

CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF: July 1, 2025 ; Item Continued from June 17th City Council Meeting

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To: Honorable Mayor and City Councilmembers
From: Councilmember Hinton
Subject: Consideration of Amendment to City Council Protocols:
Rules for the Conduct of its Meetings, Proceedings and City Business

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RECOMMENDATION:

That the City Council Consider Amendment to City Council Protocols: Rules for the Conduct of its Meetings, Proceedings and City Business

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EXECUTIVE SUMMARY:

In order to promote transparency, efficiency, and respectful governance, the Council has initiated and approved established protocols. The protocols are policies for agenda setting, meetings, roles, etc.

BACKGROUND

The City Council, which regularly meets the first and third Tuesday of each month, has, for many years, cancelled one of the two Council meetings in August to allow staff and Council to schedule summer vacations. Currently, the August 19, 2025 City Council was approved by the City Council earlier in the year for cancellation. Therefore there will not be a City Council meeting between August 6th and September 1, 2025.

DISCUSSION:

At a recent City Council meeting, there was a request to take a summer recess and cancel one of the meetings in July or August and re-schedule the August 19th Council meeting currently cancelled. The Council as a whole did not support the request.

Currently Agenda Protocols Number 7; Rules for the Conduct of its Meetings, Proceedings and City Business contains the following language:

Cancellation of Regular Meetings

Any meeting of the Council may be cancelled in advance by the Agenda Review Committee. The Mayor may cancel a meeting in the case of an emergency, when a majority of members have confirmed in writing their unavailability to attend a meeting, when there is not a quorum at the start of the meeting, or when the agenda is such that cancelling the meeting would not interfere with normal operations of the City. Cancelled meetings will be noted on the agenda and posted for the public.

I am requesting that the language be changed as follows:

*Any meeting of the Council may be cancelled in advance by **a majority vote of the City Council at a regularly scheduled City Council Meeting** by the Agenda Review Committee. The Mayor may cancel a meeting in the case of an emergency, when a majority of members have confirmed in writing their unavailability to attend a meeting, **or** when there is not a quorum at the start of the meeting, ~~or when the agenda is such that cancelling the meeting would not interfere with normal operations of the City.~~ Cancelled meetings will be noted on the agenda and posted for the public.*

Council meetings ensure that the business of the City continues without interruption. Postponing or canceling a scheduled meeting may delay time-sensitive decisions, approvals, or contracts. It is important that all Councilmembers have an opportunity to weigh in before a decision is made to cancel a meeting, as the choice affects the entire Council and community.

In addition, delaying regularly scheduled meetings often leads to significantly heavier agendas in the future. We are already experiencing lengthy and complex agendas, and canceling meetings will only exacerbate this issue. It may also create the need for additional special meetings, which can be more difficult to schedule.

CITY COUNCIL GOALS/PRIORITIES/ AND OR GENERAL PLAN CONSISTENCY:

This agenda item represents the City Council goals/priorities as follows:

Goal 4 - HIGH PERFORMANCE ORGANIZATION

Restoring Public trust

Improve Public Communications

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date. The City has also used social media to promote and advertise the City Council Meeting Agenda Items.

As of the writing of this staff report, the City has not received any public comment on this item. However, if staff receives public comment from interested parties following the publication and distribution of this staff report, such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of this item.

FISCAL IMPACT: There is no fiscal impact associated with approval of this item other than staff time to amend the protocols.

RESTATED RECOMMENDATION:

That the City Council Consider Amendment to City Council Protocols: Rules for the Conduct of its Meetings, Proceedings and City Business

OPTION:

1. The Council could deny the request.
2. That the Council deny the request and provide further direction to staff.

ATTACHMENTS:

Current Protocol Number 7

CITY COUNCIL POLICY NUMBER 7
RULES FOR THE CONDUCT OF ITS MEETINGS, PROCEEDINGS AND CITY BUSINESS

PURPOSE:

The intent of this policy is to ensure a fair and equitable policy for all Councilmembers regarding Rules of Conduct of Its Meetings, Proceedings and City Business.

Adoption of Roberts Rules of Order.

