

RESOLUTION NO. 2025-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY ESTABLISHING POLICY AND PROCEDURES PERTAINING TO EXCUSED ABSENCES FROM CITY COUNCIL MEETINGS

WHEREAS, the City of Moreno Valley (“City”) is a General Law city organized pursuant to Article XI of the California Constitution; and

WHEREAS, the City of Moreno Valley is governed by a legislative body known as the City Council, which consists of the Mayor and four District Councilmembers; and

WHEREAS, Section 36513 (a) of the California Government Code provides that if a city councilmember is absent without permission from all regular city council meetings for 60 days consecutively from the last regular meeting he or she attended, his or her office becomes vacant and shall be filled as any other vacancy; and

WHEREAS, Section 36513 (b) of the California Government Code further provides that if a city council meets monthly or less frequently than monthly and a city councilmember is absent without permission from all regular city council meetings for 70 days consecutively from the last regular meeting he or she attended, his or her office becomes vacant and shall be filled as any other vacancy; and

WHEREAS, state law does not mandate that cities adopt a written policy or written procedures pertaining to excused absence from a city council meeting; and

WHEREAS, the City does not currently have a written policy or written procedures pertaining to excused absences from City Council meetings.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Recitals.

That the recitals set forth above are true and correct.

Section 2. Amendment.

That the City Council hereby amends the Rules of Procedure for Council Meetings and Related Functions and Activities to include the following:

1.1.3.1 *Requests to be Excused from attending City Council Meetings.*

Any councilmember who may not be able to attend a scheduled city council meeting and wants to be excused from attending a city council meeting shall promptly notify the city clerk at least __ hours prior to the scheduled city council meeting in writing, via email or text, unless otherwise prohibited due to illness or technological infeasibility, the reason or reasons

why the councilmember cannot attend the subject city council meeting. The city clerk shall forward a copy of the request to be excused to the entire city council, the city manager and the city attorney immediately upon receipt of the request to be excused by the city clerk. The city clerk shall verbally disclose at the city council meeting, at the appropriate time on the agenda, of any requests to be excused received from any councilmember. The city council shall approve a request to be excused if the absence is due to any of the following: (1) the councilmember is ill; (2) the councilmember has to provide care to an ill spouse, domestic partner or other partner or dependent who resides with the councilmember, (3) the councilmember must attend an official city event approved by the city council, or (4) for any other reason approved by a 2/3rds vote of the city council. The action taken by the city council on a request to be excused from attending a city council meeting shall be included in the minutes of the respective city council meeting.

Section 3. Severability

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 4. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

Section 5. Certification.

That the City Clerk shall certify to the passage of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2025.

CITY OF MORENO VALLEY

Ulises Cabrera, Mayor

ATTEST:

M. Patricia Rodriguez, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney