REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Consent
February 27, 2006

Honorable Mayor and
Members of the City Council

Title: Council Rules of Procedure (CRP)

Location/Council District: Citywide

Recommendation: Review the revised Council Rules of Procedure and schedule adoption for March 13, 2007.

Contact: Shirley Concolino, City Clerk (916) 808-5442; Dawn Bullwinkel, Assistant City Clerk, (916) 808-7267

Presenters: None

Department: City Clerk

Division: NA

Organization No: 0700

Description/Analysis

Issue: The Council Rules of Procedure required updating to ensure compliance with current state and city statutes as well as providing an opportunity to implement industry best practices.

Policy Considerations: The revised Council Rules of Procedure meet the commitment of Mayor and Council to provide the public access to City processes and to enhance the goal of a more "Transparent Government."

Environmental Considerations: NA

Commission/Committee Action: NA

Rationale for Recommendation: The Council Rules of Procedure have not been updated since December 1996. Although many procedures remain unchanged, some have been updated and others added to ensure compliance with state government codes such as the Brown Act.

It is in the best interest of the City to revisit these procedures periodically as new members are elected to the Council and state and city statutes are updated.

The challenge of revising the previous CRP document designed primarily for Mayor and Member reference was to incorporate adequate data without repeating information that is clearly defined in state and city code.

The revised Council Rules of Procedure are designed as a reference to Mayor/Council, a foundation for the agenda process, and a resource for staff and the public to ensure their participation in a transparent government.

Financial Considerations: NA

Emerging Small Business Development (ESBD): NA

Approved by: Shirley Concolino

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Attachment 1

Background

As part of the revision process of the Council Rules of Procedure, the City Attorney, City Manager, and City Clerk collaborated to ensure that previously included information was evaluated.

A copy of the previous Rules of Procedure is included as Attachment 3 with references to the new rules on most items. Those items that were not included in the new Rules of Procedure are noted as such.

Numerous Resolutions have been adopted since 1970 adopting, amending, revising, rescinding and repealing previous resolutions regarding the Council Rules of Procedure. The background in the proposed Resolution adopting the revised CRP encapsulates that history, the proposed Resolution and repeals all previous Resolutions.

The preferred practice, to ensure a clean legislative history, is to adopt new Rules of Procedure in their entirety for any changes whatsoever.

These Council Rules of Procedure comply with state law and City Charter requirements while providing clear direction to the Mayor, Council, staff and the public in the procedures of the City's legislative bodies.

Attachment 2

RESOLUTION NO.
Adopted by the Sacramento City Council

APPROVING THE COUNCIL RULES OF PROCEDURE (CRP) AND REPEALING RESOLUTON NOS. 1996-692 AND 1995-437

BACKGROUND

A. The following is the legislative history of the Council Rules of Procedure since January 6, 1970:

1. On January 6, 1970 the City Council adopted Resolution No. 1 establishing the City Council Rules of Procedure.

2. On January 21, 1971, Resolution No.555 was adopted amending Sections 7-a (Usual Course) and 7-b (Delay of Action) of the CRP.

3. On February 17, 1972, Resolution No. 77 was adopted-again establishing Council Rules of Procedure. (No note of repealing Resolution No. 1 or amendments)

4. On March 16, 1976, Resolution No. 76-136 was adopted-once again establishing Council Rules of Procedure and repealing Resolution No. 77 and all amendments.

5. On May 3, 1977 Resolution No. 77-234 was adopted amending Section 13-c (Roberts Rules) of the CRP.

6. On November 29, 1977, Resolution No. 77-756 was adopted amending Section 3-a (Order of Council Business) of the CRP.

7. On April 25, 1978, Resolution No. 78-252 was adopted amending Section 7-b (Delay of Action) of the CRP.

8. On August 19, 1978, Resolution No. 78-537 was adopted amending Resolution No. 76-136 adding Section 4.5 (Continuance of Hearings) to the CRP.

9. On February 27, 1979, Resolution No. 79-114 was adopted amending Resolution 76-114 amending section 2-c (Vice-Mayor) of the CRP.

10. On January 6, 1981, Resolution No. 81-007 was adopted amending Resolution No. 76-136 repealing and re-enacting Section 7-h (Ordinance Numbering) of the CRP.

11. On July 19, 1988 Resolution No. 88-651 was adopted revising the CRP and repealing Resolution Nos. 77-234, 77-756, 78-252, 78-537, and 79-114.

12. On March 3, 1992, Resolution No.92-155 was adopted revising the CRP and repealing Resolution No. 88-651.

13. On December 13, 1994, Resolution No. 94-706 was adopted amending the CRP to designate 7:00 p.m. as the time for the regular Council meetings.

14. On July, 25, 2006 Resolution No. 95-437 was adopted revising the CRP and Resolutions No. 92-155 and No. 94-706 were rescinded.

15. On 10-24-95, Resolution No. 95-603 amended Resolution No. 95-437 revising Chapter 7 Section 7-A (Attendance) of the CRP.

16. On January 9-1996, Resolution No.96-016 was adopted amending Resolution No. 95-437 revising chapter 8 Section 8-I 3 (Voting) of the CRP

17. On October 1 1996, Resolution No. 96-527 was adopted amending Resolution No. 95-437 adding Sections 3-I to Chapter 3 (Order of Business) of the CRP.

18. On December 17, 1996 Resolution No. 96-692 was adopted amending Resolution No. 95-437 providing general clean-up, reorganization and minor revisions to the CRP.

B. The City Clerk, City Attorney, and City Manager have reviewed current best practices and statutory requirements to ensure these Council Rules of Procedure comply with state and City statutes while providing clear direction to the Mayor, Council, staff, and the public in the procedures of the City's legislative bodies.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The Council Rules of Procedure (Exhibit A) attached hereto and incorporated herein are hereby adopted.

Section 2. All previous Resolutions listed in the background section of this Resolution and all other Council minute actions establishing Council Rules of Procedure are repealed.

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Exhibit A Council Rules of Procedures

City of Sacramento
Council Rules of Procedure

Adopted on

By Resolution 2007-xxx

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CITY OF SACRAMENTO
COUNCIL RULES OF PROCEDURE
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CHAPTER 1 – AUTHORITY/ADMINISTRATION

A. General Authorities and Applicability

1. The Charter of the City of Sacramento ("City") provides that the City Council shall determine its own rules and order of business (Article III, Section 30). When not in conflict with the Charter of the City of Sacramento, the Constitution or laws of the State of California, including California Government Code section 54950, et seq. (the "Brown Act"), the following rules shall be in effect upon adoption by Resolution of the City Council.
2. Until such time as they are amended or new rules adopted by Resolution, these rules shall prevail to govern the order and conduct of business of the City Council and other legislative bodies that meet concurrently with the City Council, as well as various City Council Committees, and City Council-established Boards and Commissions. Those City Council established Boards and Commissions that are required by law to adopt rules of procedure shall adopt rules that are consistent with these Rules to the extent possible.

B. General Administration

1. The City Council will review and revise the City Council Rules of Procedure ("Rules") at least annually or as needed.
2. During City Council discussions, deliberations, and proceedings, the Mayor has been designated with the primary responsibility to ensure that the City Council, staff and members of the public adhere to the Council's norms and procedures.

C. Amendment

1. Any Rules may be adopted, altered, amended or repealed at any time by a majority vote of the Council, provided that at least a one week notice of such proposed Rule change is given to the Council Members.

D. Suspension

1. Any Rule may be temporarily suspended by the unanimous consent of all Council Members present, not being less than two-thirds of the Council.

E. Robert's Rules

1. To the extent these Rules do not address the parliamentary procedures for legislative body meetings, Robert's Rules of Order (Newly Revised 10th edition) shall govern.

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A. Joint Duties of Members/Staff

1. City Council members ("Members") and City staff shall conduct the business of the City of Sacramento:
   a. recognizing that stewardship of the public interest must be of primary concern;
   b. working for the common good of the people of Sacramento; and
   c. assuring fair and equal treatment of all persons, claims and transactions coming before the City Council, City Council Committees, and City Council-established Boards and Commissions (Legislative Bodies.)

B. Duties of Mayor and Vice-Mayor

1. The Mayor shall be:
   a. the presiding officer of the City and of all meetings of the City Council;
   b. the official head of the City for performance of duties lawfully delegated to the Mayor by the Charter;
   c. referred to as "Chair" or Chairperson" when acting as presiding officer of legislative body meetings other than Council;
   d. considered a Member of the City Council;
   e. entitled to make and second motions on matters before the City Council and vote on actions, but shall possess no veto power over actions of the City Council;
   f. the primary, but not the only person, responsible for interpreting the policies, programs and needs of City government to the people, and of informing the people of any major change in policies or programs; and
   g. an advisor to the City Council on all matters of policy and public relations and shall perform such other duties as may be prescribed by the City Charter.
2. The Vice-Mayor shall
   a. be appointed from members of the City Council by a majority vote at its first meeting in January annually;
   b. in the absence of the Mayor, assume the duties of the Mayor and shall:
      (i) possess all powers of the office of Mayor; and
      (ii) be subject to all prescribed duties for such office.
3. In the event the Mayor and Vice-Mayor are absent, the City Council may appoint one of its Members to serve as Mayor pro tempore.

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CHAPTER 3 - CONDUCT OF MEMBERS

A. General Conduct

1. Members shall:

   a. treat each other and everyone with courtesy and refrain from inappropriate behavior and derogatory comments;

   b. publicly share substantive information, received outside the public decision-making process, that is relevant to a matter under consideration by City Council;

   c. not pledge or promise to vote in any particular manner on any matter pending before the City Council in advance of the meeting and shall keep an open mind;

   d. use the speaker sequencing system to inform the Mayor of their wish to speak and shall be acknowledged by the Mayor before speaking;

   e. move to require the Mayor to enforce these rules and the Mayor shall do so upon an affirmative vote of a majority of the Members present;

   f. preserve order and decorum during the meeting;

   g. not delay or interrupt the proceedings or the peace of the City Council, nor disturb any Member while speaking, by conversation or otherwise, nor disobey the orders of the City Council, or the presiding officer, except as otherwise herein provided;

   h. support the laws established by the City Council;

   i. abide by these Rules of Procedure in conducting the business of the City of Sacramento; and

   j. promptly at the hour and date set for the start of each regular meeting, the Members shall take their regular stations in the City Hall Council Chamber and the business of the City Council shall be taken up for consideration and disposition.

B. Conduct with Members

1. Members shall:

   a. value each other's time;

   b. attempt to build consensus on an item through an opportunity for dialogue; but when this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority;

   c. have the right to dissent from, protest, or comment upon any action of the City Council;

   d. respect each other's opportunity to speak and, if necessary, agree to disagree;

   e. avoid offensive negative comments and shall practice civility and decorum during discussions and debate; and

   f. honor the Mayor's exercise of the Mayor's affirmative duty to maintain order.

