

ORDINANCE NO. 2185

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING VARIOUS SECTIONS IN CHAPTER 2.04 OF THE MUNICIPAL CODE RELATING TO AGENDAS FOR PUBLIC MEETINGS

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: Section 2.04.040 of the Municipal Code is amended to read:

2.04.040 Meetings-Special-Notice required-Waiver of Notice.

Special meetings may be called any time by the Mayor, or by three members of the City Council, by delivering personally or by mail written notice to each councilmember and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any councilmember who at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any councilmember who is actually present at the meeting at the time it convenes. The call and notice shall be posted at least twenty-four hours prior to the special meeting in a location freely accessible to the public. Neither the notice nor posting requirement shall apply to an emergency special meeting authorized by Government Code Section 54956.5. However, during a meeting called pursuant to such section, the City Council shall not meet in closed session pursuant to Government Code Section 54957.

SECTION II: Section 2.04.090 of the Municipal Code is amended to read:

2.04.090 Agenda-Submission of items-Preparation-Effect.

An agenda shall be prepared for each regular meeting containing ~~the specified items of business to be transacted and the order thereof~~ a brief general description of each item of business to be transacted or discussed, and shall provide an item for members of the public to directly address the Council on items of interest to the public within the subject matter jurisdiction of the Council. Items of business may be placed on the agenda by the direction of a majority of the Council, the City Manager, the City Clerk, or the City Attorney. Agenda items, i.e., background and requests for particular actions or reports, shall be delivered to the City Clerk not later than ten a.m. on the Thursday preceding the regular meeting. The Clerk shall thereafter prepare the agenda under the direction of the City Manager. Whenever feasible, each item on the agenda shall contain a staff recommendation and the specific action requested to be taken by the Council. The agenda, together with all reports, resolutions and ordinances pertaining thereto, shall be delivered to the councilmembers on the Friday preceding the regular meeting. The agenda shall specify the time and location of the regular meeting, shall be posted at least seventy-two hours before the regular meeting in a location freely accessible to the public, and be made available to the public as soon as practicable. No matters other than those listed on the agenda shall be finally acted upon by the Council, except as provided in Section 2.04.100. ~~provided however that items not on the agenda but deemed to be of an important or urgent nature may be submitted for council consideration or the City Manager or the City Attorney may be submitted for council consideration and action upon~~ A direction by the Council to refer a matter not on the posted agenda raised by a member of the Council or of the public, to staff for a report or to place a matter on a future agenda shall not constitute action.

SECTION III: Section 2.04.100 of the Municipal Code is amended to read:

2.04.100 Items requiring unanimous consent not on posted agenda.

~~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.~~

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The City Council may take action upon items of business not on the posted agenda upon a determination:

A. By a majority vote that an emergency situation, as defined by Government Code Section 54956.5 exists; or

B. By a two-thirds vote, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that the need to take action arose subsequent to the agenda being posted; or

C. The item was posted for a prior meeting of the City Council occurring not more than five calendar days prior to the date action is taken, and at the prior meeting the item was continued to the meeting at which action is being taken.

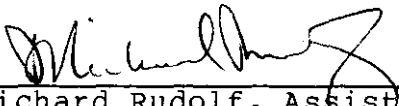
SECTION IV: Section 2.04.120 of the Municipal Code is amended to read:

2.04.120 Written communications.

The City Clerk is authorized to receive and open all mail addressed to the City Council and ~~he~~ shall give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action may be disposed of between Council meetings. Provided, that all communications and any action taken pursuant thereto shall be reported to the City Council. Any communication requiring Council action shall be placed upon the agenda for the next regular meeting together with a report and recommendation by the City staff. All correspondence shall be answered or acknowledged as soon as practicable. Such written communications to be considered by the City Council shall be presented to the City Clerk by nine a.m. on the Friday preceding each Council meeting and shall be listed on the agenda as provided for under the order of business established in this chapter. ~~provided, however, that matters of emergency or importance may be the determination of the City Manager be presented to the City Council at the Council meeting although not listed on the agenda.~~

SECTION V: This ordinance shall take effect and be in full force on the thirty-first day from and after its adoption.

Presented by and Approved as to form by



D. Richard Rudolf, Assistant City Attorney

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE
(/ OF CHULA VISTA, CALIFORNIA, HELD December 16, 19 86, AND
FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD January 6,
19 87, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen : Malcolm, McCandliss, Cox, Moore, Nader
NAYES: Councilmen : None
ABSTAIN: Councilmen : None
ABSENT: Councilmen : None

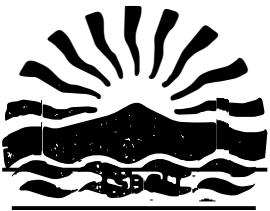
Gregory R. Cox
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,
DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
ORDINANCE NO. 2185, and that the same has not been amended or repealed.

DATED _____



CITY OF
CHULA VISTA

City Clerk

City Clerk
Please approve

ORDINANCE NO. 2185

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By a unanimous vote on January 6, 1987, the City Council placed the ordinance on second reading and adoption.

Generally, the ordinance amends Chapter 2.04 of the Code by adding the following: notices are to be posted at least 24 hours prior to a special meeting in a location freely accessible to the public; agendas shall be posted at least 72 hours before the regular meeting; a direction by Council to refer a matter not on a posted agenda to staff for a report or to place it on a future agenda shall not constitute action; and defines when Council may take action upon items of business not on the posted agenda.

Copies of the ordinance are available at the office of the City Clerk, City Hall, 276 Fourth Avenue, Chula Vista.

Dated: 1/8/87


Jennie M. Fulasz, CMC, City Clerk