SPECIAL MEETING

TOWN OF LOS GATOS
TOWN COUNCIL POLICY COMMITTEE

AGENDA
TOWN COUNCIL CHAMBERS
110 EAST MAIN STREET
June 6, 2016 – 1:00 P.M.

Council Policy Committee – (2016)

Marico Sayoc, Vice Mayor
Marcia Jensen, Council Member

MEETING CALLED TO ORDER

ROLL CALL

VERBAL COMMUNICATIONS *(Three minute time limit)*

1. Approval of the May 12, 2016 Council Policy Committee Draft Minutes

2. Review and discuss revised draft Civic Center Facilities Use Policy

3. Review and discuss revised Language Addressing Telephonic Attendance at Council, Board, Commission, and Committee meetings

ADJOURNMENT

Enclosures:
1. May 12, 2016 Policy Committee Draft Minutes (Item 1)
2. Review and discuss revised draft Civic Center Facilities Use Policy (Item 2)
3. Review and discuss revised Language regarding Telephonic Attendance at Council, Board, Commission, and Committee meetings (Item 3)

cc: Post (*also posted on Town Web)*
Town Council

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Manager's Office at (408) 354-6834. Notification 48 hours before the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting [28 CFR §35.102-35.104]

DRAFT

TOWN OF LOS GATOS
COUNCIL POLICY COMMITTEE
May 12, 2016 10:00 a.m.

110 E. Main Street
Town Council Chambers
Los Gatos, California

MINUTES

Call to Order
The Council Policy Committee meeting was called to order at 10:02 a.m.

Members and Staff present:
Vice Mayor Marico Sayoc
Councilmember Marcia Jensen
Laurel Prevetti, Town Manager
Joel Paulson, Community Development Director
Christina Gilmore, Assistant to the Town Manager

Verbal Communications

None

Agenda Items

1. Approval of April 28, 2016 Council Policy Committee Meeting Minutes Committee Action:

The Committee unanimously approved the draft minutes with no changes.

The Committee discussed the revised Entertainment Policy that was distributed by email to members of the Committee as directed at the April 28 meeting. The Committee directed staff to draft a staff report to the Town Council, to include recommendations for an Entertainment Policy and include alternatives for Planning Commission or Design Review Committee (DRC) review of late night entertainment applications for Town Council consideration.

2. Review and discuss draft Civic Center Facilities Use Policy

The Committee reviewed the draft Civic Facilities Policy provided the following direction:

- Explore options that would allow events on the Civic Center Lawn to be scheduled no sooner than two months prior to the event date.

- Special event use of the Civic Center Lawn can be scheduled to encourage synergy between the Library or other Town programs and events.
- Pageant Park use should be regulated under existing park use policies.
- The Civic Center Deck and Stairs are an extension of the Lawn, and should have the same rules, policies and procedures for use.
- Special event use at the Civic Center should not impede the public's accessibility to Town Hall or conflict with Town Council, Planning Commission, or other Town-related meetings or events.
- Modify the existing park use permitting process to facilitate the use of other Town-owned properties until provided with further Town Council direction.

3. Review proposed revisions to the Town Council Agenda Format and Rules Policy and Planning Commission Policies and Procedures (Applicant/Appellant Presentation Limits)

The Committee provided the following policy direction for inclusion in a revised Town Council Agenda Format and Rules Policy:

- The Committee agreed with the proposed recommendation to change the Public Hearings portion of the Town Council agenda to allow appellant and applicants no more than 5 minutes for all speakers and 3 minutes to rebut at the end of the public hearing.

4. Review and discuss Potential Language Addressing Telephonic Attendance

The Committee provided the following policy direction for a proposed remote attendance policy:

- The Committee directed staff to return with a revised draft of the policy that incorporates proposed language from the alternative #2 provided in Attachment 4 with the following changes:
    - Change teleconference to remote participation
    - Remove employment and add medical to the list of the excused absences in section c.2
    - Include the language that states the expectation of both Council members and the public to attend regularly scheduled Council meetings
    - Include the Commission meeting schedules as part of the Board, Commission, and Committee application and appointment.

5. Discuss and provide direction on a draft Legislative Policy

The Committee directed staff to return at a later date with a draft Legislative Policy for Committee review to include the following:

- A policy that includes guiding principles to inform Town Council legislative positions and provides guidelines for how Councilmembers could endorse, support, or oppose policies, measures, or legislation.