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C. Conduct with City Manager and Staff

1. Members shall:
   a. speak to the City Manager directly on issues and concerns;
   b. direct the City Manager to implement City Council's policy decisions through the administrative functions of the City;
   c. treat staff professionally and refrain from publicly criticizing individual employees;
   d. avoid involvement in personnel issues except during City Council Closed Sessions regarding City Council appointed staff such as City Manager, City Attorney, City Treasurer, or City Clerk including hiring, firing, promoting, disciplining and other personnel matters;
   e. discuss directly with the City Manager, City Attorney, City Clerk or City Treasurer, as appropriate, any displeasure with a department or staff; and
   f. request answers to questions on City Council agenda items from the City Manager, City Attorney, City Clerk, City Treasurer or department directors/division managers prior to the meeting whenever possible.

D. Conduct with the Public

1. Members shall:
   a. make the public feel welcome,
   b. be impartial, respectful and without prejudice toward the public;
   c. listen courteously and attentively to public comment;
   d. not argue with members of the public; and
   e. make no promises to the public on behalf of the Council.

E. Conduct with Other Agencies

1. Members shall:
   a. project a positive image of the City when dealing with other agencies;
   b. show tolerance and respect for other agencies' opinions and issues and if necessary agree to disagree;
   c. represent official policies or positions of the City Council when designated as delegates of a legislative body;
   d. explicitly state when their opinions and positions do not represent the City Council when representing their individual opinions and positions, and shall not allow the inference that they do; and
   e. have the ability to lobby or discuss issues that have been adopted by the legislative bodies or are standing policies of the legislative body with other legislators, government officials or developers.

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F. Conduct with Boards and Commissions

1. Members shall:
   a. treat all members of boards and commissions with appreciation and respect; and
   b. refrain from participation in board and commission meetings for the purpose of influencing the outcome of said meetings.

G. Conduct with the Media

1. Members shall not discuss or go "off the record" with the media to discuss confidential or privileged information pertaining to closed sessions, attorney-client privileged or attorney work product communications including without limitation personnel, litigation or real property negotiations.
2. Providing non-confidential, non-privileged background information is acceptable.

H. Ethical Conduct

1. Members shall receive at least 2 hours of training in ethics, conflicts of interest, open meetings laws, competitive bidding requirements, bias prohibitions, etc., in accordance with Government Code sections 53234 et seq. every two years commencing January 1, 2007.

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CHAPTER 4 – CONDUCT OF CITY STAFF

A. General Conduct:

1. City staff shall:
   a. prepare well-written staff reports and provide accompanying documents on all agenda items in accordance with the agenda format and preparation schedule;
   b. be available for questions from Members in accordance with the Brown Act prior to and during meetings;
   c. respond to questions from the public during meetings when requested to do so by Members, or City Manager;
   d. refrain from arguing with the public or Members; and
   e. switch any electronic equipment such as pagers and cellular telephones to silent or off mode during Council meetings.
2. Staff will remain objective on issues and should not be advocates for issues unless so directed by the legislative body.
3. As soon as possible, to the extent permitted by the Brown Act, the City Manager and staff will inform the Mayor and Members representing districts affected, of controversial issues having significant impacts to the City that are coming before the legislative body on short notice.
4. The City Manager will advise management staff of potentially political or controversial issues coming before the legislative body and direct staff to be present and appropriately prepared.

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CHAPTER 5 – CONDUCT OF THE PUBLIC

A. General Conduct

1. Members of the public attending City Council meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of these Rules of Procedure.
2. Members of the public may not attend the meetings through telephone connections unless a teleconference meeting is set for a Member's attendance in accordance with the Brown Act. Meetings held in the Chamber are generally telecast via local cable television and are available via streaming video on the City's official website.
3. All speakers must approach the podium when recognized by the Mayor and speak only from the podium. Stamping of feet, whistles, yells or shouting, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant of Arms.
4. City Code Section 2.15.150 requires lobbyists to identify themselves and the client(s), business or organization they represent before speaking to the Council.
5. Members of the public wishing to provide documents to the Council shall comply with Chapter 7 Section D of these Rules.
6. Members of the public must switch any electronic equipment such as pagers and cellular telephones to a silent or off mode during Council meetings.
7. Members of the public wishing to speak to the Council shall complete, and turn into the City Clerk, a speaker's slip indicating the agenda item or off-agenda item which they wish to address.
8. Members of the public wishing to ask questions concerning Consent Calendar items are requested to contact the staff person identified on the report prior to the meeting so that the need for discussion of Consent Calendar items can be minimized whenever possible.

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CHAPTER 6 – MEETING TYPES AND SCHEDULES

A. Regular Meetings

1. Per Section 31 of the City Charter, the City Council must meet after 5:00 p.m. not less than one evening each week, not including its 4 weeks of recess annually.
2. The City Council shall meet each Tuesday generally beginning at 2:00 pm and 7:00 pm in the City Hall Council Chamber, 915 I Street, First Floor, Sacramento, California, except as provided in the annually adopted meeting schedule or otherwise revised by the City Council.

B. Adjourned Meetings

1. The City Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment as permitted by law.

C. Special Meetings

1. The Mayor or a majority of the Members may call a special meeting by providing notice twenty-four (24) hours in advance of the meeting to the Mayor, to all Members, to all media outlets, and to persons having requested notification pursuant to state law.

D. Emergency Meetings

1. In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the legislative body may hold an emergency meeting without complying with either the 72-hour or 24-hour notice and posting requirements of the Brown Act.
2. Each local newspaper of general circulation and radio or television station that has requested notice of special meetings, pursuant to the Brown Act, shall be notified by the presiding officer of the legislative body, or designee thereof, at least one hour prior to the emergency meeting, or in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the City Council of the emergency meeting.
3. This notice shall be given by telephone and all telephone numbers provided in the most recent request for notification of special meetings shall be used.
4. In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

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5. During an emergency meeting, the legislative body may meet in closed session pursuant to the Brown Act if agreed to by a two-thirds vote of the Members present, or, if less than two-thirds of the Members are present, by a unanimous vote of the Members present.
6. All special meeting requirements, as prescribed in the Brown Act shall be applicable to an emergency meeting, with the exception of the 24-hour notice and posting requirement.
7. The minutes of an emergency meeting, a list of persons who the presiding officer of the legislative body, or designee of the City Council, notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for a minimum of ten days in a public place as soon after the meeting as possible.

E. Closed Sessions

1. Closed sessions shall generally be conducted during the second and fourth regular Council meetings of each month, and when necessary and applicable on the fifth meeting of each month.
2. In accordance with the Brown Act the public may speak regarding any closed session item prior to the closed session.
3. All closed session information, verbal or written, is privileged and confidential and shall not be shared with any person not at such closed sessions.
4. The City Attorney will report out in public session any reportable actions that were taken by Council and the vote on such actions in accordance with the Brown Act.

F. Public Hearings

1. The City Clerk will set City Council hearing dates and notify the City Council via the preliminary agenda on all matters that require a notice and public hearing before the City Council such as matters received from the planning department, appeals to the City Council, and other municipal matters.
2. Public Hearings will not be withdrawn or continued without the full knowledge and concurrence of the Members within whose district/jurisdiction the issue resides.
3. The City Council may refuse to grant a continuance of any hearing unless there is a valid legal reason why the hearing must be continued.
4. Continuance
   a. Any person (applicant, appellant or designated representative) scheduled for a public hearing before the City Council:
      (i) may obtain one continuance for a period not to exceed the second regular meeting after the original scheduled hearing date, as a matter of right, without personally appearing before the Council on the scheduled hearing date, provided a written request for the continuance must be delivered to the City Clerk by noon on the day prior to the scheduled public hearing. Any person who has once obtained a continuance by any procedure, may not obtain any subsequent continuance by notifying the City Clerk as provided in this section F- 4a (i).

(ii) who wants to obtain a continuance of the hearing beyond the second regular meeting after the original scheduled hearing date, or has not notified the City Clerk as provided in Section F- 4a (i), may obtain a continuance only by appearing before the Council at the time the original hearing is scheduled and requesting a continuance. This continuance is not a matter of right and will not be granted unless the Council is satisfied that good cause exists for the continuance and that a substantial number of people will not be inconvenienced by such continuance.

(iii) who has once obtained a continuance of a hearing either by notice to the City Clerk as provided in Section F- 4a (i) or by personal appearance as provided in Section F- 4a (ii), may obtain a further continuance only by appearing before the Council at the scheduled hearing and satisfying the Council that extraordinary circumstances exist which would justify this second continuance.

(iv) who has twice obtained a continuance of a hearing, may obtain an additional continuance only by appearing before the Council at the scheduled hearing and satisfying the Council that a miscarriage of justice would result from the refusal of the Council to grant a continuance.

b. City staff may obtain a continuance based on the need of the originating department or on behalf of a Council Member. Department staff may request, via the City Clerk, as many continuances as needed to complete and ready the project or appeal for the hearing process; however, staff may not serve as a requestor on behalf of an applicant or appellant.

c. Any organized group of residents or neighborhood association, not recognized as an applicant or appellant, may request as many continuances as needed to complete and ready the project or appeal for the hearing process through its City Council representative.

d. Disputes regarding the length of a continuance will be decided by the City Council at the scheduled hearing if City staff or the City Clerk cannot obtain mutual agreement between the parties beforehand.

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A. Requirements for Agenda Item Submission

1. Members may submit items for inclusion on a future agenda under Council Ideas, Comments and Questions.
2. Charter Officers may submit staff reports or descriptions of oral reports to the City Clerk for placement on the agenda.
3. Department directors, subject to the discretion of the City Manager, may submit staff reports or descriptions of oral reports to the City Clerk for placement on the agenda.
4. Outside Agency Submittals
   a. Items from outside agencies must be sponsored for agenda placement by Members, Charter Officers or department staff.
   b. All agenda items must be submitted in accordance with the agenda packet submission and preparation requirements.

B. Declaration of Policy

1. No Ordinance, Resolution, motion or item of business shall be introduced or acted upon at a meeting of a legislative body of the City without it appearing on a duly noticed and posted agenda in accordance with the Brown Act. Exceptions to this rule are limited to those provided by state law.
2. No Ordinance, Resolution, motion or item of business will be considered which:
   a. does not affect the conduct of the business of the City of Sacramento or its corporate powers or duties as a municipal corporation, or
   b. supports or disapproves of any legislation in the legislature of the
      (i) State of California,
      (ii) the Congress of the United States; or
      (iii) before any officer or agency of the state or nation

      unless such proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers and duties of the City of Sacramento or its officers or employees.
   c. Rule of Procedure Chapter 7 Section B-2 may be invoked only before public comment or Council deliberation on the matter and by five affirmative votes on the question: "Shall the Council consider this matter?"