The Council adopts Roberts Rules of Order as the general procedures for conducting its meetings unless otherwise specified in these rules of conduct. Except as provided herein, other rules adopted by the City Council and applicable provisions of State law, the procedures of the City Council will be generally guided by the latest revised edition of Robert's Rules of Order. Pursuant to State law, failure to follow parliamentary rules will not in and of itself invalidate action taken by the Council. In the event of a conflict between this manual and Roberts Rules of Order, the provisions of this manual shall control.

When necessary to resolve issues that may arise over process, the Mayor will refer to the City Attorney who will provide legal advice to the City Council. Upon such advice, the Council will vote and follow the decision of the majority.

Types of Meetings:

Regular Meetings

Time and date.

The City Council of the City of Sebastopol shall hold regular meetings on the first and third Tuesday of each and every month, commencing at 6:00 p.m. on the first Tuesday of the month and at 6:00 p.m. on the third Tuesday of the month. In the event the regular meeting of the Council falls upon a day designated by law as a legal holiday, such meeting shall be held on such other date as the Council may designate, or shall be scheduled for cancellation upon approval of the Agenda Review Committee.

Meeting place.

Meetings must be held within the jurisdictional boundaries of the City with the following exceptions: Comply with court order, inspect real property, participate in multi-jurisdictional meetings, meet to confer with State/Federal officials, meet with legal counsel to discuss pending litigation, or participate as member of Joint Powers Agency.

All regular meetings of the City Council shall be held in the Sebastopol Youth Annex/Teen Center, 425 Morris St., Sebastopol, Sonoma County, California, or other such place as shall be designated in the notice of such meeting. In the event the meeting is in such place other than the Youth Annex, notice shall be given as required by law.

Whenever possible, special workshops shall take place at a location to be approved by the Agenda Review Committee.

If by reason of natural disaster or other emergency it shall be unsafe to meet in approved location as determined by the Agenda Review Committee, the meetings may be held for the duration of the emergency at such other place as is designated by the Mayor,. City staff shall provide recommendations for locations for meetings to the Mayor for final approval.

Posting of Regular Meeting

The city clerk shall post the agenda of each regular meeting of the legislative body at least 72 hours in advance of the meeting in a location that is freely accessible to members of the public as required by the Brown Act. The City Clerk shall maintain an affidavit indicating the location, date, and time of posting each agenda.

Special Meetings

A special meeting of the Council may be called by the Mayor or a majority of the members of the Council. A special meeting may be called by providing notice (by personal delivery or by written notice) 24 hours in advance of the meeting to the Mayor, to all Councilmembers, and to all media outlets and persons having requested in writing notification of such meetings pursuant to State law. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. No ordinances, other than urgency ordinances, may be adopted, nor may resolutions or orders for payment of money be made.

The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at the meeting. Written notice may be dispensed with as to any member who, at or prior to the time and meeting convenes, filed with the City Clerk a written waiver of notice. The waiver may be given by fax, email or mail. Written notice shall be dispensed with as to any member who is actually present at the meeting at the time it convenes.

Study/Work Session:

The Council may meet in a study/work session at such times or at such places as may be determined by the Council for the purpose of hearing reports from the staff and reviewing, discussing and debating matters of interest to the City. These sessions will be noticed as provided by law and open to the public and the press. No official action may be taken at a study session. However, Council may refer the item to staff with specific requests for information or provide specific direction to staff. During study/work sessions, Councilmembers may ask questions of staff. For those questions that staff cannot immediately answer, responses will be provided for the Council in writing or at a future Council meeting.

Closed Session Meetings:

As needed, the City Council may adjourn to a Closed Session privately to discuss and consider matters of confidential concern to the City as authorized by the Brown Act. Before convening into Closed Session, the Mayor shall publicly announce the purpose for the Closed Session, by Title of Item Only, the estimated time when the Closed Session will conclude, and whether the Council will reconvene to take action. (Prior to adjournment into Closed Session, the public may speak up to three (3) minutes on items to be addressed in Closed Session).

A Closed Session may be extended to a later time by announcement of the Mayor. Nothing in this section shall require or authorize a disclosure of information prohibited by State or Federal law. The Brown Act requires all Council action to be discussed and taken in open session, except for specified and limited exceptions such as personnel matters, real property negotiations, and pending or threatened litigation. Closed Sessions are typically held at the end of the regular Council meeting and, if needed, can be continued to the next regular meeting. Closed Sessions may be scheduled by the Agenda Review Committee in accordance with City Council Policy Number 6.

