

City Council Study Session

Adjourned Regular Meeting

Wednesday, July 8, 2015

1:00 PM

1:00 PM Closed Session - Police/Fire Conference Room

2:00 PM Study Session - Police/Fire Conference Room



Mayor Mark Burton
Mayor Pro Tem Tony D'Errico
Councilmember David Lesser
Councilmember Amy Howorth
Councilmember Wayne Powell

Executive Team

Mark Danaj, City Manager
Quinn Barrow, City Attorney

Robert Espinosa, Fire Chief
Captain Derrick Abell, Acting Human Resources Director
Eve R. Irvine, Police Chief
Mark Leyman, Parks & Recreation Director
Bruce Moe, Finance Director

Nadine Nader, Assistant City Manager
Tony Olmos, Public Works Director
Liza Tamura, City Clerk
Marisa Lundstedt, Community
Development Director

MISSION STATEMENT:

The City of Manhattan Beach is dedicated to providing exemplary municipal services, preserving our small beach town character and enhancing the quality of life for our residents, businesses and visitors.

MANHATTAN BEACH'S CITY COUNCIL WELCOMES YOU!

Your presence and participation contribute to good city government.

By your presence in the Police/Fire Conference Room, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for citizen comments on the agenda under "Public Comment on Non-Agenda Items", at which time speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body, with each speaker limited to three minutes.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City's website at www.citymb.info, the Police Department located at 420 15th Street, and are also on file in the Office of the City Clerk for public inspection. Any person who has any question concerning any agenda item may call the City Clerk's office at (310) 802-5056 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (310) 802-5056 (voice) or (310) 546-3501 (TDD). Notification 36 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

BELOW ARE THE AGENDA ITEMS TO BE CONSIDERED. THE RECOMMENDED COUNCIL ACTION IS LISTED IMMEDIATELY AFTER THE TITLE OF EACH ITEM IN BOLD CAPITAL LETTERS.**A. CALL MEETING TO ORDER****B. PLEDGE TO THE FLAG**

5 MINUTES

C. ROLL CALL

1 MINUTE

D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

1 MINUTE

I, Liza Tamura, City Clerk of the City of Manhattan Beach, California, state under penalty of perjury that this notice/agenda was posted on Thursday, July 2, 2015, on the City's Website and on the bulletin boards of City Hall, Joslyn Community Center and Manhattan Heights.

E. PUBLIC COMMENT

3 MINUTES PER PERSON - 30 MINUTES MAXIMUM

Speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body. The Mayor may determine whether an item is within the subject matter jurisdiction of the City. While all comments are welcome, the Brown Act does not allow City Council to take action on any item not on the agenda, except under very limited circumstances. Please complete the "Request to Address the City Council" card by filling out your name, city of residence, and returning it to the City Clerk.

F. ANNOUNCEMENT IN OPEN SESSION TO BE DISCUSSED IN CLOSED SESSION**1. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION****(Government Code Section 54957)****Title: City Manager****2. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION****Government Code Sections 54956.9(d)(2) and 54956.9(d)(4)**

On June 16, 2015, the State Water Board adopted a final order resolving the petition for review filed on behalf of the City challenging the 2012 Los Angeles MS4 Permit ("Permit"). The City Council will consider authorizing defending any actions brought to challenge the final order and whether to initiate litigation in connection with the final order.

G. RECESS INTO CLOSED SESSION**H. RECONVENE INTO OPEN SESSION****I. CLOSED SESSION ANNOUNCEMENT IN OPEN SESSION****J. GENERAL BUSINESS***30 MINUTES PER ITEM*

1. Council Discussion and Direction on Meeting Management (City Attorney Barrow/ Assistant City Manager Nader).

[15-0323](#)**DISCUSS AND PROVIDE DIRECTION**

Attachments: [Resolution 13-0066](#)

K. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS, FUTURE DISCUSSION ITEMS*5 MINUTES PER CITY COUNCILMEMBER FOR TOTAL OF 25 MINUTES***L. ADJOURNMENT****M. FUTURE MEETINGS**

CITY COUNCIL MEETINGS

Jul. 21, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 4, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Aug. 18, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 1, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Sep. 15, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 6, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Oct. 20, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 3, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Nov. 17, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 1, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Dec. 15, 2015 – Tuesday -- 6:00 PM - City Council Meeting
Jan. 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Jan. 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 2, 2016 – Tuesday -- 6:00 PM - City Council Meeting
Feb. 16, 2016 – Tuesday -- 6:00 PM - City Council Meeting
March 1, 2016 – Tuesday -- 6:00 PM - City Council Meeting
March 15, 2016 – Tuesday -- 6:00 PM - City Council Meeting
April 5, 2016 – Tuesday -- 6:00 PM - City Council Meeting
April 19, 2016 – Tuesday -- 6:00 PM - City Council Meeting/Reorganization

BOARDS, COMMISSIONS AND COMMITTEE MEETINGS

July 8, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
July 13, 2015 – Monday – 6:30 PM – Library Commission Meeting
July 14, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
July 22, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
July 23, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
July 27, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
August 10, 2015 – Monday – 6:30 PM – Library Commission Meeting
August 11, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
August 24, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
September 14, 2015 – Monday – 6:30 PM – Library Commission Meeting
September 15, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
September 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
October 12, 2015 – Monday – 6:30 PM – Library Commission Meeting
October 13, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
October 14, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
October 22, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
October 26, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
October 28, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
November 9, 2015 – Monday – 6:30 PM – Library Commission Meeting
November 10, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
November 11, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
November 25, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
November 26, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
November 23, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting
December 8, 2015 – Tuesday – 6:30 PM – Cultural Arts Commission Meeting
December 9, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
December 14, 2015 – Monday – 6:30 PM – Library Commission Meeting
December 23, 2015 – Wednesday – 6:30 PM – Planning Commission Meeting
December 24, 2015 – Thursday – 6:30 PM - Parking & Public Improvements Commission Meeting
December 28, 2015 – Monday – 6:30 PM – Parks and Recreation Commission Meeting

N. CITY HOLIDAYS**CITY OFFICES CLOSED ON THE FOLLOWING DAYS:**

Jan. 19, 2015 – Monday – Martin Luther King Day

Feb. 16, 2015 – Monday – President's Day

May. 25, 2015 – Monday – Memorial Day

Jul. 3, 2015 - Friday - Independence Day

Sep. 7, 2015 – Monday – Labor Day

Oct. 12, 2015 – Monday – Columbus Day

Nov. 11, 2015 – Wednesday – Veterans Day

Nov. 26-27, 2015 – Thursday & Friday – Thanksgiving Holiday

Dec. 25, 2015 – Friday – Christmas Day

Jan. 1, 2016 – Friday – New Years Day

Agenda Date: 7/8/2015

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Quinn Barrow, City Attorney
Nadine Nader, Assistant City Manager

SUBJECT:

Council Discussion and Direction on Meeting Management (City Attorney Barrow/ Assistant City Manager Nader).

DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:

Staff recommends that the City Council discuss and provide direction regarding meeting management.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with this action.

BACKGROUND:

The Manhattan Beach City Council has adopted a series of resolutions that established rules of order for the conduct of City Council Meetings. The Brown Act requires that city councils adopt rules for “the conduct of business” (Government Code Section 54954). The Brown Act also requires that every agenda provide “an opportunity for members of the public to directly address the [council] on any item of interest to the public, before or during the [council’s] consideration of that item” (Government Code Section 54954.3(a)).

Government Code Section 54954.3(c) provides that city councils “may adopt reasonable regulations to ensure the intent of subdivision (a) is carried out, including but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.” The intent of subdivision (a) is to provide an opportunity to the largest number of members of the public to directly address the council before the council takes action on any item.

Periodically, the City Council reviews and amends these rules of order for the conduct of

Council meetings to facilitate the effective and transparent conduct of the City's business at a reasonable hour as well as to create an environment in which more members of the public may address the Council.

As background, in October 2012, the City Council considered a number of different ideas designed to facilitate effective meeting management. After consideration and discussion of such items, the City Council adopted Resolution No.12-6411 to memorialize its "Rules of Order." Subsequently, the City Council, with two new councilmembers at the time, reconvened to discuss meeting management issues again in 2013, where the Resolution was amended - Resolution No. 13-0066 (attached). More changes were made at that time to increase opportunities for speakers to address the council and move towards more transparency.