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C. Procedures for Submission of Reports

1. A written staff report should be prepared and submitted to agenda review in accordance with the agenda review procedure.
2. An oral report does not require a written report; however, language describing the substance of the oral report must be submitted to the City Clerk for inclusion on the agenda.
3. "Continued" items do not require a new report if there are NO changes other than the agenda date. If there is any other change, a new report must be submitted meeting all applicable requirements.

D. Written Communications from the Public.

1. The Clerk will manage communications from the public to ensure compliance with the Brown Act:
   a. Agendas or any other writings, except for records exempt from disclosure under the California Public Records Act and otherwise by law, distributed to all or a majority of the members of a legislative body for discussion or consideration at a public meeting are disclosable to the public upon request, and shall be made available without delay to members of the public in accordance with the provisions of Government Code section 54957.5.
   b. If materials are provided prior to a meeting, the materials should, upon request and without delay, be made available to the public upon request at the time of distribution to the body. (§ 54957.5(a).) If the materials are distributed to the members of the body by the agency at the meeting, the materials should be available to the public at that time as well. Materials provided at the meeting by a person, who is not a member of the body or employee of the local agency, must be made available by the body to the public at the conclusion of the meeting. (§ 54957.5(b).)
2. Interested parties or their authorized representatives may address the City Council by written communications in regard to agenda Items. Such written communications received by the City Clerk prior to close of business on the eighth day preceding the City Council meeting will be included in the agenda packet material.
3. Written communications received by the City Clerk after such deadline will be delivered to Members at the City Council meeting if related to an item on that meeting agenda.
4. Documents (15 copies recommended) that members of the public submit to the City Council at the meeting shall be given directly to the City Clerk for distribution and shall not be given directly to the City Council. The documents will become part of the official record and will be available to the public.

E. Preparation of the Agenda Packet.

1. No later than noon on the Thursday prior to each regularly scheduled meeting, the City Clerk shall finalize the agenda packet.
2. Agenda Packet Contents:
   a. The agenda packet shall include the agenda, the staff reports, draft Resolutions and Ordinances, contracts, and other attachments. Items noted as "To Be Delivered" on the agenda will be delivered and published to the City's website upon receipt by the City Clerk. No item shall be considered by the City Council if the applicable written material is not delivered to the Council before the meeting and made available to the public at the same time.
   b. Corrections or supplements to a staff report or other written materials already included in the agenda packet may be delivered separately.
   c. All agreements shall be available for review in the office of the City Clerk by the City Council and the public before adoption, unless determined otherwise by the City Attorney.

F. Distribution of the Packet.

1. The City Clerk shall distribute the agenda packet to the Members and persons requesting copies of the agenda packet, no later than Friday at noon prior to the regularly scheduled meeting.
2. Paper or electronic copies of the agenda packet shall be available for the news media and other such organizations, agencies, institutions or persons as may wish to subscribe.

G. Posting of Agenda.

1. The City Clerk shall post the agenda of each Regular or Adjourned Regular Meeting of the legislative body at least 72 hours in advance of said meeting in a location that is freely accessible to members of the public as required by the Brown Act.
2. The City Clerk shall maintain an affidavit indicating the location, date and time of posting each agenda.
3. Agendas will generally be published to the City's website by the end of business on the Thursday before regularly scheduled meetings.
4. Agenda reports including attachments, exhibits, agreements and contracts will generally be published to the City's website by end of business on the Friday before regularly scheduled meetings.
5. If technical difficulties occur, the agenda and reports will be published on the City's website as soon as those difficulties are resolved.

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H. Failure to Meet Agenda Deadlines.

1. The City Clerk shall not, without the consent of the City Manager or City Attorney, accept any agenda item or revised agenda item after the deadlines established and noted in these Rules.

I. Exceptions to the Agenda Requirement.

1. Matters not included on the published agenda may be discussed and acted upon by the legislative body only under the following situations:
   a. at a meeting a majority of the Members determines in open session that the matter in question constitutes an "Emergency" as defined in Government Code section 54956.5; or
   b. two-thirds (2/3) of the Members or if less than two-thirds is present by unanimous vote of the Members present, the Members determine that:
      i) there is a need to take immediate action; and
      ii) the need for action came to the attention of the City after the agenda had been posted; or
   c. the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

J. Types of Agenda Items

1. Closed Sessions--confidential discussions with the legislative body as permitted by the Brown Act.
2. Ceremonial Matters--the presentation and receipt of ceremonial Resolutions and celebrations not requiring formal legislative body action.
3. Administrative Matters--consent items making clerical corrections to previous legislative documents and to ensure concise legislative history.
4. Consent Calendar--items which are routine in nature and not likely to be subject to debate or inquiry by the Members or the public; typically adopted in one motion.
   a. Members wishing to ask questions concerning Consent Calendar items are requested to contact the staff person identified on the report prior to the meeting so that the need for discussion of Consent Calendar items can be minimized whenever possible.
5. Public Hearings—Duly noticed hearings as mandated by local, state or federal law, providing an opportunity for public review and comment of a proposed action by the Council.
6. Discussion Calendar--non routine items requiring an oral presentation and discussion before action is taken.

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7. Information Items-items where staff is required by federal or state law or City code to inform Council of the occurrence of items where authority has been delegated to a person, position or board/commission.
8. Public Comment-oral communications from the audience regarding matters within the jurisdiction of the City.
9. Council Ideas, Comments and Questions
   a. brief oral or written reports summarizing meeting or conference attendance at City expense, as required by AB 1234 (Government Code section 53232.3);
   b. requests that City Manager/Staff report back on various issues;
   c. requests to place items on a future Council meeting's agenda;
   d. requests to refer preparation or review of ordinances to the Law and Legislation Committee; and
   e. reports on district and citywide activities or news.

K. Ordinances

1. Ordinance preparation shall be referred to Law and Legislation Committee before coming to Council as described in Chapter 13, Section A-2 of these Rules.
2. Ordinances may be placed on the agenda for City Council passage for publication or adoption in accordance with the procedures in City Charter Article III Section 32.

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A. Call to Order – Presiding Officer

1. The Mayor, or in the Mayor's absence the Vice Mayor, shall take the chair at the hour appointed for the meeting and shall immediately call the meeting of the City Council to order.
2. In the absence of the Mayor and Vice Mayor, the Clerk will call the meeting to order and a temporary chairperson will be elected from amongst the Members present.
3. Upon the arrival of the Mayor, the Vice Mayor shall immediately relinquish the chair at the conclusion of the business presently before the City Council.

B. Roll Call/Attendance

1. A majority of the members of the Council in office shall constitute a quorum.
2. Before the City Council proceeds with the business before it, the Clerk shall note the Members present for the minutes. The late arrival of Members shall be entered into the minutes.
3. A Member will be considered present at a meeting if the Member is either physically in the Council Chamber or is participating in the meeting through a telephone connection in accordance with the Brown Act. If not participating via telephone connection as described above, the Members must be present at the dais to vote.
4. Meeting attendance of Members through telephone connection will be permitted only in extraordinary circumstances such as a medical condition which physically disables the Member from attending in person.
5. Members attending a Council meeting through a telephone connection are not counted when determining a quorum.
6. Members attending a meeting through a telephone connection may cast a vote only on items listed on the consent agenda. Members must be physically present in the Council Chamber (or other meeting location) to vote on items listed on the remainder of the agenda. Proxy or absentee voting is not permitted.

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C. Order of Discussion

1. The order of business is typically carried out as it falls on the agenda or as set out below; however, the Mayor, may reorder the items, unless Members object. Members may request items be reordered by motion.
2. Consent Calendar Items Removed for Discussion
   a. Members, the City Manager, other Charter Officers or Department Directors, may request that any matter be removed from the Consent Calendar.
   b. All matters remaining on the Consent Calendar and which have not been removed shall be approved by a single action, such single action to have the legal effect of individual action on each matter.
   c. The City Clerk shall read into the record each item removed from the Consent Calendar.
   d. If a Consent Calendar item is removed, it will be discussed immediately after adoption of the balance of the Consent Calendar.
3. Public Hearings
   a. Staff comments, information and reports, followed by Member questions.
   b. Proponent, if applicable, speaks, followed by Member questions.
   c. Opponent, if applicable, speaks, followed by Member questions.
   d. If the public hearing is on an appeal that does not require Council de novo review, then the appellant (opponent) speaks before the applicant (proponent).
   e. Public comments.
   f. If the public hearing is on a de novo review appeal, the applicant speaks in rebuttal, but if not a de novo review appeal, the appellants speaks in rebuttal.
   f. Closure of public hearing.
   g. Further Member discussion, motion and action.
   h. The presiding officer may direct speakers to avoid repetition in order to permit maximum information to be provided the City Council within the time allotted to the hearing.
4 Discussion Calendar
   a. The order of discussion after introduction of an item by the Mayor will generally be as follows:
      (i) Staff comments, information and reports, followed by questions from the Members.
      (ii) Public comments and information, followed by questions from the Members.

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b. Member discussion, motion and action.

c. Once the item is placed before the legislative body for discussion, motion or action, no member of staff or the public shall be allowed to address the City Council without the consent of the Mayor or Members.

D. Oral Communications from the Audience

1. As required by the Brown Act, a portion of each City Council meeting agenda shall provide an opportunity to members of the public to address the Council on any agendized item, including closed session, consent calendar items. Regular meeting agendas shall also provide for public comment on any item of interest that is within the subject matter jurisdiction of the City.

2. Each person wishing to speak should complete a speaker slip located in the chamber, provide the speaker slip to the City Clerk and wait to be called upon by the presiding officer.

   a. Each speaker shall limit his/her remarks to three (3) minutes.

   b. The Mayor shall consistently utilize the timing system which provides the speaker with notice of their remaining time to complete their comments. A three minute countdown display will be activated at the start of a speaker's comments.

   c. In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group.

   d. Speakers shall not concede any part of their allotted time to another speaker.

   e. The Mayor may further limit the time allotted for public comments for the orderly conduct of the meeting and such limits are fairly applied.

3. In response to public comment on unagendized items, the Members may individually:

   a. briefly respond to statements made or questions posed by members of the public;

   b. ask questions for clarification;

   c. provide a reference to staff or other resources for factual information;

   d. request staff to report back to the City Council at a subsequent meeting on any matter; and

   e. direct staff to place a matter of business on a future agenda.