The meeting was adjourned at 11:08 a.m.

MEETING DATE: 05/26/16
ITEM NO: 2

POLICY COMMITTEE REPORT

DATE: MAY 25, 2016

TO: POLICY COMMITTEE

FROM: LAUREL PREVETTI, TOWN MANAGER

SUBJECT: REVIEW AND DISCUSS THE REVISED DRAFT CIVIC FACILITIES USE POLICY

RECOMMENDATION:

Review and discuss the revised draft Civic Facilities Use policy.

BACKGROUND:

At its May 12, 2016 Policy Committee meeting, the Committee provided staff with feedback and comments on a draft a policy for the Civic Center Facilities Use Policy, and directed staff to return at its next meeting with a revised draft policy for review and discussion.

DISCUSSION:

Attachment 1 includes the revised draft Civic Facilities Use Policy that includes the feedback and comments provided by the Committee.

CONCLUSION AND NEXT STEPS:

Following the discussion, staff would return with a revised draft Civic Facilities Use Policy for the Committee's review.

COORDINATION:

The preparation of this report was coordinated with the Town Manager's Office and the Town Attorney.

Attachments:
1. Revised draft Civic Facilities Use Policy

PREPARED BY: CHRISTINA GILMORE
Assistant to the Town Manager

Reviewed by: _____ Assistant Town Manager _____Town Attorney __NA___Finance

DRAFT

Town of Los Gatos
Civic Facility Use Policy

I. Purposes

To establish a policy for managing use of the Town of Los Gatos civic facilities for official Town business, the general public, and governmental agencies. Specifically:

1. To preserve the function that the Town's civic facilities are designed to serve.

2. To provide for public access and use of the civic facilities.

3. To coordinate multiple uses of the civic facilities.

II. Guiding Principles

1. The primary role of the Town of Los Gatos civic facilities is to provide for the legislative and administrative operations and programs of the Town for the community. Therefore, official Town business, programs, and activities shall have priority use of all civic facilities.

2. The Civic Center is further intended to serve as a hub of civic and cultural activity and a major gathering center for community meetings and an active program of outdoor events.

3. Designated portions of the Civic Center may be used by the public gathered for events including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education, or cultural enrichment.

4. It is the Town's intent to provide spaces that are affordable and accessible for cultural, civic, and celebratory activities, without compromising security and official Town business needs.

III. Policy Overview

1. The Town Council will establish the civic facilities use policy. The Town Manager and his or her designee will issue permits and use agreements for events, and act as the final authority for the application of the policy.

2. The ~~[DEPARTMENT]~~Town Manager's Office is responsible for the day-to-day operation of scheduling and administering Facility reservation.

3. The granting of permission to use the civic facilities shall not in any way constitute an endorsement of the views of the groups reserving the facilities.

ATTACHMENT 1

4. Users of civic facilities for outdoor events will be required to enter into an agreement and comply with all requirements set forth in the civic facility use policy.

5. All civic facility use reservations shall be made subject to the condition that the Town shall have the right to cancel or change any reservation if civic facilities are needed for official Town business. In no event shall the Town have any liability whatsoever for any cancellation.

6. Use of civic facilities must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to adjacent properties.

7. All commercial activities shall be prohibited except as provided in an appropriate permit, or license issued by the Town or provided for in an agreement with the Town.

IV. Public Use –Civic Facilities

A. Civic Center Lawn

The Civic Center lawn, as a focal point for the Town of Los Gatos Civic Center, shall be used as the regular location for free to the public community gatherings and events including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance by submitting an application for a special event permit, and release of liability. All required paperwork must be submitted with original signatures.

2. Events are limited to one event per week.

3. Private parties are not allowed.

4. ~~Events are to be scheduled~~Scheduled events must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to adjacent properties.~~only when the Town Hall and Library are closed.~~

5. Recurring or continuing events shall require a Town agreement and receive Town Council approval.

6. The following must be submitted and approved no later than ~~six~~ two months prior to the scheduled event:
    a. Special event permit application or Town agreement
    b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, $1,000,000 liability insurance

c. Release of Liability, Assumption of Risk and Indemnity Agreement
d. Complete payment of all applicable fees and charges for use as established within the municipal code and are contained in the Town's fee schedule. All checks are to be made payable to "The Town of Los Gatos".

B. Civic Center Deck and Stairs

The Civic Center Deck and Stairs shall be used as the regular location for free to the public community gatherings and events including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance by submitting an application for a special event permit, and release of liability. All required paperwork must be submitted with original signatures.

2. Events are limited to one event per week.

3. Private parties are not allowed.

4. Scheduled events must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to adjacent properties.

5. Recurring or continuing events shall require a Town agreement and receive Town Council approval.

6. The following must be submitted and approved no later than two months prior to the scheduled event:
   a. Special event permit application or Town agreement
   b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, $1,000,000 liability insurance
   c. Release of Liability, Assumption of Risk and Indemnity Agreement
   d. Complete payment of all applicable fees and charges for use as established within the municipal code and are contained in the Town's fee schedule. All checks are to be made payable to "The Town of Los Gatos".

C. Council Chambers and Lobby

The Town Council Chambers and Lobby may be reserved by federal, state, county, and municipal agencies, and schools for activities that benefit Los Gatos residents and students. The Town Council Chambers and Lobby may also be reserved by agencies providing government education programs.

1. The Town may grant permission to use the Town Council Chambers and Lobby in the following priority schedule:

a. Town Council/Board, Commission, and Committees, including ceremonials
b. Planning Commission
c. Town Departments
d. Town established Organizations and Committees (in which Town employees or Town officials participate)
e. Government Agencies and Officials
f. All other users

2. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to six months in advance by submitting an application, and release of liability. All required paperwork must be submitted with original signatures.

3. The following must be submitted and approved no later than two weeks prior to the scheduled event:
   a. Application for Use of Room
   b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, $1,000,000 liability insurance
   c. Release of Liability, Assumption of Risk and Indemnity Agreement
   d. Complete payment of Building Attendant. All checks are to be made payable to "The Town of Los Gatos"

4. During the evenings (after 5 p.m.), on the weekends (Saturdays and Sundays) and on Holidays, all users will be charged a facility use fee and other applicable charges for Town services as set forth in the fee schedule, unless the meeting or event is for official Town business, and the meeting or event is planned, managed, and let by the Town Council or Town Department.

5. A building attendant is required for all meetings regardless of meeting time or size. The Town will schedule the building attendant and invoice the applicant for the actual time scheduled. The building attendant will be responsible for the opening and closing of the facility and overseeing that the room is returned to its original condition.

6. Use is limited to a maximum of ten hours, per event, subject to other scheduled events, or Town use.

7. Groups composed of minors must be supervised by at least one (1) adult for every ten (10) children under the age of 18) at all times while they are using the facility.

8. No food or drink shall be taken into the Town Council Chambers. Alcohol is not permitted on Civic Center premises.

~~9. Smoking is not permitted in or near the Town Council Chambers and Lobby facility, including parking and exit areas.~~

~~10.~~9. Applicants are responsible for setting up before and cleaning up after each event. Applicants shall be responsible for removing all personal property, owned or rented, prior to vacating the facility.

a. Absolutely no open flames are allowed
b. No foreign substance maybe applied to the floor, walls, or ceiling (this includes decorations).
c. No rice, birdseed, confetti, etc., may be thrown in or around the Town Council Chambers.
d. Gambling or wagering is prohibited.

~~11.~~10. Users may not restrict membership on the basis of age, sex, color, race, marital status, sexual orientation, ancestry, physical or mental disability, medical condition, religion, place of national origin, or any other basis prohibited by law. Furthermore, use of the Town Council Chambers will not be restricted because of age, sex, color, race, marital status, sexual orientation, ancestry, physical or mental disability, medical condition, religion, place of national origin, or any other basis prohibited by law.

~~12.~~11. Any exceptions to the use regulations must be approved, in writing, by the Town Manager.

D. Civic Facilities Conference and Meeting Rooms

Conference and Meeting Rooms located within Town Hall, the Library, the Police Operations Building and the Parks and Public Works Corporation Yard shall be used solely for conducting official Town business.

1. The Town may grant permission to use the Meeting Rooms in the following priority schedule:
    a. Town Council and Town Council Committees
    b. Planning Commission
    c. Other Boards and Commissions
    d. Town Departments
    e. All other users

E. Town Plaza Park ~~and~~ and Oak Meadow Bandstand

Town Plaza Park ~~and~~ and Oak Meadow Bandstand, as a focal point for the Town of Los Gatos, shall be used as the regular location for free to the public community gatherings and events including

concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance by submitting an application for a Park Use permit and/or a Special Event permit, and Release of Liability. All required paperwork must be submitted with original signatures.

