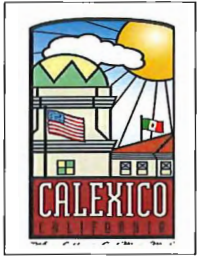


**AGENDA  
ITEM**

**6**




# CITY COUNCIL AGENDA STAFF REPORT

**DATE:** May 4, 2022

**TO:** Mayor and City Council

**PREPARED BY:** Diego Favila, Interim City Manager  
Best Best & Krieger LLP, City Attorney

**APPROVED BY:** Diego Favila, Interim City Manager 

**SUBJECT:** Second Reading and Adoption of Ordinance No. 1225 – An Ordinance Establishing Meeting Cancellation Procedure

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**Recommendation:**

It is recommended that the City Council:

Conduct Second Reading and Adopt Ordinance No. 1225 – An Ordinance of the City Council of the City of Calexico, California, Amending Calexico Municipal Code Section 2.04.040 Regarding Meeting Cancellation Procedure.

**Background:**

The City Council adopts a regular City Council meeting calendar annually; however, on occasion, council members and staff have requested that scheduled meetings be cancelled for various reasons. The Calexico Municipal Code does not have a procedure for meeting cancellations.

**Discussion:**

Chapter 2.04 of the Calexico Municipal Code sets out procedures for City Council meetings. Section 2.04.040 includes provisions regarding the time and place of meetings, however the code is silent on meeting cancellations.

In order to provide clear guidance on how scheduled meetings are cancelled, it is recommended that the Municipal Code be amended to

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include a provision stating, “regular meetings may be rescheduled or cancelled in special circumstances or as necessary by a majority vote of the city council.”

The City Council may want to consider adding a provision that would allow the City Manager or Mayor the ability to cancel a meeting in the event of exigent circumstances that preclude the city council from meeting, voting on, and cancelling a future meeting.

At the meeting of April 20, 2022, City Council approved the first reading of the ordinance.

**Fiscal Impact:**

No fiscal impact.

**Attachments:**

- 1) Ordinance No. 1225, An Ordinance of the City Council of the City of Calexico Municipal Code Section 2.04.040 Regarding Meeting Cancellation Procedure.
- 2) Master Calendar of City Council Meetings – Fiscal Year 2021-2022.

## ORDINANCE NO. 1225

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, AMENDING CALEXICO MUNICIPAL CODE SECTION 2.04.040 REGARDING MEETING CANCELLATION PROCEDURE

The City Council of the City of Calexico, California, does hereby ordain as follows:

**SECTION 1. Amendment to Calexico Municipal Code.** Calexico Municipal Code Chapter 2.04 *Council Procedures*, Section 2.04.040 *Time and place of meetings*, subsection A. is hereby amended as follows:

“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 Wednesday of each month at an hour to be set by resolution. Regular meetings may be rescheduled or cancelled in special circumstances or as necessary by a majority vote of the city council. 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 and Publication.** The City Clerk of the City of Calexico shall certify to the adoption of this Ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the City in a manner permitted under California Government Code Section 36933.

**SECTION 5. CEQA.** The City Council finds that adoption of this Ordinance is not a “project,” as defined in the California Environmental Quality Act because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and concerns general policy and procedure making.

**PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council of the City of Calexico, California on the 4<sup>th</sup> day of May, 2022, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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JAVIER MORENO, MAYOR

ATTEST:

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GABRIELA GARCIA, CITY CLERK

APPROVED AS TO FORM:

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CARLOS CAMPOS, CITY ATTORNEY

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

I, Gabriela Garcia, City Clerk, hereby certify that the foregoing is a true copy of Ordinance No. 1225, introduced at a regular meeting held on the 20th day of April 2022, and duly adopted by the City Council of the City of Calexico, California at a regular meeting thereof held the 4th day of May, 2022.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
GABRIELA GARCIA, CITY CLERK