

## MEMO

**DATE:** July 19, 2016  
**TO:** City Council  
**FROM:** Robb Davis, Mayor  
**SUBJECT:** Council Meeting Procedures

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### **Recommendation**

1. Direct staff to develop and return to Council with a proposed schedule of joint meetings between the City Council and commissions/committees and jurisdictional partners, such as DJUSD School Board, for the 2016-2018 Council.
2. Approve/affirm the following:
  - a. Move Council Announcements to the beginning of the agenda, to last a maximum of 10 minutes. During this period, in addition to brief announcements, Council members will note any consent calendar items they wish to pull from the agenda.
  - b. As a general rule, individual speakers will be allowed 2.5 minutes each to speak during Public Comment. Up to 5 minutes may be granted if the individual is speaking on behalf of five or more people present, a recognized organization, or a jurisdictional partner. The Mayor will have discretion about how much time to grant project applicants whose projects must be heard by the City Council.
  - c. Members of the public will be allowed to show visuals during Public Comment if materials are submitted to staff prior to the meeting, subject to guidelines to be developed.
  - d. Whenever possible, ceremonial items will be consolidated and limited to one meeting a month.
  - e. Rosenberg's Rules of Order will continue to be followed in the same manner the Council is currently using.
  - f. Clapping, booing or other disruptions during Public Comment, presentations or other non-ceremonial portions of the meeting will not be allowed. After the City Council has completed action on an item, members of the public may demonstrate support or opposition as long as such actions do not disrupt the normal flow of business.
  - g. Agenda packets will continue to be released on the Thursday prior to a Tuesday meeting. Complex and lengthy items or issues of particular significance to the community may be presented at one meeting for informational purposes, returning to the Council at a later meeting for additional discussion and action.
3. The Subcommittee on Legislation will continue to follow the guidelines developed by Council in 2013 to determine whether an item related to an issue outside of the city's normal jurisdiction should be brought before the full Council for consideration.

### **Fiscal Impact**

No fiscal impact

### **Background and Analysis**

At the beginning of each two-year Council season, the City Council reviews its meeting processes to ensure they meet the needs of the new Council. While the Council can opt to change its processes and procedures at any time, a clear template of expectations benefits not only the individual Council members, but also city staff and members of the community. Defining and affirming the structure under which the City Council will conduct its business creates a predictable procedural atmosphere, allowing the Council, staff and community members to focus instead on the substantive issues at hand.

Below is a list of several procedural actions for the Council's consideration – most are simply affirmations of processes already underway. Council is asked to review the information and express any concerns, agreement or additional ideas related to meeting process. In addition, Council members are encouraged to raise other issues of concern regarding meeting procedure.

#### *Joint Meetings*

Council has expressed interest in joint meetings with Commissions, special committees/task forces, and jurisdictional partners, such as the school district. Council should consider the desired objectives for these types of meetings, specifically whether the purpose is to discuss general progress of the group or to jointly address a specific issue or project. Council also needs to balance workload and general meeting length when planning the frequency and length of such meetings.

If there is interest among the Council to engage in joint meetings, Council should direct staff to work with the Mayor and Mayor Pro Tem to flesh out details regarding meeting content and prepare a proposed schedule of joint meetings for the 2016-2018 time frame.

#### *Council Announcements*

Currently, all Council Announcements are included at the end of the meeting, along with a discussion of the Long Range Calendar and AB1234 reporting. In years past, the Council Announcements have been both at the front of the meeting and at the end of the meeting. The benefit to having them at the beginning of the meeting is that members of the public are more likely to hear the announcements; the downside is that early announcements can be lengthy and delay discussion on regular items.

It is recommended that each agenda include a Council Announcements section at the beginning, to allow each Council member a maximum of two minutes to report out on liaison activities, important meetings attended, or other announcements of interest to the general public. Discussion of the Long Range Calendar and AB1234 reporting would remain at the end of the calendar, along with a second Council Announcements period for anything not shared during the early part of the meeting.

### *Public Comment*

While every meeting must include a place for Public Comment, the Council has discretion in how Public Comment is handled, specifically how long each individual is allowed to speak. As a general rule, individual speakers will be allowed 2.5 minutes each to speak. This will be a hard time limit and individuals will not be given extra time to “wrap up their comments.”

Up to five minutes may be granted if the individual is speaking on behalf of five or more people present. The speaker must identify the 5 or more people s/he is representing before beginning their public comment. Members of a recognized organization or a jurisdictional partner will also be granted up to five minutes if they are addressing the City Council in the name of their organization or jurisdiction. In addition, applicants whose projects must be heard by the Council will be accorded additional time to present. Exact times will be worked out on a case by case basis by the Mayor and staff.

The Mayor, in consultation with the Council, has the discretion to manage and limit the overall time for the Public Comment period.