2. Events are limited to one event per week.

3. Private parties are not allowed.

4. Recurring or continuing events shall require a Town agreement and receive Town Council approval.

5. The following must be submitted and approved no later than six months prior to the scheduled event:
    a. Park Use Permit, Special Event Permit Application or Town Agreement
    b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, $1,000,000 liability insurance
    c. Release of Liability, Assumption of Risk and Indemnity Agreement
    d. Complete payment of all applicable fees, deposits, and charges for use as established within the Municipal Code, Park Use Fees, and as contained in the Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos".

~~F. Pageant Park~~
~~G. Civic Center Deck and Stairs~~
~~H. Library Walk Way~~

MEETING DATE: 05/26/16
ITEM NO: 3

POLICY COMMITTEE REPORT

DATE: MAY 25, 2016

TO: POLICY COMMITTEE

FROM: LAUREL PREVETTI, TOWN MANAGER

SUBJECT: REVIEW AND DISCUSS REVISED LANGUAGE ADDRESSEING TELEPHONIC ATTENDANCE AT COUNCIL, BOARD, COMMISSION, AND COMMITTEE MEETINGS

RECOMMENDATION:

Review and discuss revised language addressing telephonic attendance at Council, Board, Commission, and Committee meetings.

BACKGROUND:

At its May 12, 2016 Policy Committee meeting, the Committee provided staff with feedback and comments on proposed revised language addressing telephonic attendance at Council, Board, Commission, and Committee meetings, and directed staff to return at its next meeting with a revised policy for review and discussion.

DISCUSSION:

Attachment 1 includes a revised language addressing telephonic attendance at Council, Board, Commission, and Committee meetings included in the Town Council Agenda Format and Rules policy for the Committee's review.

CONCLUSION AND NEXT STEPS:

Following the discussion, staff would return with a revised draft of the Town Council Agenda Format and Rules policy for the Committee's review.

COORDINATION:

The preparation of this report was coordinated with the Town Manager's Office and the Town Attorney.

PREPARED BY: CHRISTINA GILMORE
Assistant to the Town Manager

Reviewed by: _____ Assistant Town Manager _____Town Attorney __NA___Finance

TOWN OF LOS GATOS CALIFORNIA

COUNCIL POLICY MANUAL

Small Town Service *Community Stewardship* *Future Focus*

TITLE: Town Council Agenda Format and Rules	**POLICY NUMBER:** 2-01
EFFECTIVE DATE: 12/15/86	**PAGES:** 6
ENABLING ACTIONS: 1986-183; 1987-24; 1988-124; 1993-181; 1994-57; 1996-108; 2001-77; 2004-33; 2009-002	**REVISED DATES:** 12/15/86; 3/2/87; 6/6/88; 6/15/92; 12/6/93; 4/4/94; 8/5/96; 7/2/01; 4/5/04; 1/20/09; 3/16/09; 12/06/10; 8/5/13; 3/03/15
APPROVED:	

PURPOSE

To establish procedures which standardize the Town Council agenda and insure an orderly meeting.

POLICY

The following policies have been established:

A. Order of the Agenda

Subject to the Mayor's discretion to change the order of consideration of any agenda item during any individual meeting:

Meeting Called to Order
Roll Call
Pledge of Allegiance
Appointments
Presentations
Closed Session Report
Council Matters
Manager Matters
Consent Calendar
Verbal Communications
Public Hearings
Other Business
Adjournment (No later than midnight without vote)

B. Closed Session Report

At the first Council meeting following any Closed Session, the Town Attorney will report on the Closed Session describing what occurred, but without reporting any information which could damage the Town's position on a) potential or existing litigation, b) the acquisition or disposition of property, or c) any employee's privacy interests. In addition, the Closed Session agenda shall clearly identify the subject of each agenda item consistent with the requirements of the *Brown Act.*

C. Communications by Members of the Public

1. *Verbal Communications.* Comments by members of the public during the Verbal Communications portion of the agenda on items not on the Council agenda shall be limited to no more than three (3) minutes per speaker.

2. *Public Hearings.* Presentations during the Public Hearings portion of the agenda by appellants and applicants, including any expert or consultant assisting with the presentation, shall be limited to a total of no more than ~~ten~~ 5(~~10~~5) minutes for all speakers. Appellants and applicants shall be provided no more than ~~five~~three (~~5~~3) minutes to rebut at the end of the public hearing. Other members of the public testifying at public hearings shall be limited to no more than three (3) minutes.

