

**§ 1-10.030. City Council agenda requirements—Regular meetings.**

- (A) No later than 12 calendar days before a regular meeting of the City Council, the City Clerk's Office shall post on the City's website and at the official posting locations at City Hall a preliminary agenda containing a brief meaningful description of each item of business to be transacted or discussed at the meeting. The preliminary agenda shall be provided in ~~both English, and Spanish,~~ and any additional language required under provisions within this chapter of city code. An email shall be sent to the GovDelivery or similar ~~database-notification system~~ composed of groups of individuals and/or organizations who have requested to be notified of when the agenda is posted.
- (B) A description of the agenda item is meaningful if it is sufficiently clear and specific to alert a person of average intelligence and education of the general substance and significance of the item. The description should be concise and written in plain, easily understood language. In addition, the description shall include, for each item of business, a brief statement of any potential budget impacts and the recommended action or a statement that the item is for discussion only. When possible, the agenda shall include a link or description to prior Council actions on the item.
- (C) No later than six calendar days before a regular meeting of the City Council, final agendas shall be posted to the City's website and at the official posting locations at City Hall, and hard copies shall be made available at the front counter in the City Manager's office and at the central branch of the Sonoma County Public Library. The final agenda shall be provided in ~~both English and,~~ Spanish, and any additional language required under provisions within this chapter of city code.
- (D) Supporting documents shall be added to the preliminary agenda posted on the City's website as those supporting documents become available for publication. Supporting documents shall also be included in the final agenda posted on the City's website and in hard copies provided pursuant to subsection (C) of this section. Supporting documents are not required to be translated into Spanish or any additional language.
- (E) Complete final agenda packets for City Council regular meetings shall remain posted on the City's website and available for review at the City Manager's Office and the Central Branch of the Sonoma County Public Library during normal business hours, from the initial time of posting in accordance with subsection (C) of this section until the scheduled meeting is complete.
- (F) A correction or supplement to an item already included in an agenda packet may be considered by the City Council if the correction or supplement to the item: (1) is within the scope of the description provided on the final agenda; and (2) all materials provided to the City Council in connection with such correction or supplement are made available to the public at the same time such materials are provided to the City Council.
- (G) An urgent item of business that does not appear on the preliminary agenda posted pursuant to subsection (A) of this section may nevertheless be placed on the final agenda posted pursuant to subsection (C) of this section, but shall not be discussed or acted upon except upon a showing of good cause and with the concurrence of six

Council members, or by unanimous vote if fewer than six members are present. The Council shall determine that good cause exists prior to taking action upon the item. If good cause is not found to exist, the item may be heard at the Council's next regular meeting. For purposes of this section, a showing of "good cause" will require a finding by the Council that as a result of exceptional circumstances beyond the control of the Council, compliance with the 12 calendar day notice requirement would impose a substantial burden on the City's ability to conduct its business or result in prejudice to a private person. Prior to making such a finding, staff shall provide a detailed explanation of the reason the agenda item could not be provided to Council and members of the public within the 12 calendar day notice requirement of subsection (A) of this section.

- (H) No action or discussion shall be undertaken on any item not appearing on the posted final agenda, except that, following public comment on items not on the agenda, members of a legislative body may:
- (1) Briefly respond to statements made or questions posed by members of the public during the comment period;
  - (2) Ask a question for clarification;
  - (3) Provide a reference to staff or other resources for factual information;
  - (4) Request staff to report back to the body at a subsequent meeting concerning the matter raised by the public; or
  - (5) Request that the matter be placed on the agenda for a subsequent meeting.
- (I) Notwithstanding subsection H above, the City Council may take action on items of business not appearing on the posted agenda under any of the following conditions:
- (1) Upon a determination by a majority vote of the City Council that an emergency, such as act of war, natural disaster or public disruption (e.g. work stoppage, crippling activity or other activity) poses a severe threat to public health and safety.
  - (2) Upon a determination by a two-thirds vote of the members of the City Council present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the final agenda being posted in accordance with subsection (C) of this section.
  - (3) The item was on an agenda posted pursuant to subsection (C) of this section for a prior meeting of the City Council occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.
- (J) Nothing in this section shall limit the rights of the City Council to give notice of, and to hold, closed sessions and/or to call and hold special or emergency meetings in accordance with the provisions of the Brown Act.

