



**TOWN OF LOS GATOS
COUNCIL POLICY COMMITTEE REPORT**

MEETING DATE: 11/26/2024

ITEM NO: 3

DATE: November 26, 2024
TO: Council Policy Committee
FROM: Chris Constantin, Town Manager
SUBJECT: Discussion, Consideration and Possible Action to Revise Town Agenda and Format and Rules Council Policy 2-01

RECOMMENDATION:

Provide direction to Town staff related to proposed changes in the Town Agenda Format and Rules Council Policy.

FISCAL IMPACT:

None. Changing this policy does not result in a significant cost.

BACKGROUND:

Policy 2-01, originally adopted in 1986, governs the format and rules for Town Council and Town Board, Commission, and Committee agendas. It has undergone 25 periodic updates to reflect evolving needs of the Town Council.

The proposed changes aim to establish a transparent and inclusive process for Councilmembers to propose future agenda items. This process ensures that any Councilmember may bring forward a topic for initial consideration, while requiring a majority of the Council to agree before directing staff to undertake significant work on the matter.

The revisions strike a balance by preserving the ability of minority Councilmembers to initiate public discussions on the merits of a proposal, while aligning resource allocation with the collective priorities of the Council. Additionally, these changes remove the responsibility from the Mayor to unilaterally decide whether a Councilmember's proposed agenda item proceeds,

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Reviewed by: Town Manager and Town Attorney

thereby mitigating potential discomfort associated with such determinations and fostering a more collaborative approach to agenda-setting.

As part of the proposed revisions to Town Council Policy 2-01, staff recommends adopting Rosenberg's Rules of Order, published by Cal Cities, as the primary framework for conducting Town Council meetings. These rules are widely recognized and utilized by local governments across California for their simplicity, clarity, and efficiency in parliamentary procedure.

Instead of the complex Robert's Rules of Order, Rosenberg's Rules offer a practical approach to meeting management that emphasizes transparency, fairness, and inclusivity. Their adoption will provide a clear and consistent structure for Council deliberations while remaining accessible to both Councilmembers and the public. By transitioning to Rosenberg's Rules, the Town Council will align with best practices endorsed by municipal organizations, reinforcing its commitment to effective governance and public engagement. At only 6 pages, Rosenberg's Rules are much easier to follow during a meeting.

DISCUSSION:

Attachment 1 provides a redline version of Policy 2-01 which provides draft language for the Council's consideration. The following is a listing of the key changes:

- Section C.1 Verbal Communications – Remove a line where the Council may instruct the Town Manager to place an item presented by a public speaker on the agenda.
 - **Redundant Language** – This is redundant to language proposed later in the policy which allows the Town Council to agendize an item at any time by majority vote.
- Section I Preparation of the Agenda – This section has been comprehensively rewritten to update and refine the process for Councilmembers to request agenda items for Town Council consideration. The proposed revisions aim to:
 - **Align Policy with Current Practices:** The existing policy does not reflect the Town Council's current practices, necessitating changes to ensure consistency and transparency.
 - **Empower the Majority:** The new policy ensures that any direction to staff requires the approval of a majority of the Town Council, aligning with democratic principles and collective decision-making.
 - **Reduce Potential Conflicts:** The proposed change avoids placing the Mayor in an adversarial role or giving undue influence to one individual. This adjustment ensures that all Councilmembers have equal opportunities to raise issues, subject to the consideration and support of the majority.
 - **Enhance Public Accountability:** The revised approach requires public deliberation and majority support for directing staff resources, ensuring that

Town priorities are established transparently and collaboratively. These changes foster a more inclusive and balanced agenda-setting process while upholding the principles of fairness, transparency, and efficient governance.

- Section L Conduct of Town Council Meetings – This section has been updated to designate Rosenberg's Rules of Order, supported by Cal Cities, as the standard framework for governing the efficient operation of Town Council meetings. While Rosenberg's Rules will serve as the primary procedural guide, the policy maintains the Mayor's authority to propose modifications to meeting rules, subject to Council concurrence, to address specific needs or circumstances. Key benefits of this change include:
 - **Clarity and Accessibility:** Rosenberg's Rules offer a simplified and user-friendly alternative to the complex Robert's Rules of Order, making them easier for Councilmembers, staff, and the public to understand and apply.
 - **Operational Consistency:** The adoption of these rules provides a clear and consistent structure for conducting meetings, particularly during complex or contentious discussions, ensuring a uniform approach to deliberation and decision-making.

ALTERNATIVES (continued):

The Committee can elect to not make the recommended changes or consider revised language.

COORDINATION:

None.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Draft Changes to Policy 2-01
2. Rosenberg's Rules