3. *Other Agenda Items.* Comments by members of the public concerning any other item on an agenda shall be limited to no more than three (3) minutes per item.

4. *Mayor's Discretion.* All time limits noted above shall be subject to change at the Mayor's discretion.

D. Consent Calendar

Items on the Council agenda that are considered to be of a routine and non-controversial nature are placed on the Consent Calendar. Typical items include meeting minutes, final reading and adoption of ordinances, resolutions approving agreements, awards of contracts, status staff reports, etc.

Consent items shall be approved by a single Council motion, unless a member from the Council or the public requests that an item be removed for separate Council action. Items removed from the Consent Calendar may be considered at that meeting at the Mayor's discretion.

E. Presentations

The Presentations portion of the agenda is intended to allow organized groups to make formal presentations to the Council and to recognize and honor deserving individuals and organizations. All matters included on the Presentations portion of the agenda require the prior approval of the Mayor and shall be limited to no more than ten (10) minutes, unless the Mayor grants additional time.

F. Council Matters

Members of Council may report on the activities of the committees to which they belong or the meetings they attend, question staff briefly on matters upon which the Council has taken action or given direction, make brief announcements, or discuss whether to place particular items on future agendas for action by the Council. Future agenda items to be briefly discussed here shall be identified consistent with Section G of this policy, or may be raised for the first time under this item.

G. Adjournment

Council meetings will be adjourned at midnight unless a majority of the Council Members present vote to extend the adjournment time.

H. Americans with Disabilities Notice on Town Agendas

As part of the requirements under the Americans with Disabilities Act, the Town is required to provide notice of whom to contact in advance of a public meeting for assistance to disabled individuals who might wish to participate. The following notice shall be provided in at least one location on each Town agenda for Council, boards, commissions or committees.

> In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the _____ at (408) _____. Notification 48 hours before the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting [28 CFR §35.102-35.104]

I. Preparation of the Agenda

The agenda is prepared by staff in consultation with the Mayor for the Mayor's final approval. If there is a disagreement between the Mayor and staff, the Mayor makes the ultimate call on the Agenda and its items. Any member of the Council may submit a request through the Town Manager or directly to the Mayor to make a change or addition to the agenda. In no event may the subject of whether to amend the agenda be discussed outside of a public meeting by more than two (2) members of the Council.

Items thus proposed to be added to the agenda require the Mayor's agreement to be added for action. If the Mayor does not agree, the item shall be listed on the agenda for discussion purposes only under the Council Matters section of the agenda. Council may then discuss whether to place the item on a future agenda for action. Two (2) or more members of the Council must vote in favor of placing an item on a future agenda for action. The Mayor in good faith will make every effort to place the item on the first available Council agenda in consultation with the Town Manager.

If the wish of the Council is to add an item on the agenda of the current meeting, then the *Brown Act* generally requires a two-thirds (2/3) vote or a unanimous vote of those present if less than five (5) Council Members are present, with a finding that there is a need to take immediate action and the need for action came to the attention of the Town after the agenda was posted.

J. Agenda Schedule and Preparation

Thursday, prior to the meeting	Written agenda is finalized and printed. Agenda packets distributed to Town Council Members. Public comments on agenda items received by 11:00 a.m. will be included in the agenda packet.
Friday, prior to meeting	Additional information from staff available after the Thursday distribution of the agenda packet, and public comments received prior to 11:00 a.m. on Friday will be distributed to Town Council members as an Addendum to a staff report.
Monday, prior to the meeting	Additional information from staff available after the Friday Addendum and received prior to 11:00 a.m. on Monday will be distributed to Town Council members as an Addendum to a staff report.
Day of Council Meeting	Council comments and questions received by 7:00 a.m. and public comments received by 11:00 a.m. on the morning of a Council meeting will be included in a Desk Item for distribution to Town Council members by 1:00 p.m. on the afternoon of a Council meeting. Council comments and questions received after 7:00 a.m. may be addressed during the Council meeting. Public comment received after 11:00 a.m. will not be distributed to the Council in the Desk Item; however, public comment may be submitted by individuals during the Council meeting.

