



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: NOVEMBER 3, 2015

FROM: COUNCILMEMBER SOUBIROUS WARD: ALL

**SUBJECT: ADDITION / MODIFICATION TO RESOLUTION NO. 22796 - RULES OF
PROCEDURE AND ORDER OF BUSINESS FOR THE CITY COUNCIL OF THE
CITY OF RIVERSIDE**

ISSUE:

The issue for City Council consideration is the review, development and implementation of written protocols for City Council Agenda conferences. A review of Resolution No. 22796, and the City's Charter reveals there are no guidelines or procedural policy regarding the conduct of these meetings. Also absent is the provision for public oversight or participation.

RECOMMENDATIONS:

That the City Council:

1. Develop a written policy for conducting City Council Agenda setting meetings, including designation of chairperson, staff participation, when held, timelines for proposed Agenda Items and any other relevant needs to successfully accomplish the goals of the meeting; and
2. Based on Council's recent adoption of its "Sunshine Ordinance" and in keeping with the intent of the Riverside City Charter, the Ralph M. Brown Act, and the California Public Records Act - all which are designed to assure that the people of the City of Riverside can be fully informed and thereby retain control over the instruments of local government in their city - to consider accommodating the public's need to attend these Council Agenda setting meetings.

BACKGROUND:

In reviewing our City's Charter and "Rules of Procedure and Order of Business for the City Council of the City of Riverside," there appears to be no written policy or protocol in place for Council Agenda setting meetings. It appears the current conduct of these meetings is based upon non-codified tradition.

Council should codify what days/times these meetings are held, role of the Mayor, role of the Mayor Pro Tempore, determination of who is best suited to chair these meetings, the voluntary attendance (by less than a quorum) of council members, role and extent of management and staff

member attendance, review of the pending proposed Agenda Items submitted by Council and timeliness (priority) of placing these on the Council Agenda, and any other presentations or information that contributes to the general good of the City. Agenda Items submitted by Council should always be considered a priority and not take a "back seat" to routine business or recurring matters. Agenda Items initiated by Council members should list who initiated them on the Agenda docket.

Council should give thoughtful consideration to the City Charter's definition of the Mayor's role and that of the Council, the role of the Mayor Pro Tempore, relative to the needs of the Council, and the selection of a suitable chairperson. Since the Mayor's role is primarily ceremonial – and therefore does not vote in the legislative process (unless there is a tie vote), the Mayor Pro Tempore may be a more appropriate choice to serve as chairperson for these Agenda setting conferences. The Mayor Pro Tempore, as set forth in the Riverside City Charter, is the official head or representative voice of the Council, and as such, would best advocate for the legislative body during the Agenda setting conference. City Charter section 406 states:

"All powers of the City shall be vested in the City Council except as otherwise provided in this Charter."

Based upon these factors, it would appear the Mayor Pro Tempore would be the best representative voice of the Council, as the Mayor has no authority over matters of the Council. The Mayor, of course, plays a vital role in the Agenda conference meeting, by representing the Office of the Mayor, and promoting the various programs benefitting our residents. The Office of the Mayor generally, coordinates presentations, provides introduction of new programs, and is the collective voice for other citywide announcements, which utilize City Council meetings as a vehicle to showcase all that our City has to offer its residents.

Council should also consider, and if adopted, codify public attendance/participation in the Agenda setting meeting process. Recent adoption by Council of its "Sunshine Ordinance" signified a significant commitment to the public by Council and staff of the need for openness, transparency and access. By granting access to the Agenda setting conference to the public, there will no longer be a question as to how these meetings are conducted.

By codifying these operational "rules," the Mayor, Council, staff, and the public, will have a better understanding of how the Agenda setting process works, role of attendees, timeliness of addressing Council generated Agenda Item proposals, and ensuring a fair and equitable process is adhered to.

FISCAL IMPACT:

There is no fiscal impact.

Prepared and submitted by:



Mike Soubirous, Councilmember, Ward 3

Date: 10-13-15