



Councilmembers' Handbook

Prepared by the City Manager's Department/City Clerk's Division

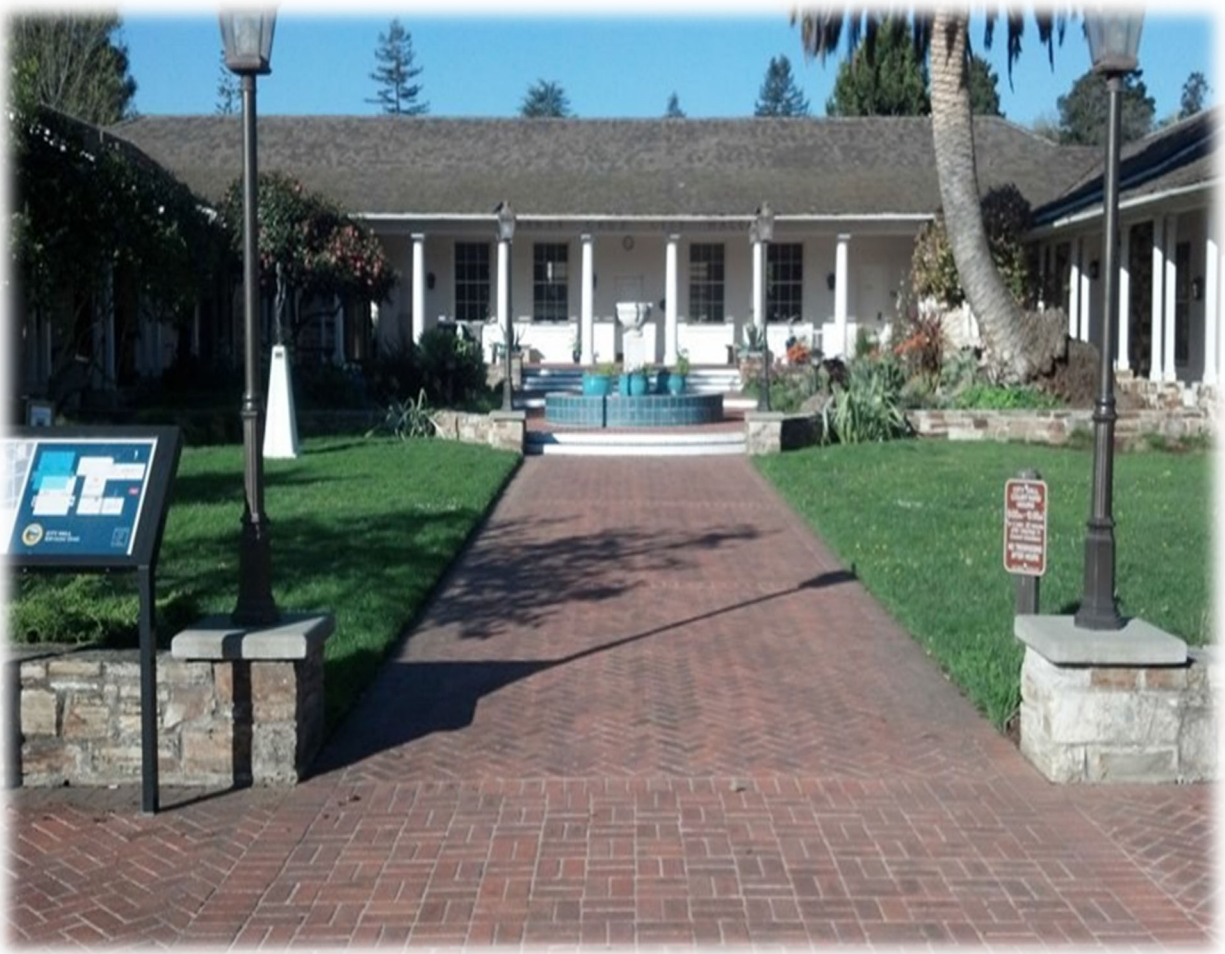


Table of Contents

RULES OF PROCEDURE FOR CONDUCT OF CITY COUNCIL BUSINESS

<u>Council Interactions</u>	4
<u>Quorum</u>	5
<u>Agenda</u>	5
<u>Order of Business</u>	6
Special Meetings.....	6
<u>Consent Agenda</u>	7
<u>Standard Procedure for General Business and Public Hearing Items</u>	7
<u>Decorum in City Council Meetings</u>	8
Requirements	8
Enforcement	9
Announcements	10
Continued Meetings (if necessary).....	10
<u>Duties of Presiding Officer</u>	10
<u>Procedural Rules for Motions and Debates</u>	11
Presiding Officer	11
Councilmember.....	11
Point of Order	11
Regular Motion	12
Motion to Amend/Substitute Motion	12
Friendly Amendment.....	12
Request/Motion to Divide the Question.....	12
Motion to Limit Consideration	13
Motion to Call the Question	13
Motion to Reconsider	13
Motion to Rescind	13
Motion to Suspend the Rules	14
Multiple Motions	14
<u>Addressing the Council after Public Comment is Closed</u>	14
<u>Council Action</u>	15
Disqualifications	15
Voting.....	15
Vote Required	16
Tie Vote	16
Disqualification.	16
Absence.	16
Successive Tie Votes	17
Motion to Table	17