In March 2015, the City Council held a two-day retreat where the topic of meeting management was raised and the Council directed staff to convene a study session around the topic as there was general consensus that meetings are too long, important business is being considered too late and the public is not getting an opportunity to provide valuable input at a reasonable hour.

DISCUSSION:

Some Councilmembers have expressed an interest in discussing key sections of the agenda, including the consent calendar, public comment, and the council meeting end time. (Please note that an amendment to Resolution No. 13-0066 is needed for any changes.)

To that end, this report focuses on these three areas, with "Consideration" comments provided under each:

1. Council Meeting ending times
2. Consent Calendar Items
3. Public Comments

Council Meeting End Time

Section 2 of Resolution No. 13-0066 does not currently identify an end time to Council Meetings, although past resolutions have.

Council Consideration: The Council may want to reconsider establishing an end time to Council Meetings to facilitate public participation and Council discussion.

It is staff's experience that with almost all other jurisdictions, including Beverly Hills and El Segundo, policy deliberations on the big policy items usually occur between 6:30 - 9:30 p.m. This approach ensures that members of the public who take time out of their busy schedules to attend Council Meetings on issues that are important to them, are able to provide input prior to Council consideration and fully hear the Council's deliberations. In addition, hearing complex policy issues in the late evening or early morning hours for the Council is not the most desired approach for deliberation of policy decisions.

Consent Calendar

Consent Calendar items are considered to be routine and customary in nature and are placed on the "Consent Calendar." Currently, the Mayor asks Councilmembers and the public if anyone wants to remove an item from the Consent Calendar for individual consideration. Items removed from the Consent Calendar are considered at the end of the Agenda under "Items Removed from the Consent Calendar. At that time, any member of the audience may comment on any item pulled from the Consent Calendar.

Consideration: The City Council may want to modify how items are "pulled from consent" and also when the "pulled" items are heard on the agenda. Given the routine nature of the consent calendar items, the Council may want to consider not allowing the public to pull items off of the consent calendar. Based upon the results of an informal poll, very few cities allow members of the public to "pull" items from the consent calendar. In the cities that don't allow members of the public to pull items from the consent calendar, speakers provide comments on consent calendar items during oral communications prior to the council considering the consent calendar. Occasionally, a speaker will request during oral communications that an item be pulled by a Councilmember so that the public can listen to the Council's consideration and deliberation. In those instances, the speaker still must provide his or her comments during oral communications, not at the time the Council considers an item pulled off the consent calendar for individual consideration. It will be up to the Councilmember if he or she feels that the item warrants pulling from consent.

Additionally, the Council may want to consider hearing pulled consent calendar items either immediately following the approval of the consent calendar or under general business. There is much efficiency to be gained by having the consent calendar items approved and out of the way before the larger policy discussions occur at a Council Meeting. For instance, members of the public or business community who may be there to see how the Council votes on certain consent calendar items do not have to wait until the end of the meeting. Also, staff members or professional consultants (who usually receive overtime or an hourly rate) do not have to wait until the end of the Council Meeting to answer possible Council questions.

Public Comment

Section 4c. of Resolution No. 13-0066: *Additional Public Participation* identifies the opportunities the public has to address the Council. Currently, the resolution allots a cumulative amount of up to 15 minutes for a member of the public to speak. The section identifies the following areas:

Community Announcements: *Toward the beginning of the agenda, speakers may provide brief announcements, not-to-exceed one minute in duration for any speaker, of upcoming community events.*

Public Comment on Non-Agenda Items: *Immediately following "Community Announcements," speakers may comment on any item of interest to the public that is within*

the subject matter jurisdiction of the legislative body that is not on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City with the consent of the majority of the Council. Each speaker may speak for up to three minutes, unless the time is extended by the Mayor with the consent of the majority of the Council.

Items on the Agenda: Speakers may directly address the legislative body on any item on the agenda before or during consideration of that item. Each speaker may speak for up to three minutes, unless the speaker has already exceeded his maximum accumulated time.

