



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: Publication Date of Agenda Reports in Advance of Council Meetings

1. Motion Providing Direction to Staff

COUNCIL ACTION

Item Type: Action Item

Approved for January 26, 2021 **calendar**

ADMINISTRATIVE ACTION

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RECOMMENDATION

It is recommended that the City Council provide direction on the timing for publication of agenda reports in advance of City Council Meetings. Staff does not recommend the advanced publication of staff presentations as discussed in more detail in this report.

BACKGROUND/ANALYSIS

During the December 1, 2020 City Council meeting, a request was made to place an item on the upcoming agenda to allow for a discussion regarding the timing of agenda reports being published in advance of the City Council meeting date. More specifically, the request asked for staff to publish the City Council agenda and all associated reports fourteen days in advance, and accompanying presentations seven in advance of the agenda date.

Currently, the City publishes City Council Meeting agendas and all accompanying agenda reports seven days in advance of an upcoming meeting. It is anticipated that due to the sheer volume and diversity of the reports prepared for City Council's consideration on a weekly basis, increasing this lead time from seven to fourteen will result in a protraction of the lead time for a matter to be heard by the City Council. The primary reason for this revolves around the logistics related to staff's required due diligence in drafting a thorough staff report. In doing so, staff relies heavily upon third parties providing information that is relevant and necessary in developing the body and recommendations of staff reports. However, a common occurrence is either the lack of readily available information to complete the required analysis or information being delayed by third parties, including from applicants, appellants, and colleagues in other jurisdictions. Therefore, any increase in the publication date could have adverse impact on the current timelines, adversely impacting applicants or appellants who are often anxious to appear before the City Council to advance their interest.

Based upon current practice, staff strives to obtain necessary information as quickly as possible; and while having met the seven-day advance publication timeline currently employed within the City, it is not uncommon for a report to be finalized immediately prior to the publication deadline due to the aforementioned delays. This includes gathering the required information, drafting the staff report, and routing it through the different approval stages where relevant Department Directors review the report from different perspectives prior to advancing it to the final stage of publication. By requiring that these reports be completed no less than fourteen days in advance, reports will regularly have to be delayed to a later date in order to allow adequate time for the review process to occur without sacrificing content completeness and quality.

Another challenge with publishing agenda reports and staff presentations fourteen days prior to a council meeting is associated with the anticipated need to issue supplemental agendas prior to the meeting date. This is primarily due to the fact that agenda reports

and presentations are often not completed simultaneously. A report must be completed and approved before a presentation is finalized. However, it is not uncommon for a presentation to be modified up until the day of the presentation as a result of questions and/or feedback received during briefings with the City Council Members. Therefore, modifications to an already published presentation will require the issuance of a supplemental agenda in accordance with the requirements of the Brown Act. While the issuance of supplemental agendas is compliant with the Brown Act, it will likely lead to confusion and frustration on the part of the public because the documents presented in the originally published agenda will not reflect the final presentation being considered by the City Council.

It should be noted that based upon staff's research of other cities' practices, the publication of staff presentations is not included in the City Council Agenda publication process. Instead, staff presentations are attached to the legislative record the day following a council meeting. Further, there is no requirement to publish staff presentations prior to a meeting under the Brown Act, since a presentation is merely a restatement of the facts already presented in the agenda report.

Finally, it is anticipated that there will be instances where abiding by a fourteen-day advance agenda publication provision simply isn't feasible due to time constraints which would jeopardize funding opportunities. Based upon staff's experience, departments often learn of unanticipated grant funding opportunities with extremely short deadlines for preparing an application and/or seek Council's adoption of a Resolution accepting grant funds. This is a common occurrence within the Community Services and Parks operations where staff is regularly notified of available funds that have unexpectedly become available and can supplement an existing City program, but the official acceptance by City Council has to be completed in as little as one week, otherwise the timeline expires. If staff was bound by a mandatory fourteen-day advance agenda publication requirement, the City would have to forgo such opportunities, absent a policy provision whereby such instances are exempt from this mandate.

In the preparation of this report, staff surveyed twelve nearby cities and concluded that amongst these cities, City Council agendas are published between three and eight days prior to the meeting date, which is commensurate with the City of Glendale's current goal of publishing agendas seven days prior to a City Council meeting. However, it should further be noted that six of the twelve cities surveyed also only hold two City Council meetings a month, allowing their staff ample time to prepare and publish staff reports in advance of their meeting date. For further detail of these cities' practices, please refer to Exhibit 1.

At this time, staff recommends that the City Council provide direction related to whether to further extend the lead time for the publication of City Council Agendas beyond the

current seven-day advance publication timeline. Staff recommends that if it is the desire of Council to do so, the agenda publication policy be established for ten to twelve days (to avoid publication on a weekend) prior to the City Council meeting date, based on the fact that a 14-day advance publication falls on a Tuesday when staff is already fully occupied with managing the affairs of that week's City Council meeting.

FISCAL IMPACT

None

ALTERNATIVES

Alternative 1: The City Council may choose to maintain the current practice of publishing City Council Agendas no less than seven days prior to the City Council meeting date.

Alternative 2: The City Council may choose to increase the City Council Agenda publishing timeline to ten days prior to the City Council meeting date.

Alternative 3: The City Council may choose to increase the City Council Agenda publishing timeline to fourteen days prior to the City Council meeting date. Staff does not recommend this alternative due to the logistical conflicts associated with finalizing and publishing a complete Council Agenda packet on the same day as a Council Meeting.

CAMPAIGN DISCLOSURE

Not Applicable

EXHIBITS

Exhibit 1: City Council Agenda Publication Date Survey