

**Agenda Date:** 5/21/2013

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

David N. Carmany, City Manager

**FROM:**

Clay J. Curtin, Senior Management Analyst

**SUBJECT:**

General Meeting Management Procedures (including meeting starting and ending times and rules of decorum) and Agenda Development and Structure (coordination and development of agendas, placement and order of agenda items, public comment opportunities, consent calendar items and pulling of consent calendar items).  
DISCUSS AND PROVIDE DIRECTION

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**RECOMMENDATION:**

Staff recommends that the City Council discuss and provide direction regarding general meeting management procedures (including meeting starting and ending times and rules of decorum) and Agenda Development and Structure (coordination and development of agendas, placement and order of agenda items, public comment opportunities, consent calendar items and pulling of consent calendar items).

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

Over time, the Manhattan Beach City Council has adopted a series of resolutions that established rules of order for the conduct of business. Periodically, the City Council reviews and amends its rules of order for the conduct of City Council meetings to facilitate effective meeting management, thereby creating an environment in which more members of the public may participate in the meeting at a reasonable hour.

In October 2012, the City Council considered a number of different ideas designed to facilitate effective meeting management. After consideration and discussion of such items, the City Council adopted Resolution No. 12-6411 (Attachment 1) to memorialize its "Rules of Order."

The City Council has been operating under Resolution No. 12-6411 for just over six months, however, during that time two new councilmembers have been elected and the City Council has directed staff to agendize for discussion a review of these "Rules of Order" to consider possible revisions.

**DISCUSSION:**

Specific discussion points are outlined below, along with recommended language to be included in a City Council Handbook (Attachment 2). Similar to the Boards and Commissions Handbook, this document could be used to supplement or possibly replace Resolution No. 12-6411, and serve as a guide to the City Council, staff, and members of the public on concerns regarding a variety of City Council procedural topics pertaining to the

conduct of public meetings, such as meeting times, agenda preparation and rules for conducting public meetings.

For this report, the City Council has requested discussion on the following topics:

1. GENERAL MEETING MANAGEMENT PROCEDURES

- a) Meeting starting and ending times
- b) Rules of Decorum

2. AGENDA DEVELOPMENT AND STRUCTURE

- a) Coordination and Development of Agenda
- b) Placing Items on an Agenda
- c) Order and placement of agenda items
- d) Public comment opportunities
- e) Consent Calendar items
- f) Pulling of Consent Calendar items

1. GENERAL MEETING MANAGEMENT PROCEDURES

- a) Meeting starting and ending times

Currently, meetings are generally held in the City Council Chambers, 1400 Highland Avenue, unless otherwise ordered by the City Council, on the first and third Tuesdays of the month starting at 6:00 pm, with closed sessions typically being convened prior, as needed. This was the result of a change from the previous starting time of 6:30 pm. According to City Council policy, all regular meetings of the City Council are to adjourn by 11:00 pm unless there is a four-fifths vote taken by 10:30 pm to extend the meeting. The motion to extend is to include the agenda number and title of the items to be considered after 11:00 and a new ending time for the meeting. Upon adjournment, all agenda items not completed shall be continued to the next regular City Council meeting or to such other time as set by the City Council prior to adjournment.

- b) Rules of Decorum

The City Council has recognized the importance of approaching the public's business in an environment of personal respect and courtesy, which places emphasis on the consideration of policy and avoids personalization of comments.

Guidelines have been developed to ensure that meetings of the City Council are conducted in a civil and professional manner. Councilmembers, staff, and the public are encouraged to focus discussion on policy matters, recognize personal criticism as inappropriate, preserve appropriate order and decorum while others are expressing their views during all meetings, and treat members of the public equally by applying rules in a fair and consistent manner. All participants should be discouraged from engaging in side conversations, disruptions, interruptions, or delaying efforts that lessen the efficiency of meetings. In the event of a person(s) demonstrating rude, boisterous, or profane behavior, the Mayor will call such person(s) to order. If such conduct continues, the Mayor may call a recess, request the removal of such person(s) from the City Council Chambers, or take other appropriate action. The City Council has a longstanding practice of discouraging applause, booing, or other similar behaviors from the public during meetings.

Attachment 3 is a memo from the City Attorney's office regarding suggested protocol for dealing with disruptive persons during public meetings.