Conclusion of Meetings:

City Council meetings will conclude no later than 10:30 p.m., unless this provision is waived by unanimous vote of the Council. Consideration of the agenda matter then on the floor may be continued beyond 10:30 p.m. by unanimous vote of the Council. In the event the remaining agenda cannot be concluded at any meeting by 10:30 p.m., the Agenda Review Committee will reschedule the remaining items for a future City Council meeting, with a preference for the next regularly scheduled Council meeting. In the event that the remaining agenda items include public hearings, the City Council shall, upon majority approval, continue the public hearing to a definite time and place, and notice of such continued hearing will be given as provided by statute. In the alternative, the City Council may, by majority vote, schedule a Special City Council Meeting to a definite time and place, and notice of such continued meeting will be given as provided by statute. No new agenda business shall be considered after 10:30 pm without agreement from unanimous vote of the Council. If there is unanimous vote to continue the meeting beyond 10:30 pm, said meeting will be extended up to one additional hour or 11:30 pm and will not continue beyond that time. If an agenda item has not concluded or if agenda items remain and have not been heard prior to the 11:30 p.m. adjournment, remaining items shall be rescheduled as specified above.

If there is no unanimous vote of the Council, the meeting will end at 10:30 pm as noted above.

Televised/Tapings:

Council meetings will be broadcast live on Livestream and/or virtual format (currently zoom) which can be accessed through the City's web site. Council meetings will also be stored to Live Stream and the City Web site for one year in compliance with the City's Records Retention Policy.

The Administrative Service Department in consultation with the City Clerk's office is responsible for contracting for IT recording for all City Council meetings except for those portions of the meeting conducted in Closed Session. Recordings are available and archived for one year.

Any person attending an open and public meeting of the Council shall have the right to record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding by the Council that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

Adjourned Meetings

As permitted by law, the Council may adjourn any regular or adjourned regular meeting to a time, place, and date specified in the order of adjournment but not beyond the next regular meeting. If no time is stated in the order of adjournment, it shall be the same time as for a regular meeting.

Emergency Meetings

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 such as:

- Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the Council;
- or a crippling disaster which impairs public health, safety, or both, as determined by a majority of the Council;

the legislative body may hold an emergency meeting without complying with either the 72-hour or 24- hour notice and posting requirements for regular and special meetings, but shall otherwise comply with the Brown Act procedures generally stated below.

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 emergency meeting. This notice shall be given by telephone call to the numbers provided in the most recent request for notification or by email (if available). 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 emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

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, being not less than three votes of the Council.

All special meeting requirements in the Brown Act shall be applicable to an emergency meeting, with the exception of the 24-hour notice and posting requirement.

The minutes of an emergency meeting; a list of Council persons attending, the presiding officer of the legislative body, or designee of the 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.

Teleconferenced Meetings Traditional Brown Act:

Members may participate in meetings remotely only as allowed by the Brown Act.

Meetings to be Public

All regular, adjourned, and special meetings of the City Council shall be open and public and held in accordance with the Ralph M. Brown Act (Government Code sections 54950, et seq.); provided, however, the City Council may hold closed sessions from which the public may be excluded as allowed by law. The Brown Act strikes a balance between public access to meetings of public governing bodies and the need for confidential candor, debate and information gathering.

Attendance

Councilmembers are expected to attend all meetings of the City Council. Pursuant to Government Code section [36513](#), if a Councilmember is absent from all regular City Council meetings for sixty (60) days consecutively from the last regular meeting he/she attends, their office becomes vacant and shall be filled as any other vacancy.

Councilmembers are expected to be present at the start of the meeting, work from the agenda presented, and be attentive and prepared for the agenda item.

If a Councilmember will be absent from the meeting, the Councilmember shall notify the City Clerk of such absence as soon as possible prior to the meeting.

