

City of Pacific Grove

Council Policy

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- A. Council meeting agendas are designed to facilitate the orderly conduct of City business, provide adequate time for the City Council to make informed, deliberative decisions, and provide members of the public an opportunity to present information to the City Council on any matter within the subject matter jurisdiction of the City.
- B. This policy establishes the general practice to be followed with respect to the management of agenda items before the City Council. This policy shall not be construed to limit or impair rights of the public as set forth in the Ralph M. Brown Act, the Public Records Act, or any other provision of law.
- C. In the development of a specific meeting's agenda, the City Manager may adjust this order, when warranted. The Mayor and Council may also adjust the order in which matters are considered at the meeting. Deviation from the order of the agenda set in this policy, by itself, shall not provide a basis to reverse or invalidate any action of the City Council.
- D. The standard order of the City Council agenda shall be as follows:

Call to Order

Pledge of Allegiance

1. Approval of the Agenda

Councilmembers shall have an opportunity to request changes to the order of items, to postpone items to a future meeting, or to add new matters in accord with the emergency or urgency requirements set forth in the Government Code.

2. Presentations

Presentations shall be made on behalf of the City to persons or organizations, and/or brief presentations (not to exceed 5 minutes, each) made to the Council by others upon approval of the City Manager. Presentations shall neither receive Council action nor provide a reason for Council debate. Council may ask brief questions or refer matters to staff for consideration on a future agenda.

3. Council and Staff Announcements

Announcements shall be limited to City-related items and shall neither receive Council action nor provide a reason for Council debate. Council may ask brief questions or refer matters to staff for consideration on a future agenda.

Report out of any closed session held prior to the Regular meeting will be provided as the first announcement.

4. Oral Communications

These are communications from the public on matters not on the agenda, but within the subject matter jurisdiction of the City, and may also address matters on the Consent Agenda.

Persons who wish to address the Council shall use the microphone and are asked to state their name. It is helpful if speakers also indicate the subject matter of their comments. (Note: Even if a speaker refuses to state his or her name or the subject matter of the comment, the speaker shall not be denied the right to speak.) Accommodations will be made for persons with disabilities.

The Mayor shall stop any speaker if he/she deviates from the appropriate subject matter. Under no circumstances shall the Mayor permit a speaker to personally attack any individual.

Communication to the Council under Oral Communications will be received without comment while the public comment period is open. When public comment is closed, questions from the public may be referred to staff for answers or for later comment or action, if appropriate.

Consent Agenda

The Consent Agenda deals with routine and noncontroversial matters, and may include action on resolutions and second readings of ordinances, provided no public comment is anticipated on those items. The purpose of the Consent Agenda is to make efficient use of available time by considering all routine and non-controversial items under one motion. The Consent Agenda is structured so that any Councilmember, staff, or the public may pull an item for discussion or questions.

A single vote on the Consent Agenda shall apply to each item that has not been removed.

Councilmembers may notify the City Clerk if they want a specific vote or abstention recorded as to any individual item.

The standard elements of the Consent Agenda are:

- 5. Approval of City Council Meeting Minutes**
- 6. Resolutions**
- 7. Ordinances**
- 8. Reports – Information Only**

9. Reports – Requiring Action

10. Meeting Minutes of Commissions, Boards, and Committees

When a Councilmember wishes to remove an item the Councilmember will discuss his/her question(s) with staff prior to the meeting in order for staff to research the answer(s), which shall be provided ahead of time to all members (e.g., in the blue folders).

The Mayor will first ask the members of the Council, then members of the public if anyone wants to pull an item from consent. The person pulling the item will simply state the item number and subject.

Unless a specific item is pulled for discussion, the Council shall ordinarily approve all action items or recommendations on the entire Consent Agenda under a single motion. Council's vote to approve the Consent Agenda is a direction to staff to proceed with each action as recommended.

Items Removed from the Consent Agenda

The Council shall separately consider and act on each item removed from the Consent Agenda. Such items shall be heard in their normal place on the Regular Agenda. That placement will be noted on each consent item. The discussion format for those items will follow the protocol for the Regular Agenda.

Regular Agenda

The protocol for deliberation on regular agenda items is:

- 1) The agenda report is presented by staff or other person who prepared the report. The report can be concise yet sufficient to establish context and key facts for the item.
- 2) Public comment is received, then closed.
- 3) Council deliberates and takes action as appropriate for the item

This protocol explicitly omits the practice of clarifying questions from council prior to opening for public comment. Councilmembers can ask for clarification prior to the Council meeting and can also ask questions during the council deliberation phase.

11. Public Hearings

The Public Hearing agenda includes matters for which a public hearing notice was posted or published and for which public comment is anticipated.

12. Unfinished and Ongoing Business

The Unfinished Business agenda shall consist of matters that return to the Council for action, the same matter having been considered at or continued from a prior meeting or are updates or actions for long term and ongoing topics.

13. New Business

The New Business agenda shall consist of matters not previously considered by the Council.

14. Full Presentations

Presentations under this item are those that may exceed five minutes and are made to the Council upon invitation of the Mayor or City Manager. Presentations shall neither receive Council action nor provide a reason for Council debate. Council may ask brief questions or refer matters to staff for consideration on a future agenda.

15. Closed Sessions (if required)

Closed Sessions are held in compliance with the Brown Act. The specific time for any Closed Session may be set at other times at the convenience of Council. The Council may adjourn to Closed Session on any other agenda item if authorized by law, upon advice of the City Attorney.

16. Public Announcement of Action Taken in Closed Session

This announcement shall immediately follow any Closed Session.

Adjournment

- E. In some instances, one or more closed session items are best addressed at the beginning of a Council meeting. In such instances, the earlier consideration will be clearly agendaized and noticed, the open session will be initiated, the Mayor will announce and the Council will take public comment on those agendaized items to be addressed in that closed session agenda, the Mayor will indicate the expected time the Council will return to open session, and the Council will then adjourn to closed session. Upon its return, the Council will announce any reportable actions taken in closed session, in accord with the Brown Act. As a convenience to the public, such early closed sessions shall generally be scheduled to occur before the normal starting time of the regular meeting.

Adopted May 2, 2001—Resolution No.1-025
Amended June 3, 2009—Resolution No. 9-021
Amended February 3, 2010—Resolution No.10-014
Amended September 1, 2010—Resolution No.10-068
Amended November 17, 2010—Resolution No.10-099
Amended February 2, 2011—Resolution No. 11-008
Amended January 20, 2016 – by motion of Council
Amended December 20, 2017—Resolution No. 17-032