



CITY COUNCIL MEMO

Meeting Date: February 20, 2025

From: Ingrid Padilla, City Clerk

Subject: An Ordinance of the City of Brisbane Amending Section 2.44.010 of the Brisbane Municipal Code Establishing the Time of The Regular Meetings of the City Council as Six Thirty (6:30) P.M.

The Ordinance listed above was introduced at the City Council Meeting of February 6, 2025. It is on this agenda for consideration of adoption as a non-urgency ordinance (attachment 2 of the 2/6/25 Staff Report). Please note that the new City Council Meeting starting time will not go into effect until 30 days of adoption, which will be the first City Council meeting in April.

Attachment:

1. Staff Report from the City Council Meeting of February 6, 2025



CITY COUNCIL AGENDA REPORT

Meeting Date: February 6, 2025

From: Jeremy Dennis, City Manager

Subject: Ordinance Revising the Start Time of City Council Meetings to 6:30 P.M.

Community Goal/Result

Community Building - Brisbane will honor the rich diversity of our city (residents, organizations, businesses) through community engagement and participation

Purpose

To increase the participation of the community in the affairs of the City

Recommendation

Staff recommends that the City Council amend Section 2.44.010 of the Brisbane Municipal Code changing the City Council's regular meeting time from 7:30 p.m. to 6:30 P.M. by (1) adopting the attached Ordinance (Attachment 1) on an urgency basis and (2) introducing on first reading a parallel, but non-urgency Ordinance (Attachment 2).

Background/Discussion

At its January 16 2025 meeting, the City Council directed staff to draft an amendment to the Brisbane Municipal Code to reflect its desire to move up regular council meeting times by one hour, from 7:30 P.M. to 6:30 P.M.. During its discussion, the Council noted that an earlier time will likely increase resident participation in their meetings, as later meeting adjournments can be an impediment to such public involvement.

Attached to this staff report are two Ordinances to amend the Code. . One reflects an urgency ordinance (Attachment 1) that will take effect immediately and allow Council meetings to begin at 6:30 p.m. beginning February 20. To adopt that ordinance, it will take a 4/5 vote of the Council. The other Ordinance (Attachment 2) will amend the Code but will require a second reading on February 20 and would not go into effect for 30 days, meaning that meetings could not begin at 6:30 until Council's first meeting in April.

On other occasions, Council has adopted an Ordinance as an urgency ordinance and introduced the same ordinance, on a non-urgency basis, on a first reading. That is because in order to adopt an ordinance on an urgency basis certain findings need to be made. Staff believes those findings may be made and they are incorporated into the urgency ordinance. But if such findings were challenged (unlikely), Council's introduction and subsequent adoption of the non-urgency ordinance would ensure that the revised meeting times would take effect regardless of such challenge. Once the non-urgency ordinance goes into effect, the urgency ordinance may be rescinded.

If Council takes action as recommended, Council should also direct that the starting time of meetings of other Council appointed advisory boards be similarly changed. **Fiscal Impact**

None

Measure of Success

Increased participation by residents.

Attachments

1. Amended Section 2.44.010, on an urgency basis
2. Amended Section 2.44.010 as a non-urgency basis



Jeremy Dennis, City Manager

CITY OF BRISBANE ORDINANCE NO. _____

AN URGENCY ORDINANCE AMENDING SECTION 2.44.010 OF THE BRISBANE MUNICIPAL CODE TO TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION ESTABLISHING THE TIME OF THE REGULAR MEETINGS OF THE CITY COUNCIL AS SIX THIRTY (6:30) P.M.

WHEREAS, Government Code, section 36937 allows a city to adopt an urgency ordinance to take effect immediately upon its adoption for the preservation of the public peace, health or safety upon a finding of facts constituting the urgency thereof; and

WHEREAS, the City has adopted an Ordinance establishing the regular meetings of the City Council as the first and third Thursdays of each month and setting the time of such meetings at 7:30 p.m.; and

WHEREAS, because of the number of items typically on the agenda, starting the meetings at 7:30 p.m. causes items of importance to the community to be discussed late in the evening which results in community members either being unable or unwilling to attend the meetings when the item is being discussed so late in the evening which imposes an unreasonable hardship on members of the community and deprives the City Council of the opportunity to hear those members' comments before making important decisions for the City; and

WHEREAS, starting the regular meetings at 6:30 p.m. rather than 7:30 p.m. will allow more members of the community to attend meetings, whether in person or remotely, in order to provide comments and input to the City Council concerning City business.

