



# AGENDA REPORT

## CITY OF SAN CLEMENTE

### CITY COUNCIL MEETING

910 Calle Negocio  
2nd Floor  
San Clemente, California  
www.san-clemente.org

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**Meeting Date:** May 7, 2024

**Agenda Item:** 9D

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**Submitted By:** City Clerk

**Prepared By:** Laura Campagnolo, City Clerk

**Subject:**

**REVIEW OF CITY COUNCIL AGENDA TEMPLATE WITH CONSIDERATION OF MOVING COUNCILMEMBER REPORTS**

**Fiscal Impact:**

None.

**Summary:**

At its meeting of April 16, 2024, the City Council re-organized the agenda to hear City Councilmember reports at the beginning rather than the end of the meeting. Having City Councilmember reports earlier in the meeting provides an opportunity for Councilmembers to inform the community on important topics such as sand replenishment updates, meeting attendance and other items that may be of interest to the community. The City Council may wish to consider making a change to the agenda template to permanently move up City Councilmember reports.

**Background:**

The current City Council Policy 1201-11 section 4.5.2 establishes that the agenda template be approved by a majority vote of the Council or by the City Manager on a case-by-case basis. Currently, the agenda template has City Councilmember reports at the end of the meeting.

If the City Council desires to modify the agenda template to have City Councilmember reports immediately follow Oral Communications Part 1, that would provide an opportunity for the City Council to inform the community on important topics of community interest. With City Council meetings having a higher attendance average earlier in the meetings, moving Councilmember Reports to follow Oral Communications Part 1, may provide the community with more convenience to attend this part of the meeting.

**Council Options:**

- Direct the City Clerk to update the agenda template to have Councilmember Reports follow Oral Communications Part 1.
- Direct the City Clerk to have Councilmember Reports at a different location on the agenda template.
- Take no action and keep Councilmember Reports at the end of the meeting.

***Environmental Review/Analysis:***

This is not a “project” under the California Environmental Quality Act.

***Recommended Actions:***

Staff Recommendation

If the City Council determines to re-organize the agenda template to have Councilmember Reports follow Oral Communications Part 1, direct the City Clerk to update the agenda template accordingly.

***Attachment:***

1. Proposed agenda template
2. Policy 1201-11

***Notification:***

None.

**CITY OF SAN CLEMENTE**  
**DATE City Council**  
**Regular Meeting Agenda**



**910 Calle Negocio**  
**2nd Floor**  
**San Clemente, California**  
**www.san-clemente.org**  
**Council Chambers**

5:00 p.m. - Closed Session  
 6:00 p.m. - Business Meeting

Mayor Duncan  
 Mayor Pro Tem Knoblock  
 Councilmember Cabral  
 Councilmember Enmeier  
 Councilmember Loeffler

*Information concerning City Council Meeting protocols and procedures is contained at the end of this agenda.*

### **RULES FOR ADDRESSING COUNCIL**

- Members of the public may address the City Council on matters within the jurisdiction of the City of San Clemente.
- If you wish to address Council, please complete one of the blue speaker cards located at the entrance to the Council Chambers and turn it in to the City Clerk or Deputy City Clerk.
- Persons wishing to address Council concerning an agenda item will be invited to address Council during the time that Council is considering that particular agenda item. Persons wishing to address Council concerning a non-agenda item will be invited to address Council during the "Oral Communications" portion of the meeting.
- When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation. Please limit your presentation to three minutes.

### **MISSION STATEMENT**

*The City of San Clemente, in partnership with the community we serve, will foster a tradition dedicated to:*

*Maintaining a safe, healthy atmosphere in which to live, work and play;*

*Guiding development to ensure responsible growth while preserving and enhancing our village character, unique environment and natural amenities;*

*Providing for the City's long-term stability through promotion of economic vitality and diversity...*

*Resulting in a balanced community committed to protecting what is valued today while meeting tomorrow's needs.*

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The California Environmental Quality Act ("CEQA") is the state law that requires the City to evaluate and document the potential environmental consequences of discretionary decision. (See, California Public Resources Code Sections 21000-21189.3; and the "CEQA Guidelines" at California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000-15387). For each item that requires a CEQA determination by the City Council, there is a reference to that determination on this agenda, and more information regarding the CEQA analysis is included in the documents that accompany this agenda. To the extent that City staff determines that particular items are not subject to CEQA, there will be no indication of a CEQA action on this agenda.

