

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING VARIOUS PROVISIONS OF CHAPTER 2, ARTICLE I OF THE OCEANSIDE CITY CODE TO CLARIFY ADMINISTRATIVE PROCEDURES FOR SUBMITTING A REQUEST TO SPEAK AT CITY COUNCIL MEETINGS AND TO REMOVE GROUP PRESENTATION PROVISIONS

WHEREAS, the Ralph M. Brown Act (“Brown Act”) requires, with specified exemptions, that all meetings of the City Council be open and public and that all persons be permitted to attend and participate; and

WHEREAS, on October 3, 2025, California Senate Bill 707 (“SB 707”) was enacted, amending multiple provisions of the Brown Act; and

WHEREAS, SB 707 requires, with limited exceptions, that the public be able to participate remotely in City Council meetings held on or after July 1, 2026; and

WHEREAS, the City Council of the City of Oceanside intends to make a remote public participation platform available to the public for City Council meetings held on or after July 1, 2026; and

WHEREAS, SB 707 requires that members of the public participating remotely be provided with the same public comment time allotment as persons attending the meeting in person; and

WHEREAS, the City Council desires to clarify and amend the Oceanside City Code provisions related to remote and in-person public comment to implement the provisions of SB 707 at Oceanside City Council meetings.

NOW, THEREFORE, the City Council of the City of Oceanside does ordain as follows:

SECTION 1. Chapter 2, Section 2.1.17 of the Oceanside City Code is hereby amended to read:

Certain items for inclusion on the agenda which have been reviewed by the city manager, delivered to the city council and made available to the public prior to the council meeting, shall be grouped together for action and listed under the consent

1 calendar, when such matters are considered to be noncontroversial or routine in nature.

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3 The actions recommended by the city manager shall be summarized in the agenda
4 statement for each item on the consent calendar. The consent calendar items may be
5 approved by a single motion. Before adoption of the consent calendar the mayor shall
6 first determine whether any member of the council, city staff or the audience desires to
7 remove an item for comment or discussion. In that event, the mayor may defer action on
8 the particular matter or matters and place them on the regular agenda for consideration in
9 any order deemed appropriate. A request from the public to comment on an item must be
10 submitted to the city clerk prior to council consideration of the consent calendar. Any
11 member of the city council may record a negative vote or an abstention on a consent
12 calendar item without removing the item for discussion by so noting before or after a
13 motion to approve the consent calendar is on the floor.

14 The written agenda available to the public and to the city council shall provide an
15 explanation to the public concerning the consent calendar which reads substantially as
16 follows:

17 "All items listed on the consent calendar are considered to be routine matters or
18 are considered formal documents covering previous city council instructions. The
19 items listed on the consent calendar may be enacted in the form listed below by
20 one motion and a second. There will be no separate discussion of the consent
21 calendar items unless members of the city council, the city staff or the public
22 request discussion on specific consent calendar items at the beginning of the
23 meeting. Public requests to discuss consent calendar items must be filed with the
24 city clerk before the consent calendar is called."

25 SECTION 2. Chapter 2, Section 2.1.17 (a)-(c) of the Oceanside City Code are hereby
26 amended to read:

27 (a) It is the policy of the council to permit members of the public to address the council
28 on non-public hearing agenda items. The amount of time allocated to speakers on a
particular item shall be established by the presiding officer, but in no event shall be

1 in excess of three (3) minutes unless a greater time limit is approved by the city
2 council. Unless further time is granted by a majority vote of the council, the speaker
3 shall limit his or her remarks to the time limit established by the presiding officer.

4 (b) Any person desiring to address the council on a matter not formally scheduled for
5 public hearing must submit a request for permission to address the council. A request
6 from the public to comment on an item must be submitted to the city clerk prior to
7 council consideration of the consent calendar. There shall be no sharing or donation
8 of time to speak between individual speakers.

9 (c) Each person desiring to address the council shall state his or her name and address
10 or area of the city in which he or she lives for the record, and state whom he or she
11 is representing if he or she represents an organization or other persons. All remarks
12 shall be addressed to the council as a whole and not to any member thereof. No
13 questions shall be asked of a council member or a member of the city staff without
14 obtaining the permission of the presiding officer. The presiding officer shall not
15 permit any communication, oral or written, to be made or read where it does not
16 bear directly on the agenda item then under discussion.

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18 Chapter 2, Section 2.1.26 (d) and (e) shall remain unchanged.

19 SECTION 3. Chapter 2, Section 2.1.27 (b) and (d) of the Oceanside City Code are hereby
20 amended to read:

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22 (b) Speakers shall be limited to three (3) minutes each. Public input shall not be limited
23 so long as scheduled public hearings are allowed to proceed on time. A request from
24 the public to comment on an item must be submitted to the city clerk prior to council
25 consideration of the consent calendar. Speakers will be called with priority given to
26 the written requests to speak filed seven (7) days in advance, in order of receipt. Any
27 requests to speak that have not been heard prior to any public hearing, will be heard
28 after the other agenda items have been considered.

1 (d) Each person desiring to address the council shall state his or her name and address
2 for the record, state the matter of city business he or she wishes to discuss, and state
3 whom he or she is representing if he or she represents an organization or other
4 persons. All remarks shall be addressed to the council as a whole and not to any
5 member thereof. No questions shall be asked of a council member or a member of
6 the city staff without obtaining the permission of the presiding officer. The presiding
7 officer shall not permit any communication, oral or written, to be made or read where
8 it does not bear on a matter of city business which is within the subject matter
9 jurisdiction of the city council.

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11 Chapter 2, Section 2.1.27(a), (c), and (e) shall remain unchanged.

12 SECTION 4. Chapter 2, Section 2.1.38(d)(5) is hereby deleted.

13 SECTION 5. The City Clerk of the City of Oceanside is hereby directed to publish this
14 ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days
15 after its passage in a newspaper of general circulation published in the City of Oceanside.

16 SECTION 6. This ordinance shall take effect and be in force on July 1, 2026.

17 SECTION 7. Severability.

18 If any section, sentence, clause or phrase of this Ordinance is for any reason held to be
19 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
20 shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby
21 declares that it would have passed this ordinance and adopted this Ordinance and each section,
22 sentence, clause or phrase thereof, irrespective of the fact that any one or more sections,
23 subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

24
25 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
26 California, held on the ___ day of _____, 20__ and, thereafter,

27 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
28 Oceanside California, held on the ___ day of _____, 20__, by the following vote:

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AYES:

NAYS:

ABSENT:

ABSTAIN:

MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

CITY ATTORNEY