



Agenda Memorandum

To: City Council

From: President Lynette Gibson McElhaney & Councilmember Dan Kalb

Date: February 10, 2016

Subject: Amending The City Council Rules Of Procedures

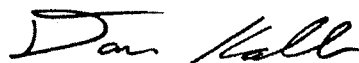
Colleagues on the City Council and Members of the Public,

We are submitting the attached additional proposed amendments for this agenda item. They consist of additions to Rules 3, 19, 26, and 28.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2016 FEB 10 PM 5:28

Respectfully submitted,


Lynette Gibson McElhaney, Council President



Dan Kalb, Councilmember

Prepared by:
Oliver Luby, Policy Manager
Office of Councilmember Dan Kalb

ATTACHMENT – COUNCILMEMBERS LYNETTE GIBSON MCELHANEY
& DAN KALB

Rule 3. Definition of Terms:

- i. **Action Item** shall mean any resolution, ordinance, public hearing, motion or recommendation requiring official vote and approval of the City Council to be effective.
- ii. **Consent Item** shall mean, for the purposes of the City Council agenda, any action or informational item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval, except any item having a high level of public interest or controversy as determined by the Rules Committee or respective Committee Chair, or any action item that the Rules Committee has placed on the consent calendar, unless otherwise ineligible by law as a Consent Item.
- iii. **Non-Consent Item** shall mean, for the purposes of the City Council agenda, any action or informational item that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval or having a high level of public interest or controversy as determined by the Rules Committee or respective Committee Chair or that is otherwise ineligible by law as a Consent Item.
- iv. **Informational Item** shall mean an item of the agenda consisting only of informational report that does not require or permit Council action.
- v. **Regularly-Scheduled Meeting** shall mean a meeting occurring on a recurring basis and at a regular, established time for which all required public notice requirements for a regular meeting have been met.
- vi. **Subject Matter Standing Committees** shall mean the Community and Economic Development Committee, the Finance and Administration Committee, the Public Safety Committee, the Life Enrichment Committee, the Public Works Committee, the Rules and Legislation Committee and such other subject matter committees as the Council may establish.

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Rule 19. Appointments to Boards, Commissions and Other Bodies - The Mayor shall submit to the members of the Council, at least one week in advance of the date action thereon is to be taken, the names of those persons to be appointed by the Mayor to any commission or board. The President of the Council shall submit to the members of the Council, at least one week in advance of the date action thereon is to be taken, the names of those persons recommended to be appointed by the President of the Council to

those bodies and committees that are within the President's appointment authority. An affirmative vote of five (5) members of the Council is required for confirmation of such appointments.

Appointments to the Planning Commission, the Port Commission, and the Housing, Residential Rent & Relocation Board shall first be scheduled to and considered by the Rules and Legislation Committee before being scheduled to the full Council.

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Rule 26.

Procedure for Councilmember to Place Items on Agenda -

Councilmembers should thoroughly investigate policy issues prior to submitting proposals to a committee or the Council for action. On matters pending before a committee or Council, Councilmembers should, when feasible and in compliance with City Charter and open meeting requirements, study and obtain information relative to an issue prior to the meeting where action is to be taken. Requests for formal informational and status reports must be approved by the Rules Committee and should be minimized. Committees may direct that items appropriately pending before the committee be scheduled for future committee agendas. New items and issues brought before a committee shall be referred to the Rules Committee for scheduling. The Rules Committee shall provide general oversight of the implementation of this Rule to insure compliance.

Before filing in the packet, non-ceremonial resolutions and ordinances that would create new agenda items must be submitted to the City Attorney for review. After new non-ceremonial resolution or ordinance items have been scheduled, the sponsor of the non-ceremonial resolution or ordinance must file a memorandum or report for the agenda packet before the corresponding legislation is heard by a relevant committee or the Council.

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Rule 28.

Procedure to Add, Remove Agenda Items -

A. For Council items, anyone wishing to add or remove a Council agenda item after the Rules Committee has met, but before the agenda is printed, must get authorization from the Chair of the Rules Committee, the Mayor and/ or ~~City Manager~~City Administrator, and the President of the Council. If any one of these persons objects, or if addition or removal of such item is contrary to the Sunshine Ordinance or the Brown Act, the subject agenda as approved by the Rules Committee will not be changed. If authorization is obtained, the ~~City Manager~~City Administrator is responsible for notifying the City Clerk prior to the affected Council meeting, to amend the agenda to reflect the approved change. Once the

agenda is printed, an item may only be removed at the next Rules and Legislation Committee meeting if there is an intervening Rules Committee meeting prior to the City Council meeting for which the item is agendized or upon a duly adopted motion of the City Council at the meeting for which the item is agendized, if there is no intervening Rules and Legislation Committee meeting.

B. For Committee items, anyone wishing to add or remove a Committee agenda item after the Rules and Legislation Committee has met, but before the agenda is printed, must get authorization from the Chair of the Rules and Legislation Committee, the President of the Council, the Mayor and/or ~~City Manager~~City Administrator, and the respective Committee Chair. If any one of these persons objects, or if addition or deletion of such item is contrary to the Sunshine Ordinance or Brown Act, the subject agenda as approved by the Rules Committee will not be changed. If authorization is obtained, the ~~City Manager~~City Administrator is responsible for notifying the City Clerk of the authorized change prior to the affected Committee meeting to amend the agenda to reflect the approved change. Once the agenda is printed, an item may only be removed at the next Rules and Legislation Committee meeting if there is an intervening Rules and Legislation Committee meeting prior to the Committee meeting for which the item is agendized or upon a duly adopted motion of the Committee at the meeting for which the item is agendized, if there is no intervening Rules and Legislation Committee meeting.

C. Within 2 business days of any approved Rule 28 decision, the City Administrator shall notify the City Council of the decision via e-mail.