Except as provided below, a matter requiring Committee action shall be listed on the posted agenda before the Committee may act upon it. The Committee may take action on items not appearing on the posted agenda only upon a determination by a two-thirds vote of the Committee, or if less than two-thirds of the members are present, an unanimous vote of those members present, that there is a need to take immediate action AND the need to take action came to the attention of the Committee subsequent to the agenda being posted.
- 5.8 **Time Limits for Speakers**
Each member of the public appearing at a Committee meeting shall be limited to two minutes in his or her presentation, unless the chairperson, at his or her discretion, permits further remarks to be made. Any person addressing the Committee may submit written statements, petitions, or other documents to complement his or her presentation.
- 5.9 **Access To Public Records Distributed At Meeting**
Except as provided by the Brown Act, documents distributed during a Committee meeting shall be made available for public inspection at the meeting if prepared by Staff or a member of the Committee, or after the meeting if prepared by some other person.

Article VI
AGENDAS AND MEETING NOTICES

- 6.1 **Agenda Format and Content**
The agenda shall specify the starting time and location of the meeting and shall contain a brief general description of each item of business to be transacted or discussed at the meeting in compliance with the Brown Act. The description shall be reasonably calculated to adequately inform the public of the subject matter of each agenda item.

Items may be referred for inclusion on an agenda by: (1) the City Council; (2) the City Manager; (3) the chairperson; and (4) the Committee, with a quorum present and upon the affirmative vote of a majority of the members present. The order of business shall be established by the secretary with the approval of the chairperson.
- 6.2 **Public Presentation**
Each agenda for a regular meeting shall provide an opportunity for members of the public to address the committee on matters of interest to the public either before or during the Committee's consideration of the items, if it is listed on the agenda, or if it is not listed on the agenda but is within the jurisdiction of the Committee, under the agenda item heading "Public Presentations." The committee shall not act upon an item that is not listed on the agenda except as provided under Section 5.7. Each notice for a special meeting shall provide an opportunity for members of the public to directly address the Committee concerning any item that has been described in the notice for meeting before or during consideration of that item.

6.3 Agenda Preparation

The secretary shall prepare the agenda for each meeting in consultation with Staff and the chairperson. Material intended for placement on the agenda shall be delivered to the secretary on or before 12:00 p.m. on the date established as the agenda deadline for the forthcoming meeting. The secretary may withhold placement on the agenda of any matter which is not timely received, lacks sufficient information, or is in need of Staff review and report prior to the Committee consideration.

6.4 Agenda Posting And Delivery

The written agenda for each regular meeting and each meeting continued for more than five calendar days shall be posted by the secretary at least 72 hours before each meeting is scheduled to begin. The written agenda for every special meeting shall be posted by the secretary at least 24 hours before the special meeting is scheduled to begin. The secretary shall post the agenda in a location that is freely accessible to members of the public. The agenda together with supporting documents shall be delivered to each Committee member by the secretary at least 72 hours before each regular meeting and at least 24 hours before each special meeting.

Article VII
MISCELLANEOUS

7.1 Adoption and Amendment of Bylaw

These Bylaws shall be adopted and amended by the Committee by the affirmative vote of a majority of its total membership and with the approval of the City Council.

7.2 Robert's Rules

All rules of order not herein provided for shall be determined in accordance with *Robert's Rules of Order*, latest edition.

Revision Adopted by City Council on July 19, 2023.

Raul Ureña, Mayor

Committee Chairperson