

CITY OF YUBA CITY
STAFF REPORT

Date: January 15, 2019
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Terrel Locke, Assistant to the City Manager

Summary

Subject: Establishing a time for Regular City Council Meetings to include Closed Session items occurring before 6:00 p.m. if needed

Recommendation: Adopt a Resolution establishing starting times for Regular Council Meeting at 5:00 p.m., unless duly noticed, for the purpose of considering closed session matters, with all other regular, open-session business starting at 6:00 p.m.

Fiscal Impact: None.

Purpose:

To provide clarification regarding closed session meeting times prior to the Regular Meeting start time of 6:00 p.m.

Background:

The Yuba City Municipal Code Section 2-1.01 sets the Regular Meetings of the City Council to occur on the first and third Tuesday of each month in the Council Chambers, with the start time to be established by resolution. In April 2013, Council set the time for Regular Council meetings to begin at 6:00 p.m. unless duly noticed or changed by a resolution of the City Council.

The Municipal Code also states that the Council may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by State law to hear or consider in closed session, and may exclude from any such closed session any person or persons which it is authorized by State law to exclude from such closed sessions.

The City's Municipal Code has not addressed a separate time to hold a closed session.

Analysis:

The City Council desires to have the flexibility and option of commencing regular meetings before 6:00 p.m., for the purpose of considering closed session matters, with all other regular, open-session business starting at 6:00 p.m.

The requested action tonight would formalize the starting time for Regular Meetings to allow for closed session items to begin as early as 5:00 p.m., with regular, open-session business starting at 6:00 p.m. The Council will still have the option of hearing closed session items at the end of the regular meeting if preferred.

Alternatives:

Maintain the regular meeting time of 6:00 p.m. Additionally, regular meetings are set by the Municipal Code, however if needed, meetings can be canceled by the Council with sufficient notice, and special meetings can be scheduled as needed.

Recommendation:

Adopt a Resolution establishing starting times for Regular Council Meeting at 5:00 p.m., unless duly noticed, for the purpose of considering closed session matters, with all other regular, open-session business starting at 6:00 p.m.

Attachment:

- A. Resolution establishing Regular City Council Meetings to include time for Closed Session to start before 6:00 p.m.
- B. Resolution No. 13-036 dated 04/23/2013

Prepared By:

/s/ Terrel Locke

Terrel Locke
Assistant to the City Manager

Review by:

City Attorney

Submitted By:

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

[SLC by email](#)

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ESTABLISHING REGULAR CITY COUNCIL MEETINGS TO INCLUDE
TIME FOR CLOSED SESSIONS TO START BEFORE 6:00 P.M.**

WHEREAS, the Yuba City Municipal Code Section 2-1.01 sets the regular meetings of the City Council to occur on the first and third Tuesday of each month in the Council Chambers; and

WHEREAS, on April 23, 2013, Council adopted Resolution No. 13-036 establishing the commencement time for City Council meetings to begin at 6:00, p.m., unless duly noticed; and

WHEREAS, the City Council desires to have the flexibility and option of commencing regular meetings before 6:00 p.m., for the purpose of considering closed session matters, with all other regular, open-session business starting at 6:00 p.m.

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

- Section 1. The recitals set forth above are true and correct and incorporated herein by this reference.
- Section 2. The City Council of the City of Yuba City, approves the following:
- A. Regular Meetings: The Council shall meet after 5:00 p.m. on the first and third Tuesday of each month, in Council Chambers located at 1201 Civic Center Blvd., Yuba City, CA 95993. No business, other than that related to Closed Sessions, shall commence earlier than 6:00 p.m. unless duly noticed.
- Section 3. This Resolution shall become effective immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a Regular meeting thereof held on the 15th day of January 15, 2019.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Patricia Buckland, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

RESOLUTION NO. 13-036

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ESTABLISHING THE TIME FOR REGULAR CITY COUNCIL MEETINGS TO
COMMENCE AT 6:00 P.M.**

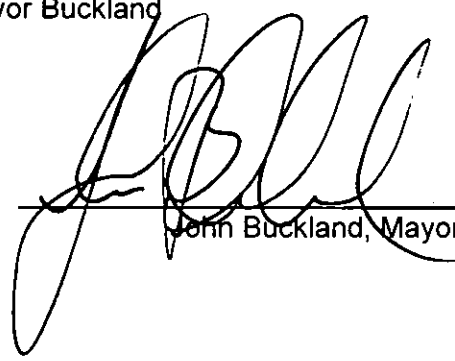
WHEREAS, on March 19, 2013 City Council Adopted Ordinance No. 001-13 Amending Chapter 1 of Title 2 of the Yuba City Municipal Code establishing the Commencement Times of Regular City Council Meetings to be set by Resolution; and

WHEREAS, the City Council desires to establish the commencement time for City Council meetings to begin at 6:00 p.m. beginning May 7, 2013.

NOW THEREFORE BE IT RESOLVED AND ORDERED, by the City Council of the City of Yuba City, that beginning with the Regular City Council meeting on May 7, 2013 and every Regular meeting thereafter, the City Council meeting will commence at 6:00 p.m., unless duly noticed or changed by a resolution of the City Council.

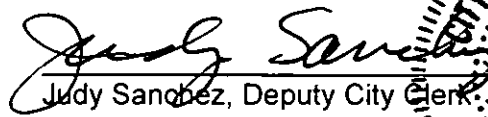
The forgoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a special meeting thereof held on the 23rd day of April 2013.

Ayes: Councilmembers Gill, Starkey and Mayor Buckland
Noes: Councilmember Dukes and Maan
Absent: None



John Buckland, Mayor

ATTEST:



Judy Sanchez, Deputy City Clerk