2. AGENDA DEVELOPMENT AND STRUCTURE

- a) Coordination and Development of Agenda

Traditionally, the Mayor and Mayor Pro Tempore have been assigned by the City Council to consult and coordinate with the City Manager in the development of agendas for meetings of the City Council. The scope of such review focuses on the timing of business items and the volume of business that can be considered at any one meeting. Such review does not allow for a unilateral unlimited delay of items to be considered by the City Council, or the introduction of new items not otherwise part of the City Council's identified priorities or strategic plan.

The length and intensity of regular city council meetings vary by the issues, but a good agenda will allow all

council members and the public to always know what to expect. Short, routine meetings alternating with marathon sessions can hinder adequate time for consideration of some critical issues, and too much time being devoted to others - it is important to avoid peaks and valleys.

Should any significant disagreement arise regarding the scheduling of items, these matters are to be resolved by the full City Council.

Good agendas are accompanied by clear, concise, timely, written recommendations that exhibit careful preparation and competent analysis. This contributes to a team spirit to resolve conflict and carry out responsibilities, and a meeting that comports with the expectations of an engaged, classy, upbeat, and can-do Manhattan Beach. Agenda packets are delivered at the same time, and all city council members are given the same information (if one asks for something special, it is shared with everyone).

A copy of the draft agenda is transmitted to the Mayor and Mayor Pro Tempore for review on the Monday one-week prior to the meeting. The agenda preparation cycle requires staff to submit reports for a Tuesday City Council meeting to the City Clerk by noon on the Friday two-weeks preceding the meeting. All agenda materials are typically available on the Thursday or Friday before the Tuesday City Council meeting, ahead of the 72-hour deadline. Agendas typically include a tentative City Council calendar that shows upcoming City Council and Commission meeting dates 3-6 months in advance.

Given the agenda development schedule, it will usually require at least two weeks for the preparation of a report requested by the City Council. Complex reports, of course, will require more time to prepare, and an estimated time of completion can be provided to the City Council. The ability to schedule new agenda items depends on the nature of the item itself, other agenda subjects that are already scheduled and the amount of time available.

#### b) Placing Items on an Agenda

**City Council:** A Councilmember may request an item be considered on a future agenda and, upon agreement of a majority of City Council, staff will prepare a staff report if formal City Council action is required.

Councilmembers may make this request verbally during a meeting or may submit written requests. Normally, the process involves two steps: initial consideration of the request by the full City Council at the soonest possible regularly scheduled meeting; and, if a majority agrees, the matter is then scheduled for further consideration on an upcoming meeting agenda.

**Members of the Public:** Persons desiring to place items on the agenda shall submit a request, in writing, to the City Manager stating the nature of business and as much detail as possible. The City Manager will determine if the request is appropriate as a City Council agenda matter or if some other form of response should be made by the City. A member of the public may also request that an item be placed on a future agenda during public comment or through other communication with Councilmembers. Upon approval of a majority of City Council, the item will be agendized and a staff report may be prepared. The City Manager will inform the City Council of the potential impact the request will have on established priorities or staff workload and seek approval by the City Council before authorizing the work or scheduling the item as appropriate.

**Emergency and Non-Agendized Items:** Emergency and non-agendized items may be added to an agenda only in accordance with state law. Emergency items are only those matters affecting public health or safety such as work stoppages, disasters and other severe emergencies. Adding an emergency item requires a majority vote. Emergency items are very rare. More likely, after the agenda is posted an item arises that the City Council would like to act on. Non-agendized items may be added to the agenda only if the City Council makes required findings that (1) the need to consider the item arose after the posting of the agenda, and; (2) there is a need to take immediate action at this meeting of the City Council. These findings must be approved by a 4/5th vote; if less than five members of City Council are present, the findings require a unanimous vote of those present.

#### c) Order and placement of agenda items (Note: content of certain items may be covered later in this report).

The following order of business items are outlined in Resolution No. 12-6411 and explained further here:

1. Pledge to the Flag:
2. Roll Call:
3. Ceremonial Calendar:

The Ceremonial Calendar typically consists of awards, proclamations, commendations, and the like. The Mayor is recognized as the official head of the city for all ceremonial purposes and as part of those ceremonial responsibilities, the Mayor is charged with administration of proclamations.

4. Approval of the Agenda:

By motion of the City Council this is the time to notify the public of any changes to the agenda and/or rearrange the order of the agenda.

