

Lompoc City Council Agenda Item

City Council Meeting Date: May 18, 2010

TO: Honorable Mayor and City Councilmembers

FROM: Laurel Barcelona, City Administrator, L_Barcelona@ci.lompoc.ca.us
Joseph W. Pannone, City Attorney, jpannone@awattorneys.com

SUBJECT: REVIEW OF PREVIOUSLY APPROVED INVOCATION PROVISION OF
THE CITY COUNCIL HANDBOOK



RECOMMENDATION:

It is recommended the City Council adopt Resolution No. 5611(10), approving the revised City Council Handbook.

BACKGROUND/DISCUSSION:

At your meeting of February 16, 2010, you adopted Resolution No. 5611(10), which approved the revised City Council Handbook. That version reorders the Handbook, brings it up to date, deletes certain provisions due to their being part of other City documents and provides references to those other documents. Many of the changes were an effort to streamline the Handbook by not restating provisions of law that are applicable. Other changes were to clarify provisions.

That adopted Handbook also revised language of the provision dealing with Invocations at Council meetings. The adopted language, as proposed by the City Attorney, attempts to balance legal requirements with important beliefs.

As a result of the adoption of that provision, concerns were raised by the public and objections to that language were presented. Based on that additional input from the public, the City Council directed Mayor Siminski and Councilmember Ruhge to meet with representatives of the Lompoc Ministerial Association, as well as the Lompoc Interfaith Alliance.

That meeting was held on April 1, 2010. As a result of that meeting, through a motion made by Councilmember Ruhge, the City Council directed the Handbook's Invocation provision be modified as shown below in **bold, italicized underline**:

C11. Invocations

The courts have concluded sectarian prayer as part of City Council meetings is not permitted under the Constitution. To meet that legal requirement, the City Council will allow, on a rotating basis, one person to provide an invocation consisting of **non-sectarian prayer or** inspiring words at the beginning of each Council meeting. Any person providing that invocation will be expected to follow the above legal requirements. If someone does not follow those requirements, then that person shall be removed from that rotation list. During the public comment period of any regular Council meeting, the City Council will not impinge on any person's Constitutional right to provide **prayers or other** inspiring words they choose about matters of public interest which are within the City Council's jurisdiction.

All those who attended the April 1, 2010 meeting have been provided notice of this agenda item, as have the Lompoc Ministerial Association and the Interfaith Alliance. Others who spoke at previous meetings at which the Invocation was discussed were also notified.

Please note: The previously adopted Resolution No. 5611(10) was not finalized and signed due to the Council's continued discussion regarding the issue of the Invocation policy for Council meetings.

