



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Caroline Patton, Administrative City Clerk
Doug Schulze, City Manager

MEETING DATE: September 10, 2024

SUBJECT: Discussion of Revised Banning Procedural Manual

RECOMMENDATION:

This session is intended for City Council to review and discuss proposed changes to the City of Banning Manual of Procedural Guidelines ("Manual"), as well as provide staff with any additional direction for potential updates to the Manual.

BACKGROUND:

The Manual was last updated February 14, 2023 with the adoption of Resolution 2023-36 . At that time, staff identified a number of deficiencies within the Manual that they would like to address at a future point. These proposed revisions to the Manual address those identified issues.

In addition to structural and verbiage updates, City staff have revised the Manual to respond to several areas of concern raised by the City Council since the last revision. These revisions are merely proposed for the City Council's consideration. The City Council may add, delete, or amend any of staff's proposed changes to the Manual. This workshop is intended to be a forum to discuss the proposed changes and provide City Council with the opportunity to raise any other matters they would like to see addressed or revised in the Manual.

JUSTIFICATION:

Some general formatting changes have been made to help structure the Manual, including cover pages separating each section. Roman numerals have been removed in favor of simple numbers, in the spirit of greater document accessibility. Gendered references have been removed in favor of gender-neutral terminology.

Specific proposed changes to the Manual include:

- Title was revised to be more succinct and clear.
- The word "contract" (only when referring to "contracts and agreements") has been removed as duplicative.
- Article 1 ("Scope of Manual") was revised to provide that: (i) the procedures in the Manual are in addition to Robert's Rules of Order ("Robert's Rules"); and (ii) if there is any conflict between Robert's Rules and the Manual, the provisions of the Manual shall govern.
- Section 3.5 ("Preparation of Agendas") was revised to clarify the process for Legislative Body members to place business items on the regular meeting agenda under "Items for Future Agendas (New Items; Existing Items)."
- Section 3.14 ("Minutes and Recordings") was revised to specify that the minutes are a record of the actions taken by the Legislative Body. This Section was also revised to prohibit Legislative

Body members from attaching written comments to the minutes.

- In Section 4.1 ("Generally"), the reference to no minutes taken was removed as it contradicts language in the same section.
- In Section 5.1 ("Order of Business"), the listed order of business for meetings of the Legislative Body was revised to reflect the order of business provided on recent Banning City Council meeting agendas.
- Section 8.3 ("Email and Social Media Policy") was revised to provide a social media policy for Legislative Body members. This social media policy complies with Assembly Bill 992, which amended certain provisions of the Brown Act to clarify allowable uses of social media under the Act.
- Section 8.5 ("City Manager") was revised to include a subsection on the City operating under the city manager form of government. This subsection provides that City Councilmembers may not individually provide direction to the City Manager.
- Subsection 10.3(d) ("Reconsider") was revised to limit the timeframe for making a motion to reconsider to the same meeting that the action was taken or at an adjourned meeting following the meeting at which the action was taken.
- Subsection 10.3(e) ("Adjournment") was added to clarify the process for adjourning a meeting.
- Section 10.9 ("Curfew") was added to the Manual to provide a 10:00 p.m. curfew for City Council meetings. This Section provides that no new matters shall be taken up after 10:00 p.m., except that the meeting may be extended in one-hour increments upon a majority vote of Council members present. This Section supersedes Resolution No. 2016-44.

FISCAL IMPACT:

Currently there are no fiscal impact of the proposed changes.

ALTERNATIVES:

Discuss proposed changes and determine if there are any other matters that should be addressed or revised in the manual.

BUDGETED?:

No

CONTRACT/AGREEMENT:

No

ATTACHMENTS:

1. [Banning Procedural Manual \(Redline\) 2024 Update.DOCX](#)
2. [2023 02 14_Manual of Procedural Guidelines_Resolution 2023-34.pdf](#)