5. Community Announcements (One Minute Per Person):

This portion of the meeting is to provide an opportunity for citizens to address the City Council regarding community announcements. The duration for an individual speaking under "Community Announcements" is limited to one minute. A second, extended opportunity to speak is provided under "Audience Participation." While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda.

6. Audience Participation (Three Minutes Per Person):

Speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, including items on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda.

7. Consent Calendar:

Those items on the City Council agenda that are considered to be of a routine and non-controversial nature by the City Manager are placed on the "Consent Calendar." The "Consent Calendar" adopting the printed Recommended City Council Action will be enacted with one vote. The Mayor will ask the City Councilmembers, the public, and the staff if there is anyone who wishes to remove any item from the "Consent Calendar" for discussion and consideration. The matters removed from the "Consent Calendar" will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." At that time, any member of the audience may comment on any item pulled from the "Consent Calendar." The entire "Consent Calendar," with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.

8. Public Hearings:

A public hearing is used to obtain public testimony or comment and provides both sides of an issue to express their views, which are recorded in the public record and used by the City Council to gather information and make decisions.

9. General Business:

Regular items listed under General Business are shown on the agenda as discussion items typically requiring a vote or City Council action, and are normally taken in the order listed.

10. Items Removed from the Consent Calendar:

Prior to the City Council's consideration of each item removed from the Consent Calendar, speakers may comment on any or all of those items for up to three minutes per item.

11. City Manager Report(s):

Provides the City Manager an opportunity to update the City Council and the public regarding any issue of public interest. Also, the City Manager provides reports on travel and training undertaken by senior staff (department heads).

12. Other Council Business, Committee and Travel Reports:

Provides members of the City Council an opportunity to introduce matters not currently before the City Council, including brief announcements, to pose questions of staff and make requests for items to be placed on the agenda at a future meeting. Examples of appropriate communications would be information of general interest received from outside agencies, comments or inquiries received from the public, requests to agendaize future items, and reports on meetings attended at the expense of the City, pursuant to California law, AB 1234. As to items placed on the agenda by a Council member, no staff time shall be incurred in connection with such item, other than incidental time, such as reproducing correspondence or making minor revisions to conform a resolution provided by an outside entity to the City's resolution format.

### 13. Adjournment

Meetings are typically adjourned to the next regularly scheduled meeting and this announcement shall include the name, date, time and location of such meeting. Occasionally, meetings may be adjourned in honor or memory of individuals with ties to the government agency or community.

Several City Councilmembers have expressed interest in rearranging the items on standard order of business. One idea discussed previously included moving the City Manager Report(s) earlier, to immediately follow Audience Participation.

#### d) Public comment opportunities

Time is set aside near the beginning of the agenda to receive general public comment about issues not on the agenda. First, the Community Announcements portion of the agenda provides anyone with one minute to announce public events. Secondly, Audience Participation provides individual speakers with three minutes to comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, including items on the agenda. However, it is encouraged that comments on agenda items should be heard later when the appropriate item is called. Individuals desiring to speak are asked to address the City Council from the speaker podium.

Comments should focus on a specific matter within the City Council's jurisdiction. Members of the public are free to present written comments, preferably in advance of the meeting, as a way to fully communicate their thoughts on agenda or non-agenda items.

When written materials are presented, they should be submitted to the City Clerk for distribution and record keeping ahead of time. Comments are typically limited to three minutes per speaker so that all have an opportunity to address the City Council.

Due to ongoing confusion and misuse of Community Announcements, it may be worthwhile to discuss combining the Community Announcements portion and the Audience Participation portion of the agenda. Currently, much time is often wasted when individuals get up to speak and are interrupted or cutoff due to the one minute limit and then will come back to continue their comments during Audience Participation. Combining or consolidating these two portions of the agenda could result in efficiencies and a mutually beneficial participation experience for both the speaker and the City Council.