E. Quorum Call

1. During the course of the meeting, should the Mayor note a City Council's quorum is lacking, the Mayor shall call this fact to the attention of the Clerk.

2. The presiding officer shall issue a quorum call. If a quorum has not been restored within two minutes of a quorum call, the Mayor may declare a recess for a reasonable period of time in order to reestablish a quorum or the meeting shall be deemed automatically adjourned.

F. Obtaining the Floor

1. Any Member wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Member who seeks the floor when appropriately entitled to do so.
2. With the concurrence of the Mayor, a Member holding the floor may address a question to another Member and that Member may respond while the floor is still held by the Member asking the question. A Member may opt not to answer a question while another Member has the floor.

G. Motions

1. No motion shall be entertained when a question is before the City Council except the following listed in order of precedence. Any such motion, except to adjourn, postpone, substitute or reconsider, shall be put to a vote without discussion.

   a. **Motion to Adjourn**-A motion to adjourn requires a second and is not debatable except to set the date and time to which the meeting is adjourned to consider the unfinished business. The purpose of a motion to adjourn is to terminate the meeting although the business on the agenda has not been completed, and a time fixed for adjournment has not yet arrived. A motion to adjourn shall be in order at any time, except when:

      (i) repeated without intervening business or discussion;

      (ii) made as an interruption of a Member while speaking;

      (iii) the previous question has been moved; or

      (iv) while a vote is being taken.

   b. **Motion to Table**-The purpose of this motion is to terminate further consideration of the subject being discussed, without qualification. The effect of the motion, if approved, is to not only end discussion on any other motion being considered, but to preclude any other motion being made. A motion to table requires a second, is not amendable, and is not debatable. A motion to table shall not preclude any Member from placing the subject on an agenda for a later meeting.

   c. **Motion to Call for the Question** (Close Debate)-The Member moving the adoption of an Ordinance or Resolution shall have the privilege of moving to close the debate and at once to take the vote on the immediately pending question. Such a motion requires a second and is not debatable, and is not amendable, and requires a <u>two-thirds</u> vote for adoption.

   d. **Motion to Postpone to a Certain Time/Day**-A motion to postpone to time certain is amendable, and is debatable as to the propriety of postponement and as to time set in the motion. The purpose of the motion is to postpone the subject under discussion to another, specified time.

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e. **Motion to Substitute**-A motion to substitute the motion under consideration with another motion requires a second, is not amendable and is debatable. A motion to substitute must be germane to the subject and compatible with the underlying purpose of the motion under consideration; and if passed, the substitute motion will, by its own action, eliminate the necessity to vote on the motion being substituted. If the substitute motion fails to pass, debate will resume on the motion previously being considered.

f. **Motion to Reconsider**-A motion to reconsider any action taken by the City Council must be made not later than the second succeeding official regular meeting of the City Council and only if said motion is based upon a different state of facts giving rise to the motion. Such a motion can only be made by a Member who voted with the majority. It can be seconded by any Member, and is debatable. At the time such reconsideration is heard by the City Council, testimony shall be limited to the alleged different state of facts in support of the motion. No question shall be twice reconsidered, except by unanimous consent of the members. However, action relating to any contract may be reconsidered at any time before the final contract execution.

2. **Discussion of Motions.**

a. **Stating the Motion**-The Mayor or Clerk will state the motion before it is debated.

b. **Addressing the Council**-No person other than a Member shall address the City Council without first securing the permission of the Mayor or Members when a motion is pending before the City Council.

c. **Mayor Debate**- The Mayor may debate from the chair, subject only to such limitations of debate as are imposed by these rules on all Members, and shall not be deprived of any of the rights and privileges as a Member of the City Council by reason of acting as the Mayor.

d. **Obtaining the Floor/Improper References to be Avoided-** Every Member desiring to speak shall utilize the electronic call device to gain the attention and priority of the Mayor, and upon recognition by the Mayor, shall confine himself/herself to the question under debate, avoiding all personalities and indecorous language.

e. **Interruptions-** A Member, once recognized, shall not be interrupted when speaking unless it is to call the person to order, or as herein otherwise provided. If a Member, while speaking, is called to order, the Member shall cease speaking until the question of order be determined, and, if in order, shall be permitted to proceed.

f. **Division of Question**- If the question contains two or more divisional propositions, each of which is capable of standing as a complete proposition if the others are removed, the Mayor may, and upon request of a Member shall (unless appealed), divide the question.

g. **Withdrawal of Motion**- A motion may not be withdrawn by the movant without the consent of the Member seconding it.

h. **Voting on a Motion**- The vote on a motion shall be taken either by unison vote, roll call vote, or electronic voting device and entered in full upon the record. The Mayor shall announce the result of the vote. Any Member wanting to declare a conflict of interest or abstain shall do so prior to the vote being taken.

3. On any matter not requiring immediate action, Members are encouraged to utilize a "Motion to Postpone" to a time/date certain, as opposed to a "Motion to Table" the matter, in order to have substantive issues addressed further.

H. Voting

1. Requirements for Action

   a. Unless a higher vote is required by provisions of the City Charter, the City Code or otherwise by law, the affirmative votes of at least five Members of the City Council shall be required:

      (i) in order for the City Council to take action on an item of business;

      (ii) to pass any Ordinance, Resolution or motion; or

      (iii) for the making or approving of any order for the payment of money requiring City Council approval.

   b. Any Ordinance declared by the City Council to be necessary as an emergency measure and containing a statement of the facts constituting such emergency as provided in City Charter Article III, Section 32 (g)(2) may be introduced and adopted at one and the same meeting if passed by at least six affirmative votes.

2. Voting Disqualification

   a. Any Member shall not vote upon any matter on which the Member is disqualified due to a conflict of interest or bias.

   b. Any Member shall openly state that he/she is abstaining due to a conflict of interest or bias.

   c. The Member who is abstaining due to a financial conflict of interest shall publicly identify the financial interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

   d. As to any other conflict of interest, the Member's determination may be accompanied by an oral or written disclosure of such conflict of interest.

   e. A Member who is disqualified by a conflict of interest in any matter shall not remain on the dais during the discussion and must not vote on such matter except for Consent Calendar items. The Member may remain on the dais for Consent Calendar items if the Member states that he/she is abstaining from the vote due to the described conflict of interest before the Consent Calendar is voted on in one motion.

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A. General

1. All Council requests dealing with policy issues and those requests which may be construed as direction shall be directed to the City Manager except for general inquiries or questions, in which case, the City Council may go to the Department Directors or key staff in the City Manager's Office. Members may also deal directly with the City Attorney, City Clerk, City Treasurer, or other staff appointed by the City Council.
2. Any request from the City Council requiring funding must go through the City Manager. The City Manager shall respond in a timely manner.
3. Council requests to prepare or consider new ordinances shall be made in accordance with Chapter 13 Section A-2(a.)

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CHAPTER 10 – VACANCY APPOINTMENTS

A. Procedures

1. When a vacancy occurs on the City Council which may be filled by appointment, the City Council will direct the City Clerk to perform the necessary actions to accomplish the recruitment of candidates.
2. The City Council will determine the procedures to be used. Prior recruitments, appointment documentation, and records may be used in determining appropriate procedures to be used at the time a vacancy occurs.

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A. Council Chamber Capacity

1. Council chamber attendance shall be limited to the posted seating capacity. Entrance to the Council chamber will be appropriately regulated by the City Manager on occasions when the Council chamber capacity is likely to be exceeded and enforced by the Sergeant of Arms. While the legislative bodies are in session, members of the public shall not remain standing in the seating area or aisles of the Council chamber except to address the Members. Sitting on the floor shall not be permitted.

B. Alternate Facilities for Meetings

1. The legislative bodies may meet in a facility other than the City Council chamber. If the Mayor or City Manager has reason to anticipate that the attendance for a meeting will be substantially greater than the capacity of the City Council chamber and insufficient time exists to secure the approval of the body to hold the meeting at an alternate facility, the City Manager shall make arrangements for the use of a suitable alternate facility to which such meeting may be recessed and moved, if the body authorizes the action.
2. If a suitable alternate facility is not available, the body may reschedule the matter to a date when a suitable alternate facility will be available. Alternate facilities should be selected from those facilities previously approved by the City Council as suitable for meetings away from the City Council chamber.

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CHAPTER 12 - CITY COUNCIL COMMITTEES/REGIONAL ORGANIZATIONS

A. General

1. The Mayor will make all appointments to Council Standing and Council Ad Hoc Committees, subject to the approval of the City Council.
2. A Standing Committee is a permanent committee of the City Council established to consider subjects of a particular class with regularly scheduled meeting dates and times.
3. An Ad Hoc Committee is a temporary committee of the City Council established for a special or exceptional purpose.
4. Standing and Ad Hoc Committees will have fact-finding, informative and recommendatory powers only, and such other powers delegated by the City Council.
5. It is the intention of the City Council that Council committees, to the extent possible, conduct a full hearing on any matter referred to that committee before the committee refers the matter back to the Council.
6. The City Clerk will maintain and keep on file a list of the Standing Committees, Ad Hoc Committees, regional organizations, and joint powers agencies to which Council Members are appointed.

B. Standing Committees

1. General Guidelines
   a. Standing Committee appointments will be made by the Mayor each January.
   b. Standing Committees are subject to the Brown Act. Standing Committee agendas will be prepared, posted and distributed in accordance with the Brown Act stating the time and place of the meeting and the subject matter to be discussed.
   c. A City Council Member, who is not a member of the Standing Committee, may attend a Standing Committee meeting, provided he/she attends only as an observer, does not testify or otherwise participate in any discussion, and sits amongst the public.
   d. Generally, all items on an Agenda for a Standing Committees must first be referred by the City Council for review and a recommendation returned to the City Council within 120 days, subject to the exceptions set forth below or as otherwise modified by the City Council.
   e. As of the date of adoption of these Rules there are two existing Standing Committees: the Law and Legislation Committee (Chapter 13) and the Personnel and Public Employees Committee (Chapter 14.)
   f. With approval of the City Manager, an item may be sent directly to a Standing Committee without City Council referral. If a matter is so referred to a Standing Committee, the committee agenda will note such fact on the face of the agenda. Such referrals are not required to be forwarded to the City Council unless Council action is recommended by the Standing Committee.

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C. Ad Hoc Committees

1. Establishment

   a. Once the Mayor or a majority of the Council has requested the creation of an Ad Hoc committee, the City Manager/department director together with the City Attorney will work with the appropriate supporting department(s) and will determine the scope and approximate length of time the ad hoc committee will be needed.

   b. The department director will submit a report to the City Clerk for the Council agenda requesting the adoption of a Resolution creating and appointing up to four (4) members to the committee.

   c. Council Members who are not Ad Hoc Committee Members shall not attend the Ad Hoc Committee Meetings.

   d. Once the Ad Hoc committee has completed its task, the supporting department will submit a report to the City Clerk for the Council agenda requesting the adoption of a Resolution dissolving the Ad Hoc committee.

