

**RESOLUTION NO. 2021-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, ESTABLISHING THE UTILITY USERS TAX CITIZEN OVERSIGHT COMMITTEE APPOINTMENT PROCEDURE**

**WHEREAS**, on June 8, 2010, voters in the City of Coachella approved Measure I, an ordinance approving a five percent (5%) utility users tax (the “Ordinance”); and

**WHEREAS**, Section 1 of the Ordinance added Chapter 4.30 *Utility Users Tax* to the Coachella Municipal Code, which establishes a five-member citizens oversight committee of members appointed by the City Council. The citizens oversight committee annually reviews revenues and expenditures from the utility users taxes and presents its findings to the City Council for review; and

**WHEREAS**, the City Council desires to establish an appointment procedure for committee membership.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Coachella, 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. Appointment Procedure for Utility Users Tax (“UUT”) Citizen Oversight Committee.** The procedure for appointments to the UUT Citizen Oversight Committee shall be as follows:

A. Each city council member may nominate an individual to serve on the UUT Citizen Oversight Committee (“committee”), subject to appointment by the mayor, with approval by city council, at an open session of a regular or special city council meeting. If a council member fails to nominate an individual, the mayor may appoint someone with approval by the city council.

B. Members of the committee shall be appointed for four year terms or less. The term of each committee member shall continue for the term of the nominating council member and automatically terminate when the council member’s term ends. If a council member is reelected, that council member is entitled to make a new nomination or may choose to re-nominate the council member’s previous nominee.

C. In the event of an interim vacancy, the council member who nominated the vacating member may nominate another individual, subject to appointment by the mayor with approval by the city council, for the unexpired term of the member replaced.

**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** this 10<sup>th</sup> day of February 2021.

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Steven A. Hernandez  
Mayor

**ATTEST:**

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Angela M. Zepeda, City Clerk

**APPROVED AS TO FORM:**

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Carlos Campos  
City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF RIVERSIDE        ) ss.  
CITY OF COACHELLA            )

I HEREBY CERTIFY that the foregoing Resolution No. 2021-12 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 10<sup>th</sup> day of February 2021, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Andrea J. Carranza, MMC  
Deputy City Clerk