**CLOSED SESSION (5:00 P.M.)****BUSINESS MEETING (6:00 P.M.)****CALL TO ORDER****INVOCATION – PLEDGE OF ALLEGIANCE****ROLL CALL****1. Special Presentations****2. Oral Communications**

Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. A total time limitation of 30 minutes is allocated for Oral Communications, with each speaker being allotted 3 minutes in which to give his or her presentation. Speaker order is determined by the order in which speaker cards are provided to the City Clerk or Deputy City Clerk at the meeting. Speakers that cannot be accommodated during Oral Communications will be invited to address Council during Oral Communications (Continued), which if it occurs, will be taken up after item Item No. 10. When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

**3. Councilmember Reports****4. Motion waiving reading in full of all Resolutions and Ordinances****5. Consideration of agenda items requiring immediate action**

Any items agenda items will be considered under New Business, unless otherwise determined by a majority vote of the City Council.

**6. Closed Session Report - City Attorney****7. Staff Communications****8. Public Hearings**

The Public Hearing process includes a staff presentation, a presentation by the applicant not to exceed ten (10) minutes, and public testimony (not to exceed three minutes per speaker). Following closure of the Public Hearing, the City Council will respond to questions raised during the hearing, discuss the issues, and act upon the matter by motion.

**9. Unfinished Business****10. New Business**

**11. Consent Calendar**

All items listed on the Consent Calendar are considered to be routine and will be enacted by one motion without discussion unless Council, Staff, or the public requests removal of an item for separate discussion and action.

**A. City Council Minutes**

Staff Recommendation:

**B. Commission/Committee Minutes**

Staff Recommendation:

Receive and file the following:

**C. Warrant Register**

Payroll Register

**12. Oral Communications**

Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation, not to exceed three minutes. Under the Ralph M. Brown Act, the City Council cannot act on items raised during public comment but may respond briefly to statements made or questions posed, request clarification or refer the item to staff.

**13. Future Agenda Items****14. Reports****A. Commissions and Committees****B. Council Subcommittee Updates****C. City Attorney****D. City Manager****15. Adjournment**

The next Regular Council Meeting is scheduled to take place on [DATE]. Closed Session will begin at 5:00 p.m. and the Regular Business Meeting will begin at 6:00 p.m. The meeting will take place in the Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

**Items to be Considered at a Future Meeting**

Tentative Meeting Date: Agenda Item

**CITY COUNCIL MEETING PROCEDURES****PRESENTATION OF WRITTEN MATERIALS TO COUNCIL**

In order to ensure that Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the Council meeting.

**MEETINGS RECORDED AND TELEVISED**

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 854. Meetings are also available for live-stream or post meeting viewing from the City's website. Meetings are also recorded via audio CD and/or DVD and retained as a City record in accordance with the City's records retention schedule.

**USE OF ELECTRONIC VISUAL AIDS BY PUBLIC AT MEETINGS**

To allow staff adequate time to confirm software compatibility, individuals wishing to utilize electronic visual aids to supplement their oral presentations at the meeting, must submit the electronic files to the City Clerk by no later than 12:00 p.m. on the day of the meeting. Only compatible electronic formats will be permitted to be used on City audio/visual computer equipment. Staff makes no guarantee that such material will be compatible, but will use its best efforts to accommodate the request.

**LENGTH OF MEETINGS**

At 11:00 p.m., the City Council will determine which of the remaining agenda items can be considered and acted upon at this meeting and will continue all other agenda items to a future meeting.

**AMERICANS WITH DISABILITIES ACT**

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (949) 361-8200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

**COMMUNICATION DEVICES**

To minimize meeting distractions and sound system interference, please be sure all personal communication devices are turned off or on silent mode.