#### e) Consent Calendar items

Those items on the City Council agenda that are considered to be of a routine and non-controversial nature by the City Manager are placed on the "Consent Calendar." These items shall be approved, adopted, accepted, etc., by one motion of the City Council. Typical consent calendar items include the final reading and adoption of ordinances, various resolutions approving agreements, awards of contracts, minor budgetary adjustments, meeting minutes, status reports, and reports of routine city operations. Examples of such routine and customary items from the adopted Resolution No. 12-6411 include:

1. Approval of Minutes
2. Approval of Minute Actions
3. Acceptance of Grant Deeds/Grants of Easement
4. Notices of Completion for Projects
5. City Treasurer's Report
6. Approval of Plans and Specifications; Call for Bids
7. Bid Awards
8. Approval of Records Destruction
9. Approval of Leases and Agreements

- 10. Approval of Annexations
- 11. Receive and File or Refer Correspondence
- 12. Approval or Receive and File Commission or Board Resolutions or Actions
- 13. Appointments/Resignations/Personnel Actions
- 11. Claims against the City
- 12. Resolutions of Intent or Calling of Hearings
- 13. Approval of Demands

Several City Councilmembers have expressed interest in revisiting the types of items identified as Consent Calendar items in Resolution No. 12-6411. Previously discussed ideas included setting dollar limits (i.e. \$50,000) for bid awards or approval of agreements. Due to the sheer volume and frequency of many of the types of reports outlined in Resolution No. 12-6411, staff recommends no change to the types of items to be placed on the Consent Calendar.

f) Pulling of Consent Calendar items

Councilmembers may request that any item listed under "Consent Calendar" be removed and that the City Council take separate action on the item.

Currently, a member of the public may also request that an item listed under "Consent Calendar" be removed and City Council action taken separately on the item. Items that are removed ("pulled") for discussion will typically be heard after General Business items are discussed unless the majority of City Council chooses an earlier or later time.

Following any potential changes or direction by the City Council in regards to the types of items to be placed on consent, the City Council may want to modify how items are "pulled from consent." For instance, it may be effective to continue to allow members of the public to request that items be pulled from consent, but in addition, require that the City Council vote to concur with such a request. This would cut down on some of the frivolous "pulling" of items by members of the public who could in fact be abusing this opportunity in order to gain more than their fair share of meeting time, thereby alienating and dissuading other members of the public from speaking or otherwise participating at City Council meetings.

CONCLUSION:

Staff recommends that the City Council discuss and provide direction regarding meeting management, start and ending times, time limits for speakers, criteria for consent calendar, order and placement of agenda items, and rules of decorum.

Attachments:

- 1. Resolution No. 12-6411
- 2. City Council Handbook
- 3. City Attorney Memo: Suggested Protocol for Dealing with Disruptive Persons

**Agenda Date:** 8/13/2013

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**TO:**

Honorable Mayor and Members of the City Council

**FROM:**

David N. Carmany, City Manager

**SUBJECT:**

General Meeting Management Procedures (including meeting ending times and rules of decorum); Agenda Structure (order of agenda items, consent calendar items and pulling of consent calendar items); and City Council Handbook.

DISCUSS AND PROVIDE DIRECTION

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**RECOMMENDATION:**

Staff recommends that the City Council discuss and provide direction regarding general meeting management procedures (including meeting ending times and rules of decorum), Agenda Structure (order of agenda items, consent calendar items and pulling of consent calendar items) and whether staff should prepare a City Council Handbook.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with these matters.

**BACKGROUND:**

Periodically, and most recently May 21, 2013, the City Council has reviewed its rules of order for the conduct of City Council meetings to facilitate effective meeting management, thereby creating an environment in which more members of the public may participate in the meeting at a reasonable hour. The agenda staff report for the May 21, 2013 council meeting is attached as Attachment 1.

After discussion on May 21, 2013, the City Council provided direction on a number of items and directed staff to return with an updated report for further discussion.

**DISCUSSION:**

In light of the May 21, 2013 Council discussion, this report has been organized as follows:

1. ITEMS IMPLEMENTED PURSUANT TO COUNCIL DIRECTION GIVEN ON MAY 21, 2013.
2. ITEMS REQUIRING FURTHER DISCUSSION.
3. REMAINING ISSUES NOT ADDRESSED ON MAY 21, 2013.
4. CITY COUNCIL HANDBOOK.