Cancellation of Regular Meetings

Any meeting of the Council may be cancelled in advance by the Agenda Review Committee. The Mayor may cancel a meeting in the case of an emergency, when a majority of members have confirmed in writing their unavailability to attend a meeting, when there is not a quorum at the start of the meeting, or when the agenda is such that cancelling the meeting would not interfere with normal operations of the City. Cancelled meetings will be noted on the agenda and posted for the public.

Quorum

The Council consists of five members, one of whom is the Mayor. Three (3) members of the Council shall constitute a quorum and shall be sufficient to transact business (other than in the case of an emergency meeting). If less than three (3) Councilmembers appear at a regular meeting, the members attending shall adjourn the meeting to a stated day and hour.

At City Council Meetings, Council shall:

- Value each other's time
- 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
- Have the right to dissent from, protest, or comment upon any action of the Council
- Respect each other's opportunity to speak and, if necessary, agree to disagree
- Avoid offensive negative comments and shall practice civility and decorum during discussions and debate
- Assist the presiding officer's exercise of the affirmative duty to maintain order
- Shall make the public feel welcome
- Be respectful, and without prejudice toward the public
- Listen courteously and attentively to public comment
- Not argue back and forth with members of the public
- Make no promises to the public on behalf of the Council

At/For City Council Meetings, City Staff shall:

- Prepare well-written staff reports and provide accompanying documents on all agenda items in accordance with the agenda format and preparation schedule as listed in City Council Policy Number 6
- be available for questions from members in accordance with the Brown Act prior to and during meetings
- respond to questions from the public during meetings only when requested to do so by Mayor or the City Manager
- refrain from arguing with the public or staff members, or consultants;
- switch any electronic equipment such as pagers and cellular telephones to silent or off mode during Council meetings with the exception of Key City staff as determined by the City Manager or City Manager designee;
- Staff shall remain objective on issues and should not be advocates for issues unless so directed by the legislative body;
- To the extent permitted by the Brown Act, the City Manager shall inform the Mayor and Councilmembers of controversial, significant-impact issues that are coming before the Council

ORDER OF BUSINESS/CONDUCT OF CITY COUNCIL MEETINGS

The order of business is typically carried out as listed on the agenda format as attached to City Council Policy Number 6.

RULES OF CONDUCT

Obtaining the Floor

Every Councilmember desiring to speak will first address the Presiding Officer and gain recognition by the Presiding Officer. All Councilmembers will have an opportunity to speak. The Presiding Officer will determine the speaking order of the Councilmembers.

Introducing a Motion

At the Presiding Officer's discretion, items on the agenda may be discussed before asking for a motion and second. The Presiding Officer or any Councilmember can bring or second a motion. Before the matter can be considered or debated, it must be seconded. Once a motion has been properly made and seconded, the Presiding Officer may open the matter for debate offering the first opportunity to debate to the moving party and, thereafter, to any Councilmember properly recognized by the Presiding Officer.

It is a courtesy, but not required, to allow other Councilmembers to move and second motions, and for the Presiding Officer to be the last to debate a motion. Once the matter has been fully debated and the Presiding Officer calls for a vote, no further debate will be allowed, provided however, any Councilmember may be allowed to explain their vote prior to the vote being cast.

Voting:

The Presiding Officer or Councilmember may request that the Mover of the Motion or City staff verbally restate each motion immediately prior to calling for the vote. The Presiding Officer in their discretion may publicly explain the effect of a vote for the members of the public, or he/she may direct a member of the City staff to do so before proceeding to the next item of business. All Councilmembers present at a meeting when a question comes up for a vote, shall vote for or against the measure unless he/she is disqualified from voting and required to recuse themselves because of such disqualification, or choose to abstain. It shall be at the Mayor's discretion for the order of the vote, but typically the City Clerk shall call for the vote in alphabetical order, starting with the first letter of the last name. The results reflecting all "ayes" and "noes" must be clearly set forth for the record. No Councilmember shall be allowed to change their vote after an item has been closed.

Tie Votes - A tie vote results in a lost motion. In such an instance, any member of the Council may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal, and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.

A Councilmember who was not present for a vote may request to have the Agenda Review Committee re-schedule the item for a second vote with the entire Council present when the Council has a tie vote and the motion fails.