Additional Public Comments on Non-Agenda Items: Speakers who did not speak during the meeting's earlier "Public Comments on Non-Agenda Items" may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body that is not on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City with the consent of the majority of the Council. Each speaker may speak for up to three minutes, unless the speaker has already exceeded his maximum accumulated time.

Council Consideration: The Council may want to consider converting the "Public Comment on Non-agenda Items" section to an "Oral Communications" section. The Brown Act states: "Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body." Government Code Section 54954.3.

The agendas for many cities contain an oral communication section at the beginning of the meeting where speakers may comment on any item within the Council's subject matter jurisdiction, including items on the agenda. This is the only opportunity for speakers to speak on non-public hearing items. (In addition to this opportunity, speakers may address the council during each public hearing.) Based upon an informal poll, six cities that responded to our query use this model. The primary beneficiaries of this model are (1) the many busy people who may not be able to sit through an entire meeting, waiting for their opportunity to comment on an item on the agenda that may not be considered by the City Council until hours after the start of the meeting; (2) people who want to comment on the consent calendar; (3) the City Council, which can receive valuable input from members of the public who would otherwise not attend a council meeting unless they can give input at a reasonable hour; and (4) staff, who will have additional time to research and prepare answers to questions raised at the beginning of the meeting by the public.

In our experience from other jurisdictions, five minutes is ample time for a member of the public to address the City Council on items of interest to him or her. A recent example of this was the public comment on transient uses, where people eloquently and succinctly made their points in less than 1.5 minutes.

Additionally, the Council may want to consider removing the Additional Public Comments on Non-Agenda Items section, which appears at the end of the Council Agenda, to further streamline the agenda, as the public has an opportunity to comment at the beginning of the Council Agenda. If the Council adopts the oral communications model discussed above but modifies it to make it oral communications on agenda items, it can always provide a second

opportunity at the end of the meeting for non-agenda items. However, staff does not recommend a second oral communications section because of the issues identified above (e.g., frustrating members of the public who would have to wait until the end of the meeting before speaking on non-agenda items).

Miscellaneous Meeting Management Techniques

The Council may want to consider addressing other portions of the council agenda to facilitate the effective and transparent conduct of City business at a reasonable time, such as community and council announcements, council reports, ceremonial matters, receive and file items, planning commission decisions, and minutes of inferior bodies.

RESOLUTION NO. 13-0066

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL
AMENDING AND RESTATING THE RULES OF ORDER FOR THE
CONDUCT OF CITY COUNCIL MEETINGS

RECITALS

- A. Periodically, the Manhattan Beach City Council reviews and amends its rules of order for the conduct of City Council meetings to facilitate greater public participation and effective meeting management.
- B. California's open meeting law, the Brown Act, as it currently exists or is hereafter amended (Government Code Section 54950 et seq. ("Brown Act")) requires that agendas for regular meetings provide an opportunity for members of the public to directly address the legislative body on any item on the agenda before or during consideration of that item that is within the subject matter jurisdiction of the legislative body.
- C. The rules of order adopted by the City Council include provisions for "Public Participation" in compliance with the Brown Act and set forth various opportunities for members of the public to participate in City Council meetings.
- D. The Brown Act provides that a local agency may adopt reasonable regulations to ensure compliance with the public participation provisions of the Brown Act, including but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.
- E. The City Council desires to amend the rules of order to facilitate greater public participation and effective meeting management.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH
DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Resolution No. 12-6411 is hereby repealed.

Section 2. MEETING TIMES

- A. The regular meetings of the City Council of the City of Manhattan Beach shall be on the first and third Tuesday of each month beginning at 6:00 p.m. Whenever the day and the time for holding any of the meetings falls on a holiday, the meeting shall be held on the next business day unless otherwise ordered by the Council at a prior meeting. The sessions shall be held in the City Council Chambers at City Hall in the City of Manhattan Beach unless otherwise ordered by the City Council.