- (K) The City Clerk's Office shall ensure that agendas for regular and special meetings are made available upon request to speech and hearing impaired persons through telecommunications devices for the deaf, telecommunications relay services or equivalent systems, and, upon request, to sight impaired persons through Braille or enlarged type. Such translation or interpreter services shall be available free of charge upon request. If the request is received by the City Clerk at least seven business days prior to the City Council meeting, the translation or interpreter services will be provided no later than two business days prior to the City Council meeting.
- (L) Copies of agendas in a language ~~other than English or Spanish~~ the City does not automatically provide will be made available free of charge upon request. If the request is received at least seven days prior to the City Council meeting, the copy shall be provided no later than two business days prior to the City Council meeting.
- (M) Copies of the agendas in a language other than English or Spanish will be made available automatically if the threshold of that particular non-English and non-Spanish speaking population reaches and/or exceeds five percent of the total city population as determined by the latest United States Census.
- (N) All regularly scheduled Council meetings shall provide live Spanish ~~translation~~ interpretation of the proceedings. ~~Translation-Interpretation~~ services for hearing impaired shall be available upon request submitted at least seven business days prior to the Council meeting.
- ~~(N)~~(O) The Spanish is-interpretation requirement set forth in subsection N shall not apply if necessary internet connection malfunctions. In such instances where Spanish language interpretation service is not restored after at least one hour of good faith efforts, Council must make findings by roll call vote, consistent with the Ralph M. Brown Act requirements related to internet and telephonic service disruptions, that good faith efforts were made and that reconvening the meeting and hearing any remaining time-sensitive agenda items, outweighs the public interest in providing interpretation services. This exception should be used sparingly and not applied to proceed with non time-sensitive agenda items where Spanish interpreter services are-is not available. Additional post-meeting outreach efforts must be made by the Communications and Intergovernmental Relations Office in English, Spanish, and any additional language required under provisions within this chapter of city code, related to any actions taken by Council during Spanish language interpretation service disruption.
- ~~(P)~~(P) The Open Government Ordinance will be posted on the City website and each City Council agenda shall include information on how to obtain a free copy of the ordinance (electronic and/or paper).  
(Ord. 2020-018 § 1; Ord. 2021-007 § 1; Ord. 2021-007 § 1)

#### **§ 1-10.040 Broadcast of meetings.**

- (A) All regular public meetings of the City's Council, boards, commissions, and committees that are held in the City Council Chamber shall be recorded, televised, video-streamed live via the City website, as well as archived for replay, and broadcast via radio.

The live broadcasts and archived video shall be closed<sup>d</sup> captioned. Archived videos shall contain an index of agenda items that will enable members of the public to automatically advance to the start of a particular agenda item by clicking on that agenda item in the video index. Live broadcasts shall include closed captioning in English. Archived videos shall include closed captioning in both English and Spanish.

(B) The broadcast requirements shall not apply if necessary equipment malfunctions ~~provided all requirements of the Ralph M. Brown Act are met~~. In such instances an audio recording shall be made of the proceedings and such audio recording shall be archived in the same manner as video recordings of meetings, with the same level of public access. In such instances where video and/or audio recordings are not available, the draft minutes shall be made available in accordance with § 1-10.070 Meeting minutes.

(Ord. 2020-018 § 1)

