

ADMINISTRATIVE POLICY NUMBER: ADDITIONAL MATERIALS

Number: TBD
Issued: May 2022
Jurisdiction: City Council

PURPOSE

The purpose of this policy is to outline the process for receiving, recording, and distributing additional materials to Council Members, Planning Commissioners, and the public.

Pursuant to Government Code Section 54957.5, any material distributed to all or a majority of members of City Council or Planning Commission (legislative body) that relates to an agenda item for an open session of a regular meeting of the City Council, and that is distributed by the City less than 72 hours prior to that meeting, will be available for public inspection at the time the writing is distributed to all or a majority of the City Council. Materials will be available for public inspection in the City Hall lobby and will also be distributed as is outlined below.

DEFINITION OF ADDITIONAL MATERIALS

- A. Additional Materials: written communications regarding items on a published meeting agenda: 1) emailed to the City Council email group or the Planning Commission email group; 2) emailed to the City Clerk or City Manager or Planning Director, with a request for distribution to the Council or Planning Commission; or 3) delivered or mailed to City Hall to the attention of the City Council or the Planning Commission.
1. Items received after agenda publication but before 4:30pm on the Wednesday prior to the meeting are considered additional materials regarding that agenda item.
 2. Emails and other written communication regarding an agenda item sent to *individual* Council or Planning Commissioners are not considered additional materials. Emails or written communication sent to the entire Council or Planning Commission regarding general topics or items that are NOT on a published meeting agenda are not additional materials.
 3. Emails and other written communication regarding *potential* agenda items or general topics sent to Council, Planning Commission, or City Staff are considered general day-to-day business communication. Written communication that prompts an agenda item may be included as attachments to a written staff report and thus published in an agenda packet, but are not considered additional materials.
- B. Format of Additional Materials: The City will process any written materials consistent with this policy. The City will attempt to process video and audio files consistent with this policy, to the best of its ability, considering technological limitations.

RECEIVING & PROCESSING ADDITIONAL MATERIALS

- A. Processing additional materials: materials will be maintained as part of the record of the meeting; distributed to the Planning Commission or City Council; posted in the City Hall Lobby; reported during the Additional Material section of the City Council or Planning Commission meeting; and shared online as a part of the agenda packet for the meeting.

1. Materials regarding Agenda Items continued to a certain date or Agenda Items set by the City Council for a certain date: communications received regarding an item on a published meeting agenda that is continued during the meeting to a certain date, will also be retained and distributed as regular additional material for the second meeting (the meeting the item is continued to).
 - i. *Example*: additional materials regarding an item from the January 13 meeting, then continued to the January 27 meeting: **any** materials received after the January 13 agenda is published through January 26 (the day prior to the meeting in which the item was continued) should be retained and distributed as outlined below.
 - ii. *Example*: at the first Council meeting in May the City Council sets an appeal hearing for the second June Council meeting. Materials, including correspondence, received following the first May Council meeting, but before the agenda is published for the second June Council meeting, will be included as correspondence for the item, and circulated with the June agenda packet. Materials regarding the appeal received after the June agenda is published will be distributed as additional materials.
 2. Materials regarding Agenda Items continued to a date uncertain: communications received regarding an item on a published meeting agenda, received after the item is continued, shall not be retained, or distributed as regular additional materials.
 - i. *Example*: materials regarding an item on the January 13 agenda, then continued to an unknown future date: **only** materials received prior to the day before the January 13 meeting will be retained and distributed as regular additional materials. Materials received **after** the January 13 meeting will not be retained indefinitely, for potential distribution upon the item being agendaized to an unknown future meeting.
- B. Distributing Additional Materials: 1) Upon receipt, all additional materials will be printed and available in the City Hall Lobby and 2) Before the end of the day prior to the Council/Planning meeting, all additional materials will be emailed to the City Council or Planning Commission and the agenda packet distribution list on file with the City Clerk and/or Planner.
- C. Reporting during meeting: During the Additional Materials section of the City Council or Planning Commission meeting, the Clerk will announce how many, if any, additional materials were received for corresponding agenda item/s.
- D. Publication in agenda packet: The City Clerk or Planning Staff will publish a revised meeting agenda, containing the additional materials, within the week following the relevant City Council/Planning Commission meeting.
- E. Information received after 4pm the day before the meeting: Staff will follow the above procedures for information received after 4 p.m. on the day before the relevant meeting, to the best of their abilities given time constraints. Consistent with the City's obligations pursuant to Government Code section 54957.5, any material distributed to a majority or more of the City Council will be simultaneously made available to the public.

RESPONSIBILITY

The City Clerk will process all additional materials received regarding City Council meeting agenda items. Planning staff will process all additional materials received regarding Planning Commission meeting agenda items.

This policy is approved and authorized by:

Jamie Goldstein, City Manager