Section 3. AGENDA

- A. A written agenda shall be prepared for each regular and adjourned regular meeting of the Council.
- B. The agenda must contain a brief general description of each item of business to be transacted or discussed at that meeting in full compliance with the Brown Act.
- C. Each agenda shall contain a clear statement of the time and location of the meetings in full compliance with the Brown Act. Each agenda shall state that reports and documents relating to each agenda item (the "Agenda Packet") are available for public inspection at the City's main library and the police station at least 72 hours in advance of any regular Council meeting.

- D. The agenda shall be posted in full compliance with the Brown Act.
- E. The agenda shall be posted on bulletin boards outside each entrance to the City Hall, in locations that are freely accessible to the public. The agenda is also posted on a bulletin board inside the main library. The agenda also shall be posted on the City's website. The agendas and agenda packets may be provided via other electronic means, as approved by Council. The person posting the agenda shall complete and sign a certificate of posting.
- F. The call and notice of a special meeting shall be posted in accordance with the Brown Act.
- G. Emergency meetings pursuant to Government Code Section 54956.5 and other applicable law can be held without complying with the agenda requirements of this Section 3.
- H. The Council shall not take any action on any item which does not appear on the posted agenda except as follows in accordance with Government Code Section 54954.2:
 - 1. Emergency Situation. An emergency situation, as defined in Government Code Section 54956.5, exists. Before proceeding to act upon an emergency item not appearing on the agenda, the Council shall, by a majority vote, determine that an emergency situation exists and that prompt action is required by the Council. The Council shall include in the minutes of its meeting the facts upon which it relied in finding the existence of an emergency situation.
 - 2. Need to Take Action on Non-agenda Items. The Council may act upon an item not appearing on the agenda if it finds, by a two-thirds vote of the members present at the meeting or if less than two-thirds of the members are present, by a unanimous vote of the members present, that there is a need to take immediate action on the non-agenda item and such need to act came to the Council's attention after the posting of the agenda. If such a determination is to be made, a statement of facts upon which the determination is based shall be included in the minutes supporting the action taken.
 - 3. Held Over Items. Items not appearing on the posted agenda for a specific meeting may be acted upon at that meeting if:
 - a. The item appeared on a properly posted agenda for a previous meeting; and
 - b. The previous meeting occurred not more than five calendar days prior to the date of the meeting at which the item is proposed to be considered; and
 - c. The item was continued from the previous meeting to the meeting at which action is proposed to be taken.
- I. Other Council Business, Committee and Travel Reports: During this portion of the agenda, Council members may provide brief reports on meetings attended at the expense of the City, pursuant to AB 1234, and discuss any agenda item placed on the agenda by an individual Council member in accordance with the Brown Act. As to items placed on the agenda by a Council member, no staff time shall be incurred in connection with such item, other than incidental time, such as reproducing correspondence or making minor revisions to conform a resolution provided by an outside entity to the City's resolution format.

Section 4. PUBLIC PARTICIPATION

- A. ITEMS TO BE PLACED ON AGENDA
 - 1. Persons desiring to place items on the agenda shall submit a request, in writing, to the City Manager stating the nature of business and as much detail as possible.

2. The City Manager will determine if the request is appropriate as a Council agenda matter or if some other form of response should be made by the City to the request.

B. PUBLIC HEARINGS

1. The City Clerk shall establish the procedural fact of the notice of hearing and inform whether further correspondence has been received.
2. The Mayor shall open the public hearing.
3. Staff shall present its report on the matter.
4. The applicant, if applicable, shall then be permitted to make its presentation to the Council.
5. Members of the public shall then be permitted to speak on the matter. Each person speaking will be requested to provide his or her name for the record. Each person speaking, other than the applicant and, if applicable, the appellant may speak for up to three minutes unless the Council permits a longer period of time. The Mayor may provide additional time to applicants and appellants. Any time provided for public testimony during public hearings is in addition to any of the amount of time specified in the following section ("Additional Public Participation").
6. The applicant shall be given an opportunity for rebuttal following public comment.
7. The Mayor, with the consent of the Council, may establish a maximum period of time for public testimony during the hearing.
8. The Mayor may ascertain if there are many persons for or against the matter, and if so, to request that they appoint a spokesperson.
9. The Mayor shall close the public hearing.
10. There will be no public input once the Council starts deliberation on the matter before them unless Council requests additional information from staff or reopens the public hearing.
11. The Council may, by motion, continue the public hearing to a specific date and time. Such motion may be made either before or after the close of the public hearing.

