

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Matthew J. Fertal
Dept: City Manager
Subject: TIME ALLOTTED FOR PUBLIC COMMENTS AT CITY COUNCIL MEETINGS

From: John D.R. Clark
Dept: City Clerk
Date: January 8, 2013

OBJECTIVE

To request City Council approval to amend the City Council's Manual of Procedure to reduce the time allotted to each public speaker from five minutes to three minutes.

BACKGROUND

Previous communications have noted that while Garden Grove provides members of the public five minutes to address the Council during Oral Communications and/or Public Hearings, the majority of other cities surveyed allow three minutes per speaker for public comments.

Recently, the City Clerk surveyed cities in both Orange County and across California. The survey found the following: 1) Orange County cities: 65% = three minutes per speaker, 35% = five minutes per speaker; 2) statewide cities: 75% = three minutes per speaker, 23% = five minutes per speaker. These results are very similar to a 2009 survey asking the same question, which found: 1) Orange County cities: 68% = three minutes per speaker, 32% = five minutes per speaker; 2) statewide cities: 65% = three minutes per speaker, 35% = five minutes per speaker.

The City uses the ten largest cities in Orange County as a standard set of comparators for a variety of benchmarking. Of these ten, Anaheim, Costa Mesa, Fullerton, Huntington Beach, Irvine, Orange, and Santa Ana use the three minute limit, while Buena Park, Newport Beach and Westminster use five minutes.

DISCUSSION

Staff has observed that at some meetings, an inordinate amount of time is devoted to public comment, often of a repetitive nature. While it is entirely a policy decision for the City Council to make, staff feels obligated to present the option of shortening the time allotment per speaker in order to facilitate a more efficient use

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of time. Lessening the allotment provides more opportunity for discussion and deliberation on substantive action items later in the agenda.

FISCAL IMPACT

None.

RECOMMENDATION

It is recommended that the City Council:

- Approve the attached Resolution amending Procedure D-4, "Time Limitation," in the Manual of Procedure for City Council Meetings, 2007 Edition, to reduce the time allotted to each speaker from five (5) minutes to three (3) minutes.



JOHN D.R. CLARK
Director of Human Resources/City Treasurer

Attachment 1: 2012 Survey of Orange County and Statewide Cities
Attachment 2: Resolution
Attachment 3: Manual of Procedure for City Council Meetings, 2007 Edition

Recommended for Approval



Matthew Fertal
City Manager

CITY	MINUTES	NOTES	ORANGE COUNTY
Aliso Viejo	3		Yes
Anaheim	3		Yes
Costa Mesa	3		Yes
Cypress	3	First Oral Communications - up to 30 minutes	Yes
Dana Point	3		Yes
Fullerton	3		Yes
Huntington Beach	3		Yes
Irvine	3	Mayor has discretion - "up to 3 minutes"	Yes
Laguna Beach	3	30 minute total	Yes
Laguna Hills	3		Yes
Laguna Niguel	3	allows donated time from other speakers	Yes
La Habra	3		Yes
Lake Forest	3		Yes
Mission Viejo	3		Yes
Orange	3		Yes
Rancho Santa Margarita	3		Yes
San Clemente	3		Yes
San Juan Capistrano	3		Yes
Santa Ana	3		Yes
Stanton	3		Yes
Buena Park	5		Yes
Brea	5		Yes
Cypress	5	Second Oral Communications (no time limit)	Yes
Fountain Valley	5		Yes
La Palma	5		Yes
Los Alamitos	5		Yes
Newport Beach	5		Yes
Placentia	5		
Seal Beach	5		Yes
Villa Park	5		Yes
Westminster	5		Yes
Yorba Linda	5		Yes

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<u>CITY</u>	<u>MINUTES</u>	<u>NOTES</u>	<u>ORANGE COUNTY</u>
Berkeley	1	Over 10 people (sometimes up to 50 speakers on an item)	
Daly City	2		
East Palo Alto	2		
Eastvale	2		
Los Altos Hills	2		
Sacramento	2		
San Rafael	2		
Santa Cruz	2	4 per group; 30 min total	
Santa Monica	2	per item -- 6 minutes max per person	
Wasco	2		
Adelanto	3		
Agoura Hills	3	Mayor may reduce if multiple speakers on same item	
Albany	3		
Anaheim	3		Yes
Anderson	3		
Antioch	3	non-agenda items	
Apple Valley	3		
Arcata	3		
Atwater	3		
Bakersfield	3	15 minutes per side, per topic	
Baldwin Park	3		
Bell Gardens	3		
Belmont	3	not allowed to donate time to other speakers	
Beverly Hills	3		
Big Bear Lake	3		
Burlingame	3		
Calabasas	3		
Calipatria	3		
Calistoga	3		
Camarillo	3		
Cambria	3		
Carmel-by-the-Sea	3		
Cathedral City	3		
Chico	3		
Chino Hills	3		
Chula Vista	3		
Clearlake	3		
Cloverdale	3		
Colusa	3		
Compton	3		