Table of Contents *cont'd*

<u>Motion to Adjourn</u>	17
<u>Motion to Fix the Time to Adjourn</u>	17
<u>Motion to Recess</u>	18
<u>Addressing the Council from the Floor</u>	18
<u>Securing Permission to Speak</u>	18
<u>Individuals</u>	18
<u>Spokesperson for Group Presentations</u>	18
<u>Council Engagement with the Public During Public Comment</u>	19
<u>Oral Communications</u>	19
<u>Speaker Timer</u>	20
<u>Public Hearings</u>	20
<u>Meeting Minutes</u>	21
<u>Method of Keeping Minutes</u>	21
<u>Remarks of Councilmembers Entered in Minutes</u>	21
<u>Synopsis of Debate Entered in Minutes</u>	21
<u>Delivery of Minutes</u>	21
<u>Approval of Minutes</u>	21
<u>Correction of Minutes</u>	22
<u>Processing Council Agenda-Related Mail</u>	22
<u>Special Committees</u>	22
<u>Preparation and Staff Approval of Ordinances, Resolutions, and Contracts</u>	22
<u>Handbook Approval History</u>	23

RULES OF PROCEDURE FOR CONDUCT OF CITY COUNCIL BUSINESS

COUNCIL INTERACTIONS

In interactions with each other, Councilmembers will abide by the following principles:

- **Be Respectful:** Treat each other with respect, even when/especially when there is disagreement.
- **Engage in Open and Honest Communication:** Be direct, straightforward, and transparent with each other.
- **Be Honest and Truthful:** Act with integrity and authenticity; be ethical.
- **Address Difficult Issues:** Confront challenging topics directly; avoid talking around them or not talking about them at all.
- **Find Areas of Common Ground:** Seek areas of agreement; identify shared interests, values, and positions.
- **Be Open to Different Perspectives:** Keep an open mind; be willing to change your views with new information, data, etc.
- **Give the Benefit of the Doubt:** Freely give credit for good intentions; avoid ascribing bad intentions.
- **Role Model Good Leadership:** Be professional; adhere to standards of civility; demonstrate effective leadership for the community.
- **Be Considerate of Each Other's Time:** Manage expectations about responsiveness and availability, recognize the time limitations and constraints of your colleagues.

QUORUM

Four members of the City Council (Council) constitute a quorum to do business, but less than that number may adjourn from time-to-time. When there is no quorum, the Mayor, Vice Mayor, or any other Councilmember shall adjourn the meeting. If no Councilmember is present, the City Clerk shall adjourn the meeting.

AGENDA

All written petitions, communications, and other matters to be submitted to the City Council for inclusion in the agenda packet for consideration at a regular or adjourned regular meeting should be delivered to the City Clerk no later than the time established by current administrative policy. The Mayor, in consultation with the City Manager, City Clerk, and department heads will establish the agenda and the order of the agenda. The City Clerk shall compile the agenda, listing all matters to be considered by the Council according to the order of business, numbering each item consecutively. A copy of the agenda, complete with all accompanying agenda reports and other background materials, shall be delivered to each Councilmember, the City Attorney, City Manager, Assistant City Manager, and department heads, so as to be available to the recipient no later than the Friday preceding the Council meeting. The agenda packet with supporting material will be available to the public on the City's website no later than the Friday preceding the Council meeting. The agenda only, without the supporting material, is available to the public in the City Manager's Department/City Clerk's Division and is posted on the bulletin board outside the City Council Chambers no later than the Friday afternoon preceding the Council meeting, and in the Council Chambers during each meeting.

Generally, only those matters listed on the agenda shall be finally acted upon by Council. However, if a matter is deemed by any Councilmember, the City Manager, City Clerk, or City Attorney to be urgent, it may, in accordance with the Brown Act, be added to the agenda and acted upon by the Council if an explanation of the urgency is stated in an open Council meeting and a majority, or super majority, depending upon the applicable provisions of the Brown Act, of the Council consents to hear it.

