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Clarification as to Resolution #12, 2016

Adopted Resolution 12, 2016 reflects that it was approved by the City Council by a vote of 7-0 by on May 23, 2016. The approved Meeting Minutes from that City Council meeting reflect that Resolution 12, 2016 passed with a vote of 6-1. A careful review of the audio recording of the meeting reflects that the actual vote of Council members was six in favor and one abstention. Although the error does not impact the outcome, it is important to ensure the City's records accurately reflect what transpired. As the custodian of the City's records, I am attaching this Clarification.

Holly Taylor
Clerk-Treasurer
City of Valparaiso

Dated: 4/14/22

Cc: Mayor Matthew R. Murphy
Council President Casey Schmidt
Patrick Lyp, City Attorney

Our City....Our Values

Honestly Accountable Surprisingly Responsive Boldly Proactive Creatively Frugal Respectfully Compassionate

RESOLUTION No. 12-2016

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA,
ESTABLISHING RULES OF PROCEDURE GOVERNING REQUESTS BY COUNCIL MEMBERS TO
PLACE ITEMS ON THE COMMON COUNCIL'S AGENDA**

WHEREAS, the Common Council of the City of Valparaiso, Indiana, serves as the City's legislative body; and

WHEREAS, in its capacity as the City's legislative body, the Common Council has the legal authority to consider and adopt proclamations, orders, resolutions, and ordinances; and

WHEREAS, Ind. Code § 36-4-6-8(b) provides that the Mayor as the City Executive shall preside at all meetings of the Common Council; and

WHEREAS, recently, questions have been raised regarding the process whereby Common Council members can request that certain items be placed on the Common Council's agenda for discussion and consideration; and

WHEREAS, in response to the aforementioned questions, the Mayor and Common Council have discussed the matter and are both desirous of adopting this Resolution in order establish formal rules of procedure governing requests by Common Council Members to place items on the Common Council's agenda.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, AS FOLLOWS:

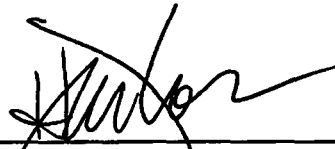
Section 1. Common Council members wishing to request that an item be placed on the agenda shall submit such item to the Mayor, in writing, no later than 4:30 p.m. (local time) on the Wednesday before a Common Council meeting. The Mayor shall review each item and determine whether he consents to such item being placed on the agenda for the next Common Council meeting. In the event that the Mayor does not consent to an item being formally placed on the agenda, the placement of the item on the agenda will be discussed by the Common Council at its next meeting. In the event that three (3) or more members of the Common Council approve of the item being placed on the agenda, the item will be formally placed on the agenda for the next Common Council meeting.

Section 2. Any resolutions inconsistent or in conflict with the terms of this Resolution are of no further force and effect and are specifically repealed.

Section 3. If any part, clause, or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause or portion of this Resolution.

Section 4. This Resolution shall be in full force and effect from and after its passage and adoption by the Common Council and upon the signature of the Mayor as the executive of the City.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, by a vote of 7 "Ayes" and 0 "Nays" of those Council members present on this day, May 23, 2016.



Jon Costas, Mayor

Attest:



Sharon Swihart, Clerk-Treasurer