Occasionally, a member of the public wants to share a visual with the Council. The City does not have a consistent policy in place for addressing this issue; the Council should establish a consistent response to this question. If Council agrees to allow the person to show the graphic, it is recommended that the Council require the individual to share the document with staff prior to the start of the Council meeting. Individuals should provide the visual to staff via email so staff can ensure the item is appropriate for the meeting and can load it onto the staff computer. Individuals using visuals should understand that the time needed to load and position the visuals will be counted as part of their 2.5 minute public comment time. Staff will establish standards for what formats are acceptable (e.g. PowerPoint slides, PDF files), size of document, submittal requirements, etc.

Once Council agrees on the policy for Public Comment, staff will create signage at the podium and in Chambers to explain the Public Comment process for Council meetings. (Staff will create a comprehensive explanation of procedures to display in the foyer and as a reference document at the back counter. Explanation on Public Comment rules will also be included at the podium.

### *Ceremonial Items*

Whenever possible, presentation of ceremonial items such as proclamations, will be consolidated and limited to one meeting a month. Proclamations may be issued at any time, outside of a Council meeting or on any consent calendar.

### *Rosenberg’s Rules of Order*

Currently, the Council receives a staff report on an item, asks questions, makes a motion and finally, discusses the motion on the table. Up to two substitute motions may be on the table at the same time. In addition, Friendly Amendments should be approved both by the maker and the seconder of the original motion. Council should affirm that these current practices continue to be followed.

### *Disruptions During the Meeting*

Clapping, booing or other disruptions during Public Comment, presentations or other non-ceremonial portions of the meeting will not be allowed. After the City Council has completed action on an item, members of the public may demonstrate support or opposition as long as such actions do not disrupt the normal flow of business. If an individual disrupts the meeting, the Mayor will recess the meeting and request the individual be removed.

### *Agenda Packets*

Currently, Council meeting agendas and packets are released on the Thursday prior to the Tuesday Council meeting. While this does require a brief window of time for Council members and others to familiarize themselves with the packet, it does permit staff to include the most up-to-date information in the staff reports. Also, in the case of back-to-back meetings, releasing an agenda on Thursday ensures only one agenda for a Council meeting is out at a time.

Council has previously expressed frustration with large, complex and/or controversial items released on Thursday with an expectation that Council will vote on the item a few days later. To address this, staff has been bringing such items forward to the Council at one meeting for the purpose of introduction and initial discussion. Staff then returns to the Council at a subsequent meeting(s) for additional discussion and a vote. The recommendation is to continue this practice. The entire Council should help staff determine which items are likely to require additional discussion and analysis. In addition, the City Council should use its discretion to determine when an item that is slated for a decision requires more time for community input or Council consideration and continue the item, as necessary to another meeting.

Occasionally, the City Council is presented with new or updated information by staff or a project proponent just prior to or during a City Council meeting. It should be acknowledged that while generally discouraged there are times when this may be necessary to ensure the most current information available is being considered. It shall be the discretion of the City Council to determine on a case-by-case basis the extent to which the information will be considered and whether the matter should be continued to a future date to afford appropriate time for the information to be absorbed or analyzed by the Council, staff, and the public.

### *Legislation for Items Outside of the Organization*

The City Council is often asked to consider endorsing or opposing Federal and State legislative proposals or other proposals not necessarily within the jurisdiction of the United States. Each Council has a different approach to how it wants to handle requests for Council action on issues that fall outside of the City's jurisdiction. The current process is for the Subcommittee on Legislation to determine what to bring forward to the City Council. Council should affirm that it wants this practice to continue, with the addition of guidelines to assist the Subcommittee in determining whether to take an item to the full City Council.

In 2013, the City Council determined that the Legislative Subcommittee and staff would adhere to the following initial guidelines:

- The Subcommittee will work with staff to identify and research relevant legislation that may affect Davis, monitor the bills progress, provide a non-biased bill analysis and forward such analysis and recommendation to the Council as appropriate.

- The sub-committee will focus attention on issues of particular interest to Davis as well as legislation authored by local legislators. The Sub-committee and staff will follow all bills the City has issued a position and report out any significant changes and the status of the legislation.

While not specifying particular subjects that can come before Council, the guidelines are clear that the Subcommittee needs to make a nexus between the proposed position and the city.

In addition, the Council also approved the following in 2013: If a bill advances or diminishes the goals and/or priorities set by the City Council, and/or approved City programs or policies, the Council Legislative Sub-committee will authorize the Mayor to issue a position letter without the issue going before the Council. An example would be endorsing “Safe routes to school” legislation. These administrative approvals will be forwarded to Council for information.

If the timing of the legislation is such that it does not allow for the issue to come before City Council, the Council Legislative Sub-committee will authorize the Mayor to issue a position letter without the issue going before the Council. These issues will be forwarded Council on the next available City Council agenda.

If the legislation is outside the realm of goals and/or priorities set by the City Council and/or current policies and procedures, the sub-committee will provide analysis and a recommendation for full City Council consideration. A Resolution will be drafted to transmit the City Councils position on these matters.

It is recommended that these procedures remain in place.