ORDER OF BUSINESS

The business of the Council at regularly scheduled meetings shall be disposed of in the following order:

Afternoon Session (start time determined by Mayor):

- Call to Order
- Roll Call
- Oral Communications
- Administrative Business (Presentations; Presiding Officer's Announcements; Statements of Disqualification; Additions and Deletions; City Attorney Report on Closed Session)
- Review Council Meeting Calendar
- Consent Agenda
- Council Business (Consent Public Hearings, Public Hearings, and General Business)
- Adjournment (if no Evening Session is scheduled)
- Recess to Evening Session (if scheduled)

Evening Session (start time determined by Mayor):

- Call to Order
- Roll Call
- Administrative Business (Presentations)
- Council Business (Public Hearings and General Business)
- Adjournment

Whenever necessary to expedite the business of the meeting or to accommodate members of the public, the presiding officer may alter the order of business. The presiding officer will solicit Councilmembers' views but ultimately will make the decisions if and how to change the agenda. A Councilmember should alert the presiding officer should he/she expect a large group to be in attendance.

Special Meetings

The Mayor will set the order of business for special meetings. Oral communications are not required during special meetings. Every agenda for a special meeting will state the public's right to address the Council on the item(s) appearing on that agenda.

CONSENT AGENDA

Councilmembers will attempt to have their questions about consent agenda items answered by City staff in advance of the Council meeting. Councilmembers may ask a brief clarifying question about a Consent Agenda item without pulling it. If there is a policy question or deeper line of questioning, the item should be pulled from the Consent Agenda.

Should a Councilmember want to pull an item from the Consent Agenda, the Councilmember will provide the Presiding Officer and City Manager advance notice of intent to pull the item. The Councilmember will announce which items he/she intends to pull at the beginning of the Consent Agenda.

Prior to the Council's consideration of the Consent Agenda, members of the public are invited to comment on any Consent Agenda items. After public comment, any Councilmember may remove Consent Agenda items from the Consent Agenda. Items which remain on the Consent Agenda will be acted upon by the Council pursuant to a single motion. Items removed from the Consent Agenda will be considered after the Council vote on the Consent Agenda. Members of the public may comment on removed Consent Agenda items prior to the Council action on these items.

It is acceptable to register a "no" vote on an item on the Consent Agenda without pulling the item from the Consent Agenda. The Councilmember would state that the Councilmember wishes to vote "no" on the item, with or without a brief explanation, before the Mayor calls the vote. After the vote, the Mayor will announce the outcome as: "Motion carries unanimously with the exception of Councilmember "A" voting "no" on item x."

STANDARD PROCEDURE FOR GENERAL BUSINESS AND PUBLIC HEARING AGENDA ITEMS

Councilmembers should refrain from making motions until after public comment on an agenda item. The general order for items:

- 1) Staff or Sponsoring Councilmember Presentation
- 2) Council Questions
- 3) Public Comment
- 4) Council Motion
- 5) Council Comments and Deliberation
- 6) Vote

STANDARD PROCEDURE FOR GENERAL BUSINESS AND PUBLIC HEARING AGENDA ITEMS (continued)

Generally, there is a preference for reserving Councilmembers comments for the deliberative process after questions have been asked and answered.

DECORUM IN COUNCIL MEETINGS

Requirements

- 1) Councilmembers will refrain from texting and the use of social media while at the dais, except in case of urgent need or emergency.
- 2) Councilmembers will use their computers or devices to access their agenda materials, and use e-mail as needed for business purposes, such as communicating with the City Clerk during the meeting or checking e-mails from the public.
- 3) While the Council is in session, all persons shall preserve order and decorum. Any person who causes a disruption at the Council meeting shall be removed from the meeting and barred from further attendance at said meeting by the presiding officer unless permission for continued attendance is granted by a majority vote of the Council.

Disruption is defined as behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting. An individual may cause a disruption by failing to comply with reasonable meeting rules, using force or threatening to use force, or causing other disruptions.

Prior to removal, the presiding officer shall warn the disruptive individual that continuing the disruptive behavior may result in their removal. If the individual is warned and then fails to cease their disruptive behavior, the presiding officer may order that the individual be removed. A warning is not required prior to removal if the individual is engaging in violent behavior or is threatening to use violence.

In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting infeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the presiding officer or the Council may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section and the Council may, but all not be required to, readmit

DECORUM IN COUNCIL MEETINGS (continued)

Requirements (continued)

an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting. (Gov. Code § 54957.9.)”

- 4) Every member of the public and every Councilmember desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, should confine comments to the question under debate, avoiding all indecorous language and references to personalities and abiding by the following rules of civil debate. Members of the public addressing a council meeting shall speak from the public lectern and speak into the microphone so that comments can be broadcast and recorded.
- 5) No persons other than Councilmembers and necessary City staff are permitted on the Council dais.
- 6) Except as otherwise set forth below, no audio/visual recording devices may be left unattended at the speaker’s lectern or elsewhere in the Council Chambers. Cell phones, beepers, and similar devices shall be turned off or inaudible in Council Chambers during Council meetings.
- 7) Individuals may place, and leave unattended, audio recording devices at the designated location in Council Chambers on the window ledge adjacent to the “Press Box” sign.
- 8) Individuals shall not be allowed to bring furniture into Council Chambers, or other items that might obstruct free passage within or ingress to or egress from Council Chambers, or to place any such obstructions in Council Chambers aisles or passage ways.