**MEETING SCHEDULE**


Regular Council Meetings are held on the first and third Tuesdays of each month in the Council Chambers, located at 910 Calle Negocio, 2nd floor, San Clemente. Closed Session are considered at 5:00 p.m. and the Business Meeting begins at 6:00 p.m. Additional meetings of the City Council may be called as needed.

**AGENDAS, ADMINISTRATIVE REPORTS AND SUPPLEMENTAL WRITTEN MATERIALS**

Agendas and Administrative Reports are available for review and/or copying at the City Clerk's Department as soon as agendas are posted, by accessing the City's website at [www.san-clemente.org](http://www.san-clemente.org). An "Inspection Copy" of agenda materials is also located at the entrance to the Council Chambers during meetings for public review. All written material distributed to a majority of the Council after the original agenda packet was distributed is available for public inspection in the City Clerk's Department, located at 910 Calle Negocio, San Clemente, during normal business hours.

The City Clerk's Department offers an agenda packet subscription service free of charge. If you wish to receive email copies of City Council agendas, which include hyperlinks to staff reports and other back-up material, register at <http://san-clemente.org/enotification>.

**POLICY AND PROCEDURE**

<p><b>Subject:</b> City Council Meeting and Operating Procedures (Parliamentary Procedures, Due Process, Mayor/Mayor Pro Tempore, Council Correspondence, Meetings, Agendas, and Minutes)</p>	<p><b>Index:</b> City Council</p> 
<p><b>Effective Date:</b> March 19, 2024 (supersedes January 16, 2024)</p>	<p><b>Number:</b> 1201-11</p> <p><b>Prepared By:</b> City Clerk</p>
<p><b>Supersedes:</b> Policy and Procedures 1201-1 (Mayor and Mayor Pro Tempore); 1201-2 (Meetings of the City Council); 1201-3 (Order of Business and Preparation of Minutes); 1201-4 (Council Correspondence and Agenda); 1201-5 (Rules of Debate, Decorum, Voting Requirements &amp; Procedures); 1202-2 Management/ Streamlining of City Council Meetings); and 1201-11 (City Council Meeting and Operating Procedures)</p>	<p><b>Approved By:</b> City Council</p>

**1.0 PURPOSE:**

To establish policies for City Council meetings and operations, including parliamentary procedures, due process, election/roles of Mayor and Mayor Pro Tern, agendas, and the preparation of minutes.

**2.0 ORGANIZAT/ONS AFFECTED:**

City Council  
City Commissions and Committees\*

*\*Note: Except as otherwise noted throughout this Policy, this Policy shall also apply to the City's Commissions and Committees. In applying this Policy to City Commissions and Committees, the term "Council" shall be interpreted to mean the name of the City Commission or Committee, the term "Mayor" shall be interpreted to mean "Chairperson", the term "Mayor Pro Tempore shall be interpreted to mean "Vice Chair": the term "Manager" shall be interpreted to mean "Director", and the*

*term "City Clerk" shall be interpreted to mean the staff member responsible for providing support to the Commission/Committee.*

### **3.0 REFERENCES:**

The Ralph M. Brown Act, GC Section 54950, et seq.

### **4.0 POLICY:**

#### **4.1 Parliamentary Procedures and Due Process**

4.1.1 The proceedings of the City Council shall be guided under the latest revised edition of "Rosenberg's Rules of Order," on all matters pertaining to parliamentary procedure, but no ordinance, resolution, proceeding or other action of the City Council shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow such rules. In the event of a discrepancy between Rosenberg's Rules of Order and this Policy and Procedure, this Policy and Procedure shall prevail.

4.1.2 The Mayor, with assistance from the City Attorney, is designated as the parliamentarian for City Council meetings. The City Clerk shall assist in the City Attorney's absence. Any member of the City Council or the public (pursuant to process below) may raise a point of order and/or seek the City Attorney's input on parliamentary issues, which shall then be considered by the Mayor. The City Council may override any parliamentary decision of the Mayor with a majority vote. The Mayor may interpret and apply but not amend these policies.

Points of order may be raised at any time by City Councilmembers.