WHEREAS, if the meeting time is not changed to 6:30 p.m., City Council may be deprived of valuable comments and input from the community, to the detriment of the public health, safety and welfare of the City; and

WHEREAS, for these reasons, the public health, safety and welfare of the community will be negatively impacted unless this Ordinance is adopted on an urgency basis;

WHEREAS, in light of the serious concerns set forth herein, and the adverse impacts that would result if this Ordinance does not take effect immediately, the City Council determines that it is in the interest of immediately preserving the public health, safety and general welfare to adopt this urgency ordinance; and

WHEREAS, for the reasons set forth above, this ordinance is declared by the City Council to be necessary for preserving the public health, safety, or welfare of the community, and the recitals above, taken together, constitute the City Council's statements of reasons constituting such necessity and urgency; and

WHEREAS, based on the foregoing findings, evidence presented to the City, other evidence of record, evidence presented to the City Council at its meeting on February 6, 2025, the City Council finds and determines that this ordinance is urgently needed for the immediate preservation of public health, safety and welfare; and

WHEREAS, this Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") under CEQA Guidelines Sections 15378 (not a project) and 15061(b)(3) (no significant environmental impact).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRISBANE does ordain as follows:

Section 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby incorporates them into this ordinance.

Section 2. Section 2.44.010 of the Brisbane Municipal Code is amended to read as follows:

"Section 2.44.010. Day and time.

Regular meetings of the city council shall be held on the first and third Thursdays of each calendar month. The time of regular meetings shall be six third (6:30) p.m. Additional meetings may be scheduled from time to time as needed."

Section 3. This ordinance is enacted pursuant to the City of Brisbane's general police powers, Article XI of the California Constitution, and Government Code, section 36937.

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

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Section 5. As an urgency ordinance, this Ordinance becomes effective immediately upon its adoption at a first reading by a four-fifths vote of the City Council.

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor of the City of Brisbane

Attest:

Ingrid Padilla, City Clerk

Approved as to form:



Thomas R. McMorrow, City Attorney

CITY OF BRISBANE ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRISBANE AMENDING SECTION 2.44.010 OF THE BRISBANE MUNICIPAL CODE ESTABLISHING THE TIME OF THE REGULAR MEETINGS OF THE CITY COUNCIL AS SIX THIRTY (6:30) P.M.

WHEREAS, the City has adopted an Ordinance establishing the regular meetings of the City Council as the first and third Thursdays of each month and setting the time of such meetings at 7:30 p.m.; and

WHEREAS, because of the number of items typically on the agenda, starting the meetings at 7:30 p.m. causes items of importance to the community to be discussed late in the evening which results in community members either being unable or unwilling to attend the meetings when the item is being discussed so late in the evening which imposes an unreasonable hardship on members of the community and deprives the City Council of the opportunity to hear those members' comments before making important decisions for the City; and

WHEREAS, starting the regular meetings at 6:30 p.m. rather than 7:30 p.m. will allow more members of the community to attend meetings, whether in person or remotely, in order to provide comments and input to the City Council concerning City business.

WHEREAS, if the meeting time is not changed to 6:30 p.m., City Council may be deprived of valuable comments and input from the community; and

WHEREAS, this Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") under CEQA Guidelines Sections 15378 (not a project) and 15061(b)(3) (no significant environmental impact).

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Section 3. This ordinance shall be in full force and effect 30 days after its passage and adoption.

The above Ordinance was regularly introduced and after waiting the time required by law was thereafter passed and adopted at a regular meeting of the City Council of the City of Brisbane on February 20, 2025, by the following vote:

AYES:
NOES;
ABSENT;
ABSTAIN:

Mayor of the City of Brisbane

Attest:

Ingrid Padilla, City Clerk

Approved as to form:



Thomas R. McMorrow, City Attorney