Enforcement

The Chief of Police (or representative) shall act as ex-officio sergeant-at-arms of the Council. The Police Chief shall carry out all orders and instructions of the presiding officer for the purpose of maintaining order and decorum inside and outside of the Council Chambers.

DECORUM IN COUNCIL MEETINGS (continued)

Enforcement (continued)

Persons who disrupt a Council meeting while in session are subject to arrest and prosecution. Upon instructions of the presiding officer it should be the duty of the sergeant-at-arms or any police officer present to eject from the Council Chambers any person in the audience who uses boisterous or profane language, or language tending to bring the Council or any Councilmember into contempt, or any person who interrupts and refuses to keep quiet or take a seat when ordered to do so by the presiding officer or otherwise disrupts the proceedings of the Council meeting.

Announcements

The Mayor or Councilmembers may make announcements of general interest to other Councilmembers or members of the public. These announcements may include, but not be limited to, meeting schedule information, meetings of general community interest, or other general information. No written material will be presented, no recommendations will be made, and no actions will be taken, although the Council may direct staff to report back with regard to an item that is the subject of an item for future discussion at a regular or special meeting.

Continued Meetings (if necessary)

If a Council meeting is continued to consider unfinished business, a notice of continuance will be posted within 24 hours. Oral Communications will be heard once, not in each session of the continued meeting. Members of the public will be allowed to comment on continued agenda items at one session, but not a second time at a continued session.

DUTIES OF PRESIDING OFFICER

The Mayor (or in the Mayor's absence, the Vice Mayor) shall be the presiding officer of the meeting. In the absence of the Mayor and the Vice Mayor, the City Clerk or Deputy City Clerk shall call the Council meeting to order, whereupon a temporary presiding officer shall be elected by the members of the Council who are present. Upon the arrival of the Mayor or the Vice Mayor, the temporary presiding officer shall relinquish the chair upon the conclusion of the item of business then pending before the Council.

The presiding officer shall preserve strict order and decorum at all meetings of the Council, announce the Council's decisions on all subjects, decide all questions of order in accordance with the procedural rules for motions and debate, and announce the Council's vote on all actions or direct the City Clerk to do so. If there is an appeal to a decision of the

DUTIES OF PRESIDING OFFICER (continued)

presiding officer, the Council as a whole shall decide the question by majority vote. Any Councilmember, with the exception of the presiding officer, may move to appeal a decision of the presiding officer. If the appeal motion is seconded by another Councilmember, the Council shall vote on the appeal. If the appeal motion is not seconded, the presiding officer's decision shall stand. The presiding officer's name shall be called last on any question in voting.

PROCEDURAL RULES FOR MOTIONS AND DEBATES

Presiding Officer

The presiding officer may debate and may second motions, but may not make a motion. The presiding officer is subject to the limitations of debate that are imposed on all Councilmembers and, except for making motions, shall not be deprived of any of the rights and privileges of a Councilmember.

Councilmember

Every Councilmember desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, shall confine comments to the question under debate, avoiding all indecorous language and references to personalities and abiding by the rules of civil debate herein stated. A Councilmember, once recognized, shall not be interrupted except according to rules of parliamentary procedure (e.g., for a point of order, parliamentary inquiry, or appeal of the presiding officer's procedural ruling). In addressing the issue under consideration, a Councilmember shall be guided by the following principles:

- 1) We may disagree, but we will be respectful of one another;
- 2) All comments will be directed to the issue at hand;
- 3) Personal attacks should be avoided.

Point of Order

Any Councilmember, with the exception of the presiding officer, may call for a point of order to bring to the attention of the Council a violation of these rules, an omission, a mistake, or an error in procedure, and to secure a ruling from the presiding officer on the question raised. The point of order shall be raised immediately after the violation, omission, mistake or error in procedure has been committed. A Councilmember who wishes to call for a point of order may interrupt a Councilmember who has the floor at the time but shall not explain the basis for his or her point of order until subsequently recognized by the presiding officer. The presiding officer, in his or her discretion, may allow the Councilmember who was interrupted to conclude his or her remarks before ruling on the point of order. A point of order

PROCEDURAL RULES FOR MOTIONS AND DEBATES (continued)

Point of Order (continued)

is not debatable; however, the presiding officer may consult with the City Attorney or City Manager before ruling on the point of order.