Points of order may be raised by members of the public in connection with their opportunity to speak on agenda items pursuant to Section 4.4.6. The Mayor (or chair) shall rule on the point of order and/or request clarification of the law from the City Attorney and then decide and rule. If the point of order is denied by the Mayor or chair, the person making the point of order may seek a vote of the entire Council or body, which decision shall be final.

Members of the public wishing to raise points of order after their opportunity to speak may submit those points of order in writing prior to the adjournment of the meeting. Items so submitted shall be presented for consideration by the City Council in connection with its approval of the minutes of that meeting pursuant to Section 4.6 hereof. At that time the Mayor and City Council will review and decide the point of order raised and determine whether it warrants scheduling and noticing of that item for reconsideration.



4.1.3 It shall be understood that a member of the City Council or prospective member of the City Council may, in the course of seeking elective office, be asked to state positions on general issues that may eventually come before the Council at a later date. This policy shall in no way impair that Councilmember's right to consider the issue and vote as he/she determines is appropriate.

4.1.4 Ex parte communications are communications received outside of Council meetings or hearings. When the Council acts in a legislative role (for example, to adopt general plan or zoning amendments or to adopt ordinances), Councilmembers are permitted to draw upon nearly all observations and considerations they receive inside and outside the Council meeting. On the other hand, when acting in a quasi-adjudicatory role (hearing permits, revocations, and similar non-legislative decisions), the Council, as fact-finder, should limit its consideration of facts to those presented at the hearing, where all sides have the opportunity to hear and rebut testimony given by all participants. To this end, Councilmembers should avoid receiving or gathering information that might otherwise influence its consideration of the written record and any other testimony it hears through the formal hearing process, or at least disclose their receipt of that information.

#### 4.2 **Election of Mayor and Mayor Pro Tempore and Roles of Those Offices**

4.2.1 At the first Regular City Council meeting in December of each year, the Council shall elect from its members a Mayor and Mayor Pro Tempore. The new Mayor and Mayor Pro Tempore shall assume office immediately. *(Note: Commissions and Committees shall elect from its members a Chairperson and Vice Chair at its first regular meeting occurring after Council completes its annual appointment process for Commission and Committee members and those members assume office.)* **The process for electing Mayor and Mayor Pro Tempore and for electing Commission and Committee Chairs and Vice-Chairs shall be as follows:**

4.2.1.1 The nomination/election of the Mayor or Chair is conducted by the City Clerk or staff. Once the new Mayor or Chair is elected, that member of the Council or body immediately presides and conducts the vote on Mayor Pro Tempore or Vice-Chair.

4.2.1.2 The method of nomination in this respect is an "open nomination" solely by and from within the membership of the presently-seated City Council or City body. Nomination cannot be accepted from members of the public.

4.2.1.3 No "second" is required for nomination, although sometimes one or more members will "second" a nomination to indicate endorsement.

- 4.2.1.4 In no event may any one member nominate more persons than there are offices to fill in the respective selection.
- 4.2.1.5 When it appears that no one else wishes to make a nomination, the chair of the meeting asks one (1) final time if there are additional nominations. If there is a no response, the chair then declares...*"the nomination for Mayor or Mayor Pro Tempore, Chair or Vice-Chair as applicable is closed."*
- 4.2.1.6 It is unnecessary to have a motion to officially close the nomination; yet, if such a motion is made, that motion then requires an affirmative 213<sup>rd</sup> vote of the members present [4 or 5]. After nominations are closed, a majority vote is required to re-open it.
- 4.2.1.7 Nominees are voted on in the order in which they are nominated. As soon as one of the nominees receives a majority vote of those members present in the voting, the Mayor or Chair then declares that person elected to that respective office, and no vote is taken on the remaining nominee(s).
- 4.2.1.8 Rounds of voting shall continue in succession until one nominee is elected.
- 4.2.2 The Mayor and Mayor Pro Tempore shall serve a one-year term at the pleasure of the Council majority.
- 4.2.3 The Mayor shall act as the primary spokesperson and official representative of the City Council, unless such responsibility is delegated by the Mayor, or otherwise assigned by a majority of the City Council.
- 4.2.4 The Mayor shall preside at all regular, adjourned regular, special and emergency meetings of the City Council, including joint meetings with commissions and committees and closed sessions.
- 4.2.5 The Mayor shall execute all official City documents, warrants and correspondence approved by the City Council.
- 4.2.6 The Mayor is authorized to issue proclamations, commendations and certificates of recognition, which may be presented at Council meetings under Special Presentations. The total time allotted to Special Presentations should, if possible, be limited to 15 minutes per meeting. *(This section does not apply to Commissions or Committees.)*

