ORDINANCE NO. 21-025

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE
AMENDING CITY OF PACIFIC GROVE MUNICIPAL CODE SECTION 2.04.050

FACTS

1. On August 4, 2021, City Council discussed special meetings and closed sessions to achieve a consistent understanding of special meetings and closed sessions and provide mayor and staff direction on future meetings.

2. California’s Ralph M. Brown Act provides for public access to deliberations and actions taken by local government bodies.


4. City Council Policy 000-17 describes the order of agenda for Council meetings.

5. City Council Goal #4 is ‘Transparency, Accountability and Communication’.

6. In the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq. Enactment of this ordinance action does not constitute a “project” as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment pursuant Section 15378.

Ordinance

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. The facts set forth above are true and correct and are adopted as findings of the City Council as though set forth fully within the body of this ordinance.

SECTION 2. Existing Municipal Code Chapter 2.04 shall be amended by the deletion of all text shown in strikethrough text (strikethrough text) and the addition of all text shown in bold, italic text (bold italic text) as follows:

2.04.050 Agenda and consideration of unlisted matters.

(a) Order of Agenda. The city manager shall prepare, circulate and post in conformity with the provisions of the Ralph M. Brown Act and council policy, not less than 72 hours before any regular and special council meetings, an agenda, which shall list and describe the items to be considered at the meeting.

(b) Emergency Meetings. Items not listed on the agenda, but determined by a majority of the council to be necessary as a result of an emergency situation as defined at Section 54956.5 of the California Government Code, may be handled as regular agenda items. Agendas
for emergency situations as defined by Section 54956.5 of the California Government Code, shall comply with noticing prescribed in Section 54956.5.

(e) Minutes shall be prepared following all council meetings and shall provide a record of when and where a meeting took place, who was present, type of meeting, what was considered, and any action taken and the vote or abstention on that action of each member present for the action pursuant to California Government Code 54953(c)(2).

(f) Reportable actions taken by council in closed session shall be reported when council next convenes in open session in compliance with the Ralph M. Brown Act.

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 4. In accordance with Article 15 of the City Charter, this ordinance shall take effect thirty (30) days following adoption on second reading by the City Council.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this day of September 15, 2021, by the following vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Coletti, McAdams, Poduri, and Tomlinson.
NOES: None.
ABSENT: None.

APPROVED:

BILLY PEAKE, Mayor

Dated: 9/17/2021

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney