

4.05.050 - Notice and agenda requirements: Regular meetings.

- (A) *Twelve day advance notice requirement for regular meetings of the City Council, City Council Standing Committees, and all City Boards and Commissions* . The City Council, City Council Standing Committees, and all City Boards and Commissions shall provide notice before any regular meeting by:
- (1) Posting a copy or image of the agenda in a location freely accessible to the public 24 hours a day no later than 12 days before the date of the meeting; and
 - (2) Posting a copy or image of the agenda on-line at the local body's website no later than 12 days before the date of the meeting. Notwithstanding Section 4.05.050.D, the failure to timely post a copy or image of the agenda online because of software or hardware failure, as defined in Section 4.05.010.H, shall not constitute a defect in the notice for a regular meeting, if the local body complies with all other posting and noticing requirements.
- (B) *Supplemental agenda and related materials requirements for regular meetings of the City Council, City Council Standing Committees, and all City Boards and Commissions* . Notwithstanding the notice provisions of Section 4.05.050.A, the City Council, City Council Standing Committees, and all City Boards and Commissions may amend or supplement a posted agenda or agenda-related materials no later than 72 hours before a regular meeting and only for the following reasons or under the following conditions:
- (1) To add an item due to an emergency or urgency, provided the local body makes the same findings as required by Section 4.05.050.D before taking action;
 - (2) To delete or withdraw any item from a posted agenda however, nothing herein shall limit the ability of a local body to delete or withdraw an item during the meeting;
 - (3) To provide additional information to supplement the agenda-related material previously published with the agenda provided that the additional information was not known to staff or considered to be relevant at the time the agenda-related materials were filed. Examples of supplemental material permitted by this section are reports responding to questions or requests raised by members of a local body after posting and filing of the 12-day agenda and materials, and analyses or opinions of the item by the Office of the City Attorney, any member of the City Council, or the Mayor;
 - (4) To correct errors or omissions, or to change a stated financial amount, or to clarify or conform the agenda title to accurately reflect the nature of the action to be taken on the agenda time;
 - (5) To continue an agenda item to a future regular meeting of the local body provided that members of the public are given an opportunity to address the local body on the limited question whether to continue the item to a future meeting.
- (C) *Submittal of additional documents* . The Mayor, Council Members, City Manager, City

Attorney, and/or City Clerk, may submit materials that are necessary to the deliberation of an agenda item that were not available prior to the publishing of the agenda material, to the City Clerk at any time prior to an agenda item being heard. Copies of such documents shall be made available to the public at the related meeting. Documents submitted by outside parties may be distributed to and accepted by the local body at any time prior to or during the related meeting. Documents submitted by outside parties prior to the meeting shall be made available to the public at the related meeting. Documents submitted by outside parties at the meeting shall be made available to the public the following business day.

- (D) *Excuse of Sunshine Notice Requirements* . If an item appears on an agenda but the local body fails to meet any of the additional notice requirements under this section, the local body may take action only if the minimum notice requirements of the Riverside City Charter and the Brown Act have been met and one of the following applies:
- (1) The local body, by a two-thirds vote of those members present, adopts a motion determining that, upon consideration of the facts and circumstances, it was not reasonably possible to meet the additional notice requirements under this section and any one of the following exists:
 - (a) The need to take immediate action on the item is required to avoid a substantial impact that would occur if the action were deferred to a subsequent special or regular meeting; or,
 - (b) There is a need to take immediate action which relates to federal, state, county or other governmental agency legislation or action or the local body's eligibility for any grant or gift; or,
 - (c) The item relates to a purely ceremonial or commendatory action.
 - (2) If the Mayor or a Council Member, with the concurrence of two other Council Members, believes an item is urgent, which urgency is detailed, in writing, in the Council Report, and the failure to meet any additional notice requirements was due to:
 - (a) The need to take immediate action, which came to the attention of the local body after the agenda was posted, or;
 - (b) A software or hardware impairment as defined by Section 4.05.010 H and such additional notice requirements are satisfied no later than 72 hours before the date of the meeting; or,
 - (3) The item is a closed session item relating to ongoing, proposed or threatened litigation.
 - (4) The item was continued by City Council at a regularly noticed City Council meeting to a subsequent City Council meeting.
- (E) *Action on items not appearing on the agenda* . Notwithstanding subsection (D) of this section, a local body may take action on items not appearing on a posted agenda only if the matter is

determined to be an emergency by a majority vote of the local body. An emergency shall be defined as a work stoppage, crippling disaster or other activity exists which severely impairs public health, safety or both.

- (F) *Future meeting*. Nothing in this section shall prohibit a local body from taking action to schedule items for a future meeting to which regular or special meeting notice requirements will apply, or to distribute agenda-related materials relating to items added pursuant to Section 4.05.050.D before or during a meeting.
- (G) *Conforming a document*. Nothing in this section shall prohibit the office of the City Attorney from conforming a document to comply with technical requirements as to form and legality.

(Ord. 7509 § 1, 2020; Ord. 7459 § 9, 2019; Ord. 7369 § 1, 2017; Ord. 7301 § 1, 2015)