4.2.7 Nothing in this section is intended to suggest that the office of Mayor possesses formal powers or authority in excess of other members of the City Council; rather, the person serving as Mayor is to be recognized as the chairperson of the Council.

4.2.8 The Mayor Pro Tempore shall serve and perform the functions of the Mayor in the absence of the Mayor. If both the Mayor and Mayor Pro Tempore are absent from a City Council meeting, the Council members present shall select a Councilmember from those members present to perform the functions of Mayor at that particular meeting.

#### 4.3 **City Council Correspondence**

4.3.1 The City Manager, or his/her designee, is authorized to open and examine all mail or other written communications addressed to the City Council as a body, but shall not open correspondence addressed to an individual Councilmember without their express authorization.

4.3.2 The City Manager may take action, or direct that action be taken, on issues or requests that do not require Council action. The City Manager shall inform Council when actions are taken on matters of significance or that are likely to be of interest to the City Council.

#### 4.4 **City Council Meetings**

4.4.1 The date, time and location of Regular Meetings of the City Council shall be established by resolution. At 11:00 p.m. at each meeting, the City Council, by majority vote, will determine whether to continue the meeting or adjourn.

4.4.2 At all meetings of the City Council, a majority of the Council members shall constitute a quorum for the transaction of business. In the event less than a quorum of the City Council is present, the City Clerk shall adjourn the meeting (which may include adjourning to an Adjourned Regular Meeting), post a Notice of Adjournment, and prepare minutes that reflect that the meeting was adjourned due to lack of a quorum.

4.4.3 The City Clerk, or Mayor, shall announce an agenda item before discussion on that item commences.

4.4.4 Each person desiring to address the Council is requested to submit to the City Clerk a speaker form. After being called upon by the Mayor, the speaker may proceed to the podium. The speaker may

state for the record his/her name and city of residence, but shall not be required to do so.

Members of the public may speak for three (3) minutes and project applicants and appellants (including members of an applicant's or appellant's project presentation team, when applicable) may speak for a combined total of ten (10) minutes on agenda items. At Council's request where Council is acting in a fact-finding or hearing capacity, the Mayor may grant additional time (unless overruled by a majority of Councilmembers present) to speakers on agenda items.

Speakers will be called to the podium once Staff concludes its presentation of an item and before Council begins its deliberations. Speaker cards will not be accepted once deliberations have commenced.

Speakers on non-agenda items may speak for three (3) minutes during the oral communications - public forum portion of the meeting.

At the beginning of the Consent Calendar, the City Clerk will notify the Mayor or meeting Chair of any public comments related to the Consent Calendar. Speakers will be allotted 3 minutes to speak on the Consent Calendar in its entirety. After public comments, if any, are heard, the City Council will vote on the Consent Calendar as one agenda item.

The time that a speaker devotes to responding to Council inquiries shall not be deducted from their allotted speaker time.

- 4.4.5 Members of the public may not assign their speaker time to another person.
- 4.4.6 The purpose of addressing the City Council is to communicate formally with the City Council regarding matters that relate to City Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the City Council. Speakers may be asked to clarify how their comments relate to the matter at hand. Speakers may address the entire Council or individual Councilmembers, and, if allowed by the Mayor or chair, City staff.
- 4.4.7 Once recognized, members of the public shall not be interrupted when speaking unless to be called to order by the Mayor to: (i) curtail extraordinary repetition, (ii) curtail speech that is irrelevant to the City Council's subject matter jurisdiction, (iii) explain how his or her speech relates to the City's subject matter jurisdiction, or (iv) address some other point of order. If a speaker is interrupted to be called to order, the speaker shall cease speaking until the question of order is determined, and if in order, he or she shall be permitted to proceed,

with additional time allotted for the time taken to determine the question of order.