2. Scheduling

   a. Once an Ad Hoc committee has been formally established by Resolution, all meeting requests will be directed to Mayor and Council operations manager, for coordination with member's calendars and to locate a meeting location. Once confirmed, the operations manager will notify the Members, Mayor's office, City Clerk, City Manager (or designee) and the City Attorney (or designee) of the details of the committee meeting.

D. Regional Organizations

1. The Mayor will appoint Council representatives to the regional organizations and joint powers agencies listed in the documents maintained by the City Clerk, subject to the approval of the City Council.

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Chapter 13 - Law and Legislation (Law and Leg) Committee

A. Authority-Purpose

1. The Law and Leg Committee has the authority to take positions on behalf of the City on state and federal legislation.
2. The Mayor or the Chair of Law and Leg Committee has the authority to take positions on behalf of the City when the need to react quickly does not allow for a matter to be considered by the Law and Leg Committee.
3. The purpose of the Law and Leg Committee is to consider, evaluate, conduct fact finding and to recommend for Council approval City legislation.

B. Procedures

1. Ordinances
   a. Generally, all requests to prepare, amend, draft and/or process ordinances must be made by one or more Council Members during a Council meeting in public session or by City staff, and will be referred directly to the Law and Leg Committee.
   b. Ordinances not requiring Law and Leg Committee review prior to City Council review and adoption are those that are:
      (i) deemed urgent by the Mayor or City Manager;
      (ii) voted on by the majority of Council to bypass Law and Leg Committee;
      (iii) voted on by the majority of the Law and Leg Committee to go to Council without full Law and Leg review; or
      (iv) zoning code amendments for specific development projects.
   c. Ordinances referred by City staff or Members under Comments, Ideas and Questions will be placed on the municipal legislation log, with new items placed at the end of the log to establish a priority order.
   d. The log will be scheduled for the consent agenda at every Law and Leg Committee meeting. Any interested committee member may pull the item from consent for discussion.
   e. Items placed on the log must be approved by the committee's adoption of the log before scheduling the item for discussion on the Law and Leg Committee agenda.
   f. Items on the log may be removed at the request of the sponsor. Staff will note the request for removal on the log and remove the item after the log has been approved by the committee.
   g. The log will be brought to the City Council quarterly to confirm Council's continued interest in the items and the priority status or the items.
   h. Three affirmative Committee Member votes are required to forward a Law and Leg item with or without a recommendation to City Council.

CHAPTER 14-Personnel and Public Employees Committee

A. Purpose

1. The purpose of the Personnel and Public Employees Committee is to:
   a. review applications received for membership to various City Boards, Commissions and Committees;
   b. conduct interviews for such membership appointment; and
   c. make recommendations to the Mayor concerning appointment of members.

B. Procedures

1. Applications for citywide Boards, Commissions, and Committees are reviewed by the Personnel and Public Employees Committee.
2. Recommendations by the Personnel and Public Employees Committee and other Members are submitted to the City Clerk for inclusion on the Council Agenda for input from Members and the public.
3. The Mayor announces appointments at the Council meeting during Council Ideas, Comments and Questions.
4. After the Mayor's appointments, the City Clerk submits a report for the Council agenda requesting confirmation of such appointments by the Members.
5. Appointment recommendations shall be made by the Personnel and Public Employees Committee in accordance with Chapter 15.

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A. Vacancies and Appointments

1. When any vacancy occurs on a board or commission, the City Clerk will provide an announcement of that vacancy on the regular Council agenda. For routine vacancies, the announcement is placed on the agenda approximately sixty days prior to the date on which the vacancy is to occur. For non-routine vacancies, the announcement is placed on the agenda as soon as possible in order to maintain viable memberships on the various boards and commissions. The City Clerk's staff maintains the board and commission files, and performs all clerical and administrative support tasks related to the application process.
2. At the close of the nomination period, all applications received for the vacancy are referred by the Clerk to the applicable Council District, Mayor or the Personnel and Public Employees Committee for recommendation.
3. Following the review, the Member or Personnel and Public Employees Chair will send the board and commission nomination(s) to the City Clerk. The Clerk places nominations on the Council agenda for Member and public review and comment.
4. After reviewing the submitted nomination(s) made by the Member or Personnel and Public Employees Committee, the Mayor makes an appointment to fill the vacancy at a regular Council meeting.
5. At the next regular Council meeting (but not sooner than 6 days) following the meeting at which the Mayor made the appointment, the City Council confirms the appointment by vote.
6. If the Council does not approve the appointment, then the Mayor makes another appointment, and at the next regular meeting following the meeting at which the subsequent appointment was made, the City Council confirms by vote.
7. This procedure is followed until an appointment has been approved by the Council. No request by a Member to delay the appointment or approval will be allowed unless approved by a majority vote of the City Council.
8. At the direction of the City Council, all vacancies, application periods, and close of application periods for boards and commissions are monitored and maintained by the City Clerk in compliance with the Maddy Act [California Government Code section 54970 et seq.].
9. In making nominations and appointments to City boards and commissions, the Mayor, Personnel and Public Employees Committee and Council District member will consider people from various ethnic groups, ages, genders, education, and occupational experience as reflected in the general population of the City from all districts of the City.

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RULES OF PROCEDURE

OF THE

SACRAMENTO CITY COUNCIL

These Rules of Procedure are adopted, pursuant to authority set forth in Charter Section 30, to assist the City Council in the orderly conduct of City business consistent with law.

SACRAMENTO CITY COUNCIL MEMBERS

Mayor Heather Fargo

Council Member Ray Tretheway	District One
Council Member Sandy Sheedy	District Two
Council Member Steve Cohn	District Three
Council Member Robert King Fong	District Four
Council Member Lauren Hammond	District Five
Council Member Kevin McCarty	District Six
Council Member Robbie Waters	District Seven
Council Member Bonnie Pannell	District Eight

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CHAPTER 1
CITY COUNCIL MEETINGS

A. Regular Meetings

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1. Regular City Council meetings are held on Tuesday afternoons and evenings beginning at 2:00 p.m. and 7:00 p.m. respectively in the City Hall Council Chamber.

2. Each calendar year, changes to the fixed days and times of regular Council meetings may be made to accommodate holidays, elections, and other events. These changes are done by resolution of the Council at the first regular meeting in November for the following year, to allow adequate notice to staff and other outside agencies with whom the council interacts regularly.

3. City Charter section 31 mandates that the Council meet "*after 5:00 p.m. not less than one evening each week*", and allows the Council to designate "*up to four weeks per year during which a regular City Council meeting need not be held*".

B. Special Meetings

Page 8

1. A special meeting may be called at any time by the Mayor, the Vice-mayor, or by a majority of the members of the Council by providing written notice of the meeting 24 hours in advance to all members and to all media outlets that have requested notification.

2. The notice should state the time and place of the special meeting and the business to be transacted. No *other* business may be considered by the Council at the special meeting.

3. The special meeting notice must be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public. (G.C. Section. 54956) Inquiries about, or requests for a special meeting should be directed to the City Clerk .

C. Emergency Meetings

Page 8

1. In the case of an emergency situation involving matters requiring prompt action, due to the disruption or threatened disruption of public facilities, the Council may hold an emergency meeting without complying with either the 24 hour notice or posting requirement.

2. An emergency situation means any of the following: work stoppages, crippling disaster, or other activity which severely impairs public health, safety, or both, as

determined by a majority of the Council members. The emergency meeting may be called by the Mayor, the Vice-mayor, or by a majority of the Council. At the beginning of the meeting, the Council should determine whether an emergency situation actually exists.

Page 8

3. Notice of the meeting should be provided by telephone to each local newspaper of general circulation, and other media outlets that have requested notification, at least one hour prior to the meeting. In the event that telephone services are not working one hour prior to the commencement of the meeting, notice must be given as soon as possible before or after the meeting. Emergency meetings may not be held in closed session (G.C. Sections 54956 and 54956.5)

D. Policy Meetings

NO

1. At the request and direction of the Council, the City Clerk may modify the regular agenda meeting format and order of business to accommodate discussion of special subjects or major policy questions.

E. Adjourned Meetings

Page 8

1. Meetings may be adjourned, continued or postponed to a time and place specified in a notice of adjournment. The City Clerk will prepare and post the notice, within 24 hours after the adjournment, on or near the Chamber door. If no time is specified at which the adjourned meeting is to be held, the meeting is adjourned until the next regularly scheduled meeting (G.C. Sections 54955, 54955.1)

CHAPTER 2
COUNCIL MEETING AGENDAS

A. Preparation and Distribution

NO

1. The office of the City Clerk prepares, prints, distributes and posts a list of all city business to be considered at each Council meeting. This list is known as the "agenda".

Page 13

2. The agenda is available in both hard copy and electronic format by noon on Fridays and is distributed to the Council, charter officers, city departments, the press and the general public. The purpose of the agenda is to provide at least a 72 hour public notification of city business scheduled to come before the City Council.

B. Contents

NO

1. The agenda contains a brief general description of each item of business to be transacted or discussed at the meeting, listed in numerical order, along with the recommended action to be taken by the Council. If there is more than one recommendation for an item, both recommendations are listed.

Page 11

2. The Council will not consider any resolution, motion, or matter which does not affect the conduct of the business of the city of Sacramento or its corporate powers or duties as a municipal corporation, nor will the Council consider any resolution or motion supporting or disapproving any legislation or action pending in the legislature of the state of California, the congress of the United States, or before any officer or agency of the state or nation unless such proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers and duties of the city of Sacramento or its officers or employees. This rule may be invoked only before deliberation and by five affirmative votes on the question: "Shall the Council consider this matter"?

C. Material Preparation

Page 12

1. All authorized agenda material should be delivered to the City Clerk on or before 10:00 a.m. on Tuesday of the week prior to the regular meeting. Agenda packets will be ready for distribution by noon on Friday of the week prior to the regular meeting.

D. Posting Of Agenda

Page 13

1. The office of the City Clerk posts a hard copy of the agenda of regularly scheduled meetings on City Hall's exterior official bulletin board no later than 72 hours prior to the Council meeting. [G.C.54954.2]
2. An electronic copy of the agenda of regularly scheduled meetings is posted to the city's web site [www.cityofsacramento.org] on Friday afternoon.

