

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: AGENDA PREPARATION
PROCEDURES

Date Adopted: January 1, 2002

File 1.21

Date Revised: November 2, 2010

Number

POLICY OBJECTIVE

To clarify the procedure for preparation of the City Council agenda.

ASSIGNED RESPONSIBILITY

City Clerk

APPLICABILITY

Applicable to all staff, elected officials, and others concerned with preparation of the Council agenda.

PROCEDURES

The City Clerk, in consultation with the City Manager prepares the agenda that contains a brief general description of each item of business to be presented to the Council (EMC § 30.01(C)). Agenda items may be prepared and submitted to the City Clerk by the City Council, Mayor, City Manager, City Attorney or staff, according to the schedule published annually by the City Clerk's office.

1. Approved Agenda Summary Template – The attached template is the preferred format for agenda summaries. Staff should strive to follow this format and utilize this agenda template. Necessary items on the agenda summary are as follows:
 - a. Title of agenda – this should be a neutral statement to identify the item.
 - b. Council meeting date.
 - c. Agenda Item No. will be completed by the Clerk.
 - d. Recommendation – based on staff work, the proposed recommendation is made on each decision that needs to be made by Council. *i.e. 1. Authorize City Manager's signature...2. Approve expenditure..., 3. Allocate \$...*
 - e. Summary – Explanation of the item. If additional pages are necessary, include the title and date at the top of each page. Attachments should be listed in this area.
 - f. Fiscal Impact – Any financial liability to the City is listed in this area. If there is no financial liability, the wording should be "*none with this action*".
 - g. Department Head Signature – The original should be signed with blue ink. (*This helps to identify original documents*).

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: AGENDA PREPARATION
PROCEDURES

Date Adopted: January 1, 2002

File 1.21

Date Revised: November 2, 2010

Number

- h. City Manager Signature – The CM will sign at the end of the process when approving the agenda.
 - i. Reviewed By – Any department with involvement or impacted by the item should sign off in this area. The City Attorney is required to sign off on all agenda summaries. This sign off is accomplished by the following procedure:
 - 1. Copy or e-mail agenda summary to the department. Receive e-mail, phone call or hard copy with department approval or recommended changes. Transfer that approval to the original agenda summary by initialing and dating. (*It is not necessary to have the approving department official initial the original summary*)
 - j. Council Action – Leave blank
2. Resolutions: If your agenda item includes adoption of a Resolution, submit the resolution to the City Clerk in word format along with the agenda summary. The Resolution will then be assigned a number after adoption by the Council. *Resolution template is attached; please number the pages on multi-page resolutions.*
4. Ordinances: If your agenda item includes adoption of an Ordinance, contact the City Clerk for a Bill No. to be included in your agenda summary. Ordinances are first introduced to the Council and then adopted at a second meeting. The final ordinance must be submitted to the Clerk in word format. Changes to existing ordinances must include a ~~strike through~~ version showing what language has been changed and then a final version with the new adopted language.
5. Agenda items prepared by staff must be submitted to the City Clerk by the following deadlines during the week preceding the regular 1st and 3rd Tuesday evening Council meetings. In certain instances, such as during the week of a holiday, the actual day of the week the deadline occurs may be different and will be published on the schedule:
- a. Monday, noon - Draft agenda items prepared by staff must be circulated to impacted departments for review, comment and approval, and submitted to the City Clerk by noon, Monday. Consultation with the City Manager

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: AGENDA PREPARATION
PROCEDURES

Date Adopted: January 1, 2002

File 1.21

Date Revised: November 2, 2010

Number

by Department Heads regarding agenda items is recommended. All agenda items must be reviewed by the City Attorney. The City Manager does not need to sign off on the agenda during the draft stage, as that signature will be obtained during the final review. Draft agenda summaries should be labeled (draft) and can be submitted to the City Clerk via hand delivery or e-mail. All proposed resolutions or ordinances must be electronically forwarded to the City Clerk. (*resolution template attached*)

- b. Tuesday, 5:00 p.m. - Draft agenda items prepared by staff must be submitted to the City Clerk by 5:00 p.m., Tuesday. It is important to have all items included on the draft agenda for department head review.
 - c. Wednesday, 10:00 a.m. - Agenda Review meeting with Department Heads.
 - d. Wednesday, 5:00 p.m. - Original agenda items prepared by staff, containing all sign-offs from impacted departments, must be submitted to the City Clerk by 5:00 p.m., Wednesday (Reso No. 94-43).
 - e. Thursday, 10:00 a.m. - The City Clerk submits the draft agenda to the City Manager for final approval, and sends it to the print shop.
 - f. Friday - The City Clerk's office posts the final agenda in accordance with the 72-hour requirement of the Brown Act and distributes the published agenda packets by 5:00 p.m., Friday.
6. For special meetings of the Council, the procedures listed in 2 a. through f. apply if time allows, or if time does not allowed, will be adjusted accordingly such that the final agenda shall be posted according to the 24-hour requirement of the Brown Act.
7. Agenda items submitted by elected officials:
- g. Wednesday, 5:00 p.m. – Elected Officials may submit items for placement on an agenda to the City Manager or the City Clerk by 5:00 p.m., Wednesday. Council reports may be submitted up until the time of printing the agenda.
 - h. Items requiring staff review and recommendation should be submitted to staff sufficiently ahead of the

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: AGENDA PREPARATION
PROCEDURES

Date Adopted: January 1, 2002

File 1.21

Date Revised: November 2, 2010

Number

schedule as provided in Procedure 2 above to allow time for review and preparation of agenda materials.