C. ADDITIONAL PUBLIC PARTICIPATION

1. In addition to providing to the public the opportunity to speak on public hearings, the City Council provides the following additional opportunities for members of the public to directly address the Council, for up to a cumulative amount of 15 minutes at any one Council meeting:
 - (a) Community Announcements: Toward the beginning of the agenda, speakers may provide brief announcements, not-to-exceed one minute in duration for any speaker, of upcoming community events.
 - (b) Public Comments on Non-Agenda Items: Immediately following "Community Announcements," speakers may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body that is not on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City with the consent of the majority of the Council. Each speaker may speak for up to three

minutes, unless the time is extended by the Mayor with the consent of the majority of the Council.

(c) Items on the Agenda: Speakers may directly address the legislative body on any item on the agenda before or during consideration of that item. Each speaker may speak for up to three minutes, unless the speaker has already exceeded his maximum accumulated time.

(d) Additional Public Comments on Non-Agenda Items: Speakers who did not speak during the meeting's earlier "Public Comments on Non-Agenda Items" may comment on any item of interest to the public that is within the subject matter jurisdiction of the legislative body that is not on the agenda. The Mayor may determine whether an item is within the subject matter jurisdiction of the City with the consent of the majority of the Council. Each speaker may speak for up to three minutes, unless the speaker has already exceeded his maximum accumulated time.

Section 5. ORDER OF BUSINESS

A. The business of the City Council shall be considered in substantially the following order, except as may otherwise be ordered by the Mayor or a majority of the Council:

1. Pledge to the Flag
2. Roll Call
3. Ceremonial
4. Approval of the Agenda and Waiver of Full Reading (This is the time to notify the public of any changes to the agenda and/or rearrange the order of the agenda.)
5. City Manager Report
6. City Attorney Report
7. Councilmember Announcements and Reports
8. Community Announcements of Upcoming Events
9. Public Comments on Non-Agenda Items (for a maximum of 30 minutes)
10. Consent Calendar (routine business items)
11. Public Hearings
12. General Business
13. Items Removed from the Consent Calendar
14. Additional Public Comment on Non-Agenda Items
15. Other Council Business, Committee and Travel Reports, and Future Discussion Items
16. Receive and File Items
17. Adjournment

Section 6. RECORDING OF COUNCIL VOTES

When deemed appropriate, and as required by State law, the votes taken by Council shall be recorded by use of electronic means or an oral roll call vote by the City Clerk, or other staff person as appointed by City Council.

Section 7. SPEAKER TIME LIMITS

In addition to time allotted during public hearings, speakers may speak up to 15 minutes at any one council meeting. When deemed appropriate, the City Clerk, or other staff person as appointed by the City Council, shall keep track of the time limits for audience or Council comments by use of an electronic device.

Section 8. COUNCIL AUTHORITY

A majority of the Council shall have the authority to waive provisions of the procedures established by this Resolution unless the procedure is required by law. Failure of the Council to follow the procedures established by this Resolution shall not invalidate or otherwise affect any action of the Council.

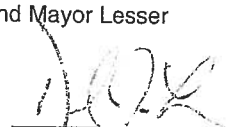
Section 9. Section 3C provides that the Agenda Packet will be available for public inspection at the City's main library and the police station at least 72 hours in advance of any regular Council meeting. However, the City's main library is currently closed for construction. During that construction and at other times when the above locations are inaccessible to the public, the City Clerk's office shall designate one or more alternative locations.

Section 10. This Resolution shall take effect immediately. The City Clerk shall make this Resolution available for public inspection upon its adoption.

Section 11. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

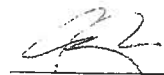
PASSED, APPROVED AND ADOPTED this 1st day of October, 2013.

Ayes:	Powell, Burton, D'Errico, Howorth and Mayor Lesser
Noes:	None
Absent:	None
Abstain:	None



 DAVID J. LESSER
 Mayor, City of Manhattan Beach

ATTEST:



 LIZA TAMURA
 City Clerk