E. Items Requiring Action After The Agenda Is Posted

Page 8

1. No action may be taken on any item not on the posted agenda, except under one of the following circumstances:

   (a) The City Council determines by a majority vote that an emergency exists pursuant to government code section 54956.5. This code section defines an emergency situation as work stoppage, crippling disaster or other activity which severely impairs public health and/or safety.

Page 14

(b) The City Council determines by a two-thirds vote, or by a unanimous vote of those present if less than two-thirds are present, that the need to take action on a matter occurred after the agenda was posted.

(c) The City Council may take action on an item posted on an agenda for a meeting occurring not more than five (5) working days prior, when at that prior meeting the item was continued to the date at which action is being taken.

NO

2. The City Clerk has the discretion to reject any late items inconsistent with City Council direction, the City Council Rules of Procedure and/or the City Council Agenda Procedure Manual.

CHAPTER 3
AGENDA ORDER OF BUSINESS

NO

A. Regular Meeting Agenda

1. The agenda lists the business of the regularly scheduled City Council meetings in the following format, as far as practical.

(Afternoon - 2:00 P.M.)
Preliminary Matters
- Call to Order and Roll Call
- Closed Session ~~Report~~
- Special Presentations/General Communication

Administrative Matters
Consent Calendar
Public Hearings
Staff Reports
~~SHRA~~
~~Regional Issues~~
Citizens Addressing Council (Matters not on Agenda)
Council Ideas, Questions, and Announcements
Adjournment

Note: Any item may be considered as a consent calendar item regardless of its monetary impact provided that funding for the item has been previously approved and included in the current fiscal year budget.

(Evening - 7:00 P.M.)
Preliminary Matters
- Call to Order and Roll Call

NO

Pledge of Allegiance
~~Closed Session Report~~
Special Presentations/General Communications
Public Hearings
Staff Reports
~~SHRA~~
Citizens Addressing Council (Matters not on Agenda)
Council Ideas, Questions, and Announcements
Adjournment

B Special Meeting Agenda

Page 8

1. The special meeting agenda lists only the business which was listed on the special meeting notice prepared by the City Clerk.

C. Call To Order

Page 16

1. The Mayor, or in the Mayor's absence, the Vice-mayor, will call the meeting to order at the hour appointed for the meeting. In the absence of the Mayor and the Vice-mayor, the City Clerk will call the meeting to order and a temporary chairperson will be elected from among the members present. When the Mayor or Vice-mayor arrives, the temporary chairperson will relinquish the chair after concluding the business immediately before the Council.

D. Roll Call

Page 16

1. Before starting with the business of the Council, the City Clerk will call the roll of the members and record the names of those present. No member will be considered present unless he or she is physically in the Council Chamber.

E. Changing Order Of Business

Page 17

1. After opening the meeting, the regular order of business may be changed by the Mayor or Vice-Mayor, without objection by the Council, or by motion of the Council.

F. Public Testimony

Pages 7, 17, 18

1. On all legislative matters regularly set for hearing before the City Council, the Mayor will allow all speakers a maximum of 3 minutes to state their views, subject to speaking restrictions as announced by the Mayor (1) at the start of the meeting, or (2) during the course of the hearing, to avoid

unnecessary repetition or improper conduct. A speaking maximum may be set for any particular subject.

CHAPTER 4
LEGISLATIVE PROCEDURES

A. Ordinances

Page 15

1. Ordinances are presented to and voted on by the Council twice. At least six days must elapse between the introduction of the ordinance (pass for publication of title) and adoption. Ordinances may be amended by Council.

2. Ordinances are subject to Rule 4-C, stated below.

B. Resolutions

NO

1. Resolutions are usually adopted the same day they are presented. Resolutions may be amended by Council.

2. Resolutions are subject to Rule 4-C, stated below.

C. Delay Of Action

NO

1. Any motion, resolution, ordinance or other action pending before the Council may be continued for not more than two weeks at the request of any Council member for the following reasons:

   (a) to allow further study or investigation of the issue, or
   (b) because a Council member will be absent from the meeting when the issue will be determined.

NO

2. However, no continuance will be granted to allow further study or investigation if the Council has had at least two weeks notice of the matter, unless a majority of the members of the Council concur. In no event will a continuance be granted if the effect of such a continuance is to render useless a subsequent vote on the issue.

NO

3. Additionally, no agenda item will be withdrawn or continued without the full knowledge and concurrence of the Council member within whose district/jurisdiction the agenda item resides.

D. Introduction to Sponsorship

NO

1. Ordinances, resolutions and any other matters or subjects requiring action by the Council may be introduced and sponsored by a member of the Council. In addition, any member of the Council may *assume* sponsorship of an ordinance, resolution or any other matter or subject submitted by the City Manager or his staff by moving its adoption.

E. Ordinance Publication

Page 15

1. An ordinance is first passed by the Council for publication of title (PFP). At least six days must elapse between the date the ordinance was passed for publication of title and the date it is adopted by the Council. The City Clerk must publish the title of the ordinance in the official newspaper of the City (Daily Recorder) no later than three days before the date of adoption of the ordinance.

2. In lieu of the procedure set forth above, the City Clerk must publish the entire ordinance in the official newspaper of the City within ten days after adoption. (Charter Section 32).

F. Motion to Act

Page 21

1. However introduced or presented, both ordinances and resolutions may only be called upon for action by a motion of a Council member.

G. Motion to "Waive and Adopt"

Page 21

1. When a motion is made to "waive and adopt" an agenda item, it means that the Council is waiving the reading of the agenda description of the item (or items) specified in the motion. When such a motion is made, a Council member may abstain or vote "no" on a particular agenda item, without the necessity of separating the questions or restating the motion.

H. Motion Reconsideration

Page 20

1. Any member of Council may move to reconsider any vote on any question *except* a vote to adjourn, suspend the Rules, to reconsider, or where an intervening event has deprived the Council of jurisdiction, provided that the member had voted on the *prevailing side* of the question he or she is asking to reconsider.

2. The motion to reconsider will only be permissible once during the Council meeting in which the issue was voted upon, or during a recessed Council meeting held within five (5) calendar days of the original meeting.

Page 20

(a) If a motion to reconsider is first made at a *recessed Council meeting,* the member requesting reconsideration will identify for all Council members present the agenda number and subject matter previously voted upon. The motion to reconsider an item: may be made at any time during the meeting; will have precedence over all other motions; may be made while a Council member has the floor; may be debated, unless the action to be reconsidered is not debatable; and requires a majority vote of the Council members present.

NOTE: If the *recessed session* is calendared more than five days after the original meeting where the item was first voted upon, the item may *not* be reconsidered, and needs to be placed back on a future agenda as a new item.

(b) If a motion to reconsider an item is adopted, Council will reconsider the item as soon as they complete their discussion of the current item. This would not occur, however, if the motion to reconsider s specifies a different time for Council consideration, and appropriate posting takes place, as required by law.

I. Effect of A Motion

NO

1. Any completed motion will be considered an act of the Council and carry the same effect as a resolution.

J. Debate

Page 20

1. The Council member moving the adoption of an ordinance or resolution will have the privilege of closing the debate.

K. Majority Minimum

Page 21

1. Except as otherwise provided in the Charter, the affirmative vote of five Council members is necessary to pass any ordinance, resolution or motion.

L. Voting

Page 21

1. The Council will act only by ordinance, resolution or motion. The Council will be a continuing body, and no measure pending before it will abate or be discontinued because of expired terms of office or removal of any of its members. (Charter Section 30)

Page 20

a) Voting may be accomplished by a roll call vote, voice vote, or the use of electronic voting equipment, and recorded as shown.
b) When a motion is made, every Council member present will register a vote for or against the motion. Any Council member wanting to declare a conflict of interest or to abstain from voting, will do so prior to the vote being taken. The Mayor will request those members voting to register their vote. The Clerk will announce the vote as registered.
c) The Mayor (chair) has the sole discretion to call for a voice vote or roll call vote of the members versus an electronic vote.
d) When the roll call vote has been tabulated, the Clerk will announce one "no vote" cast for each council member present who did not vote unless that member has declared a possible conflict of interest or abstained from voting. The Clerk will announce the vote as registered.
e) A Council member may change his or her vote after it is tabulated, as long as the change does not affect the outcome of the vote, and if the remaining Council does not object, by majority vote, to the change. Otherwise, a Council member wishing to change his or her vote must receive approval of reconsideration, and a new roll call must be taken.

M. Quorum

Page 16

1. A majority of members then in office will constitute a quorum, except that a lesser number may adjourn from time to time and may compel attendance of absent members in a manner provided by ordinance or resolution. [Charter Section 30(b)]

N. Lack of Quorum -- Regular Meeting

Page 18

1. When there is no quorum at a regular meeting, the Mayor, Vice-mayor, any Council member, or, in their absence, the City Clerk will adjourn the meeting until the same hour on the next succeeding legal business day. In the event a quorum is not present at that postponed day and hour, there will be no meeting until the next regular or special meeting.

O. Lack of Quorum -- Special Meeting

NO

1. When there is no quorum at a special meeting of the City Council, the meeting is not postponed. The Clerk must prepare a new special meeting notice, as required by law to reschedule the meeting.

CHAPTER 5
LEGISLATIVE PROTOCOL

Page 4

A. Decorum

1. While the Council is in session, Council members should preserve order and decorum. A member should not, by conversation or otherwise, delay nor interrupt the proceedings, the peace of the Council, nor disturb any member who is speaking.

B. Speaking Privileges

1. Council members wanting to speak should notify the Mayor of their intent by pressing their "queue-up" button, located by each member's microphone. When recognized by the Mayor, Council members should confine themselves to the question being debated and avoid all personality conflicts and improper language, especially any and all personal criticisms of Council, its individual members or the City Manager.

2. The "queuing" system aligns members to speak in the order in which they depressed their individual "queue" buttons.

C. Speaking Interruption

1. A Council member should not be interrupted when speaking unless it is to call the member to order, or for purposes of explanation. If a Council member is called to order while speaking, the member should cease speaking until the question of order is resolved. Afterwards, if permitted by the Mayor, the member may proceed. All questions and/or matters of point of order should be addressed through and determined by the Mayor.

CHAPTER 6
CITIZENS ADDRESSING COUNCIL

Page 7
18

A. Addressing Council

1. Citizens wanting to address the Council should complete a speaker slip. When called upon by the Mayor to speak, they should approach the podium and give their name and group affiliations, if any, for the record. Speakers are typically limited to three minutes. Additional time may be granted for purposes of clarification and to respond to Council member questions.

Page 7

2. City Code Section 2.15.150 requires lobbyists to identify themselves and to verbally identify the client(s), business or organization they represent prior to speaking.

