



CITY COUNCIL STAFF REPORT

DATE: DECEMBER 15, 2010 LEGISLATIVE

SUBJECT: PROPOSED ORDINANCE CODIFYING CITY COUNCIL REVIEW OF DECISIONS OF CITY COUNCIL APPOINTMENT COMMISSION AND BOARDS.

FROM: David H. Ready, City Manager

BY: City Clerks Department

SUMMARY

The City Council will consider an Ordinance that codifies a procedure for an individual Councilmember to initiate a review of any City Council appointed Commission and Board decision.

RECOMMENDATION:

1. Waive reading of the full text of the Ordinance, and introduce by title only.
2. Introduce for first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING SECTION 2.06.030, TO CHAPTER 2.06 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE CITY COUNCIL REVIEW OF CITY COUNCIL APPOINTED COMMISSION AND BOARD DECISIONS."

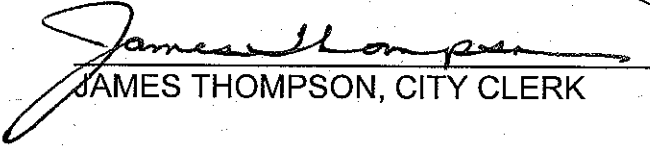
STAFF ANALYSIS:

The City Council has by past practice allowed an individual Councilmember to initiate a review of any decision of a City Council appointed Commission. This practice is consistent with the City Charter provisions that provide the City Council the authority to create boards or commissions, but provides for the City Council to have final and ultimate responsibility for the legislative actions of the City and its Boards or Commissions.

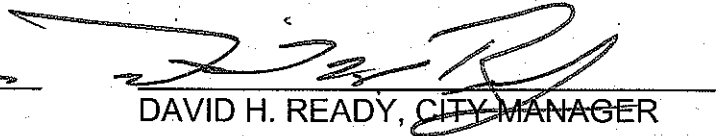
Such policy along with a procedure is codified in the Zoning Code for decisions of the Planning Commission. The proposed Ordinance codifies the procedure for all other City Council appointed Commissions and Boards.

FISCAL IMPACT:

None.

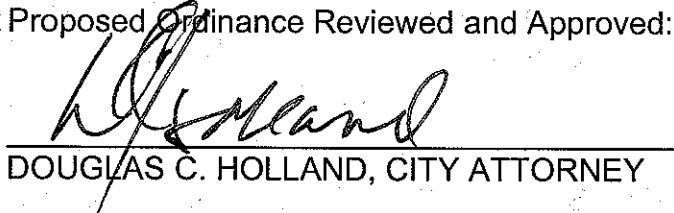


JAMES THOMPSON, CITY CLERK



DAVID H. READY, CITY MANAGER

Proposed Ordinance Reviewed and Approved:



DOUGLAS C. HOLLAND, CITY ATTORNEY

Attachments:

Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING SECTION 2.06.030 TO CHAPTER 2.06 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO CITY COUNCIL REVIEW OF DECISIONS OF CITY COUNCIL APPOINTED COMMISSIONS AND BOARDS.

City Attorney Summary

Currently, the City Council has a past practice of allowing an individual Councilmember to initiate a review of any City Commission or Board decision or action. This Ordinance codifies this practice and provides for a procedure for councilmember review of commission and board decisions.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:

A. Section 600 of Article VI of the City of Palm Springs Charter provides that the City Council may create boards or commissions and may grant to them such powers and duties as are consistent with the Charter.

B. The City Council has created numerous boards and commissions and has delegated certain powers and duties.

C. Section 300 of Article III of the City of Palm Springs Charter, provides that all power of the City shall be vested in the City Council except as otherwise provided in the Charter.

D. The City Council desires to codify a procedure for a Councilmember initiated review of decisions of boards and commissions.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 2.06.030 is added to Chapter 2.06 of the Palm Springs Municipal Code to read as follows:

2.06.030 Councilmember Review of Decisions.

Any member of the City Council of the City of Palm Springs may initiate a review of any city council appointed commission or board decision not otherwise before the City Council by giving notice thereof to the City Clerk within the time for filing of an appeal as prescribed by Section 2.05.040 of the Palm Springs Municipal Code.

Such notice of review shall be deemed the equivalent of the filing of a notice of appeal pursuant to Section 2.050.030 of the Palm Springs Municipal Code. Except for the manner of initiating the proceeding, such City Council review of a City Council

appointed commission or board decision shall follow the procedure provided by Chapter 2.05 of the Palm Springs Municipal Code.

The provisions of this Section shall not apply to decisions that are expressly covered under the provisions of Section 94.10.00 of this Code.

SECTION 2. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL, THIS ____ DAY OF _____, 2011.

STEPHEN P. POUQUET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. _____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON, CITY CLERK
City of Palm Springs, California