

# Agenda Report

March 24, 2014

**TO:** Honorable Mayor and City Council

**FROM:** City Clerk

**THROUGH:** Legislative Policy Committee (February 26, 2014)

**SUBJECT: RESCIND RESOLUTION NO. 5893 AND ADOPT A RESOLUTION ESTABLISHING THE RULES GOVERNING THE PASADENA CITY COUNCIL'S MEETINGS, PROCEEDINGS, AND BUSINESS**

## **RECOMMENDATION:**

It is recommended that the City Council rescind Resolution No. 5893 and adopt a resolution establishing the rules governing the Pasadena City Council's meetings, proceedings, and business.

## **BACKGROUND:**

On December 7, 1987, the City Council (at the time known as the Board of Directors) adopted Resolution No. 5893 (Attachment B) establishing rules for the conduct of public meetings, proceedings, and business. Over the years, improvements in technology, increased emphasis in transparency, and structural changes to the City Council have resulted in informal modifications to the adopted practices and rules that govern meetings. The resolution submitted for City Council consideration would formalize these changes that have occurred over time.

Examples of routine changes include:

- Updating language to reflect new titles (e.g. Board of Directors to City Council, Chair and Vice Chair to Mayor and Vice Mayor, etc.)
- Listing the current agenda format used at present
- Noting the use of newer technology, such as posting agenda materials online for public viewing
- Adding references to a Speaker Card Policy

Additionally, staff is submitting certain substantive changes for City Council consideration, which would memorialize current practices that have, over time, proved to be beneficial in the administration of meetings:

- Rule 1. Meetings, adding Section D:

“D. Meeting Schedule. The City Clerk shall prepare, following consultation with the Mayor and the City Manager, an annual schedule of meetings of the City Council identifying dates for regular, special, and/or joint meetings, as well as proposed meetings to be cancelled. This schedule shall be distributed to the full City Council prior to finalization.”

- Rule 3. Agenda, Section C, Placement of Items on Agenda, amending Rule No. 3 and Rule No. 4, as detailed below:

Rule 3.C.3.: The proposed change is based on the current practice for agenda item requests received from any one member of the City Council when the request takes place outside of a City Council meeting. It is recommended that the request be handled similarly to the two-step process used in handling requests for City Council Calls for Review: A written request to agendize an item is submitted to the City Clerk. The request is then placed on the next regular meeting agenda for consideration by the City Council. The item requires five affirmative votes of the City Council to approve the future agenda item. The City Clerk shall notify the City Manager and Mayor of the request prior to preparing the final agenda.

Rule 3.C.4.: The proposed change recognizes the Mayor’s role to submit certain business items to the City Council for consideration. Previous examples of items submitted by the Mayor include personnel matters (contract updates for the City Manager, City Attorney, or City Clerk), changes related to the City Council’s standing committees, actions related to City Council’s compensation, etc.

The proposed resolution incorporates the above changes, as follows:

“C. Placement of Items on Agenda. An item may be placed on a future agenda of the City Council by any of the following methods:

1. Five affirmative votes of the City Council.
2. By consensus of the City Council.
3. By any one member of the City Council placing a written request for consideration of a future agenda item with the City Clerk, when the request takes place at a time outside a meeting of the City Council, to be formally approved through five affirmative votes of the City Council. Said request will be placed on the next regular agenda.
4. By the Mayor, City Manager, City Attorney, or City Clerk.”

- Rule 6. Petitions and Communications, adding Section C, to include the current practice for submission of public speaking cards:

“C. Speaker Cards. The City of Pasadena encourages and welcomes public participation on matters related to the City’s business. Any person desiring to speak to the City Council during public comment on matters not on the agenda, or during the comment period for items on the agenda, is asked to submit a speaker card. Speaker cards may be submitted to the City Clerk or Sergeant at Arms at the start of the City Council meeting (no earlier than 5:30 p.m. for regular meetings), or any time after the start of the meeting, up to, and during consideration of the item.

Public comment on matters not on the agenda will be limited to a total of 20 minutes at the beginning of the meeting, and will continue, if necessary, in the event that not all speakers are heard in the initial 20-minute period, after all other business of the meeting is concluded. Speaker cards for public comment on matters not on the agenda must be received by the Sergeant at Arms or City Clerk prior to the completion of the initial 20-minute period. Public comment speakers shall limit comments to no more than 3 minutes each. The Mayor, in his/her discretion, and/or in consultation with the City Council, may limit or extend time for public comment as he/she may find reasonable under the circumstances.”

### **OTHER MUNICIPALITIES AND REVIEW BY LEGISLATIVE POLICY COMMITTEE**


In comparing the proposed policy with meeting policies of other local municipalities, the one consistent element found in each document is adherence to the Brown Act Open Meeting laws. Beyond that, no two policies are alike and each variation relates to such factors as the City’s form of government, role of Mayor, role of City Manager, etc. The policies of other cities reviewed include Beverly Hills, Burbank, Calabasas, Long Beach, Oakland, Palo Alto, Riverside, and Santa Monica (all of which post meeting rules online).

The recommended action has been reviewed by the Legislative Policy Committee and incorporates feedback received from Committee members. As discussed with the Committee, the recommended changes to the original 1987 policy are consistent with practices that have evolved over time and have been utilized in the administration of City Council meetings during the last several years. The purpose of the proposed action is to highlight these changes to the City Council, as well as to update and widely disseminate the policy to members of the public regarding the procedures governing City Council meetings. Once adopted, staff intends to post the final resolution in a prominent location on the City Clerk’s and City Council’s webpages for the public’s review and information, as well as to make hardcopies available at all City Council meetings.


**CITY COUNCIL POLICY CONSIDERATION**

Adoption of an updated meeting policy will promote transparency and public participation in the conduct of City Council meetings and business.

Respectfully submitted,

  
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Mark Jomsky, CMC  
City Clerk

Reviewed by:

  
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Michele Beal Bagneris  
City Attorney/City Prosecutor

Attachments:

- Attachment A – Redline of Proposed Resolution
- Attachment B – Resolution No. 5893 (for reference)