Page 14

3. The Mayor may limit speakers to less than three minutes or prohibit them from speaking at all, if it is determined by the Mayor to be appropriate under the circumstances. A decision by the Mayor to limit a speaker's time may be reversed by a majority vote of the Council.

B. Proper Conduct

Page 7

1. Any speaker addressing the council who makes remarks that are personal, irrelevant, or that a reasonable person would consider offensive, will be immediately barred by the Mayor from speaking further, unless permission to continue is granted by a two-thirds vote of the Council members present.

C. Podium Privileges

Page 7

1. No citizen addressing the Council will be permitted to enter into discussion, either directly or through a member of the Council, without the permission of the Mayor. Only city officials, and citizens while addressing the Council, will be permitted within the podium area.

D. Disturbance Of Meeting; Expulsion; Arrest

Page 7

1. No person should disturb any Council meeting by loud or unusual noise or by violent or offensive conduct. The Mayor may deny any person displaying such conduct the privilege of addressing the Council. If a person persists in conducting him or herself in a disruptive manner, despite warnings from the Mayor or sergeant-at-arms, he or she may be expelled from the Chamber.

Page 7

2. Any person who, without authority of law, willfully disturbs or breaks up a Council meeting in violation of Section 403 of the Penal Code of the State of California will be subject to arrest, in addition to expulsion from the meeting.

E. Table and Desk Privileges

NO

1. The tables and desks on the floor of the Chamber are reserved for City staff and contracted consultants.

CHAPTER 7
ADMINISTRATIVE PROCEDURES

A. Adding Matters of Other Agencies

Page 1

1. The City Clerk is authorized to add Redevelopment Agency, Housing Authority and Parking Authority matters to the agenda. These matters will be placed under the appropriate agenda headings.

B. Communication Requests From The Public

Page 12

1. When the City Clerk receives any public communication addressed to the City Council requesting City staff action or communication, the Clerk will send the request directly to the City Manager, with copies to the Council. The Clerk will acknowledge receipt of the communication. A copy of the City Manager's or City department's reply will be sent to the City Council.

C. Synopsis (Recap Of Council Action)

NO

1. The City Clerk will furnish each Council member with a synopsis of the Council action of every Council meeting.

D. Minutes (Approval Of)

NO

1. At each regular Council meeting, the minutes of a previous Council meeting will be considered approved, unless a reading of the minutes of a previous Council meeting is requested by a Council member or citizen, and provided that the City Clerk has previously furnished each Council member a synopsis of that meeting's Council action. Minutes of each Council meeting will be signed by the presiding Mayor and by the City Clerk.

E. Recording System

NO

1. The City Clerk is responsible for providing and maintaining a digital [audio] and video [VHS] recording of all regular and special Council meetings. Prior to the introduction of any matter by a Council member, the City Manager or a Council committee, the City Clerk may be requested to prepare a written transcript for filing. The City Clerk may also be requested by the Mayor to include this transcript in the minutes of the Council.

F. Items Sent To Council From Committee(S)

Page 25

1. Any item heard in a Council committee (e.g., Law and Legislation Committee) may be sent by the committee to the full City Council for discussion and action. If a

Page 25

committee considers an item to be an urgency matter, it may request, in advance, that the City Clerk legally add the item to either the afternoon or evening Council agenda for the same day it is being heard in Committee. Any item not considered an urgency issue will be placed on a future Council agenda. All items moved from Committee to the full City Council for discussion and action will be placed on the staff report section of the Council agenda.

CHAPTER 8
PUBLIC HEARINGS

A. City Clerk Sets Hearing Dates

1. The City Clerk is authorized to set the City Council hearing dates:

   a) on all matters requiring hearings received from the Planning department;
   b) on appeals to the City Council which require a notice and hearing;
   c) on all other municipal matters which require a notice and hearing.

2. The City Clerk will notify the City Council of the dates set for hearings via the Preliminary Agenda.

B. Continuances of Hearings

Page 9

1. General Policy [First Request]:

   Any person (applicant, appellant or designated representative) scheduled for a hearing before the Council, may obtain one continuance of the hearing for a period not to exceed two weeks as a matter of right without personally appearing before the Council on the scheduled hearing date, by delivering a written continuance request to the City Clerk by noon on the day prior to the Council meeting. If any person has once obtained a continuance of a hearing by any procedure, that person may not obtain any subsequent continuance by notifying the City Clerk as provided in this paragraph.

2. Request for More Than Two Weeks:

   If any person (applicant, appellant or designated representative), scheduled for a hearing before the Council, wants to obtain a continuance of the hearing for *more* than two weeks, *or* has not notified the City Clerk as provided in the preceding paragraph, that person may obtain a continuance only by appearing before the Council at the time the hearing is scheduled and requesting a continuance. This continuance is not a matter of right, and will not be granted,

Page 10

unless the person requesting the continuance satisfies the Council that good cause exists for the continuance and that a substantial number of people will not be inconvenienced by the continuance.

3. Second Request:

   If any person (applicant, appellant or designated representative), scheduled for a hearing before the Council, has once obtained a continuance of a hearing either by notice to the City Clerk as provided in paragraph 1 above, or by personal appearance as provided in paragraph 2 above, that person may obtain a further continuance only by appearing before the Council at the time the hearing is scheduled and satisfying the Council that *extraordinary* circumstances exist which would justify this second continuance.

4. Third Request:

   If any person (applicant, appellant or designated representative), scheduled for a hearing before the Council, has twice obtained a continuance of a hearing, that person may obtain an additional continuance only by appearing before the Council at the time the hearing is scheduled and satisfying the Council that a miscarriage of justice would result from the refusal of the Council to grant a continuance.

Page 10

5. Requests by Staff:

   Any staff member from the department originating the public hearing may obtain a continuance, as needed, by request through the City Clerk. The request may be based on the needs of the department, or on behalf of a Council member. A staff member may request as many continuances as needed to complete and ready the project or appeal for the hearing process. A department is not to serve as a requestor on behalf of an applicant or appellant.

6. Request by Council (on behalf of Neighborhood Associations and/or residents):

   Any organized group of residents, or a neighborhood association, not recognized as an applicant or appellant, may seek a continuance through its City Council representative. A Council member may request as many continuances as needed to complete and ready the project or appeal for the hearing process.

7. Disputes on Length of Continuance:

Page 10

The City Clerk will attempt to resolve any disputes regarding the length of a continuance and bring the parties involved to a mutual agreement. In the event an agreement cannot be reached, the matter will be decided by the City Council at the time of the scheduled hearing.

8. City Council Authority:

   Nothing in this section shall be construed to affect the authority of the Council to continue any matter on its own motion. No hearing will be withdrawn or continued without the full knowledge and concurrence of the Council member within whose district/jurisdiction the agenda item resides.

9. Refusal to Grant Continuance:

   The Council may refuse to grant a continuance of any hearing unless there is a valid legal reason why the hearing must be continued.

CHAPTER 9
ADMINISTRATIVE HEARING PROCEDURES

NO

A. Applicability of Procedures

1. Whenever any administrative action requires a City Council hearing, or where findings of fact are required by law, the provisions of this section will govern the conduct of the hearing.

2. The publication of these hearing procedure rules is not intended to change the fundamental or procedural rights of any party as set forth in the Sacramento City Code, including Title 17 - the Comprehensive Zoning Ordinance, Ordinance No. 2550, Fourth Series. The provisions of these hearing procedures, however, will prevail over any other inconsistent rules.

B. Opening Hearing, Swearing Witnesses

1. At the time and place fixed for hearing, the Mayor will open the hearing by requesting the City Clerk to read from the agenda the description of business or subject of the hearing.

2. Anyone requesting to testify at the hearing will *not* be required to testify under oath or affirmation unless a member of the Council, or a person who may be adversely affected by the decision made on the issue being heard, requests that all testimony in the hearing be made under oath or affirmation.

3. If such a request is made, the City Clerk will swear in all persons who intend to testify during the hearing. Unless the Council objects, the Clerk may *collectively* swear in all persons intending to testify during *any* of the Council meeting hearings where the testimony is to be under oath or affirmation. The Mayor may combine hearings unless the Council objects.

C. <u>Order Of Proceeding</u>

1. The Mayor may receive testimony in the following order:

   a) City Manager or other City staff member or representative(s) and witness(es).
   b) Applicants, proponents, appellants and/or their representative(s) and witness(es).
   c) Respondents, protestors, opponents and/or their representative(s) and witness(es).
   d) Rebuttal evidence and closing statements in the same order as opening presentations.

2. The Mayor may alter the testimony order for good cause or because of Council preference.

D. Relevant Testimony

1. Any relevant testimony will be permitted, especially if it is the type of testimony that most reasonable people would typically rely upon when conducting serious affairs, and regardless of the fact that it might be the type of testimony which, because of common law or statutory rule, would be inadmissable, if objected to, in civil actions. The Mayor will exclude unnecessarily repetitive and irrelevant testimony.

2. Written staff reports and attachments submitted to the Council, with the agenda material or at the hearing, will be considered part of the recorded hearing proceedings. Copies of the staff reports and attachments will be available in the Council Chamber for public inspection on the date of the hearing. The Council may take official notice of all official documents, resolutions, or ordinances of the City.

E. Rights of Parties

1. Each party shall have the following rights:

a) To call and examine witnesses on any matter relevant to the issues of the hearing.
b) To introduce documentary and physical evidence.
c) To ask questions of other parties, or witnesses on any matter relevant to the issues of the hearing by addressing these questions through the Mayor.
d) To represent him or herself, or to choose a representative to do so.

F. Reasonable Time Limits

1. The Mayor may, without objection by the majority of the Council, establish reasonable time limits for opening and closing statements, rebuttals, and examination of witnesses by the parties.

G. Questions by Council

1. During or after the presentation of testimony by any speaker, the Mayor may permit questions of the speaker by Council members.

H. Closing a Hearing

1. When testimony is completed, the hearing may be closed by Council motion or by the Mayor, if no member of the Council objects. At this time, the Council may vote upon a decision or defer the matter for further consideration.

I. Reopening a Hearing

1. By motion of the Council, the hearing may be reopened to accept additional testimony.

J. Findings of Fact

1. At the conclusion of a hearing where findings of fact have been proposed, the Council may act on the findings of fact and make its final decision.

2. At the conclusion of a hearing where findings of fact have *not* been prepared, the Council may make an "intent motion" of their decision. Regardless of the form of the actual Council motion on the issue, the matter will be referred to City staff for the preparation of findings of fact consistent with Council's intended decision. After the proposed findings of fact have been prepared by staff, they will come back to Council for final approval and action.

