

STAFF REPORT



ITEM NO. 15

CITY OF OCEANSIDE

DATE: January 9, 2008
TO: Honorable Mayor and City Councilmembers
FROM: City Manager's Office
SUBJECT: **ADOPTION OF REVISED CITY COUNCIL POLICIES 100-25 AND 100-32**

SYNOPSIS

Staff recommends that the City Council adopt revised City Council Policies 100-25, concerning a cross-reference to City Council Policy 100-20; and 100-32, concerning citizen testimony at Council meetings, Workshops and Study Sessions.

BACKGROUND

The City Council utilizes a City Council Policy Manual to set certain policies and procedures related to City Council operations. From time to time staff reviews the policies to determine if updates are needed. Staff also requested input from all elected officials. The City Clerk's Office requested the updates to both Policy 100-25 and 100-32 to bring the policies in line with current practice.

ANALYSIS

Staff and the City Clerk have determined that City Council Policies 100-25 and 100-32 require updating.

The revised Policy 100-25 simply cross-references City Council Policy 100-20 for additional information.

The revised Policy 100-32 simply clarifies that public testimony on agendaized and nonagendaized items for Council meetings, Workshops and Study Sessions are handled in a consistent manner.

FISCAL IMPACT

Does not apply.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The City Attorney has reviewed the revised City Council Policies 100-25 and 100-32 and has approved them as to form.

RECOMMENDATION

Staff recommends that the City Council adopt revised City Council Policies 100-25, concerning a cross-reference to City Council Policy 100-20; and 100-32, concerning citizen testimony at Council meetings, Workshops and Study Sessions.

PREPARED BY:

SUBMITTED BY:



Michelle Skaggs Lawrence
Deputy City Manager



Peter A. Weiss
City Manager

REVIEWED BY:

John P. Mullen, City Attorney

Barbara Riegel Wayne, City Clerk





Attachments: Revised City Council Policies 100-25 and 100-32

	POLICY NUMBER	100-25
	ADOPTED	6-27-84
SUBJECT:	REVISED	1-16-02
Non-Interference in Administrative Affairs	REVISED	1-9-08

In order to regulate the manner in which members of the City Council individually interact with officers and employees appointed by or under the City Manager and/or City Attorney, it is the policy of the legislative body that:

1. Neither the City Council nor the Council Aides shall deal with any administrative officer or employee appointed by or under the City Manager and/or City Attorney (including City Clerk/City Treasurer) except through the City Manager and/or City Attorney, and neither the City Council nor any member thereof shall give orders to the subordinates of the City Manager and/or City Attorney, either publicly or privately.
2. Neither the City Council, nor its committees, nor any of its members shall dictate, suggest or interfere with appointments, promotions, compensations, disciplinary actions, contracts, requisitions, purchases or other administrative recommendations or actions of the City Manager and/or City Attorney, or of department heads under the City Manager. The City Council shall deal with administrative matters only in the manner provided by this policy; however, nothing herein contained shall restrict its power of hearing and inquiry. Requests for staff attendance at meetings held by Councilmembers shall be coordinated through the City Manager.
3. No member of the City Council shall directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the City Manager and/or City Attorney in the making of any appointment to, or removal from, any City office or employment, or the purchase of any supplies, or discuss directly or indirectly with any candidate for City Manager and/or City Attorney, the matter of appointments to City offices employment, or attempt to exact any promises from such candidates relative to any such appointment.
4. Council Aides may not participate in City-related meetings/discussions in lieu of the Councilmember for whom they work.
5. Please also reference Policy 100-20 regarding City Councilmembers' requests for information and attendance of staff at meetings called by City Councilmembers.

SUBJECT:	POLICY NUMBER	100-32
Citizen Testimony at City Council/	ADOPTED	12-17-86
CDC/Harbor Board Meetings, Council	REVISED	3-13-91
Workshops and Council Study Sessions	REVISED	12-12-01
	REVISED	1-9-08

It is the policy of the City Council that citizens will be given an opportunity to address the City Council in the following venues:

City Council Meetings, Council Workshops and/or Study Sessions

Each citizen will be allowed a maximum of three minutes time for public input with regard to non-agendized items (i.e. oral communications from the audience on items not specifically identified on the agenda) and a maximum of three minutes time for public input or testimony with regard to agendized items (i.e. public hearings, discussion items, and written agendized requests on items specifically identified on the agenda). At the City Council's discretion, additional time for testimony may be granted.

Council Workshops

~~It is the policy of the City Council to take public input on agendized items only. Each citizen will be allowed a maximum of three minutes.~~

Council Study Sessions

~~It is the policy of the City Council to take public input on agendized items only, **at the end of the agenda.** Each citizen will be allowed a maximum of two minutes.~~