Regular Motion

Any Councilmember, with the exception of the presiding officer, may make a regular motion. A regular motion is debatable.

Motion to Amend/Substitute Motion

Any Councilmember, with the exception of the presiding officer, may make a motion to amend a regular motion or a motion to substitute a new motion for a regular motion. A motion to amend and a substitute motion are both debatable. If the nature of the motion is in question, the presiding officer shall decide whether the motion is a motion to amend (which seeks to retain but modify a regular motion) or a substitute motion (which seeks to replace a regular motion with a new and different motion). If the motion to amend or substitute motion is seconded, the Council shall first vote on whether to accept the motion. If the Council votes to accept the motion, the Council shall then vote on the amended motion or substitute motion. If the Council votes not to accept the motion, the Council shall then vote on the original motion.

Friendly Amendment

Any Councilmember including the presiding officer may ask the moving Councilmember to authorize a friendly amendment to a motion on the floor. If acceptable to both the moving Councilmember and seconding Councilmember, the motion shall thereafter proceed as amended. If not acceptable to the moving Councilmember or seconding Councilmember, the Councilmember who requested the friendly amendment may thereafter make a motion to amend. The presiding officer shall decide whether or not to allow debate or limit debate on a proposed friendly amendment.

Request/Motion to Divide the Question

The presiding officer may, in his or her discretion, divide the motion into multiple questions after a motion has been made and seconded. Any Councilmember may request that the presiding officer divide the motion into multiple questions after a motion has been made and seconded. If, upon request, the presiding officer declines to divide the question, any Councilmember may make a motion to divide the question. The presiding officer shall decide whether or not to allow debate or limit debate on a motion to divide the question.

PROCEDURAL RULES FOR MOTIONS AND DEBATES (continued)

Request/Motion to Divide the Question (continued)

When dividing the question, the presiding officer or the requesting or moving Councilmember shall clearly state each question to be the subject of a separate Council vote.

Motion to Limit Consideration

Any Councilmember, with the exception of the presiding officer, may make a motion to limit consideration (public comment and/or Council debate) on an item to a specific period of time. The motion shall specify the period of time to which consideration shall be limited. The presiding officer shall decide whether or not to allow debate or limit debate on a motion to limit debate. The presiding officer, in the interest of accomplishing the Council's business in a reasonably timely manner, may assign time limits to agenda items prior to or during the Council's consideration of those agenda items.

Motion to Call the Question

Any Councilmember, with the exception of the presiding officer, may make a motion to call the question. If adopted, the motion requires that all discussion of the item under consideration be halted immediately without further discussion and that the item be immediately put to a vote of the Council. A motion to call the question is not debatable.

Motion to Reconsider

A motion to reconsider any action taken by the Council may be made only on the same day that the action was taken. The motion may be made either immediately during the same session, or at a recessed or adjourned session on the same day. With the exception of the presiding officer, the motion may be made only by a Councilmember who previously voted in the majority on the item which is the subject of reconsideration. A motion to reconsider is debatable.

Motion to Rescind

Any Councilmember, with the exception of the presiding officer, may make a motion to rescind a prior Council Action. A Council action may not be rescinded on the same day the action was taken, but may be rescinded at any subsequent meeting of the Council. Action taken pursuant to resolution may only be rescinded by resolution. Actions taken by motion may be rescinded by motion. A motion to rescind is debatable. Except in the case of an

PROCEDURAL RULES FOR MOTIONS AND DEBATES (continued)

Motion to Rescind (continued)

emergency or where the Council makes the necessary findings and adds the item to the agenda as a late item in accordance with Brown Act requirements, a request to rescind a prior action of the Council, not already agendized for that meeting, will not be acted upon at the same meeting at which the request is presented but will be continued to the next meeting to permit notification of interested persons. Nothing in this rule shall be construed as limiting the authority of the Council from again considering at a future Council meeting an item it had considered and acted upon at a prior Council meeting and thereafter taking action upon that item at variance with the prior Council action or which supersedes the prior Council action.

Motion to Suspend the Rules

Any Councilmember, with the exception of the presiding officer, may make a motion to suspend the rules. The moving Councilmember shall identify the rule to be suspended if the motion is adopted and specify the action proposed to be taken during the rule's suspension. The motion shall require the affirmative vote of two-thirds of the Councilmembers present for passage. A motion to suspend the rules is debatable.

Multiple Motions

A maximum of three motions may be pending at any given time during a Council meeting. Subsequent motions shall be rejected by the presiding officer until less than three motions are pending. When two or three motions are pending, the last pending motion made shall be the first motion voted on by the Council. For example, if a regular motion and a motion to amend are simultaneously pending, the vote on the motion to amend shall be taken first and the vote on the regular motion shall be taken second. By way of further example, if a regular motion is followed by a substitute motion which, in turn, is followed by a motion to table (refer to page 15, Motion to Table), the vote on the motion to table shall be taken first, followed by the vote on the substitute motion and then, if necessary, followed by the vote on the regular motion.

