

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Deborah S. Traffenstedt, Deputy City Manager  
**PREPARED BY:** Maureen Benson, City Clerk

**DATE:** January 11, 2012 (CC Meeting of 1/18/12)

**SUBJECT:** Reconsideration of City Council Action on Agenda Item 9.A. of the January 4, 2012, Regular Meeting (First Reading of Ordinance No. 410, Amending Section 2.04.050, Filling of Vacancies, of Chapter 2.04, City Council, of Moorpark Municipal Code)

**BACKGROUND**

Councilmember Mikos and Councilmember Pollock have requested an agenda item to allow the City Council to reconsider the prior vote for Agenda Item 9.A. for the January 4, 2012, regular meeting (an ordinance of the City of Moorpark, California, amending Section 2.04.050, Filling of Vacancies, of Chapter 2.04, City Council, of the Moorpark Municipal Code). The Council's action on January 4 for Item 9.A. was to introduce a revised Ordinance No. 410 for first reading, and the motion carried by unanimous voice vote. The revised ordinance that was introduced for first reading as Ordinance No. 410 at the January 4 meeting is scheduled for second reading on the January 18 agenda (as a separate agenda item under Ordinances).

**DISCUSSION**

The City Council's Rules of Procedure (Resolution No. 2011-3071) includes the following language pertaining to reconsideration of a vote:

**"7.12 Motion for Reconsideration:**

Any Councilmember who voted with the majority may move a reconsideration of any vote at the same meeting or request an agenda item on the next regular meeting or request a special meeting called to be held prior to the next regular meeting to consider reconsideration of any vote. The agenda item shall appear on Presentation/Action/Discussion as a two-part item, e.g.,

Consider Reconsideration of \_\_\_\_\_.

Reconsideration of vote on \_\_\_\_\_.

After a motion for reconsideration has once been acted upon, no other motion for a reconsideration thereof shall be made without unanimous consent of the Council.”

Since the vote to introduce Ordinance No. 410 for first reading was unanimous, any member of the City Council may make a motion to reconsider the Council’s prior vote on the introduction of Ordinance No. 410 for first reading, and an affirmative majority vote is required on the motion. If a motion for reconsideration is made then the suggested wording of the motions for reconsideration are as follows:

FIRST MOTION: Consider reconsideration of introduction of Ordinance No. 410, Item 9.A. on the January 4, 2012, regular City Council meeting.

If an affirmative majority is obtained on this first motion then a subsequent motion is needed.

SECOND MOTION: Consider reconsideration of the vote on January 4, 2012, for Item 9.A.

If affirmative majority votes are obtained on the above two motions, then the Council may take a subsequent action as deemed appropriate. Approval of reconsideration of introduction of Ordinance No. 410 and reconsideration of the vote on first reading of Ordinance No. 410 will affect the Council’s subsequent action on the agenda item for second reading of Ordinance No. 410. Introduction of a revised ordinance for first reading would need to be scheduled for a subsequent agenda. Various City Council actions may be discussed, and questions can be answered at the meeting.

**STAFF RECOMMENDATION**

- 1) Consider reconsideration of introduction of Ordinance No. 410, Item 9.A. on the January 4, 2012, regular City Council meeting;
- 2) Consider reconsideration of vote on January 4, 2012, for Item 9.A.; and
- 3) Direct staff as deemed appropriate for any requested staff action.