



Agenda Report

June 3, 2019

TO: Honorable City Council

FROM: Mayor Terry Tornek

SUBJECT: RESCIND RESOLUTION NO. 9376 AND ADOPT A RESOLUTION AMENDING AND RESTATING RULES FOR THE CONDUCT OF ALL CITY COUNCIL, COMMITTEE, BOARD, AND COMMISSION MEETINGS, PROCEEDINGS, AND BUSINESS

RECOMMENDATION:

It is recommended that the City Council rescind Resolution No. 9376 and adopt a resolution amending and restating rules for the conduct of all City Council, committee, board, and commission meetings, proceedings, and business.

BACKGROUND:

On December 7, 1987, the City of Pasadena Board of Directors adopted Resolution No. 5893, establishing rules for the conduct of its meetings, proceedings, and business. On September 22, 2014, the City Council adopted Resolution No. 9376 rescinding the prior resolution and adopting new meeting policies that included changes to the method for adding items to the City Council's agenda, as well as other minor changes to the conduct of meetings.

Since that time, there have been changes to state law related to the conduct of public meetings, as well as recent deviations to the norms of meeting proceedings that necessitated a review of the City's meeting policies. Staff has reviewed the Brown Act and determined that further changes are necessary to ensure the efficient conduct of City business and provide clarity to members of the public regarding the City's meeting policies to support the enforcement of adopted rules. Changes to the rules described below involve issues that were not specified in the prior rules, but could already be enforced, and are therefore being clarified in the proposed rules. In addition, these rules will apply to other legislative bodies of the City, who may further modify these rules by resolution to reflect the conduct of their business.

MULTIPLE AGENDA ITEM COMMENT

To address situations when a member of the public wishes to speak on multiple agenda items at a City public meeting, and in order to allow for the efficient conduct of City

business, it is proposed that multiple agenda item speakers be provided opportunities to address their comments on multiple items at three separate points of the meeting agenda: Consent Calendar, Public Hearings, and general discussion items (excluding Consent and Public Hearings). To accommodate this change, the agenda template has been slightly modified to move up Public Hearing items to immediately follow Consent Calendar and appear prior to general discussion items such as Old Business, Reports from Council Committees, Recommendations from Officers and Departments, Ordinances, and Informational Items.

COMMENTS LIMITED TO SUBJECT MATTER JURISDICTION

To ensure the efficient and timely conduct of City business, public comment speakers will be asked to limit comments to matters within the subject matter jurisdiction of the body. Those speakers that present information outside the City's jurisdiction may be asked to refocus comments back to matters within the body's purview.

ADDITIONAL CHANGES

In addition to the changes discussed above, there are additional amendments proposed for consideration by the City Council that are consistent with current Brown Act provisions meant to provide clarity to the rules governing public meetings in Pasadena, as follows:

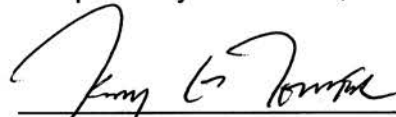
- Rule 2. Order of Business, highlights more prominently the Mayor and City Council's authority to depart from the stated order of business listed on the agenda.
- Rule 3. Section 2 and other various provisions within the proposed meeting policies, clarifies that general public meeting policies apply to all City committees, boards, and commissions, and also states that such policies may be modified by individual City bodies for the orderly conduct of business unique to that particular body.
- Rule 4. Public Discussion at Hearings, clarifies the process related to questions and answers for public speakers by members of the body, noting that such exchanges of information do not count towards the speaking time for public speakers. Additionally, language has been added to authorize the Mayor/Chair of the meeting to admonish speakers that fail to address comments to the proposed action and thereafter may terminate a speaker's time for failure to remain on topic.
- Rule 6. Addressing the Body, emphasizes the manner and location that public speakers may address the meeting body, as well as identifies circumstances when recording a meeting will be restricted if such recording disrupts proceedings.

- Rule 6, Public Comment, addresses issues related to delayed public comment, as well circumstances when public comment may become disruptive to meeting proceedings. Additional clarifying language has been proposed related to a single speaker representing a group of speakers.
- Rule 7, Disorderly Conduct, provides additional clarity and information regarding disorderly conduct at meetings, procedures for handling disruptive individuals, illustrations of disruptive behavior, and processes for enforcing rules under this policy.

CITY COUNCIL POLICY CONSIDERATION

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

Respectfully submitted,



Terry Tornek
Mayor