### **§ 1-10.060. Public access and comment.**

- (A) Whenever the number of attendees at a City Council meeting exceeds the legal capacity of the meeting room as determined by the Fire Marshal, any public address system used to amplify sound in the City Council Chambers shall be extended by supplementary speakers to permit the overflow audience to listen to the proceedings in an adjacent suitable location. If there ~~be is~~ no public address system, or if supplementary speakers are not available at the time, the meeting shall be adjourned until this is appropriately addressed.
- (B) Every agenda for regular meetings of the City Council shall provide, no earlier than 5:00 p.m. and again at the end of the meeting, an opportunity for members of the public to directly address the City Council on items of interest to the public that are within the City Council's subject matter jurisdiction, but not on the meeting's agenda. No action or discussion, however, shall be undertaken on any item not appearing on the agenda unless the action or discussion is otherwise authorized by Sections 1-10.030.
- (1) The first public comment period on non-agenda items shall begin no earlier than 5:00 p.m. but shall begin as close to 5:00 p.m. as is feasible. This first comment period will be limited to twelve speakers selected randomly by the City Clerk.
  - (2) Speakers who do not have an opportunity to speak during the first public comment period shall be allowed to make public comment under the second public comment period at the end of the meeting.
  - (3) Speakers who have an opportunity to speak during the first public comment period may not make additional comments during the second public comment period.
- (C) In connection with each item listed on an agenda for a regular or special meeting an opportunity shall be provided for members of the public to directly address the legislative body concerning that item before the legislative body takes action. Public comments on closed session items shall be taken before the closed session is convened.
- (D) Except at meetings at which fees are adopted as part of the annual budget adoption, no public hearing may commence earlier than 5:00 p.m. or later than 9:00 p.m.

unless there is a legal necessity to act, to hold the hearing or make a decision at that meeting or the City Council determines by a two-thirds vote that there is a fiscal necessity to hold the hearing. When possible, the Mayor should strive for time-certain scheduling of public hearings, and should prioritize public hearings over non-urgent report items.

- (E) To facilitate public input, any agenda changes or continuances shall be announced by the presiding officer at the beginning of a meeting, or as soon thereafter as the change or continuance becomes known to such presiding officer.
- (F) All staff reports, staff presentations, comments from applicants and appellants regarding the agenda item, and Council questions will be presented before the public has an opportunity to speak on the item so as to provide the fullest opportunity for public input on the full scope of issues before the City Council.
- (G) To enhance public knowledge of the City's policies and better inform the public as to the public's important role in City government, the Communications and Intergovernmental Relations Office ~~Office of Community Engagement~~ and the City Clerk's office shall prepare a Citizens Guidebook setting forth written guidelines for members of the public explaining City policies regarding public participation and public comment. The Citizens Guidebook shall include an outline of City government structure, organization, responsibilities, and basic functions, as well as local government terms and definitions, and how to participate in local government activities, meetings, and proceedings. This guidebook will be made available in English and Spanish on the City's website.

(Ord. 2020-018 § 1)

#### **§ 1-10.070. Meeting minutes.**

City Council and its standing subcommittees shall record the minutes for each regular and special meeting convened under the provisions of this chapter. At minimum, the minutes shall state the time the meeting was called to order, the names of the members attending the meeting, identifying the specific provision when a member participated under the Ralph M. Brown Act just cause remote participation provisions, a one-sentence summary of, and roll call vote on, each matter considered at the meeting, the time the local body began and ended any closed session, those members of the public who spoke on each matter if the speakers identify themselves and a brief description of their comments, and the time the meeting was adjourned. Minutes shall state whether a speaker expressed support for or opposition to an agenda item only when such a position is clearly stated verbally or provided in writing on the speaker card. If a speaker's position is not clearly expressed, the minutes shall reflect only the name of the individual(s) providing comment on the item. ~~Public comment speaker cards shall have an option for a one-sentence description of the comments, which the clerk shall use to create a brief description of the comments for inclusion in the final minutes.~~ The final closed captioning of the meeting video will be publicly available in English and Spanish. If video or audio of and language interpretation services of for the meeting is are not available due to unforeseen service disruption (telephonic or internet), the minutes shall reflect efforts to restore service from disruption and record Council action if Council makes findings that reconvening the meeting without video or audio recording, and language interpretation services outweighs the public interest in remote public access and language interpretation, and in-person language interpretation. ~~†~~ The draft minutes of each meeting shall be available for inspection and copying upon request no later than 15

business days after the meeting. If video and/or audio of the meeting is available, the 15-business-day deadline does not apply. The officially approved minutes shall be available for inspection and copying upon request no later than five business days after the meeting at which the minutes were approved. Meeting minutes will be posted via the City's website once approved.  
(Ord. 2020-018 § 1)