1. ITEMS IMPLEMENTED PURSUANT TO COUNCIL DIRECTION GIVEN ON MAY 21, 2013.

Pursuant to Council direction given on May 21, 2013, the following items have been implemented:

- a. Council Meeting Start Time: City Council meetings will continue to start at 6:00 with ceremonial matters first.
- b. Parking Restrictions at City Hall During City Council Meetings: Parking restrictions during meetings have been diminished.
- c. Placement of Community Announcements on City Council Agenda: Community announcements will remain early on the agenda with clarification in the agenda that announcements should be for upcoming events. (But note possible expansion of this item for AB 1234 reports; see discussion item under Section 2.)
- d. Scope of Permissible Audience Participation Matters: Audience participation to remain early on the agenda for any matter within the subject matter jurisdiction of the Council.
- e. Estimated Time of Agenda Items: Projected times for agenda items have been added to the agenda.
- f. Agenda Development Meetings: The Mayor and Mayor Pro Tem will participate in agenda review meetings.
- g. Draft Agenda Forecast: The draft agenda forecast will be distributed weekly.
- h. Placement of City Manager Report on City Council Agenda: The City Manager report will be given early on the agenda.

## 2. ITEMS REQUIRING FURTHER DISCUSSION.

### a) Council Meeting End Time

Section 2 of Resolution No. 12-6411 (Attachment 2) currently provides:

“All public hearings and “General Business” agenda items which have not been introduced by 10:30 p.m. will be continued to the next regular City Council meeting, or to another time set by the City Council prior to adjournment, unless the City Council votes to suspend this rule. Any public hearing or General Business item commenced prior to 10:30 p.m. may be completed without the necessity of a vote to suspend this rule.

The City Council shall adjourn each regular meeting by 11:00 p.m. Upon adjournment, all agenda items not completed shall be continued to the next regular City Council meeting, or to such other time set by the Council prior to adjournment.

By a 4/5th vote, the Council may waive or extend the deadlines specified [above].”

### b).Posting of City Council Agendas

On May 21, 2013, the Council directed staff to post and eNotice agendas by the Wednesday before the regular City Council meeting. The Brown Act requires that such agendas be posted at least 72 hours before the meeting.

### c). Revised Rules of Decorum

The City Council has recognized the importance of approaching the public's business in an environment of personal respect and courtesy, which places emphasis on the consideration of policy and avoids personalization of comments.

Guidelines have been developed to ensure that meetings of the City Council are conducted in a civil and professional manner. Councilmembers, staff, and the public are encouraged to focus discussion on policy matters, recognize personal criticism as inappropriate, preserve appropriate order and decorum while others are expressing their views during all meetings, and treat members of the public equally by applying rules in a fair and consistent manner. All participants should be discouraged from engaging in side conversations, disruptions, interruptions, or delaying efforts that lessen the efficiency of meetings. In the event a person demonstrates rude, boisterous, or profane behavior, the Mayor will call such person to order. If such conduct continues, the Mayor may call a recess, request the removal of such person(s) from the City Council Chambers, or take other appropriate action. The City Council has a longstanding practice of discouraging applause, booing, or other similar behaviors from the public during meetings.

Attachment 3 is a memo from the City Attorney's office regarding a suggested protocol for dealing with disruptive persons during public meetings. Upon review of other cities' protocols, staff recommends that the City Council adopt the attached “Rules of Decorum.” See Attachment 4.

### d. Expand Community Announcements to include AB 1234 Reports

AB 1234 provides that city officials must provide brief reports on meetings attended at a city's expense at the

next council meeting. Government Code § 53232.3(d). In the past, councilmembers have provided their reports during Other Council Business and Travel Reports. Staff recommends that councilmembers instead provide such reports during Community Announcements.

e. The Addition of Rules of Decorum and Definitions to the Agenda Cover Page  
The City Clerk has contacted Granicus to see if this can be done.

f. Miscellaneous Direction at the May 21 City Council meeting

At the May 21, 2013 Council meeting, the Council directed staff to bring back the following for Council consideration:

- Setting a (15 minute) total time limit per speaker each meeting.
- Moving the Consent Calendar after the General Business Items.
- Defining what items belong on the Consent Calendar.
- Producing a City Council handbook which contains Council meeting rules and procedures which could be used to supplement or replace Resolution No. 12-6411.

These items are addressed in the following sections.

### 3. AGENDA DEVELOPMENT AND STRUCTURE

- a) Placing items on an agenda
- b) Order of agenda items
- c) Consent Calendar items and "Pulling" of Consent Calendar items

#### a) Placing Items on an Agenda

Mayor and City Manager: Traditionally, the City Manager and Mayor may place any items on the agenda.

