

OPEN MEETING POLICIES

PURPOSE

The Newport Beach City Council and certain Boards, Commissions and Committees are required to comply with the Ralph M. Brown Act (Brown Act). The Brown Act requires public entities to deliberate and take action, in open session. The City Council has adopted these rules to ensure compliance with the Brown Act and to promote full citizen participation in the discussions and decisions of their elected and appointed representatives.

POLICY

- A. Regular Meetings. The City Council shall hold regular meetings on the second and fourth Tuesdays of each month except in December and August when there shall be at least one regular meeting held on the second Tuesday. The meetings shall be held in a location allowed by the Charter. The regular meeting shall begin at 4:00 p.m., or as otherwise scheduled due to the demand of business, for Study Session, Closed Session to follow immediately thereafter, recess after Closed Session, and reconvene at 7:00 p.m. or as otherwise scheduled due to the demand of business. The December meeting of even-numbered years shall begin at 4:00 p.m., or as otherwise scheduled due to the demand of business, without reconvening at 7:00 p.m.

The City Council may hold a regular meeting, special meeting, or adjourned regular or special meeting at another location within the City, or locations outside the jurisdiction of the City provided appropriate notice is given pursuant to, and the location of the meeting is consistent with, the Brown Act. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hours on the following business day.

- B. All regular, special and adjourned meetings of the City Council, Boards, Commissions, and Committees created by the Charter or formal action of the City Council and which have continuing subject matter jurisdiction shall be called, noticed and conducted in compliance with the Brown Act.
- C. Regular City Council Meeting Agenda.
1. Staff shall provide the City Clerk with the title and recommendation of all items to be placed on a regular Council meeting agenda no later than 5:00 p.m. two Fridays before the next regular City Council meeting. The City Clerk shall prepare the regular meeting agenda of all such matters under the direction of the City Manager. This agenda shall be provided to the City Council Members on the Thursday preceding the Tuesday Council meeting to which it pertains.

The agenda and staff reports will be available for the public and media in the Office of the City Clerk and shall be posted on the City's public website no later than 3:30 p.m. on the Friday preceding the meeting.

2. The regular meeting agenda shall contain a brief description of each item of business to be transacted or discussed and a statement that members of the public may offer testimony as to any matter on the agenda and may speak on non-agenda items during the public comment section of the agenda. The agenda shall be posted on the City's website, as well as at the entrance to the City Council Chambers, at least 72 hours before each regular meeting, and the City Clerk shall maintain records of the name of the person posting the agenda, and the date and time of posting.
3. A member of the City Council may place an item(s) on the City Council agenda for discussion by submitting a title or topic sufficient to satisfy the requirements of the Brown Act on or before 5:00 p.m. on the Tuesday preceding the meeting at which the item is to be discussed. When requested, the City Attorney shall assist a City Council Member with the drafting of an agenda title or topic to ensure consistency with the Brown Act. These items will appear under the section of the agenda titled, "Matters which Council Members have asked to be placed on a Future Agenda." At the Council meeting, if three (3) members of the City Council wish to examine the issue, staff will prepare an appropriate report and return the item to the City Council with greater detail for discussion and/or action. Additionally, the City Manager may place an item(s) on the agenda in the course of operating the City.

CLOSED SESSION AGENDA

The Closed Session agenda shall be prepared by the City Attorney. The closed session agenda shall strictly conform to the format specified in the Brown Act. The City Attorney shall prepare a written report, or give an oral report, of any action taken in closed session that is required to be reported in open session by the Brown Act.

COUNCIL CORRESPONDENCE

The City Clerk is authorized to open and examine all mail or other written communications addressed to the City Council and to immediately give a copy to the City Manager. The City Manager shall give immediate attention to administrative business referred to in the communication that does not require Council action and may be promptly concluded or shall prepare a staff report for the next available Council meeting. Except as otherwise permitted by law, all mail or written communications from the public/residents/applicants shall be submitted to the City Council by 5:00 p.m. on the Monday immediately prior to the meeting at which the City Council will consider the item that is the subject of the mail or written

communications to allow time for the City Council to adequately consider the mail or written communications.

ORDER OF BUSINESS

The agenda for regular meetings of the City Council shall contain the following items in the order listed:

Study Session

Current Business

- Clarification of Items on the Consent Calendar
- Presentations (will be placed on the Regular Meeting agenda if no Study Session is scheduled)
- Study Session Items

Public Comments, including public comments about items on the Closed Session agenda.

Closed Session - After Study Session - Council Chambers Conference Room

Recess

Reconvene at 7:00 p.m. for Regular Meeting

Roll Call

Closed Session Report

Pledge of Allegiance

Invocation

Notice to the Public

City Council Announcements (non-discussion item)

Matters which Council Members have asked to be placed on a Future Agenda

Public Comments on Consent Calendar

Consent Calendar:

- A. Reading of Minutes/Ordinances and Resolutions
- B. Ordinances for Introduction
- C. Ordinances for Adoption
- D. Resolutions for Adoption
- E. Contracts and Agreements
- F. Miscellaneous (for example: Planning Commission Agendas, budget amendments, and permit applications)

Items Removed from the Consent Calendar

Public Comments on Non-Agenda Items

Oral Reports from City Council on Committee Activities

Public Hearings

Continued Business

Current Business

Motions for Reconsideration

Continued Closed Session, if necessary (report if applicable)

Adjournment

The Mayor shall have the discretion to change the order of business. Council Members may change the order of business by majority vote of the City Council.

PREPARATION OF MINUTES

The City Clerk shall have the exclusive responsibility for preparation of the minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

READING OF MINUTES

Unless the reading of the minutes of a Council meeting is ordered by a majority vote of the Council, such minutes may be approved without reading if the City Clerk previously furnished each Council Member and the public binder and website with a copy.

Adopted - November 13, 1967
Amended - March 28, 1994
Amended - June 13, 1977
Amended - June 27, 1994
Amended - October 25, 1977
Amended - December 12, 1994
Amended - February 9, 1981
Amended - February 26, 1996
Amended - December 9, 1996
Amended - May 26, 1998
Amended - November 8, 1999 (eff. 1/1/2000)
Amended - March 14, 2000
Amended - February 27, 2001
Amended - March 27, 2001
Amended - August 28, 2001
Amended - January 27, 2004
Amended - March 9, 2004
Amended - March 28, 2006
Amended - February 26, 2008
Amended - October 27, 2009
Amended - December 6, 2010
Amended - February 22, 2011
Amended - November 27, 2012
Amended - January 8, 2013
Amended - May 14, 2013
Amended - June 9, 2015