Concord	3		
Coronado	3		
Costa Mesa	3		Yes
Cupertino	3		
Cypress	3	First Oral Communications - up to 30 minutes	Yes
Dana Point	3		Yes
Davis	3		
Del Mar	3	May limit to 2 minutes if busy agenda or there are lots of speakers. Allow 2 speakers to donate time to another speaker up to 9 minutes	
Desert Hot Springs	3		
Duarte	3		
Dublin	3		
El Cerrito	3		
El Monte	3		
Elk Grove	3		
Emeryville	3		
Encinitas	3		
Escondido	3		
Eureka	3		
Fairfax	3	5 per group	
Fortuna	3		
Fresno	3		
Fullerton	3		Yes
Galt	3		
Gilroy	3		
Glendora	3		
Half Moon Bay	3	Adjust to 2 or 1 if multiple speakers. Not allowed to donate time to others	
Hayward	3	Individual	
Hercules	3	30 minute total	
Hermosa Beach	3		
Hesperia	3		
Hollister	3		
Huntington Beach	3		Yes
Huntington Park	3		
Inglewood	3		
Irvine	3	Mayor has discretion - "up to 3 minutes"	Yes
Kerman	3		
La Habra Heights	3		

La Mesa	3		
La Quinta	3		
Lafayette	3		
Laguna Beach	3	30 minute total	Yes
Laguna Hills	3		Yes
Laguna Niguel	3	allows donated time from other speakers	Yes
Lake Forest	3		Yes
Lakeport	3		
Lancaster	3		
Larkspur	3		
Livermore	3		
Loma Linda	3		
Long Beach	3	30 minute total	
Los Altos	3		
Malibu	3		
Manhattan Beach	3	Public	
Manteca	3		
Martinez	3		
Mendota	3		
Menifee	3	Applicants no limit	
Menlo Park	3	9 per group	
Millipitas	3		
Millbrae	3	reduced to 2 if more than 10 speakers	
Mission Viejo	3		Yes
Modesto	3		
Montebello	3		
Monterey	3		
Moreno Valley	3		
Morro Bay	3		
Mountain View	3	If more than 15 persons speaking to one item, then limited to 2 minutes	
Mt. Shasta	3		
Murrieta	3		
National City	3		
Needles	3		
Norco	3		
Novato	3		
Oakley	3		
Ontario	3		
Orange	3		Yes
Orinda	3		
Oroville	3		
Oxnard	3		
Palm Springs	3		
Palmdale	3		
Palos Verdes Estates	3		
Paradise	3		

Perris	3		
Petaluma	3		
Pico Rivera	3		
Pinole	3		
Pismo Beach	3	Public	
Pittsburg	3		
Placerville	3	5 per group	
Pleasanton	3	Mayor may establish different time limits	
Pomona	3		
Port Hueneme	3		
Porterville	3		
Rancho Cordova	3		
Rancho Palos Verdes	3	20 or more speakers, reduced to 2 minutes	
Red Bluff	3		
Redding	3		
Redlands	3		
Redondo Beach	3	6 per group	
Redwood City	3		
Riverside	3		
Rohnert Park	3		
Salinas	3		
San Bruno	3		
San Clemente	3		Yes
San Dimas	3	30 minute total	
San Fernando	3		
San Francisco	3	may be limited to a total of 30 minutes	
San Juan Capistrano	3		Yes
San Leandro	3	9 per group	
San Luis Obispo	3		
San Mateo	3		
San Pablo	3	subject to increase or decrease depending on the number of speakers	
San Ramon	3		
Sanger	3		
Santa Ana	3		Yes
Santa Clarita	3		
Santa Fe Springs	3		
Santa Margarita	3		
Santa Maria	3		
Santa Rosa	3		
Saratoga	3		
Sausalito	3		
Scotts Valley	3	individual	
Sebastopol	3	Mayor may reduce if multiple speakers on same item	

Selma	3		
Simi Valley	3	45 minute total	
Solana Beach	3		
Sonoma	3		
South Lake Tahoe	3		
South Pasadena	3		
Stanton	3		Yes
Sunnyvale	3		
Temecula	3	non-agenda items	
Thousand Oaks	3	Study Sessions: 16+ speakers - 2 minutes	
Torrance	3		
Truckee	3		
Twentynine Palms	3		
Ukiah	3		
Union City	3		
Upland	3		
Vallejo	3	Consent Calendar and Non-Agenda Items	
Vista	3		
Walnut Creek	3		
Watsonville	3		
Weed	3		
West Sacramento	3		
Westlake Village	3		
Wheatland	3		
Whittier	3		
Wildomar	3		
Windsor	3		
Winters	3		
Woodlake	3	15 minutes max	
Yuba City	3		
Yucaipa	3		
Yucca Valley	3		
Santa Clara	3	Mayor's prerogative. Multiple people have gone down to 1 minute	
Fremont	4	Oral Communications	
Marina	4		
Alhambra	5		
Arcadia	5		
Azusa	5		
Biggs	5		
Brea	5		Yes
Brentwood	5		
Burbank	5	First Oral Communications	
Chino	5		
Chowchilla	5		