Councilmembers: A Councilmember may request an item be considered on a future agenda and, upon agreement of a majority of City Council, staff will prepare a staff report if formal City Council action is required. Councilmembers may make this request verbally during a meeting or may submit written requests. Normally, the process involves two steps: initial consideration of the request by the full City Council at the soonest possible regularly scheduled meeting; and, if a majority agrees, the matter is then scheduled for further consideration on an upcoming meeting agenda. In rare cases, Councilmembers have made written requests outside of a council meeting when there is a need to take prompt action. We recommend that such requests be given to the Mayor for his or her consideration.

Members of the Public: Persons desiring to place items on the agenda shall submit a request, in writing, to the City Manager stating the nature of business and as much detail as possible. The City Manager will determine if the request is appropriate as a City Council agenda matter or if some other form of response should be made by the City. A member of the public may also request that an item be placed on a future agenda during public comment or through other communication with Councilmembers. Upon approval of a majority of City Council, the item will be agendized and a staff report may be prepared. The City Manager will inform the City Council of the potential impact the request will have on established priorities or staff workload and seek approval by the City Council before authorizing the work or scheduling the item as appropriate.

Emergency and Non-Agendized Items: Emergency and non-agendized items may be added to an agenda only in accordance with state law. Emergency items are only those matters affecting public health or safety such as work stoppages, disasters and other severe emergencies. Adding an emergency item requires a majority vote. Emergency items are very rare. More likely, after the agenda is posted an item arises that the City Council would like to act on. Non-agendized items may be added to the agenda only if the City Council makes required findings that (1) the need to consider the item arose after the posting of the agenda, and; (2) there is a need to take immediate action at this meeting of the City Council. These findings must be approved by a 4/5th vote; if less than five members of City Council are present, the findings require a unanimous vote of those present.

#### b) Order of agenda items.

Councilmembers have expressed interest in rearranging the order of the agenda. As modified by the Council on May 21, the following is the order of the agenda. (Please note that an amendment to Resolution No. 12- 6411 is

needed for any changes.)

1. Pledge to the Flag.

2. Roll Call.

3. Ceremonial Calendar:

The Ceremonial Calendar typically consists of awards, proclamations, commendations, and similar matters. The Mayor is recognized as the official head of the city for all ceremonial purposes. As part of those ceremonial responsibilities, the Mayor delivers proclamations.

4. Approval of the Agenda:

By motion of the City Council this is the time to notify the public of any changes to the agenda and/or rearrange the order of the agenda.

5. Community Announcements (One Minute per Person):

This portion of the meeting is to provide an opportunity for citizens to address the City Council regarding community announcements about future events.

6. Audience Participation (Three Minutes per Person):

Speakers may comment on any item within the subject matter jurisdiction of the City Council, including items on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City. The Brown Act does not allow City Council to take action on any item not on the agenda.

Members of the public are free to present written comments, preferably in advance of the meeting, as a way to fully communicate their thoughts on agenda or non-agenda items. When written materials are presented, they should be submitted to the City Clerk for distribution and record keeping ahead of time.

On May 21, 2013, Councilmembers expressed interest in considering setting a (15 minute) total time limit per speaker each meeting for the entire agenda.

7. City Manager Report(s):

Provides the City Manager an opportunity to update the City Council and the public regarding any issue of public interest. Also, the City Manager provides reports on travel and training undertaken by senior staff (department heads).

8. Consent Calendar: (See Discussion below in Section c.)

9. Public Hearings.

10. General Business.

11. Items Removed from the Consent Calendar: (See Discussion below in Section c.)

12. Other Council Business, Committee and Travel Reports:

Provides members of the City Council an opportunity to introduce matters not currently before the City Council, including brief announcements, to pose questions of staff and make requests for items to be placed on the agenda at a future meeting. Examples of appropriate communications would be information of general interest received from outside agencies, comments or inquiries received from the public, requests to agendaize future items, and reports on meetings attended at the expense of the City, pursuant to California law, AB 1234. As to items placed on the agenda by a Council member, no staff time shall be incurred in connection with such item, other than incidental time, such as reproducing correspondence or making minor revisions to conform a resolution provided by an outside entity to the City's resolution format.

13. Adjournment.

c. Consent Calendar.

The following issues have arisen regarding the Consent Calendar:

1. The type of matters on the Consent Calendar.
2. Amend the description in the agenda packet to indicate Consent Calendar items - are intended to be "routine and customary"
3. The removal of Consent Calendar items by the public.
4. Whether the Consent Calendar should be moved to a different place on the agenda .