K. Council, a Continuing Body

1. "The Council shall be a continuing body and no measure pending before such body shall be abated or discontinued by reason of the expiration of the term of office or removal of a member of said body, or any of them." (Charter Section 30)

2. A Council member will not be disqualified from participating in any decision on any item of business which was the subject of a hearing the member did not attend, provided that the member listens to a tape recording or reads a transcript of the hearing. The Council member should state for the record that he or she has listened to the recording or read the transcript of the previous hearing prior to participating in any subsequent decision.

NO

L. Additional Rules

1. If there are no objections from Council, the Mayor may establish additional rules of procedure, as needed, for the orderly and expeditious administration of hearings.

M. Strict Compliance Not Necessary

1. The Council's failure to strictly comply with these rules and procedures will not affect the validity of any proceedings governed by them.

CHAPTER 10
THE MAYOR AND VICE MAYOR
DUTIES AS PRESIDING OFFICER

A. Mayor

1. The Mayor, as the presiding officer or chair of the meeting, will be seated at the dais, call the meeting to order at its advertised time, and, except in the absence of a quorum, proceed with the City's business in the manner prescribed by these rules.

2. The Mayor will adhere to and enforce the Council Rules as long as they are consistent with the Charter and other governing law. The Mayor may refer to and use "Robert's Rules of Order Newly Revised", for guidance, interpretation, or to supplement these rules.

Page 2

3. The Mayor will maintain order at all regular and special meetings and will decide all questions of order without debate, subject to an appeal to the Council. On an

appeal, a Council member may speak once and the Mayor may speak more than once and may speak at the close of the debate.

B. Vice-Mayor

Page 2

1. Per City Charter Section 45, it is the policy of the Sacramento City Council to select a Vice-mayor in January of each year to serve a one year term concurrent with the calendar year. At the first regular Council meeting in January, the City Clerk will place an item on the agenda for the Council to elect one of its members as Vice-mayor. The Vice-mayor is not required to be the chairperson of a standing Council committee during his or her term as Vice-mayor.

2. In the absence of the Mayor, the Vice-mayor will act as the presiding officer or chair at any City Council meeting.

C. Temporary Appointment

Page 2

1. "In the event of the absence, vacancy in office, or inability of both the Mayor and Vice-mayor to perform their duties, the Council may appoint one of its members to serve as Mayor Pro Tem. The Mayor Pro Tem shall temporarily act in the capacity of an acting mayor". (City Charter, Section 45)

D. Privileges

Page 2

1. The Mayor, Vice-mayor, or any other member of the Council who may be serving as the presiding officer or chair, may move, second and debate any issue before the Council, subject only to the limitations of debate imposed on all Council members by these rules, and should not be deprived of any right or privilege given to a Council member because of serving as presiding officer or chair.

CHAPTER 11
COUNCIL MEMBERS

A. Attendance

Page 16

1. A Council member will be considered present at a Council meeting if the member is either physically in the Council chamber or is participating in the meeting through a telephone connection. The telephone connection should provide the ability for full discussion of city business with other Council members and members of the public who are present at the meeting location.

2. Council members attending a Council meeting through a telephone connection may cast a vote *only* on items listed on the consent agenda. Council members must be physically present in the Council chamber (or other meeting location) to vote on items listed on the remainder of the agenda. Proxy or absentee voting is *not* permitted.

Page 16

3. Council members attending a Council meeting through a telephone connection are not counted when determining a quorum as required by section 11-C;

4. Attendance at Council meetings through telephone connection will be permitted only in extraordinary circumstances such as a medical condition which physically disables the member. Support for a request to attend meetings through telephone connection will be done objectively and be based upon an independent professional opinion when possible.

B. Absence

NO

1. "Absence from five consecutive regular meetings of the city council, unless excused by resolution of the council, shall operate to vacate the seat of the mayor or council member so absent." (Charter Section 28).

C. Quorum

Page 16

1. A quorum of the City Council is five members. Per City Charter Section 30(c), "Except as otherwise provided in the Charter the affirmative vote of five council members of the council shall be necessary to pass any ordinance, resolution or motion."

CHAPTER 12
APPOINTMENT TO FILL A VACANCY OF A MAYOR OR COUNCIL MEMBER FOR AN UNEXPIRED TERM

A. Recruitment of Candidates

Page 23

1. When a vacancy occurs on the City Council which may be filled by appointment, the City Council will direct the City Clerk to perform the necessary actions to accomplish the recruitment of candidates.

B. Procedures to Be Used

Page 23

1. The City Council will determine the procedures to be used. Prior recruitment, appointment documentation, and records may be used in determining appropriate procedures to be used at the time a vacancy occurs.

CHAPTER 13
COUNCIL COMMITTEES AND REPRESENTATIVES

A. Creation Of Standing and Special Council Committees

1. Standing and Special Committees of the City Council may be created by the Mayor with the approval of the City Council, or by the City Council.

2. A Standing Committee is a permanent committee of the City Council established to consider subjects of a particular class. A Special Committee is a temporary committee of the City Council established for a special or exceptional purpose.

3. Standing and Special Committees will have fact-finding, informative and recommendatory powers only, unless otherwise specified by the City Council. A committee will report as a committee to the City Council.

B. Standing Committee and Council Representatives

Page 25

1. A list of the Standing Committees and the organizations and agencies to which Council representatives are appointed will be maintained and kept on file by the City Clerk.

C. Appointments

1. The Mayor will make all appointments to Council Standing and Council Special Committees, subject to the approval of the City Council. The Mayor will appoint Council representatives to the organizations and agencies listed in the documents maintained by the City Clerk, subject to the approval of the City Council.

D. Committee Responsibility - Meetings

1. It is the intention of the City Council that Council committees, to the extent possible, conduct a full hearing on any matter referred to that committee before the committee refers the matter back to the Council.

2. The City Council will have a public hearing on any matter referred to them by a Council committee unless the City Council refuses, by a two-thirds vote, to

grant the hearing. The City Council may *not* refuse to grant a hearing if it is required by law.

Page 25

3. A written notice of committee meetings will be posted and/or distributed prior to the meetings. The notice will state the time and place of the meeting and the subject matter to be discussed. Copies of the notice will be mailed to persons receiving copies of the City Council meeting agendas along with the synopsis of the prior meeting. The provisions of this paragraph will not apply to meetings of the Personnel and Public Employees Committee which are held for personnel interviews or to discuss issues relating to labor negotiations.

CHAPTER 14
BOARDS/COMMISSIONS - APPOINTMENTS

Page 29

A. Appointment By The Mayor With The Approval Of The Council

1. When any vacancy occurs on a board or commission, the City Clerk will provide an announcement of that vacancy on the regular Council agenda. For routine vacancies, the announcement is placed on the agenda approximately sixty days prior to the date on which the vacancy is to occur. For non routine vacancies, the announcement is placed on the agenda as soon as possible in order to maintain viable memberships on the various boards and commissions. The City Clerk's staff maintains the board and commission files, and performs all clerical and administrative support tasks related to the application process.

2. At the close of the nomination period, all applications received for the vacancy are referred by the Clerk to the applicable Council District or the Council Personnel and Public Employees Committee for action in accordance with the procedure set forth in Section 14-B.

3. After receiving the nomination(s) made by the Council District or Personnel and Public Employees Committee, the Mayor makes an appointment to fill the vacancy at a regular Council meeting. At the next regular Council meeting following the meeting at which the Mayor made the appointment, the City Council votes on the issue of confirming the appointment. If the Council does not approve the appointment, then the Mayor makes another appointment, and at the next regular meeting following the meeting at which the subsequent appointment was made, the City Council votes on the issue of approving the appointment. This procedure is followed until an appointment has been approved by the Council. No request by a Council member to delay the appointment or approval will be allowed unless approved by a majority vote of the City Council.

B. Personnel And Public Employees Committee Procedure

1. At the direction of the City Council, all vacancies, application periods, and close of application periods for boards and commissions are monitored and maintained by the Office of the City Clerk in compliance with the Maddy Act [G.C. 54970].

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2. As required, public notices related to boards and commissions are placed on the appropriate City Council agenda for action by the City Council. For routine vacancies, application periods close no later than thirty days prior to the expiration of a term of office. For all vacancies, applications are duplicated and sent to the applicable Council District or to the members of the Personnel and Public Employees Committee for review and determination. Following the review, the Council member or Committee Chair will send the nomination(s) to the Mayor with a copy to the City Clerk.

C. Matters to Consider In Appointment

Page 29

1. In making nominations and appointments to City boards and commissions, the Mayor, Personnel and Public Employees Committee and Council District member will consider people from various ethnic groups as reflected in the general population of the City; from all districts of the City; and will consider the characteristics of age, sex, education, and occupational experience.

CHAPTER 15
RULES

A. Amendment

1. Any rule may be adopted, altered, amended or repealed at any time by a majority vote of the Council, provided that a one week notice is given for the proposed action by the Council member requesting the change.

B. Suspension

Page 1

1. Any rule may be temporarily suspended by the unanimous consent of all Council members present, not being less than two-thirds of the Council.

C. Robert's Rules

1. All rules of order not contained in these rules will be determined in accordance with "Robert's Rules of Order, Newly Revised". Notwithstanding the provisions of

"Robert's Rules of Order, Newly Revised", if a substitute motion is adopted which completely supersedes the main motion, no additional vote on the main motion as substituted is necessary.

D. Copies Of Council Rules And Procedures

NO

1. The City Clerk will provide each member of the Council with one or more copies of these Rules and Procedures and will provide a supply for public purposes at fees established by resolution of the City Council.

E. Copies of Roberts Rules

NO

1. The City Clerk will provide each Council Member with a copy of "Robert's Rules of Order, Newly Revised".

CHAPTER 16
ASSIGNED DUTIES

A. Security Officers

NO

1. Security Officers will be assigned and in attendance at each Council meeting to maintain order and enforce the orders of the Council and the Mayor. Thirty minutes before any Council meeting, the Security Officer(s) will unlock the doors of City Hall and the Chamber and move all unauthorized persons from the business area of the floor to the seating area reserved for the general public.

REVISION HISTORY

Date	Resolution No.	Type of Revision Made
November xx, 2005	2005-	xx
December 17, 1996	96-692	Reorganization/revision/clean-up
October 1, 1996	96-527	Chapt.3, Sect. 3-I [Order of Business]
January 9, 1996	96-016	Chapt. 8, Section 8-1C [Voting]
October 24, 1995	95-603	Chapt. 7 [Attendance]
July 25, 1995	95-437	Revision and cleanup
December 13, 1994	94-706	Chapt.1, Section1-A [meeting time]
March 3, 1992	92-155	Revision and cleanup
July 19, 1988	88-651	Revision and cleanup
March 16, 1976	76-136	First Adoption of Rules