DATE: May 14, 2014

TO: City Council
    Housing Authority

FROM: Martin R. Erickson, Deputy City Manager
      City Manager’s Office

Stephen M. Fischer, Interim City Attorney
      City Attorney’s Office

SUBJECT: Consideration of Resolution Revising City Council and Housing Authority Procedures and of a Proposal from the Procedures Committee to form an Ethics Advisory Committee

RECOMMENDATION

That City Council: (1) approve a resolution containing revisions to City Council Procedures; and (2) consider a recommendation from the Council Procedures Committee to form an Ethics Advisory Committee to review Council Ethics Workshops and District Attorney’s Report.

That the Housing Authority approve a resolution containing revisions to Housing Authority Procedures.

DISCUSSION

The City Council formed the Oxnard City Council Procedures Committee in January, 2011. The committee adopted the following mission statement on March 3, 2011:

“It is the mission of the City Government to ensure Oxnard is a desirable, safe, and vibrant community in which to live and conduct business and to respond to the values and priorities of the residents in an open and transparent manner. In order to accomplish this mission, the Oxnard Council Procedures Committee has been created to develop guidelines and rules under which Council Members will operate and perform their role as legislators of the City of Oxnard.”
On April 8, 2014 the City Council considered an item from the Procedures Committee (comprised of Mayor Flynn and Councilmember Perello) to discuss and consider nine items revising the Procedures of the City Council:

1. Limit total minutes for individual speakers to 10 minutes.
2. Limit time of staff reports to 10 minutes (unless previously approved by City Manager/Council).
3. Limit Councilmembers to two rotations for addressing agenda items.
4. Explore a two-week agenda process to allow for discussion and posting of future agenda items.
5. Allowing representatives of large speaker groups to have additional time to speak for the group (up to 10 minutes).
6. Ceremonial items should be limited to one item per meeting, not to exceed five-minutes.
7. Limit Council Business items to three minutes per Councilmember.
8. Limit Council Committee reports to three minutes per Councilmember.
9. Consider that all material presented at a Council meeting (i.e., handouts, powerpoints) should be made publicly available at least 24 hours prior to the meeting.

The second item for Council consideration is a recommendation concerning ethics from the Council Procedures Committee. The Procedures Committee voted on April 16, 2014 to bring to the full Council a proposal to create an Ethics Advisory Committee. The proposed committee would focus its attention on reviewing three documents: the Ethics Report from the November 6th, and December 2nd, 2013 Workshops, and the Ventura County District Attorney’s, Report on the Public Integrity Investigation of Oxnard City Officials, issued on April 18, 2012.

The Procedures Committee is recommending City Council create a seven member committee, comprised of the following individuals:

1. Retired Public Works/Building Official
2. Retired Procurement Official
3. Retired Public Sector Attorney
4. Retired Public Legal Officer
5. A member of the INCF
6. A member from the Community Relations Commission
7. A member of the public at large
Consideration of Draft Resolution Revising City Council Procedures and Proposal from the Procedures Committee to form an Ethics Advisory Committee

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While further details of the Ethics Advisory Committee will need to be developed, members of the Procedures Committee expressed hope that the Ethics Advisory Committee would create a document that could be incorporated into the draft City Council Procedures Manual, ideally within the next six months.

FINANCIAL IMPACT

There is no financial impact at this time.

Attachment #1 – Resolution Revising City Council Procedures
Attachment #2 – Resolution Revising Housing Authority Procedures
CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
AMENDING THE COUNCIL’S RULES OF PROCEDURE REGARDING PUBLIC
COMMENT, STAFF REPORTS, COUNCIL DELIBERATION, AGENDA
PREPARATION, CEREMONIAL ITEMS, COUNCIL BUSINESS ITEMS,
COUNCIL REPORTS, AND DISTRIBUTION OF AGENDA MATERIALS.

WHEREAS, the City Council recognizes the need to provide opportunities for public participation at City Council meetings; and

WHEREAS, meetings that extend into late evening hours may diminish opportunities for participation by members of the public; and

WHEREAS, agenda items such as public hearings must be addressed in a timely manner that affords due process to involved parties; and

WHEREAS, Oxnard City Code Section 2-1 (b) requires that the rules of procedure for the conduct of meetings of City Council shall be established by resolution; and

WHEREAS, City Council wishes to amend the current Rules of Procedure set forth in City Council Resolution Nos. 13, 126 and 14,347 to incorporate procedural revisions developed through the City Council Procedures Committee.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the Rules of Procedure for the Conduct of City Council Meetings are hereby amended as follows:

1. Paragraph (b) of Section 4 of Resolution No. 13,126 is hereby amended to read as follows:

   “b. The City Clerk shall post an agenda in a location freely accessible to the public at least 72 hours before a regular meeting and at least 24 hours before a special meeting. The City Council and staff shall explore a two-week agenda process to allow for discussion and posting of future agenda items and shall consider that all material presented at a Council meeting (i.e., handouts, powerpoints) should be made publicly available at least 24 hours prior to the meeting.”