Colton	5		
Commerce	5		
Covina	5		
Diamond Bar	5	It multiple speakers, they suggest only a few speak	
Downey	5	30 minute total	
El Segundo	5		
Escalon	5		
Fairfield	5	up to 15 speakers	
Ferndale	5		
Fontana	5		
Fort Bragg	5	30 minute total	
Foster City	5		
Fountain Valley	5		Yes
Garden Grove	5		
Glendale	5		
Hanford	5		
Hawthorne	5		
Imperial	5		
Jackson	5		
La Palma	5		Yes
La Puente	5		
Lakewood	5	Large crowd - then 2-3 minutes	
Lathrop	5		
Lawndale	5		
Lemoore	5		
Lodi	5		
Lomita	5		
Lompoc	5	Oral Communications at the beginning of the meeting and Agenda Items	
Los Alamitos	5		Yes
Los Banos	5		
Mammoth Lakes	5		
Merced	5		
Newark	5		
Norwalk	5		
Oakdale	5		
Placentia	5		Yes
Portola	5		
Rancho Cucamonga	5		
Ridgecrest	5		
Riverbank	5		
Seal Beach	5		Yes
Solvang	5		
Southgate	5		
Stockton	5		
Taft	5		

Tracy	5		
Villa Park	5		Yes
West Covina	5	30 minute total	
Westminster	5		Yes
Yorba Linda	5		Yes
Yountville	5		
Monrovia	5		

Not enforced. Total of 45 minutes at the beginning of meeting. All others wait until the end of the meeting.

Irwindale	No Limits
San Gabriel	No Limits
Signal Hill	No Limits

	1 1 min	0.38%	} 75.29%
	9 2 min	3.42%	
	188 3 min	71.48%	
	2 4 min	0.76%	
	60 5 min	22.81%	
	3 no limit	1.14%	
	<hr/> 263	<hr/> 100.00%	

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
AMENDING THE MANUAL OF PROCEDURE (2007 EDITION)

WHEREAS, the City Council of the City of Garden Grove desires to increase the effectiveness of its meetings and allow the maximum time available for discussion, deliberation, and consideration of agenda items requiring specific and immediate action;

WHEREAS, the City Council has previously adopted a Manual of Procedure to regulate such matters as the time allotted for public comment;

WHEREAS, in the judgment of the City Council, a modification in the time allotted per public speaker would reduce redundant comment while still allowing a generous time period; and

NOW, THEREFORE, be it resolved that the City Council does hereby amend Procedure D-4, "Time Limitation", in the Manual of Procedure (2007 Edition), to read as follows:

D-4. TIME LIMITATION

Every person addressing the Council will limit their address to three (3) minutes. When any group of persons wishes to address the Council on the same subject, it shall be proper for the Presiding Officer to request that a spokesperson be chosen to represent the group, so as to avoid unnecessary repetition. At the City Council's discretion, a limit on the total amount of time for public comments during oral communications and/or a lesser limit on the time allotted to each speaker during oral communications may be set in order to facilitate consideration of a topic or to allow completion of a meeting with a lengthy agenda within a reasonable time.

ORAL COMMUNICATIONS

Taxpayers or residents of the City, or their authorized representatives, may address the Council by Oral Communications on any matter concerning municipal business over which the Council has jurisdiction, or which is listed on the agenda, except public hearing items.

D-3. MANNER OF ADDRESSING COUNCIL

Any person desiring to address the Council may be requested to fill out a card, present it to the City Clerk, and wait to be recognized by the Presiding Officer. After being recognized, they shall approach the podium, state their name for the record, and proceed to address the Council. All remarks and questions shall be addressed to the Council as a whole and not to any individual member. No question shall be asked of a Council Member or a member of the City staff without first obtaining permission of the Presiding Officer.

D-4. TIME LIMITATION

Every person addressing the Council will be requested to limit their address to five (5) minutes or as granted by the City Council. When any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Presiding Officer to request that a spokesperson be chosen to represent the group, so as to avoid unnecessary repetition. At the Council's discretion, a limit on the total amount of time for public comments during oral communications and/or a further limit on the time allotted to each speaker during oral communications may be set in order to facilitate consideration of a topic or to allow completion of a meeting with a lengthy agenda within a reasonable time.

D-5. IMPROPER REMARKS

Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Council shall be called to order by the Presiding Officer. If such conduct continues, the Presiding Officer may