

San Fernando City Council Special Meeting

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ADMINISTRATION DEPARTMENT

MEMORANDUM

TO: Mayor Antonio Lopez and Councilmembers
FROM: Don Penman, Interim City Administrator
DATE: February 4, 2013
SUBJECT: Standing Committees - Review

RECOMMENDATION:

It is recommended that the City Council review, discuss, and provide staff with direction concerning the Standing Committees (Attachment "A").

BACKGROUND:

1. On January 26, 2009, City Council approved the formation of five Standing Committees (i.e., Budget, Personnel, and Finance (BPF); Housing, Community and Economic Development and Parking (HCEP); Natural Resources, Infrastructure, Water, Energy, and Waste Management (NRIW); Public Safety, Veteran Affairs, Technology, and Transportation (PVTT); and Education, Parks, Arts, Health, Youth, and Aging (EPAH)).
2. On July 20, 2009, adopted Resolution No. 7328 Amending the Procedural Manual for the Conduct of City Council Meetings by Adding Provisions Related to Council Committees.
3. On January 17, 2012, City Council considered dissolving Standing Committees and discussed Ad Hoc Committees versus Standing Committees. This item was tabled so that staff may provide pros and cons.
4. On February 6, 2012, staff provided the City Council with pros and cons of dissolving Standing Committees (Attachment "B"). During the meeting, the City Council elected to continue conducting Standing Committees as currently scheduled and directed each staff liaison to post special meeting agendas 48 hours in advance, and to remove the current PVTT Standing Committee staff liaison and appoint Public Works Director Ron Ruiz as the liaison.

ATTACHMENTS:

- A. Standing Committees List
- B. Dissolving Standing Committees – Pros/Cons Agenda Report (Dated February 6, 2012)

ATTACHMENT "A"



STANDING COMMITTEES

Revised: December 17, 2012

No. 1	BUDGET, PERSONNEL, AND FINANCE (BPF)	
	Members:	Chair Jesse H. Avila Sylvia Ballin
	Staff Liaison:	City Administrator
	Regular Meeting (Date/Time):	Quarterly (March, June, September, December) 4 th Tuesday, 4:30 p.m. (Community Meeting Room)
No. 2	HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT AND PARKING (HCEP)	
	Members:	Chair Antonio Lopez Joel Fajardo
	Staff Liaison:	Community Development – Fred Ramirez
	Regular Meeting (Date/Time):	Semi-Annual (February 15 th & September 15 th) 8:30 a.m. (Community Meeting Room)
No. 3	NATURAL RESOURCES, INFRASTRUCTURE, WATER, ENERGY AND WASTE MANAGEMENT (NRIW)	
	Members:	Chair Joel Fajardo Sylvia Ballin
	Staff Liaison:	Public Works – Ron Ruiz
	Regular Meeting (Date/Time):	2 nd Monday, 5:30 p.m. (Community Meeting Room)
No. 4	PUBLIC SAFETY, VETERAN AFFAIRS, TECHNOLOGY AND TRANSPORTATION (PVTT)	
	Members:	Chair Jesse H. Avila Robert C. Gonzales
	Staff Liaison:	Public Works – Ron Ruiz
	Regular Meeting (Date/Time):	3 rd Thursday, 6:30 p.m. (Community Meeting Room)
No. 5	EDUCATION, PARKS, ARTS, HEALTH, YOUTH AND AGING (EPAH)	
	Members:	Chair Robert C. Gonzales Joel Fajardo
	Staff Liaison:	Recreation and Community Services – Ismael Aguila
	Regular Meeting (Date/Time):	4 th Tuesday, 6:30 p.m. (Community Meeting Room)

ATTACHMENT "B"**ADMINISTRATION DEPARTMENT****MEMORANDUM**

TO: Mayor Mario F. Hernández and Councilmembers
FROM: Al Hernández, City Administrator
DATE: February 6, 2012
SUBJECT: Dissolving Standing Committees – Pros/Cons

RECOMMENDATION:

It is recommended that the City Council consider the following options and direct staff accordingly:

- a. Option No. 1 - Reschedule all Standing Meetings to be quarterly or semi-annually; special meetings may be scheduled to address issues as they arise; and/or
- b. Option No. 2 - Staff Liaison to post special meeting agendas 48 hours in advance (State law requires 24 hours); and/or
- c. Option No. 3 - Staff Liaison to prepare a summary of actions (bullet points) of items that are considered by each Standing Committee which will be submitted to the Chair to provide an update at the next regular City Council meeting; and/or
- d. Option No. 4 - Continue conducting Standing Committee meetings as currently scheduled.

