



**LINDA MAIO**  
Councilmember  
District 1

**ACTION CALENDAR**  
January 21, 2014

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Councilmember Linda Maio  
**SUBJECT:** New Agenda Section, Referred Items

**RECOMMENDATION:**

Create a section of the Council Agenda called “Referred Items” to be placed at the end of the agenda to be used for those Council Items that have significant grammatical or other readability problems, and/or lack background information that is clearly essential and should be available to the public.

**BACKGROUND:**

The Agenda Committee frequently receives items that are poorly prepared, as noted above. Although the Committee members attempt to point out errors in grammar and/or readability, and frequently make corrections, items continue to be submitted in this condition to the Berkeley City Council Agenda. In addition, items often lack adequate background information that is essential to the request for the benefit of both the Council and the public. Because a Council Member has the right to forward an item regardless of its readiness, and in respect of that right, I am recommending that these items be treated separately. I am requesting that a separate section be created at the end of the agenda, called “Referred Items,” where these items would reside. Below is the recommended language, to be found in: The Berkeley City Council Rules of Procedure and Order, Adopted by Resolution No. 66,180–N.S. Effective June 4, 2013 III. Agenda, Section C.

The Agenda Committee shall have the powers set forth below.

a) Items Authored by a Councilmember or the Auditor. As to items authored by the Mayor, a Councilmember, or the Auditor, the Agenda Committee shall review the report for the item and may recommend that the matter be referred to a commission, to the City Manager, or back to the author for adherence to required form or for additional analysis as required in Section III.B.2, or suggest other appropriate action including scheduling the matter for a later meeting to allow for appropriate revisions.

The author of a “referred” item must inform the City Clerk within 24 hours of the adjournment of the Agenda Committee whether he or she prefers to:

1) hold the item for a future meeting pending modifications as suggested by the Committee;

- 2) have the item appear on the Council agenda under consideration as originally submitted;
- 3) pull the item completely; or
- 4) re-submit the item with revisions as requested by the Agenda Committee for the Council agenda under consideration.

In the event that the City Clerk does not receive guidance from the author of the referred item within 24 hours of the Agenda Committee's adjournment, the recommendation of the Agenda Committee will take effect.

Items held for a future meeting to allow for modifications will be placed on the next available Council meeting agenda at the time that the revised version is submitted to the City Clerk. If changes made to the item extend beyond the scope of the Agenda Committee referral recommendations, the item must be re-submitted as a new Council item.

For authors of referred items that select option 2) above, the referred item will automatically be placed at the end of the Action Calendar under the heading "Referred Items". The Agenda Committee shall specify the reason for the referral from the categories listed below. This reason shall be printed with the item on the agenda.

Reason 1 – Significant Lack of Background or Supporting Information

Reason 2 – Significant Grammatical or Readability Issues

FINANCIAL IMPLICATIONS:

None

CONTACT PERSON:

Councilmember Linda Maio

Council District 1

(510) 981-7110