ORDINANCE NO. 7,588-N.S.

AMENDING BERKELEY MUNICIPAL CODE SECTION 2.06.070 REGARDING THE SUBMISSION OF REVISED OR SUPPLEMENTAL AGENDA MATERIAL

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 2.06.070 is hereby amended to read as follows:

2.06.070 Agenda Packet distribution.

A. The Agenda Packet shall consist of the Agenda and all supporting documents for the agenda items.

B. No later than 11 days prior to a regular Meeting, the City Clerk shall:
   1. Distribute the Agenda Packet to each member of the City Council;
   2. Post the Agenda Packet to the City’s website;
   3. Place copies of the Agenda Packet in viewing binders in the office of the City Clerk and in the main branch of the Berkeley Public Library;
   4. Mail copies of the Agenda to any resident of the City of Berkeley who so requests in writing; and
   5. Make copies of the Agenda available free of charge in the City Clerk Department.

C. Failure to post the Agenda Packet to the City’s website shall not be a basis for cancelling a City Council meeting.

D. The City Clerk may not accept any agenda item or revised agenda item after the established deadlines, except for items carried over by the City Council from a prior City Council meeting occurring less than 11 days earlier, which may include supplemental or revised reports.

E. No item may be considered unless it is included in the Agenda Packet except that a correction or supplement to an item already included in the Agenda Packet may be considered, if either:
   1. the City Council, by a two-thirds roll call vote, determines that the good of the City clearly outweighs the lack of time for citizen review or City Council member evaluation of an item; or
   2. the correction or supplement to an item is posted on the City’s website with the City Council agendas no later than either:
a. 5:00 p.m. on the fifth calendar day prior to the City Council meeting at which it is to be considered; or

b. 5:00 p.m. on the day prior to the City Council meeting at which it is be considered, subject to the receipt of the correction or supplement by the City Clerk by noon on the day prior to the City Council meeting for distribution at the meeting.

Reports carried over as Old Business need not be reproduced again.

F. Matters not included on the published Agenda may be discussed and acted upon only if and to the extent authorized by the Brown Act, specifically Government Code section 54954.2(b) as it may be amended from time to time.

Section 2. Copies of this ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a special meeting of the Council of the City of Berkeley held on December 19, 2017, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Davila, Droste, Harrison, Maio, Wengraf, Worthington and Arreguin.

Noes: None.

Absent: Hahn.