- 4.4.8 In order to avoid repetitious presentations, whenever any group of persons wishes to address the Council with the same message, it shall be proper for the Mayor to request that a spokesperson be chosen by the group to represent the group's position. Speakers shall not, however, be required to abide by such a request.
- 4.4.9 To expedite Council meetings, Councilmembers are encouraged to contact Staff prior to Council meetings to obtain answers to questions and to obtain clarifications as needed.
- 4.4.10 Staff shall compose Administrative Reports in a clear and concise manner. Staff shall strive to write reports in a manner that can be easily understood by persons that do not have training in the report's subject matter.
- 4.4.11 Staff presentations at Council meetings are to be condensed to the briefest extent possible, while still providing a basic overview of the issue under consideration. Staff is encouraged to refrain from reiterating issues previously addressed in the Administrative Report. However, Staff engaged in such communications shall not use these opportunities to communicate with the members of the City Council the comments or position of any other member of the City Council on City Council business.
- 4.4.12 Members of the public shall not engage in conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the City Council meeting. Any person who so disrupts the meeting is subject to removal from the meeting.

Prior to removing anyone from a City meeting, the Mayor (or other designated chair) shall: (i) notify the person that he/she is in violation of this Section 4.4.12, (ii) specify the specific behavior giving rise to that conclusion; (iii) explain all grounds for the belief that the person's conduct is in violation of law/policy and why such conduct subjects the person to expulsion; and (iv) notify the person that if the conduct continues he/she will be removed. The person receiving such notification shall be asked if he/she understands the conclusion but shall not be required to accept it.

Members of the public receiving notice of disruption pursuant to this section shall have the right, prior to being removed from the meeting, to ask the Mayor to consult with the City Attorney on the grounds for expulsion, and to submit a point of order on the grounds for expulsion. The City Council may override this decision pursuant to Section 4.1.2. The City Attorney shall have a duty to inform the Mayor (or other designated chair) and the public if the City Attorney believes that the Mayor's action is in violation of applicable law.

4.4.13 Motions must be seconded in order to proceed to a vote.

4.5 **City Council Agendas**

- 4.5.1 With the exception of items added to a City Council agenda pursuant to Section 4.5.4 of this Policy, the City Manager and Mayor in conference shall be responsible for determining items to appear on City Council meeting agendas.
- 4.5.2 The standard template for City Council agendas shall be established by Council by majority vote. The City Manager shall have the authority to reorganize the template on a case-by-case basis if he/she believes that a variation in the normal order of business is appropriate.
- 4.5.3 Councilmembers may agendize items to enable them to "report out" on matters relating to their own activities, including activities pertinent to their Council-appointed positions on regional commissions, committees and boards, provided the report is informational only. If Council action is being sought, the process defined in Section 4.5.4 of this Policy shall be followed.
- 4.5.4 Two members of the City Council may propose at a Council meeting that an item be agendized for future Council discussion, consideration, and/or action. Subject to notice and hearing requirements, the item shall be agendized for a future meeting and noticed as required by law. Items agendized pursuant to this section shall appear on an agenda under the New Business portion of the agenda and the names of the Councilmembers who agendized the item shall be included with the item description. Staff Reports will only be prepared if a minimum of three members of the City Council vote affirmatively at a Council meeting to direct Staff to prepare a report.
- 4.5.5 Notwithstanding Sections 4.5.1 and 4.5.4 of this Policy, the process to review, appeal, or otherwise "call up" decisions by the Planning Commission or other subordinate City bodies shall be subject to the requirements of the San Clemente Municipal Code.
- 4.5.6 Notwithstanding Section 4.5.4, a proposal to reconsider any action taken by the City Council may be raised only at the same meeting or the next regularly scheduled meeting of the City Council after the action is taken and may be raised only by one of the Councilmembers who voted with the prevailing side. Additionally, the motion to reconsider may only be made by one of the Councilmembers who voted with the prevailing side.
- 4.5.7 The City Clerk shall be responsible for the preparation of Council meeting agendas and shall cause copies to be posted on the City Hall bulletin board(s) and City website. Regular and Adjourned Regular Meeting agendas shall be posted within the posting time requirements as set forth in State law. In the case of special

4.5.8 meetings, agendas shall be posted as soon as practical, but in no event less than the posting time requirements as set forth in State law.