In general, questions or inquiries from Council Members to the Town Manager and/or Town Attorney regarding agenda items should be responded to within 24 hours, and then placed into Addenda and/or Desk Items, as appropriate.

K. Agenda Posting

Council Agendas shall be posted at least 72 hours prior to a regular meeting, and at least 24 hours prior to a special meeting. Notice of any meeting of a formally appointed Committee where two Council Members could be present shall be posted at least 24 hours in advance of any such meeting with a note as to the time and location, and an invitation to the public to attend.

L. Conduct of Town Council Meetings

The Council shall adopt:

1. Robert's *Rules of Order* or
2. Some other rules of order, or
3. Allow the Mayor to conduct the meeting as deemed appropriate so long as all members of the Town Council concur.

M. Town Council Teleconference/Video Conference Rules

(a) Physical attendance by members of the Town Council at all meetings is encouraged and expected. Council members and the Mayor should make all reasonable effort to be physically present for every meeting. Teleconference procedures may not be routinely used as a substitute for attendance in person. However, physical attendance may not always be possible.

(b) Teleconferencing" is defined as remote participation by electronic means, through either audio or video, or both, by means which enables the remote official to clearly hear the Mayor, all Council members, the Town Clerk, and public testimony and to be clearly heard by the Mayor, all Council members, the Town Clerk, and the public for the duration of the meeting.

(c) Physical attendance at meetings contributes to quality dialogue and supports a sound deliberative and decision-making process. Consequently, teleconferencing will only be permitted under the following conditions:

1. A quorum cannot be achieved for a regularly scheduled or special meeting;
2. One or more member are unable to attend due to absence from the Town, employment, or family emergency reasons;
3. A minimum of three [3] Council Members must be present in person at the meeting location;
4. An elected official participating by teleconference shall, while actually on the teleconference, be deemed present at the meeting for all purposes. The official shall make every effort to participate in the entire meeting;

5. If the Mayor participates via teleconference, the Vice Mayor shall preside over and perform all functions of the Mayor at the meeting;

(d) Where teleconferencing is employed, the Council member requesting to participate via teleconference must provide the Town Clerk no less than one week notice of his/her absence in order to participate as a voting member.

(f) The following procedures shall apply to teleconferencing:

1. All votes during teleconferenced meetings shall be conducted by roll call.
2. Agendas shall specify the name of the Mayor/Council Member participating via teleconference and the location, address, and telephone number to be utilized for the teleconference.
3. Two-way communication must be established so that the teleconferenced Town Mayor/Council Member can listen to and participate in the public proceedings and members of the public can hear the comments of the teleconferenced official.
4. The Town Clerk shall note in the minutes of the meeting all members attending via teleconference.
5. To the extent practicable, materials to be considered by the Council shall be made available in advance to those attending by teleconference.

N. Proposed Reconsideration of Prior Council Actions

Reconsideration of prior Council actions is discouraged and may only occur in special circumstances subject to the procedural restrictions outlines herein. Reconsideration does not include, and this Policy does not prohibit, the repeal of a resolution or ordinance in response to a lawsuit or a referendum challenging that adoption.

Step 1 – Motion to Place Reconsideration of a Prior Action on a Future Council Agenda

a) The motion must be made by a Council Member who previously voted on the prevailing side of the prior action;

b) The maker of the motion shall specifically articulate the new information, analysis and/or circumstances that warrant(s) reconsideration of the prior action;

c) The motion must be adopted by a majority of the full Council; and

d) The motion may only be made and considered at the next regularly scheduled meeting of the Council after the item was originally acted upon.

Step 2 – Full Reconsideration of the Prior Action, if a motion as outlined in Step 1 is approved.

a) The full reconsideration of the prior action will be placed on the next available Council agenda following the agenda-setting and required public notification process.

b) The agenda, public notification and staff report for the full reconsideration of the prior action shall clearly state that the item has been previously acted upon by the Council and is being reconsidered by the Council.

c) Action on the reconsideration of the prior action shall adhere to regular Council policies and practices as if the item was being heard for the first time.

d) The full reconsideration of the prior action (whether sustained, reversed or otherwise modified) will be the final action on that item, and no further reconsiderations will be considered.

~~M.~~O. Motions by the Chairperson

The Chairperson of the meeting may make or second motions. The Chairperson may also restate, or ask that the maker restate, all motions immediately prior to any vote.

APPROVED AS TO FORM:

_____

Robert Schultz, Town Attorney