Consent Calendar Matters: Items that are considered to be routine and customary are placed on the "Consent Calendar." The current practice is: the Mayor asks the staff, Councilmembers and the public if anyone wants to remove an item from the Consent Calendar for individual consideration. Items removed from the Consent Calendar are considered at the end of the Agenda under "Items Removed from the Consent Calendar . At that time, any member of the audience may comment on any item pulled from the Consent Calendar.

Resolution 12 -6411 provides: "Those items on the City Council agenda which are considered routine by the City Manager shall appear on a separate section on the agenda and shall include, but not be limited to, the following items:

1. Approval of Minutes
2. Approval of Minute Actions
3. Acceptance of Grant Deeds/Grants of Easement
4. Notices of Completion for Projects
5. City Treasurer's Report
6. Approval of Plans and Specifications and Call for Bids
7. Bid Awards
8. Approval of Records Destruction
9. Approval of Leases and Agreements
10. Approval of Annexations
11. Receive and File or Refer Correspondence
12. Approval or Receive and File Commission or Board Resolutions or Actions
13. Appointments/Resignations/Personnel Actions Res. 6411
14. Claims against the City
15. Resolutions of Intent or Calling of Hearings
16. Approval of Demands

In addition to those items, other cities include the following items on their consent calendars:

- (a) Adoption of Ordinances
- (b) Adoption of Resolutions
- (c) Approval of Purchase Orders
- (d) Acceptance of Donations
- (e) Designation of Voting Delegates, Commission/Board Appointments, and Alternates
- (f) Adoption of Policies
- (g) Approval of Funding Agreements or Funding/Sponsorship Requests
- (h) Appropriations of Funds
- (i) Approval of Change Orders

Some City Councilmembers have expressed interest in revisiting the types of items identified as Consent Calendar items in Resolution No. 12-6411. Previously discussed ideas included setting dollar limits for bid awards or approval of contracts. In checking with other cities, staff discovered that such cities have no dollar limits, and some contracts on the consent calendar have exceeded \$1,000,000. Due to the sheer volume and frequency of many of the types of reports outlined in Resolution No. 12-6411, staff recommends that the Council consider amending Resolution 12-6411, to delete archaic items and to add any or all of items a-i above.

Items Removed from the Consent Calendar: Prior to the City Council's consideration of each item removed from the Consent Calendar, speakers may comment on any or all of those items for up to three minutes per item.

Pursuant to Council comments at the May 21, 2013 meeting, the Council may wish to revisit the rules regarding items removed from the consent calendar. Currently, a member of the public may request that an item listed under Consent Calendar be removed for individual consideration. Items that are removed ("pulled") for discussion will typically be heard after General Business items are discussed unless the majority of City Council

chooses an earlier or later time.

Following any potential changes or direction by the City Council in regards to the types of items to be placed on consent, the City Council may want to modify how items are “pulled from consent.” For instance, it may be effective to continue to allow members of the public to request that items be pulled from consent, but in addition, require that the City Council vote to concur with such a request. This would cut down on some of the frivolous “pulling” of items by members of the public who could in fact be abusing this opportunity in order to gain more than their fair share of meeting time, thereby alienating and dissuading other members of the public from speaking or otherwise participating at City Council meetings.

#### City Council Handbook

Staff has attached a “City Council Handbook” using another city’s handbook as a model. See Attachment 5. Similar to the Boards and Commissions Handbook, a Council Handbook could be used to supplement or possibly replace Resolution No. 12-6411, and serve as a guide to the City Council, staff, and members of the public regarding a variety of council matters, including procedural topics discussed above. If the Council approves this concept, staff will incorporate the actions taken in connection with this agenda item and present the handbook to the council at a later date. The draft may need to be amended depending on the Council action on the above issues.

#### CONCLUSION:

Staff recommends that the City Council discuss and provide direction regarding meeting management and rules of decorum, order of agenda items, criteria for consent calendar and pulling items off the consent calendar, and the draft City Council Handbook.

#### Attachments:

1. May 21, 2013, City Council Staff Report
2. Resolution No. 12-6411
3. City Attorney Memo: Suggested Protocol for Dealing with Disruptive Persons
4. Revised Manhattan Beach Rules of Decorum
5. Model City Council Handbook
6. July 31, 2013, City Attorney Memo Regarding Meeting Management Tips