



# City Council Staff Report

DATE: NOVEMBER 17, 2010 CONSENT CALENDAR  
SUBJECT: SECOND READING AND ADOPTION OF PROPOSED ORDINANCE NO. 1783, CITY COUNCIL REVIEW OF DECISIONS OF CITY COUNCIL APPOINTED COMMISSIONS AND BOARDS  
FROM: David H. Ready, City Manager  
BY: Office of the City Clerk

## SUMMARY:

The City Council will consider adoption of Ordinance Nos. 1783.

## RECOMMENDATION:


1. Waive further reading and adopt Ordinance No. 1782, "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"


## STAFF ANALYSIS:

At its December 15, 2010, meeting Ordinance No. 1783 was introduced by the following vote:

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, Mayor Pro Tem Weigel, and Mayor Pougnet.  
NOES: None.  
ABSENT: None.  
ABSTAIN: None.

This report provides for the City Council to waive further reading and adopt the ordinances. The ordinances shall be effective 30-days from adoption.

  
Kathie Hart, CMC  
Chief Deputy City Clerk  
FOR: James Thompson  
City Clerk

  
David H. Ready, Esq., Ph.D.  
City Manager

/kdh

Attachments: Ordinance No. 1783

Item No. **2.E.**

PROPOSED ORDINANCE NO. 1783

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