ADDRESSING THE COUNCIL AFTER PUBLIC COMMENT IS CLOSED

After public comment on an item is closed, no person shall address the Council except upon the request of a member of the Council through the presiding officer.

COUNCIL ACTION

Any vote of the Council may be by voice vote. A roll call vote will be taken if any member of the Council requests it, either prior or subsequent to any vote.

Ordinances, resolutions and other matters or subjects requiring action by the Council must be introduced and sponsored by a member of the Council, by motion duly made and seconded. Debate shall not be permitted on a motion until it is seconded and until the motion has been restated by the presiding officer or the City Clerk. After the vote has been called, there will be no further discussion or debate, except that members of the Council may be permitted by the presiding officer to explain their votes. Ordinances and resolutions may be introduced and passed by reading the title only; they shall be read in full only when requested by a majority of the Council.

Disqualifications

Section 607 of the City Charter states that “All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made.”

The Political Reform Act of 1974, Section 87100 states that “no public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.”

The City of Santa Cruz has adopted a Conflict of Interest Code, and Section 8 of that Code states that “No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect distinguishable from its effect on the public...”

The City Attorney is available to help Councilmembers decide if they should declare disqualification on any issue. There may be instances where financial conflict of interest is not the issue, and again, the City Attorney will provide guidance in determining whether a Councilmember should disqualify him/herself from acting on the item. In these instances Councilmembers should use the phrase, “...to avoid the appearance of impropriety.”

Voting

Any Councilmember, with the exception of the presiding officer, may make a motion. Any Councilmember including the presiding officer may second a motion. Any motion which is not seconded by a Councilmember shall die for lack of a second. With the exception

COUNCIL ACTION (continued)

Voting (continued)

of a motion to suspend the rules, which requires a two-thirds affirmative vote for passage, any motion shall pass if a majority of present Councilmembers vote in favor of the motion. Any motion shall fail if a majority of present Councilmembers vote in opposition to the motion or if there is a tie vote on the motion by present Councilmembers. A resolution shall require four affirmative Councilmember votes for adoption. Except as otherwise stated in the City Charter, an ordinance shall require four affirmative Councilmember votes for adoption.

Vote Required

- 1) Ordinances and Resolutions - Legislative action shall be taken by the Council only by means of an ordinance or resolution. Except where a greater number of votes is required by statute or Charter, any ordinance or resolution introduced or passed must receive the affirmative votes of at least four (4) members of the Council.
- 2) Minute Orders - Administrative matters may be acted upon by minute order. These actions may be taken by motion and, unless subject to Charter, statutory or Constitutional requirements, shall be deemed passed upon receiving a majority vote of all Councilmembers present.

Tie Vote

If a tie vote should occur on an appeal to the Council of an administrative decision, or on any matter before the Council, the tie vote shall be resolved as follows:

Disqualification

A tie vote resulting from a disqualification of one or more Councilmembers, with no Councilmembers absent and no vacancies on the Council shall constitute a denial of the appeal, or a defeat of the motion.

Absence

A tie vote during the absence of one or more Councilmembers, or when there is a vacancy on the Council shall cause the item to be automatically continued (typically next meeting) except that as to matters on which action must be taken on a date prior to the next meeting, a tie vote shall constitute a denial of the requested action.

COUNCIL ACTION (continued)

Tie Vote (continued)

Successive Tie Votes

A tie vote at the next regularly scheduled City Council meeting on a matter which has been continued as a result of a tie vote constitutes a denial of the appeal or defeat of the motion.

Motion to Table

Any Councilmember, with the exception of the presiding officer, may make a motion to table. If adopted, the motion requires that all discussion of the item under consideration at the time of the motion be halted immediately without further discussion. The motion may or may not include a specific time at which the Council will resume consideration of the item. However, a motion which does not include a specific resumption time shall not be construed as precluding the Council's ability to resume consideration of the item at any future City Council meeting. A motion to table is not debatable.

Motion to Adjourn

Any Councilmember, with the exception of the presiding officer, may make a motion to adjourn. If adopted, the motion requires the Council to immediately cease its meeting and to adjourn to the next regularly scheduled or specially scheduled Council meeting. A motion to adjourn is not debatable.

Motion to Fix the Time to Adjourn

Any Councilmember, with the exception of the presiding officer, may make a motion to fix the time to adjourn. The moving Councilmember shall specifically state the hour at which the Council meeting shall immediately cease if the motion is adopted. If adopted, the motion requires the City Council to immediately cease its meeting at the appointed hour and to adjourn to the next regularly scheduled or specially scheduled Council meeting. The presiding officer shall decide whether or not to allow debate or limit debate on a motion to fix the time to adjourn. Nothing in this rule shall be construed as prohibiting the Council from adjourning its meeting prior to the hour specified in the motion should the Council complete its business prior to the appointed hour.