4.5.9 Consent Calendar items shall be comprised of items that are expected to be noncontroversial. Unless an item is removed from the Consent Calendar by a member of the Council or staff, for separate discussion and action, the Consent Calendar may be acted upon by one motion as one item.

4.5.10 The City Council may waive the reading in full of all Resolutions and Ordinances. The reading of Resolution titles shall be optional. The reading of Ordinance titles shall not be waived.

4.5.11 Members of the public may address Council concerning matters within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, during the Oral Communications portion of the agenda. Speakers may address Council once during either Oral Communications Part 1 or Part 2. Speakers shall be allotted 3 minutes in which to give his or her presentation.

#### 4.6 **City Council Minutes**

4.6.1 The City Clerk shall have exclusive responsibility for the preparation of the minutes.

4.6.2 The minutes of City Council meetings shall be submitted to Council for approval/modification at a City Council meeting. Any direction for modifications to the City Council minutes shall only be made upon a majority vote of the City Council.

4.6.3 Minutes shall be prepared in brief concise form, in what are commonly referred to as "action minutes". Action minutes memorialize what was *done* at a meeting, as opposed to what was *said* at a meeting. An exception to this guideline is that a brief summarization of comments provided to Council by the public are to be included in the minutes. Additionally, the identity of Councilmembers who make motions, second motions, and cast votes on motions are to be included in the minutes.

4.6.4 Unless the reading of the minutes of a City Council meeting is ordered by a majority of the Council, such minutes may be

approved without reading if the City Clerk has previously furnished each Councilmember with a copy thereof.

4.6.5 The approved minutes shall be executed by the Mayor and City Clerk upon approval by the City Council and shall constitute the official record of the City Council meeting.

4.6.6 The City Clerk shall enter the original executed minutes into the official records of the City as a permanent document.

**4.7 Closed Sessions**

4.7.1 The City Council may hold closed sessions during duly-noticed Council meetings on issues authorized by State law.

4.7.2 A City Commission or Committee may hold closed sessions during duly-noticed meetings of its body on issues authorized by State law, the City Council, and the City Attorney.

4.7.3 No member of the City Council, employee of the City, or any person present during a closed session shall disclose to any other person the content or substance of discussion or action which took place during the session, unless a majority vote of the Council authorizes such disclosure.

4.7.4 Closed sessions shall be limited to members of the City Council, City Manager, City Attorney and/or City legal counsel, as well as staff members and experts designated by the City Manager or City Attorney to attend portions of Closed Sessions relating to specific issues, as permitted by law.

4.7.5 To the extent possible, the public will be notified prior to the time that the City Council recesses to closed session as to whether or not a public announcement of action is anticipated following the Closed Session.

4.7.6 Where potential plaintiffs and defendants have manifested or communicated their awareness of facts and circumstances and a legal theory connecting those facts and circumstances to potential litigation involving the City, those facts and circumstances, together with (i) the identity of potential parties or (ii) related documentation, shall be disclosed prior to a closed session to discuss anticipated litigation, in accordance with GC 54956.9.



4.8 **Assignment of a City Councilmember as a Liaison to Each City Commission or Committee**

- 4.8.1 The City Council Liaison shall meet with the Chair and support staff of the assigned Commission or Committee to review the proposed agenda to determine consistency with the adopted work plan.
- 4.8.2 Accept requests for City Council or staff support to accomplish tasks included in the adopted work plan.
- 4.8.3 Provide an oral report of the Commission or Committee activities to the City Council during the appropriate agenda item on a regular agenda of the City Council.
- 4.8.4 The City Councilmember liaison is not expected to attend the meetings of the Commission or Committee, but rather act as a resource and conduit for improved communication.