STAFF REPORT
CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councillmembers
FROM: David Ott, City Manager
MEETING DATE: July 8, 2009
ORIGINATING DEPT: City Attorney’s Office
SUBJECT: City Council Meeting Agenda Policy

BACKGROUND:
At the April 22, 2009 City Council Meeting, Deputy Mayor Tom Campbell requested for City Staff to bring back for discussion the policy regarding the placement of items on the City Council meeting agenda.

Solana Beach Municipal Code (SBMC) section 2.04.160 provides the authority under which items are placed on the council agenda. Specifically, SBMC section 2.04.160 provides that:

A. In order to facilitate the orderly conduct of the business of the council, an agenda shall be prepared for each regular meeting containing the specific items of business to be transacted and the order thereof. Items of business may be placed on the agenda by the direction of a member of the council, the city manager or the city attorney. Agenda items, including ordinances, resolutions, contracts, staff reports or other matters to be submitted to the council shall be delivered to the city manager by 12:00 noon on the Wednesday of the week preceding the regular meeting.

B. All agenda items, ordinances, resolutions and contract documents shall, before presentation to the council, have been approved as to form and legality by the city attorney or his authorized representative, and shall have been examined and approved for administration by the city manager or his authorized representative, where there are substantive matters of administration involved. Notwithstanding the requirements of this subsection, any council member may place an item on the agenda without review by the city attorney or city manager by delivering it directly to the city clerk in accordance with subsection A.

C. No matters other than those listed on the agenda shall be finally acted upon by the council; provided, however, that matters not on the agenda but deemed to be of an important or urgent nature by any council

CITY COUNCIL ACTION:

________________________________________

________________________________________

AGENDA ITEM
C.4.
member, the city manager or the city attorney may be submitted for council consideration and action, subject to an explanation of the importance or urgency stated in open council meeting. No matter may be considered by the council other than those matters on the agenda without the unanimous consent of the council present at the meeting.

D. The agenda shall contain a brief general description of each item of business to be transacted or discussed, shall specify the time and location of the meeting and shall be posted on the public bulletin board at City Hall.

DISCUSSION:
Under SBMC section 2.04.160, subsection (A), any member of the City Council, the City Manager, or the City Attorney may place an item on the council agenda. Moreover, subsection (B) of SBMC 2.04.160, provides that “any council member may place an item on the agenda without review by the city attorney or city manager by delivering it directly to the city clerk in accordance with subsection A.”

The purpose of this staff report is two-fold: to report back to the City Council, as directed, regarding the existing practice; and to request direction from the City Council whether the current provision of the SBMC should be amended to reflect a different policy regarding the placement of items on the council agenda. Should the City Council desire revisions to the SBMC, an ordinance amending section 2.04.160 as directed will be brought back for consideration at a future Council meeting.

CEQA COMPLIANCE STATEMENT:
Not a project as defined by CEQA.

FISCAL IMPACT: N/A.

WORKPLAN: N/A.

OPTIONS:
• Receive report.
• Provide direction.

DEPARTMENT RECOMMENDATION:
Staff recommends that the City Council:

1. Receive report.
2. Provide direction.

CITY MANAGER’S RECOMMENDATION:
Approve Department Recommendation

[Signature]
David Ott, City Manager