COUNCIL ACTION (continued)

Motion to Recess

Any Councilmember, with the exception of the presiding officer, may make a motion to recess. The moving Councilmember shall specifically state the length of time of the recess if the motion is adopted. If adopted, the motion requires the Council to immediately recess its meeting for the specified period of time. A motion to recess is not debatable. Nothing in this rule shall be construed as prohibiting the presiding officer from recessing a Council meeting from time-to-time as deemed appropriate by the presiding officer.

ADDRESSING THE COUNCIL FROM THE FLOOR

Securing Permission to Speak

Any persons desiring to address the Council shall follow the procedures specified in the agenda and shall first secure permission from the presiding officer. Remarks should be directed to the matter being considered.

Individuals

Persons addressing the Council should, but are not required to, give their name in an audible tone of voice for the record and sign their name on the sign-up sheet provided for that purpose. Unless further time is granted by the presiding officer, the time limit shall be as stated in the agenda and/or as directed by the presiding officer. All remarks shall be addressed to the Council as a whole and not to any individual member. Without the permission of the presiding officer only Councilmembers and the person addressing the Council shall be permitted to enter into any discussion.

Each Councilmember may recognize a member or members of the public for additional time or move additional time for public discussion. The presiding officer may at his/her discretion increase or decrease public comment time for more than or less than 3 minutes.

Spokesperson for Group Presentations

Organized groups that wish to make a presentation longer than the time allowed for in the agenda must contact the City Clerk or the Mayor prior to the meeting.

An individual who wishes additional time to speak on an agenda item on behalf of an organization or group (group speaker) must contact the Mayor prior to the meeting to request the additional time. In return, the group speaker should encourage other group

ADDRESSING THE COUNCIL FROM THE FLOOR (continued)

Spokesperson for Group Presentations (continued)

members to avoid extensive repeat comments. Additional time to speak will not be granted if a group speaker is making a request while the Council meeting is in session.

Councilmember Engagement with the Public during Public Comment

Public comment is intended for the Council to hear from the public and is not the time for a dialogue between the Council and the public. Councilmembers make take note of comments or questions for follow-up, and at the conclusion of the public comment and upon recognition by the Presiding Officer, may pose those questions to staff.

If the Presiding Officer perceives, or is alerted by another Councilmember of, a substantial factual issue with a member of the public's comments, the Presiding Officer may ask staff for an immediate clarification at the end of the speaker's comments.

If a Councilmember seeks clarity on an issue, it is preferred for the Councilmember to engage with his/her colleagues and staff in achieving clarity.

Oral Communications

Community members may address the City Council about any matter not on the agenda but within the City Council's subject matter jurisdiction during Oral Communications. Oral Communications will be held at the beginning of the afternoon session.

Speakers will be invited up to the lectern by the Mayor and are asked to keep comments to three minutes or less, and encouraged to state name but not required to state community of residence or affiliation. Up to 30 minutes will be allocated for Oral Communications. The Mayor may shorten individual comment to less than three minutes in order to hear from all individuals who wish to offer comments during the thirty-minute Oral Communications period. Note that in the absence of an emergency, California law prohibits the City Council from discussing or taking immediate action on comments offered in Oral Communications.

- 1) Presentations will ordinarily be limited to UP TO THREE MINUTES.
- 2) Priority will be given to individuals who did not speak at the previous Council meeting's Oral Communications.
- 3) Individuals may not speak more than once during Oral Communications.
- 4) All speakers must address the entire Council and will not be permitted to engage in dialogue.

ADDRESSING THE COUNCIL FROM THE FLOOR (continued)

Oral Communications (continued)

- 5) The Council may not take action on Oral Communications, but may direct that the issue discussed be agendized for a future meeting.

Speakers are encouraged and requested, but not required, to sign their name on the sign-up sheet placed near the speaker's stand so that their names may be accurately recorded in the minutes of the meeting.

Time limits may be increased or decreased at the Mayor's discretion, subject to the approval of the City Council.

Generally, matters presented as oral communications which require further investigation or information shall be referred to staff, and if the Council determines that action is required, the item may be placed on a future agenda.

Spanish translation services for Council Oral Communications can be provided. Unless requested four days in advance of the Council meeting, Spanish translation services will not be provided for other agenda items, unless the Spanish translation service provider can appear on less than four days' notice.

Speaker Timer

Speakers must be aware of the public speaker timer at the lectern. Speakers will be given a specific amount of time to address the Council.

