



Agenda Report

Fullerton City Council

MEETING DATE: DECEMBER 17, 2019

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: KENNETH A. DOMER, CITY MANAGER

PREPARED BY: LUCINDA WILLIAMS, CITY CLERK

SUBJECT: CITY COUNCIL REGULAR CLOSED SESSION MEETING
START TIME CHANGE

SUMMARY

Consider changing the start time for City Council Closed Session meetings to 4:00 p.m. on first and third Tuesdays of each month in the Fullerton City Council Chamber.

RECOMMENDATION

Adopt Resolution No. 2019-XX.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, MODIFYING THE TIME OF REGULAR MEETINGS OF THE CITY COUNCIL

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

FISCAL IMPACT

None.

DISCUSSION

City Council Resolution No. 9962 sets the time, date and place for regular City Council meetings, establishing a start time of 5:00 p.m. for the first session of regular City Council meetings and 6:30 p.m. for the second session of regular City Council meetings. Historically, City Council has used the 5:00 p.m. session for Closed Session items and the 6:30 session for public agenda items. The resolution also states that Public Hearings will occur during the 6:30 session.

Due to the number of Closed Session items for consideration, City Council often needs to convene earlier than 5:00 p.m. to conduct all Closed Session business. While in practice this should be a simple change in the meeting start time, the Brown Act requires City Council to adhere to several technicalities to legally hold a meeting earlier than the designated start time.

The Brown Act requires that City Council call a special meeting when City Council convenes a meeting earlier than the start time adopted by resolution. The Mayor or a majority of the City Council must call the special meeting. City Council should then hold three separate meetings – first, call the special meeting to order from the time of the call of the special meeting until 5:00 p.m., second, call the 5:00 p.m. first regular session to order until 6:30 p.m. and lastly, the call the 6:30 p.m. second regular session to order. City Council must call each meeting to order in the Council Chambers.

Each session should have a separate agenda and City Council can only discuss the items on each session's agenda during the specified times for each meeting.

While satisfying the technical requirements of the Brown Act, this format does not allow for the most efficient use of meeting time nor continuity of discussions.

Rather than call a special meeting each time City Council wishes to start Closed Session before 5:00 p.m., Staff proposes City Council adopt a resolution changing the first regular session of City Council meeting to start at 4:00 p.m. In practice, City Council will continue to have a 5:00 p.m. target start time for Closed Session, but, when the need arises to start the meeting as early as 4:00 p.m., City Council may do so without calling a special meeting. The City Clerk's Office will post a Notice of Meeting Time Change along with the agenda anytime the Council meets for Closed Session later than 4:00 p.m. This will make for more efficient use of the time available for City Council to meet, provide continuity for discussions and create less confusion for the public. This also provides the opportunity for City Council to hold a Closed Session at 4:00 p.m. and then also hold a noticed Study Session prior to the 6:30 p.m. start of a Regular Session.

Attachments:

- Attachment 1 – Draft Resolution No. 2019-XX
- Attachment 2 – Resolution No. 9962