

**ORDINANCE NO. 18-1832**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 2404 (PRESENTING MATTERS TO COUNCIL – AGENDAS) OF CHAPTER 4 (CITY OFFICES – COUNCIL CHAMBERS - MEETINGS) OF THE CARSON MUNICIPAL CODE REGARDING THE MANNER OF PREPARING AGENDAS AND PRESENTING MATTERS TO COUNCIL**

**WHEREAS**, Section 2404 of the Carson Municipal Code establishes the procedure for presenting matters to the City Council on the Council meeting agendas; and

**WHEREAS**, the City Council wishes to amend Section 2404 of the Carson Municipal Code to clarify the finalizing of City Council agendas.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The forgoing recitals are true and correct and are incorporated herein by this reference.

**SECTION 2.** Section 2404 (Presenting Matters to Council - Agendas) of Chapter 4 (City Offices – Council Chambers - Meetings) of Article II (Administration) of the Carson Municipal Code is hereby amended to read in its entirety as follows (deletions shown in strikethrough, additions shown in *bold italics*):

**“2404 Presenting Matters to Council – Agendas.**

- (a) City Manager and Mayor generally have the authority to set the agenda subject to relevant provisions of the Ralph M. Brown Act *and this Section 2404.*
- (i) Any Councilmember or Department Head may request that the City Manager place an item on the agenda by making such request in writing to the City Manager before 4:00 p.m. on the Monday of the week preceding the Council meeting. ~~The City Manager shall determine which of such items are to be placed on the agenda.~~
- (ii) *The City Manager shall meet and confer with the Mayor to discuss the items proposed for the Council meeting agenda. The Mayor shall review and finalize the agenda by 12:00 p.m. on the Tuesday of the week preceding the Council meeting. In the Mayor’s absence, the Mayor Pro Tem may proceed pursuant to this Section(a)(ii).*
- (iii)(ii) If significant staff work is involved with the proposed item, or for any other reason the City Manager or Mayor does not deem appropriate the placement of an item on a requested agenda, the City Manager shall, by 6:00 p.m. on the Tuesday of the week preceding the Council meeting, consult the Councilmember

or Department Head who requested the proposed item as to whether a modification can be made to the request, or as to whether the item may be placed on a subsequent agenda.

~~(iii)~~ After such consultation, if agreement cannot be reached, the City Manager shall bring the proposed item to an agenda under "Council Member Requests to Add Items to Future Agendas," ~~and if~~ **If** the Council decides by a 2/3 (two-thirds) majority vote of Councilmembers present at that meeting to add such item to the agenda, then the City Manager shall add such item to the agenda for either the next regular meeting, or at a meeting determined by a majority vote of Councilmembers present at that meeting.

(b) City Manager shall prepare an agenda in compliance with all relevant provisions of the Ralph M. Brown Act, and the City Manager shall also:

(i) Distribute a preliminary draft of the agenda to each member of the Council by 9:00 a.m. on Wednesday of the week preceding the Council meeting.

(ii) Deliver to members of the Council a complete copy of such final agenda no later than 6:00 p.m. on the Thursday preceding the Council meeting.

(c) At a Council meeting, any member of the Council may, when an agenda item is reached during the meeting, request that such item be continued to the next regular meeting or to an adjourned regular meeting, so as to allow additional evaluation, study and staff discussion. As a matter of courtesy to that Councilmember, the Council has traditionally honored that request. However, a majority of the members of the entire Council may, when deemed to be in the interest of the majority, act on any item listed on an agenda notwithstanding the request for continuance by an individual Councilmember."

**SECTION 3.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

**SECTION 4.** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 5.** The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted and codified in the manner required by law.

**PASSED, APPROVED and ADOPTED** at a regular meeting of the City Council on this \_\_\_\_\_ day of December, 2018.

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MAYOR ALBERT ROBLES

ATTEST:

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CITY CLERK DONESIA GAUSE-ALDANA

APPROVED AS TO FORM:

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CITY ATTORNEY SUNNY K. SOLTANI