

# STAFF REPORT



ITEM NO. 10  
CITY OF OCEANSIDE

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DATE: September 19, 2007  
TO: Honorable Mayor and City Councilmembers  
FROM: City Manager's Office  
SUBJECT: **ADOPTION OF REVISED CITY COUNCIL POLICIES 100-01 AND 100-03**

## **SYNOPSIS**

Staff recommends that the City Council adopt revised City Council Policies 100-01 and 100-03 concerning the Council's meeting schedule and public communications on off-agenda items.

## **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. It was determined that policies 100-01 and 100-03 needed to be updated simply to bring them into compliance with current Council practice.

## **ANALYSIS**

Staff has determined that City Council Policies 100-01 and 100-03 require updating.

The revised Policy 100-01 simply changes the language to reflect the joint nature of Council/CDC/Harbor meetings and brings the policy up to date with current practice.

The revised Policy 100-03 clarifies language for when advance written requests to speak need to be submitted (seven days prior to meeting date vs. two weeks in advance of meeting), which makes the policy more flexible for the public.

## **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 100-01 and 100-03 and has approved them as to form.

**RECOMMENDATION**

Staff recommends that the City Council adopt revised City Council Policies 100-01 and 100-03.

PREPARED BY:

SUBMITTED BY:

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Michelle Skaggs Lawrence  
Deputy City Manager

  
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Peter A. Weiss  
City Manager

REVIEWED BY:

John P. Mullen, City Attorney

  
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Attachments: Revised City Council Policies 100-01 and 100-03

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| <b>SUBJECT:</b>                            | <b>POLICY NUMBER</b> | <b>100-01</b>   |
| <b>City Council, Community Development</b> | <b>ADOPTED</b>       | <b>8-10-83</b>  |
| <b>Commission and Harbor Board of</b>      | <b>REVISED</b>       | <b>3-13-91</b>  |
| <b>Directors Meeting Schedule</b>          | <b>REVISED</b>       | <b>12-12-01</b> |
|  | <b>REVISED</b>       | <b>9-19-07</b>  |

### Regular Meetings

It is the policy of the City Council that the ~~City Council's regular joint meeting dates of the City Council, Community Development Commission, and Harbor Board of Directors~~ will remain as established by resolution, on the first, second and third Wednesdays of each month, except in circumstances of holidays and/or events involving the majority of the City Council that conflict with a meeting date. ~~The CDC and Harbor Board's regular meeting dates are established by resolution and are held on the first and third Wednesdays of each month.~~ Meetings may be cancelled, if necessary, due to lack of a quorum. A Council/CDC/Harbor Board meeting date shall not be moved due to the vacation of a Councilmember/Commissioner/Harbor Director. Elected officials shall alternate vacations for the convenience of the public in keeping meetings on the regular meeting schedule.

### Special Meetings

The Mayor/CDC Chair, Harbor President or a minimum of three Councilmembers/Commissioners/Harbor Directors may, when deemed necessary, call a special meeting for a specific purpose. A 24-hour notice of the meeting is required giving the specific purpose of the meeting. The legislative body may act only on matters referred to in said notice.

### Adjourned Meetings

The City Council/CDC/Harbor Board may adjourn any regular or adjourned meeting to a date specified in the order of adjournment. When so adjourned, the adjourned meeting is then considered a regular meeting for all purposes. When an order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.

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|   | <b>POLICY NUMBER</b> | <b>100-03</b>   |
| <b>SUBJECT:</b>                         | <b>ADOPTED</b>       | <b>8-26-81</b>  |
| <b>City Council/CDC/Harbor Board</b>    | <b>REVISED</b>       | <b>12-17-86</b> |
| <b>Off-Agenda Items; Public</b>         | <b>REVISED</b>       | <b>2-24-88</b>  |
| <b>Communications: Off-Agenda Items</b> | <b>REVISED</b>       | <b>12-12-01</b> |
|   |                      | <b>9-19-07</b>  |

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It is the policy of the City Council that no off-agenda items requiring Council action (including the City Manager's and the City Attorney's agenda items) be considered by the City Council unless one of the following criteria is met:

1. An emergency situation exists;
2. The Council determines by a two-thirds vote, or by a unanimous vote if less than two-thirds of the Council is present, that the need to take action on the item arose subsequent to the posting of the agenda; or
3. The item was included in an agenda for a prior meeting occurring not more than five days prior and was continued to the meeting at which the action is to be taken.

If the Council determines that the need to take action arose subsequent to the agenda posting, pursuant to criteria 2 above, it shall make that determination by separate motion, including the reasons for the determination. Those reasons shall be reflected in the Council minutes.

It is the responsibility of the Chairperson of any Council Committee to have all items requiring Council action placed on the agenda; otherwise that item will be subject to the same restrictions as another off-agenda item.

Notwithstanding the above, a Councilmember may, under City Councilmember Reports, give an informational report on any item not on the agenda, providing that no discussion or action takes place on that item.

**Public Communications on City Council/CDC/Harbor Board Matters (off-agenda item)**

Citizens shall have the right to address the City Council/CDC/Harbor Board on any matter within the elected body's jurisdiction, subject to the time limit set forth in Policy 100-32. Citizens may address the City Council/CDC/Harbor Board by one of the following methods:

### Written Requests

Submitting an advanced written request to address the City Council/CDC/Harbor Board, to the City Manager's Office no later than 10 a.m., seven days prior to two weeks in advance of the meeting, describing the item in sufficient detail for the Council/CDC/Harbor Board to ascertain the action or discussion being requested; or

### Oral Requests

Approaching the Council/CDC/Harbor Board under Public Communications on City Council/CDC/Harbor Board matters (off-agenda items)

The Council/CDC/Harbor Board may hear, but not discuss or take action on, citizen communications not on the agenda. All such communications shall be routinely referred to staff for administrative action or placement on a subsequent agenda, as deemed appropriate by staff.

All request-to-speak forms must be completed and submitted to the City Clerk prior to the beginning of the item in question.