BACKGROUND:

1. On January 17, 2012, City Council discussed dissolving the Standing Committees and directed staff to provide a list of pros and cons of conducting the five Standing Committees (i.e., Budget, Personnel, and Finance (BPF); Housing, Community and Economic Development, and Parking (HCEP); Natural Resources, Infrastructure, Water, Energy, and Waste Management (NRIW); Public Safety, Veteran Affairs, Technology, and Transportation (PVTT); and Education, Parks, Arts, Health, Youth, and Aging (EPAH)).
2. On January 18, 2012, staff met and discussed the pros and cons of conducting Standing Committee meetings.

Dissolving Standing Committees – Pros/Cons

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ANALYSIS:

Listed below you will find the pros and cons of conducting Standing Committee meetings, as determined by staff:

<u>PROS</u>	<u>CONS</u>
Provides staff the opportunity to filter ideas and continue to work on projects, thus refining proposals for City Council consideration.	Time consuming for City Council members to attend Standing Committee meetings.
Less research time for City Council and less surprises at City Council meetings.	Many times only one Standing Committee member attends.
After Standing Committee review, item would have support at City Council meetings.	Regularly scheduled monthly meetings are cancelled, thus wasting staff time to notice cancellations.
Quick turn-around time for direction; a special meeting can be schedule to move projects along.	Short meeting notices can be difficult for the public to be aware of all meetings.
Short meeting notices allow for quick discussion and direction.	Very little public participation.

CONCLUSION:

Staff determined that the following options may be considered by City Council:

- Option No. 1: Reschedule all Standing Meetings to be quarterly or semi-annually; special meetings may be scheduled to address issues as they arise.
- Option No. 2: Staff Liaison to post special meeting agendas 48 hours in advance (State law requires 24 hours).
- Option No. 3: Staff Liaison to prepare a summary of actions (bullet points) of items that are considered by each Standing Committee which will be submitted to the Chair to provide an update at the next regular City Council meeting.
- Option No. 4: Continue conducting Standing Committee meetings as currently scheduled.

BUDGET IMPACT:

Minimal, Standing Committee meetings are mostly attended by Management employees that are exempt from overtime, with one exception; the PVTT Staff Liaison would incur Compensation Time/Overtime if not conducted during his regular scheduled hours.

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ADMINISTRATION DEPARTMENT**MEMORANDUM**

TO: Mayor Antonio Lopez and Councilmembers
FROM: Don Penman, Interim City Administrator
DATE: February 4, 2013
SUBJECT: City Council Procedural Manual - Review

RECOMMENDATION:

It is recommended that the City Council review, discuss, and provide staff with direction concerning the City Council Procedural Manual (Attachment "A").

BACKGROUND:

On July 3, 1995, the City Council adopted Resolution No. 6434 Approving a Procedural Manual for the Conduct of City Council Meetings.

Subsequently, the City Council Procedural Manual has been amended, via Resolution, on several occasions.

ATTACHMENT:

A. City Council Procedural Manual

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PROCEDURAL MANUAL

CITY COUNCIL

OF THE

CITY OF SAN FERNANDO

Adopted by Resolution No. 6434 on July 3, 1995

Amended by Resolution No. 6604 on March 16, 1998

Amended by Resolution No. 6743 on August 7, 2000

Amended by Ordinance No. 1543 on July 21, 2003

Amended by Resolution No. 7328 on July 20, 2009

Amended by Resolution No. 7346 on Dec. 7, 2009

Amended by Resolution No. 7376 on May 3, 2010

Amended by Resolution No. 7454 on September 19, 2011

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PREAMBLE

These rules are enacted pursuant to Government Code Section 36813 to provide decorum and order at City Council meetings and to promote the efficient conduct of those meetings. The rules govern the procedures of the City Council itself and the conduct of individual Council Members. It is also intended that the rules govern the conduct of City staff and members of the public who attend City Council meetings. In the event of a conflict between these rules of procedures and any provision of state or federal law, including but not limited to the Ralph M. Brown Act codified at Section 54950 et seq. of the California Government Code, the state or federal law controls.

The source for many guidelines is set forth beneath the text of the section.