2. Paragraph (h) of Section 8 of Resolution No. 13,126 is hereby amended to read as follows:

   “h. Unless additional time is granted by the presiding officer, each person shall limit public comments to three minutes on any agenda item at a meeting with a cumulative total of ten (10) minutes for all agenda items at such meeting. The presiding officer may grant a representative of a large speaker group additional time (up to ten (10) minutes) to speak for the group on any agenda item.”

3. Section 13 of Resolution No. 13,126 is hereby amended to read as follows:

   “13. A report shall consist of an item contemplated by staff to require a written or oral report and on which the City Council will discuss and deliberate on a course of action, including an item appearing on the agenda under City Manager’s Report. Unless additional time is granted by the presiding officer or has been previously approved by the City Manager, staff reports shall be limited to ten (10) minutes.”

ATTACHMENT 1
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4. Paragraph (a) of Section 18 of Resolution No. 13,126 is hereby amended to read as follows:

"a. Every Councilmember desiring to speak shall address the presiding officer and upon recognition by the presiding officer shall confine any comments to the matter under consideration. A Councilmember shall be limited to speaking twice during deliberations on an agenda item."

5. Ceremonial items shall be limited to one item per meeting, not to exceed five (5) minutes.

6. City Council business items shall be limited three minutes per Councilmember.

7. City Council committee reports shall be limited three minutes per Councilmember.

8. Effective Date. This resolution shall be effective on ____________, 2014.

PASSED AND ADOPTED this __ day of May, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Tim Flynn, Mayor

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, Interim City Attorney
HOUSING AUTHORITY OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF OXNARD
AMENDING THE AUTHORITY’S RULES OF PROCEDURE REGARDING
PUBLIC COMMENT, STAFF REPORTS, COUNCIL DELIBERATION, AGENDA
PREPARATION, CEREMONIAL ITEMS, COUNCIL BUSINESS ITEMS,
COUNCIL REPORTS, AND DISTRIBUTION OF AGENDA MATERIALS.

WHEREAS, the Board of Commissioners of the Housing Authority of the City of Oxnard
(“Authority”) recognizes the need to provide opportunities for public participation at Authority meetings;
and

WHEREAS, meetings that extend into late evening hours may diminish opportunities for
participation by members of the public; and

WHEREAS, agenda items such as public hearings must be addressed in a timely manner that
affords due process to involved parties; and

WHEREAS, the Authority wishes to amend the current Rules of Procedure set forth in Authority
Resolution Nos. 1204 and 1267 to incorporate procedural revisions developed through the City Council
Procedures Committee.

NOW, THEREFORE, the Authority resolves that the Rules of Procedure for the Conduct of
Housing Authority Meetings are hereby amended as follows:

1. Paragraph (b) of Section 5 of Resolution No. 1204 is hereby amended to read as follows:

   "b. The Secretary of the Authority shall post an agenda in a location freely accessible to the
   public at least 72 hours before a regular meeting and at least 24 hours before a special meeting. The
   Authority and staff shall explore a two-week agenda process to allow for discussion and posting of future
   agenda items and shall consider that all material presented at an Authority meeting (i.e., handouts,
   powerpoints) should be made publicly available at least 24 hours prior to the meeting.”

2. Paragraph (h) of Section 9 of Resolution No. 1204 is hereby amended to read as follows:

   "h. Unless additional time is granted by the presiding officer, each person shall limit public
   comments to three minutes on any agenda item at a meeting with a cumulative total of ten (10) minutes for
   all agenda items at such meeting. The presiding officer may grant a representative of a large speaker group
   additional time (up to ten (10) minutes) to speak for the group on any agenda item.”

3. Section 13 of Resolution No. 1204 is hereby amended to read as follows:

   “13. A report shall consist of an item contemplated by staff to require a written or oral
   report and on which the Authority will discuss and deliberate on a course of action, including an item
   appearing on the agenda under the Secretary’s Report. Unless additional time is granted by the presiding
   officer or has been previously approved by the Secretary, staff reports shall be limited to ten (10) minutes.”

4. Paragraph (a) of Section 20 of Resolution No. 1204 is hereby amended to read as follows:
“a. Every Commissioner desiring to speak shall address the presiding officer and upon recognition by the presiding officer shall confine any comments to the matter under consideration. A Commissioner shall be limited to speaking twice during deliberations on an agenda item.”

5. Section 20 of Resolution No. 1204 is amended by adding the following:

“c. If a Commissioner desires to use a power point presentation or similar visual aid during a meeting, the Commissioner shall provide the Secretary Designate with a copy of the material to be used prior to the commencement of the meeting at which it will be used.”

6. **Effective Date.** This resolution shall be effective on ____________, 2014.

PASSED AND ADOPTED this __ day of May, 2014, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Chairman

ATTEST:

Daniel Martinez, Secretary Designate

APPROVED AS TO FORM:

Stephen M. Fischer, Interim General Counsel