



**STAFF REPORT**  
**2/10/2021**

**TO:** Honorable Mayor and City Council Members

**FROM:** William B. Pattison, Jr., City Manager  
Carlos Campos, Best Bet & Krieger LLP, City Attorney

**SUBJECT:** Resolution No. 2021-12, Establishing Member Appointment Procedure for Utility Users Tax Citizen Oversight Committee

---

**RECOMMENDATION:**

Adopt 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

**BACKGROUND:**

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”). 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. The Ordinance does not explicitly lay out an appointment procedure for committee members.

**DISCUSSION:**

The proposed Resolution lays out an appointment procedure that would mirror the City’s general appointment procedure for other committees and commissions where each city council member nominates a committee member, subject to appointment by the mayor and approval by the city council as a whole. While the Ordinance language may not be amended without voter approval, general guidelines and procedures that do not conflict with the Ordinance may be established by resolution.

The proposed Resolution provides the appointment procedure for the UUT Citizen Oversight Committee as follows:

A. **Nomination and Appointment.** 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. **Term.** 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. **Interim vacancies.** 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.

**FISCAL IMPACT:**

None anticipated.

**ATTACHMENTS:**

1. 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.