Because circumstances may differ from one meeting to the next, these rules are intended as guidelines, and are not inflexible rules. Accordingly, they may be waived at any meeting, by Motion, in accordance with Robert's Rules of Order.

1. MEETINGS

1.1 REGULAR MEETINGS:

Regular Meetings of the City Council of the City of San Fernando are held in the City Council Chambers of the City Hall, 117 MacNeil Street, San Fernando, California, on the first and third Mondays of each month at 6:00 p.m. When the day of a regular Council meeting falls on a legal holiday, the meeting will be held at the same hour on the next succeeding day that is not a holiday. The City Council will not convene for the last regularly scheduled meeting in December or the first regularly scheduled meeting in January, unless the City Council, by majority vote of the body, determines that either or both meetings shall be held.

1.2 ADJOURNED MEETINGS:

Any meeting may be adjourned to a time, place and date certain, but not beyond the next regular meeting.

1.3 SPECIAL MEETINGS:

Special Meetings may be called at any time by the Mayor or three members of Council by a written notice as outlined in Section 1.4 below. Only matters contained in the notice may be considered.

1.4 NOTICE OF MEETINGS:

Notice of regular meetings are to be posted with the Agenda in the manner provided for in Section 2.3 and in accordance with State Law. Mailed or hand delivered notice is required for all special meetings and for all meetings adjourned by the City Clerk, and are delivered personally or by mail at least twenty-four hours before the time of the meeting for each member of the City Council, and to each local newspaper of general circulation, radio or television station requesting notice in writing. Notice of all adjourned meetings shall be posted. (Government Code Section 54954.1, 54952.2 and 54956.)

1.5 MEETINGS TO BE PUBLIC:

All regular, adjourned and special meetings of the Council shall be open to the public; provided, however, the Council may hold closed sessions for purposes outlined in the following section. (Government Code Section 54953.)

1.6 CLOSED SESSIONS - MATTERS OF DISCUSSION:

The City Council may hold closed sessions, from which the public may be excluded, for consideration of any item for which closed sessions are permitted by State Law. The following subjects are typically conducted in closed session:

- a. LICENSE/PERMIT DETERMINATION (Government Code Section 54956.7)
- b. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)
- c. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Government Code Section 54956.9, Subdivision (a) of Section 54956.9)
- d. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (Subdivision (b) of Section 54956.9)
- e. LIABILITY CLAIMS (Government Code Section 54956.95)
- f. THREAT TO PUBLIC SERVICE OR FACILITIES (Government Code Section 54957)
- g. PUBLIC EMPLOYEE APPOINTMENT (Government Code Sections 54957 and 54957.6)

“City Employees” include the positions of City Administrator, City Attorney and Department Heads. (Government Code Section 54957.6(b).)

1. PUBLIC EMPLOYMENT
 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 3. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
 4. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)
- h. CASE REVIEW/PLANNING (Government Code Section 54957.8)
- i. REPORT INVOLVING TRADE SECRET (Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code)
- j. Any other purpose specifically authorized by law.

The City Council shall publicly report at the public meeting during which the closed session is held any action taken and the roll call vote thereon, unless a late time is permitted for such report. In no case, shall the report be delayed later than the next regular meeting of the City Council.

1.7 CLOSED SESSIONS MINUTES:

The Council may, by motion, designate the City Clerk or any officer or employee, to attend any closed session of the Council and to keep and enter in a minute a record of topics discussed and decisions made at the meeting.

1.8 CLOSED SESSIONS CONFIDENTIALITY:

All matters discussed during closed sessions shall be private and confidential and the disclosure by any person of the topics or details of such matters is prohibited, except the City Attorney will be designated to make any disclosures required by State Law.

1.9 QUORUM:

A majority of the Council shall be sufficient to do business and motions may be passed 2 - 1 if only 3 attend. However, the following matters require three affirmative votes:

- a. Adoption of Ordinance (with the exception of urgency ordinance, which require four affirmative votes);
- b. Adoption of Resolutions or orders for the payment of money (with the exemption of specific types of Resolutions that require four affirmative votes as mandated by State Law).

1.10 ATTENDANCE:

If a Council member is absent from all regular meetings of the City Council for a period of sixty days consecutively from and after the last regular Council meeting attended by such member, unless by permission of the Council expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be an elector of the City, his office shall become immediately vacant and shall be so declared by the City Council. Government Code Section 36513.

