



Staff Report

City Council

Item No. {{section.number}}.{{item.number}}

Meeting Date: November 13, 2024
From: Tracey Hermosillo, City Clerk
Title: Update City Council Policy Manual

RECOMMENDATION:
Approve updates to the City Council Policy Manual.

BACKGROUND:

On February 26, 2014, the City Council adopted the City Council Policy Manual explaining the roles of the City Council and outlining various policies pertaining to the City Council. From time to time, the Policy Manual has been revised and readopted, specifically on May 23, 2018, October 24, 2018, August 25, 2021, and June 28, 2023.

DISCUSSION:

The following items are proposed amendments to the current City Council Policy Manual:

At the City Council meeting on September 25, 2024, there was a consensus of the City Council to support an Administrative Policy related to the handling of written public comments received via email, letter, or other forms of communication for City Council, Commission and Committee Meetings. Staff is recommending revising Section 2.01.070 to read as follows:

2.01.070 COMMUNICATIONS RECEIVED AFTER AGENDA DISTRIBUTION

The purpose of this Section is to establish the following standardized procedure for the handling of written public comments received via email, letter, or other form of communication after the distribution of the Council agenda packet and prior to the Council meeting:

1. Written Comment Submission
 - Staff will accept written public comments until 2:00 p.m. on the day of the relevant meeting.
 - Written comments may be submitted via email, letter, or other forms of written communication.
 - Instructions for the submission of written comments will be provided on each
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- agenda.
2. Distribution of Written Comments
 - Hard copies of written comments will be provided to Council
 - Copies of written comments will be made available for the general public to review
 3. Record Keeping
 - All written comments received by the submission deadline will be made part of the official record.
 - The meeting minutes will include the name of the individual submitting the comment and a brief statement summarizing the content of the comment.
 4. Written comments will not be read into the record during the meeting.

This Section is intended to ensure transparency in the written public comment process and intended to provide a standardized approach for the City Council and its subordinate bodies.

At the City Council Meeting on October 9, 2024, there was discussion on Councilmember absences and direction was given to staff to add language to the Council Policy Manual providing a process for members of the City Council to follow when they are unable to attend a Council Meeting. Staff is proposing that two new sections be added to the Policy Manual as follows:

1. Add a new Section 1.03.090 “COUNCIL ABSENCES” under Chapter 1.03 “FUNCTIONS OF CITY COUNCIL AND CITY MANAGER” as follows:

1.03.090 COUNCILMEMBER ABSENCES

Section 36513(b) of the California Government Code provides that: “If a city councilmember is absent without permission from all regular city council meeting for 60 days consecutively from the last regular meeting he or she attended, his or her office becomes vacant and shall be filled as any other vacancy.” Due to potentially severe impact of this statutory rule, Councilmembers are encouraged to promptly notify the City Clerk and/or the City Manager of any anticipated absence from any regular City Council meeting, provide a short explanation for the absence, and request that the City Council excuse the absence. Prompt notice shall be considered to be any notice received by the City Clerk or City Manager within 48 hours of the meeting’s posted starting time up to 10 minutes prior to the meeting’s starting time. Notification may be by email or text or other form of writing, by telephone call or voicemail, or delivered in person. A satisfactory explanation may include, but is not limited to, illness, caregiving, traveling, vacation, traffic, accident, attending to other City business, or other circumstances warranting excuse from the meeting. If the City Clerk or City Manager has received prompt notice of the absence, they shall report such to the City Council when roll is called at the Council meeting together with the Councilmember’s explanation and request that the absence be excused. The Mayor shall ask the Councilmember’s present whether the absence will be deemed excused, and the City Clerk shall enter the resulting direction in the official minutes of the meeting. A Councilmember’s absence which is excused by the City Council in accordance with this Section, shall be deemed a permitted absence within the meaning of Government Code section 36513(b) and shall not count toward the sixty-day period referenced in that Section.

2. Add new Section 2.02.100 under Chapter 2.02 “CONDUCT OF MEETINGS” as follows:
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2.02.100 EXCUSING COUNCILMEMBER ABSENCE

If the City Clerk or City Manager has, in accordance with Section 1.03.090, received prompt notice of a Councilmember's anticipated absence from a regular Council meeting, they shall report the absence to the City Council when roll is called at the Council meeting together with the Councilmember's explanation and request that the absence be excused. The Mayor shall ask the Councilmember's present whether the absence will be deemed excused and the City Clerk shall enter the resulting direction in the official minutes of the meeting.

For consistency with the City Council and its subordinate bodies, staff recommends revising existing Section 2.02. 010 "Parliamentary Procedure" under Chapter 2.02 CONDUCT OF MEETINGS" as follows, with additions in italicized and underlined text and deletions in ~~strikeout~~.

2.02.010 PARLIAMENTARY PROCEDURE

Parliamentary procedure is a set of rules that regulate and standardize how the Council *and its subordinate bodies*, conduct business. It is the policy of the Council that, unless otherwise required by State law or other regulation, all City Council meetings, *and meetings of its subordinate bodies*, shall be conducted under Rosenberg's Rules of Order: Simple Productions for the 21st Century (*revised 2011, or subsequent editions*). However, no ordinance, resolution, or other action of the City Council, *or those of its subordinate bodies*, shall be invalidated, or the legality thereof otherwise affected, by the failure or omission of the Council *or its subordinate bodies* to observe or follow such rules. *For the purpose of this section, subordinate bodies of the City Council shall include all standing committees of the City Council and all boards, commissions and committees formed by the City Council including, but not limited to, the Parks and Community Events Commission, the Public Arts Commission, the Planning Commission, the Architectural Review Committee, and the Historic Preservation Committee.*

The recommended changes have been incorporated into the Policy Manual, which is attached for your consideration.

FISCAL IMPACT:

None

FIVE-YEAR STRATEGIC PLAN:

None

ATTACHMENTS:

1. Updated Policy Manual