Public Hearings

Interested persons or their authorized representatives may address the Council in regard to public hearing matters under consideration.

For land use application public hearings, the applicant presentation shall be limited to 20 minutes, maximum; all other individuals shall be limited to 5 minutes, maximum.

For appeals public hearings, the appellant and opponent shall be limited to 20 minutes, maximum; all other individuals shall be limited to 5 minutes, maximum.

Time limits may be increased or decreased at the Mayor's discretion, subject to the approval of the City Council.

MEETING MINUTES

Method of Keeping Minutes

The minutes of the Council shall be kept by the City Clerk and shall be recorded in a file kept for that purpose, with a record of each particular type of business transacted by the Council set off in paragraphs with subheadings. The City Clerk shall be required to make a record only of such business as was actually passed by a vote of the Council and shall not be required to make a verbatim transcript of the proceedings. A record shall be made of the names of persons addressing the Council, if stated.

Remarks of Councilmembers Entered in Minutes

In response to a roll call vote, Councilmembers shall respond with “yes”, “no”, or “I am disqualified.” If a Councilmember wishes to have an abstract of their statements on any subject under consideration by the Council entered in the minutes, they may submit those statements in writing to the City Clerk within 48-hours after the relevant Council meeting ends, and those statements shall be included in the minutes.

Synopsis of Debate Entered in Minutes

The City Clerk may be directed by the presiding officer, with the consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.

Delivery of Minutes

As soon as possible after each Council meeting, the City Clerk shall cause a copy of the minutes to be forwarded to each Councilmember, the City Manager, and department heads, typically delivered with the agenda packet for the next regularly scheduled Council meeting.

Approval of Minutes

The minutes of the preceding Council meeting may be approved without reading, provided that the City Clerk has previously furnished each member of the Council with a copy of the minutes and that a majority of the Council has not requested such a reading.

MEETING MINUTES (continued)

Correction of Minutes

When a Councilmember wishes to correct the minutes, he/she shall contact the City Clerk in advance of the meeting with the correction. The City Clerk will then verify the correction by listening to the recording of the City Council meeting. Upon verification of an error in the minutes, the City Clerk will provide the corrections to the Council in advance of the meeting. If time constraints prevent this procedure, the Council shall continue the approval of the minutes to the next meeting, and direct the City Clerk to verify the error.

PROCESSING COUNCIL AGENDA-RELATED MAIL

The Mayor (or designee) is authorized to receive and review all mail generally addressed to the City Council. All correspondence not requiring Council action will be acted upon between Council meetings and referred to staff if appropriate. Action taken on these communications will later be reported to the Council.

SPECIAL COMMITTEES

Subject to approval of the Council, the Mayor may appoint special committees of the Councilmembers, private citizens, or both, as deemed desirable and necessary to assist and advise the Council in its work.

PREPARATION AND STAFF APPROVAL OF ORDINANCES, RESOLUTIONS AND CONTRACTS

All ordinances, except those initiated by the voters of the City under the provisions of Article VII, Section 706 of the City Charter, shall be prepared or reviewed by the City Attorney. Ordinances shall be prepared for presentation to the City Council only if ordered by a majority vote of the Council, requested in writing by the City Manager, or prepared on the City Attorney's own initiative. As time allows, the City Attorney may assist individual Councilmembers in preparation of ordinances for future Council consideration.

Ordinances (except ordinances initiated by the voters of the City under provisions of Article VII, Section 706 of the City Charter), resolutions, and contract documents to be presented to the Council shall first be approved as to form and legality by the City Attorney or an authorized representative. When substantive matters of administration are involved, the ordinance, resolution, or contract shall also be examined for administration by the City Manager, the head of the affected department, or an authorized representative of the City Manager.

HANDBOOK APPROVAL HISTORY

Councilmembers' Handbook adopted by Resolution No. NS-13,283 – February 13, 1979

Revised by Resolution No. NS-14,769 – March 23, 1982

Revised by Resolution No. NS-16,526 – September 10, 1985

Revised by Resolution No. NS-24,070 – November 17, 1998

Revised by Resolution No. NS-26,837 – March 22, 2005

Revised by Resolution No. NS-28,722 – November 26, 2013

Revised by Resolution No. NS-28,747 – February 11, 2014

Revised by Resolution No. NS-28,884 – January 13, 2015

Revised by Resolution No. NS-29,247 – May 23, 2017

Revised by Resolution No. NS-29,336 – November 28, 2017

Revised by Resolution No. NS-29,349 – January 23, 2018

Revised by Resolution No. NS-29,485 – February 12, 2019

Revised by Resolution No. NS-29,927 – February 8, 2022

Revised by Resolution No. NS-30,100 – February 14, 2023

Revised by Resolution No. NS-30,188 – August 22, 2023