2. AGENDA PROCEDURES AND ORDER OF BUSINESS

2.1 AGENDA:

The order of business of each Council meeting shall be as contained in the Agenda prepared by the City Administrator. The City Council shall follow the order of business as outlined in the prepared Agenda. Items may be taken out of order by the Mayor or by a majority consent of the Council.

The Agenda for all regular meetings, with all background staff reports, shall be available to the public at the meeting and 72 hours in advance of the meeting (usually on Wednesday of the prior week) at the City Clerk's office.

The Agenda may be amended in accordance with State Law, prior to any meeting.

2.2 AGENDA DEADLINE:

- a. Any citizen requesting to place an item on the City Council agenda shall advise the City Clerk or the City Administrator in writing no later than 5:00 p.m. on the Monday preceding the meeting at which he/she wishes the item to be considered. The City Administrator shall make copies of such requests for City Council members prior to the next City Council meeting. If the City Administrator concludes that the matter is appropriate for Council consideration, it shall be placed on either of the next two regular City Council agendas.

- b. When a member of the City Council wishes to have an item placed on an agenda of an upcoming City Council meeting, the following procedures shall be followed:
1. The member wishing to have an item placed on an agenda for an upcoming meeting shall provide the City Clerk with an agenda report that provides a general description of the item, the desired action and includes any other relevant written materials or information which the member would like to have considered at the meeting. The agenda report and any other supplementary material must be submitted to the City Clerk by 12:00 p.m. the Wednesday preceding the City Council meeting. Except as provided in paragraph b.2. of this Section 2.2, all items requested to be placed on an agenda by a Council Member shall appear on the agenda for discussion and action. No items, however, shall be placed on the agenda without an agenda report.
 2. Items that have been previously agendized, discussed and determined by action of the City Council are discouraged from being placed on the agenda for an upcoming meeting by a Council Member unless the Council Member can demonstrate a change of circumstances pertaining to the item or present new information of substantial importance that was not known at the time previous City Council action occurred. In such case, the Council Member must follow the procedures set forth in paragraph b.1 above and include in the agenda report the reason for reconsideration of the item, i.e., changed circumstances, new information etc., with supporting information. The item shall be tentatively placed on the agenda as a repeat item under the heading "Council Member Items." The repeat item, however, shall not be discussed nor acted upon by the City Council unless the repeat item is first approved for discussion as set forth in Section 2.5.

2.3 POSTING OF NOTICE AND AGENDA:

Copies of the Notice and Agenda shall be delivered and posted in accordance with State law.

a. Location of Posting

Notices and Agendas shall be posted at the following locations:

1. Bulletin board at City Hall, 117 MacNeil Street, San Fernando, California 91340

2.4 ROLL CALL:

A roll call of Council members shall be held at the beginning of each City Council meeting by the City Clerk, who shall enter the names of those present in the minutes.

2.5 APPROVAL OF AGENDA:

The agenda shall include an item entitled “Approval of Agenda” to occur immediately after “roll call.” During the “Approval of Agenda” portion of the meeting, the City Council shall determine whether to consider repeat items submitted by Council Members pursuant to paragraph b.2. of Section 2.2. A Council Member may make a motion to approve the agenda as presented or make a motion to approve the agenda with the elimination of the repeat item(s) tentatively placed on the agenda under Council Member Items. If the agenda is approved as presented, the request to consider a repeat item is deemed approved and discussion and action on that item may occur during Council Member Items.

2.6 APPROVAL OF MINUTES:

Unless the reading of the minutes of the previous Council meeting is requested by a majority of the Council, such minutes may be approved without reading if the Clerk has previously furnished each Council member with a copy thereof.

2.7 PUBLIC HEARINGS:

The following procedure for conducting public hearings should be followed:

- a. Precede the hearing by a statement from the Mayor setting forth the nature of the public hearing and the rules for addressing the Council as set forth in Section 5.
- b. Open the public hearing.
- c. At the direction of the City Administrator, the appropriate staff member presents the staff report and recommendations.
- d. The Mayor requests the participation first of those members of the public in favor of the subject item, and then of those opposing the item.
- e. Council members should refrain from asking questions or in any way interfering with the “audience participation” portion of the public hearing.
- f. After the Mayor has declared that the “audience participation” portion of the hearing has been concluded, Council members may ask questions and

