



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: APRIL 11, 2023

FROM: CITY MANAGER'S OFFICE WARDS: ALL

SUBJECT: RESOLUTION AMENDING CITY COUNCIL RULES OF PROCEDURE AND ORDER OF BUSINESS SECTION IX, ITEM F - AGENDA SEQUENCE AND ORDER OF BUSINESS RELATED TO ORAL COMMUNICATIONS AND TO REPEAL RESOLUTION 23618

ISSUE:

Adopt a resolution amending City Council Rules of Procedure and Order of Business Section IX, Item F – Agenda Sequence and Order of Business related to Oral Communications as documented in Resolution 23618.

RECOMMENDATIONS:

That the City Council adopt the attached resolution amending the City Council Rules of Procedure and Order of Business to revise Section IX, Item F – Agenda Sequence and Order of Business related to Oral Communications and to repeal Resolution No. 23618.

COMMITTEE RECOMMENDATION:

On May 4, 2022, the Inclusiveness, Community Engagement, and Governmental Processes Committee (Committee) reviewed and discussed Section IX, Item F - Agenda Sequence and Order of Business as documented in Resolution 23618.

The recommended update to City Council Rules of Procedure and Order of Business will adjust language and sequencing timing to align Public Comment with afternoon and evening City Council meeting sessions and to provide consistency with agenda item sequence.

BACKGROUND:

Resolution 23618, City Council Rules of Procedure and Order of Business provides structure to City Council meetings and operations. The resolution is reviewed and revised as needed or every two years. The last revision to the resolution was made in September 2022.

On February 15, 2022, City Council received and discussed a schedule of items to review. Through discussion, the additional items were added resulting in nineteen review topics.

On April 2, 2022, the Inclusiveness, Community Engagement, and Governmental Processes Committee began a comprehensive review of Resolution 23618 and requested staff bring forth any specific language recommendations along with a corresponding resolution to the full City Council for discussion.

On March 7, 2023, Mayor Lock-Dawson requested the Committee review the Agenda Sequence and Order of Business, as it relates to Public Comment, as documented in Resolution 23618 as part of the Committee's review process.

On March 14, 2023, Councilmember Perry requested the Committee's recommendations associated with Agenda Sequence and Order of Business be brought before City Council for discussion.

DISCUSSION

Section IX, Item F – Agenda Sequence and Order of Business outlines the framework of the City Council agenda. Of the thirteen agenda items, two are assigned specific benchmarks: Brief reports, Ward updates, and Council comments, “shall commence at 6:15 p.m.” and Oral Communication, “shall commence at approximately 7:00 p.m. Predefined times established for Council comments and Oral Communications impact the pace of the meeting and can cause the meeting to be paused to allow for the established deadline of 6:15 p.m. (Council comments) and 7 p.m. (Oral Communications).

Specific benchmarks identified in the Resolution create challenges as the time specific benchmarks do not take into consideration equipment malfunctions or telecommuting. Additionally, the term Oral Communications, refers only to in person public comment and does not include alternative public comment options that are now available including e-comments, emails, and telephonic public comment.

Recommended language updates include:

1. Removal of time specific benchmarks associated with brief reports/updates and oral communications.
2. Replace “Oral Communications” with the term “Public Comment”
3. Clarify the timing of evening session Public Comment.
4. Define Public Comment as feedback provided by the public at a meeting in-person/ telephonically or prior to the meeting by email/e-comment.

Committee recommendations to the resolution include:

Section IX, F – Agenda Sequence and Order of Business

- f. Brief reports on conference, seminars and regional events; Ward updates; Council comments; and announcements of upcoming events ~~shall commence at 6:15 p.m.~~
- a. ~~Oral communications~~ **Public Comments** from the audience regarding consent calendar items or matters within the jurisdiction of the City. **Public Comment during the evening**

~~session Oral Communications may shall~~ commence at approximately 7:00 p.m. and may be ~~taken earlier during afternoon session, be-~~ moved up or continued to later in the Council meeting at the discretion of the presiding officer, with the concurrence of the City Council. ~~Public Comment may be provided in-person/telephonically or prior to the meeting by email/e-comment.~~

Further recommendations by the City Attorney's Office include defining approximate Public Comment times for afternoon and evening sessions as follows:

1. For afternoon sessions starting at 1 p.m., Public Comment may occur at any time after 1 p.m.
2. For afternoon sessions starting at 3 p.m., Public Comment may occur at any time after 3 p.m.
3. For evening sessions, Public Comment may occur any time after 6:15 p.m. To the extent the agenda states a specific time for public comment, the times are approximate, and may be adjusted by the presiding officer to ensure an effective and efficient business meeting of the City Council.

City Attorney Office recommendations to the resolution include:

- f. Brief reports on conferences, seminars and regional events; Ward updates; Council comments; and announcements of upcoming events. ~~shall commence at 6:15 p.m.~~
- h. ~~Oral communications–Public Comments~~ from the audience regarding consent calendar items or matters within the jurisdiction of the City. ~~Public comment for afternoon sessions starting at 1:00 p.m. may occur at any time after 1:00 p.m. Oral Communications Public Comment during the evening session~~ Public comment for afternoon sessions starting at 3:00 p.m. may occur at any time after 3:00 p.m. ~~Public Comment during an evening session may shall~~ commence at anytime after ~~approximately 6:15~~ 7:00 p.m. To the extent the agenda states a specific time for public comment, the times are approximate, and may be ~~taken earlier during afternoon session, adjusted by the presiding officer to ensure an effective and efficient business meeting of the City Council. moved up or continued to later in the Council meeting at the discretion of the presiding officer, with the concurrence of the City Council.~~ ~~Public Comment may be provided in-person/telephonically or prior to the meeting by email/e-comment.~~

A redlined version of the resolution identifying both Committee and City Attorney's Office recommendations is attached to this report.

STRATEGIC PLAN ALIGNMENT:

This item contributes to Strategic Priority No. 5 *High Performing* Government and Goal 5.2 – Utilize technology, data, and process improvement strategies to increase efficiencies, guide decision making, and ensure services are accessible and distributed equitably throughout all geographic areas of the City.

The item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – This item builds community trust by identifying City Council process and procedure and providing transparency in municipal operations.
2. **Equity** – Regular review and revision to City Council Rules of Procedure and Order of Business, ensures the City Council, Boards, and Commissions operate in a manner that is equitable to all City of Riverside residents.
3. **Fiscal Responsibility** – This item ensures fiscal responsibility of City resources by outlining and reviewing processes to be used when conducting City Council business.
4. **Innovation** – Riverside is committed to meeting community needs in a changing environment including the additional of virtual community resources, alignment with Legislative emergency orders, and Brown Act modifications.
5. **Sustainability & Resiliency** – This item ensures sustainability through ongoing evaluation of City Council Rules of Procedure and Order of Business to allow for adaptation to meet the changing needs of the community during a public health emergency and future needs ensuring the City's capacity to persevere, adapt and grow.

FISCAL IMPACT:

There is no fiscal action associated with this report.

Prepared by: Megan Stoye, Principal Management Analyst
Approved by: Edward Enriquez, Interim Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Concurs with:



Clarissa Cervantes, Chair
Inclusiveness, Engagement and Governmental Processes Committee

Attachments:

1. Redline Resolution
2. Final Resolution
3. Presentation