8. Agenda items requested by others:
 - i. Requests for items to be placed on the agenda by parties other than staff or elected officials must be submitted in writing to the City Manager sufficiently ahead of the schedule as provided in Procedure 2 above to allow time for review and preparation of agenda materials. Members of the public may also address the Council during public comment and request an item be placed on a future agenda.
9. Agenda items received later than publication and posting deadlines:
 - j. Late-arriving supporting documents to an agenda item may be delivered to the City Clerk not later than 4:00 p.m. of the day preceding the Council meeting. (Reso. No. 94-43)
10. Public Comment Period published on every agenda:
 - a. Pursuant to the Brown Act, every agenda for regular meetings shall provide an opportunity for members of the public to address the Council on any item within the subject matter jurisdiction of the City before the Council considers the item. (54954.3(a))
 - b. Pursuant to the Brown Act, every agenda for special meetings shall provide an opportunity for members of the public to address the Council only on items listed on the special meeting notice. (54954.3(a))
 - c. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

RE: CITY CLERK AGENDA BILL TEMPLATE

FOR AGENDA DATE: JULY 1, 2010

AGENDA ITEM NO.:

Page 2

SUMMARY (continued):

PLEASE NOTE: SECTIONS PRINTED IN ITALICS IS FOR INFORMATION OR ASSISTANCE ONLY AND IS NOT PART OF A COMPLETED ORDINANCE.

SECTION 504. ADOPTION OF ORDINANCES. The procedure for the adoption of ordinances shall be as follows: When an ordinance is first introduced it shall be known as a bill. If such bill receives the three (3) affirmative votes required for its introduction, it shall be put upon its final passage no sooner than three (3) days after its introduction; provided, that no bill for the grant of any franchise shall be put upon its final passage within thirty (30) days after its introduction; and provided further that an urgency ordinance may be passed by a four-fifths vote of the City Council. Every bill after it has finally passed the Council shall be signed by the Mayor Pro Tem and then presented forthwith to the Mayor. The Mayor shall return the bill to the Council within ten (10) days (Sundays excepted) after receiving it. If the Mayor approves it, the Mayor must sign it, and the same shall then become an ordinance; but if the Mayor shall disapprove it, it shall be returned, with the Mayor's objections in writing, to the Council. If the bill is not returned with such approval or disapproval within the time specified herein, it shall take effect as an ordinance as if the Mayor had approved the same.

**BILL NO. _____-C.S.
ORDINANCE NO. _____-C.S.**

AN ORDINANCE OF THE CITY OF EUREKA ADDING/AMENDING...

[EMC SECTION 501. AMENDMENT OF ORDINANCES states: No ordinance shall be amended by reference to its title only, but the section or subsection thereof to be amended shall be re-enacted at length, as amended.]

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

[SECTION 500. ENACTING CLAUSE. The enacting clause of all ordinances shall be in these words: "Be it Ordained by the Council of the City of Eureka as follows:"]

Section 1.

The following section is hereby *added* to Title __, Chapter __ :

SECTION __ TITLE...

Text...

Section 2.

Title __, Chapter __, Section __, is hereby *amended to read* as follows:

SECTION __ TITLE...

Text...

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the ____ day of _____, 2010 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

Mike Jones, Mayor Pro Tem

[Charter Section 504 ...Every bill after it has finally passed the Council shall be signed by the Mayor Pro Tem and then presented forthwith to the Mayor.]

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the ____ day of _____, 2010, and hereby approved.

Virginia Bass, Mayor

Approved as to Administration:

Approved as to form:

David W. Tyson, City Manager

William Bragg, Interim City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the ____ day of _____, 2010.

Pamela J. Powell, City Clerk

[Election Code Section 9237 provides: "If a petition protesting the adoption of an ordinance...is submitted...within 30 days of the date the adopted ordinance is attested by the city clerk, and is signed by not less than 10 percent of the voters of the city...the effective date of the ordinance shall be suspended and the legislative body shall reconsider the ordinance."]

RESOLUTION NO. 2010-

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EUREKA.....**

WHEREAS,

WHEREAS,

WHEREAS,

WHEREAS,

WHEREAS,

WHEREAS,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka,

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the _____ day of _____, 2010 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

Virginia Bass, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

David W. Tyson, City Manager

William Bragg, Interim City Attorney