

ORDINANCE NO. 2426

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 2.04.090, 2.04.120, 2.04.150 OF THE MUNICIPAL CODE PERMITTING BOARDS, COMMISSIONS AND COMMITTEES TO PLACE MATTERS ON THE COUNCIL AGENDA, AND MAKING OTHER VARIOUS CHANGES TO AGENDA PREPARATION PROCEDURES

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

Section 1. Section 2.04.090 of Chapter 2.04 of the Chula Vista Municipal Code is hereby amended to read as follows:

2.04.090 Agenda-Submission of items-Preparation-Effect.

A. Preparation and Delivery of Agenda.

An agenda shall be prepared for each regular meeting containing a brief general description of each item of business to be transacted or discussed.

1. Delivery to City Clerk. Summary of agenda items shall be delivered to the City Clerk not later than Noon on the Tuesday preceding the regular meeting. 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.
2. Delivery to 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.

B. Posting and Public Availability of Agenda.

The agenda 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.

C. Contents of Agenda.

1. The agenda shall specify the time and location of the regular meeting.
2. Items of business shall be placed on the agenda at the direction of the city manager; city attorney; city clerk; a majority of the council; or by a Council-approved board, commission or committee upon an affirmative vote of a majority of the entire membership of said body direction same.
3. The Agenda shall provide a section 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.
4. The Agenda shall provide a section entitled "Mayor's Report" which section shall be reserved for reports of the Mayor to the City, the staff or the public on matters of City business. If there is any written material which is the subject matter of a Mayoral Report, the Mayor or his designee shall make a diligent effort to provide the City Clerk with a copy of said written material in sufficient advance time to permit the inclusion of same into the Agenda and related material for delivery to the Council.
5. The Agenda shall provide a section entitled "Council Comments" for Councilmembers to directly address the City, staff, or the public on items of interest ("Council Comments") to the Councilperson. If there is and written material which is the subject matter of Council Comments, the sponsoring councilperson shall make a diligent effort to provide the City Clerk with a copy of said written material in sufficient advance time to permit the inclusion of same into the Agenda and related material for delivery to the Council.

D. Agenda Package Material.

Whenever feasible, each item on the agenda shall contain a staff recommendation and the specific action requested to be taken by the Council.

E. Prohibition of Action; Exceptions.

No matters other than those listed on the agenda shall be acted upon by the Council, except as provided in Section 2.04.100.

1. 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 2. Section 2.04.120 of Chapter 2.04 of the Chula Vista Municipal Code is hereby amended to read as follows:

"2.04.120 Written communications.

- A. The city clerk is authorized to receive and open all mail addressed to the city council and 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 considered by the city council shall be presented to the city clerk by four p.m. on the Wednesday preceding each council meeting and shall be listed on the agenda as provided for under the order of business established in this chapter. (Ord. 2426, Sec. 2, 1990, Ord. 2085 § 4, 1987: Ord. 1486 § 2 (part), 1973: prior code § 1.205(4).)"

Section 3. Section 2.04.150 of Chapter 2.04 of the Chula Vista Municipal Code is hereby amended to read as follows:

"2.04.150 Consent calendar.

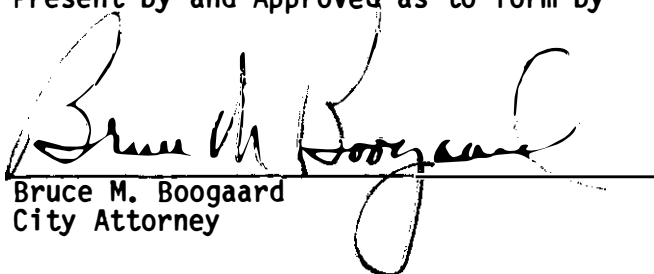
- A. Items for inclusion on the agenda, which have been reviewed by the city manager and staff, mailed to the council for study and which are made available to the public prior to and at council meetings, shall be grouped together for action by the city council. Staff recommendations on the action to be taken for said items shall be indicated in a concise and summary form. These matters shall be listed under what is to be known as the "consent calendar" in the order of business as indicated in Section 2.04.140. Adoption of the consent calendar may be made by a simple motion approved by the city council; provided, however, that the presiding officer shall first advise the audience that the consent calendar matters will be so adopted, in total, by one action of the council unless any council

member or any individual or organization interested in one or more consent calendar items has any question or wishes to make a statement relative to such an item. In that event, the presiding officer may defer action on the particular matter or matters and place the same on the agenda for consideration in such order as he deems appropriate.

- B. It is understood that the motion for approval of items on the consent calendar encompasses therein a waiver of the requirement of reading of the text of ordinances and resolutions contained therein at a direction that the reading of the text be waived and that the heading only be read, and in the case of ordinances, that such ordinance be placed on second reading and adopted.
- C. The written agenda shall be made available to the public and to the city council and shall provide a written statement in such form as the City Clerk shall determine is appropriate, advising that the staff recommendations regarding the items listed under the Consent Calendar will be enacted in a single mention and without discussion unless removed therefrom by a Councilmember or unless a member of the public requests to speak thereon. The Statement shall advise the public of the procedure for requesting to address the Council. The Statement shall state the place in the agenda where "pulled" items will be deliberated upon by the Council. (Ord. 2426, Sec. 3, 1990; Ord. 2116 § 1, 1985; Ord. 1486 § 2 (part), 1973: prior code § 1.207.)"

Section 4. This ordinance shall take effect and be in full force and effect 30 days after its second reading and adoption.

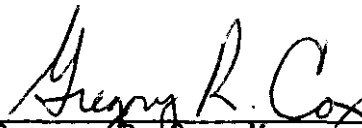
Present by and Approved as to form by



Bruce M. Boogaard
City Attorney


PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 27th day of November, 1990, by the following vote:

AYES:	Councilmembers:	Malcolm, Moore, Nader, Cox
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	McCandliss
ABSTAIN:	Councilmembers:	None



Gregory R. Cox, Mayor

ATTEST:




Beverly A. Authelet, City Clerk

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

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2426 had its first reading on November 20, 1990, and its second reading and adoption at a regular meeting of said City Council held on the 27th day of November, 1990.

Executed this 27th day of November, 1990.



Beverly A. Authelet, City Clerk