Abstention: If a Councilmember recuses because of a conflict arising under the Political Reform Act of 1974, he/she is not counted as present for quorum purposes and is not deemed to be "voting" for purposes of determining whether there has been a "majority vote of those members present and voting"; When a Councilmember recuses or excuses them self from a portion of a Council meeting because of a conflict of interest arising under the Political Reform Act, the Councilmember must state on the record the nature of the conflict. The inclusion of this information in the public record is required by law.

If a Councilmember abstains for any reason other than a conflict of interest arising under the Political Reform Act, he/she is counted as present for quorum purposes and is not deemed to be "voting" for purposes of determining whether there has been a "majority vote of those members present and voting."

A Councilmember who publicly announces that he/she is abstaining from voting on a particular matter may not subsequently withdraw their abstention.

The vote will be announced by the Presiding Officer or City staff in compliance with State law.

Types of Motions

When the following motions are made and seconded, the Presiding Officer must immediately call for a vote of the body without debate on the motion. Motions carry with the designated vote requirement:

Motion to adjourn [Simple Majority Vote]. This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meeting.

Motion to recess [Presiding Officer or Simple Majority Vote]. This motion, if passed, requires the body to immediately take a recess. In the event of a meeting disruption, the Presiding Officer can unilaterally call a recess. Normally, the Presiding Officer determines the length of the recess.

Motion to set the time to adjourn [Simple Majority Vote]. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion.

Motion to table [Simple Majority Vote]. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold" (temporarily suspending any further discussion of the pending motion). In order to bring the matter back before the City Council, a member must move to table the item and that the motion should contain an exact or approximate date in which the item will come back to the Council. If no timeframe is given in the motion, the item tabled dies, although it can be raised later as a new motion.

Motion to limit debate [Two-Thirds Vote]. This is a motion to end debate or set a time limit on the debate for a given agenda item. When such a motion is made, the Presiding Officer should ask for a second, stop debate, and vote on the motion to limit debate.

Motion to object to the consideration of an agenda item [Two-Thirds Vote]. Rather than tabling, when the Council believes it is premature for an item on the agenda to be considered, then such a motion can be made when the item is first

Motion to Move Previous Question [Two-Thirds Vote]: Any Councilmember may move to immediately bring the question being debated by the Council to a vote, suspending any further debate. The motion must be made and seconded without interrupting one who already has the floor. A 2/3 vote is required for passage.

Motion to Postpone to Time Certain [Simple Majority Vote]. Any Councilmember may move to postpone the pending main motion to a future date as determined by the Council at the time the motion is passed. The motion must be seconded and requires a majority vote for passage.

Motion to Commit or Refer [Majority Vote]. Any Councilmember may move that the matter being discussed should be referred to a committee, board or commission for further study. The motion must be seconded and requires a majority vote for passage. The motion may contain directions for the committee, board or commission, as well as, a date upon which the matter will be returned to the Council's agenda. If no date is set for returning the item to the Council agenda, any councilmember may move, at any time, to require the item be returned to the agenda. The motion must be seconded and a majority vote is required for passage if the item is to come back at a future date certain, or a 2/3 vote if the item is to be immediately discussed by the Council at the time the motion to return is made.

Motion to Amend [Majority Vote]. Any Councilmember may amend the main motion or any amendment made to the main motion. Before the main motion may be acted upon, all amendments and amendments to amendments must first be acted upon. A motion to amend must be seconded and requires a majority vote for passage. An amendment must be related to the main motion or amendment to which it is directed. Any amendment which substitutes a new motion rather than amending the existing motion is out of order and may be so declared by the Presiding Officer. A motion to amend is not necessary if the maker of the motion (and the member who seconded the motion, if any) voluntarily agree to change the original motion.

The following actions by the Council are to ensure orderly conduct of meetings and for the convenience of the Mayor and Councilmembers. These motions take precedence over any pending main or subsidiary motion and may or may not be debated as noted.

Question of Privilege. Any Councilmember, at any time during the meeting, may make a request of the chair to accommodate the needs of the council or their personal needs for such things as reducing noise, adjusting air conditioning, ventilation, lighting, etc. Admissibility of question is ruled on by the chair.

Point of Order. Any Councilmember may require the chair to enforce the rules of the Council by raising a point of order. The point of order shall be ruled upon by the chair.

Appeal. Should any Councilmember be dissatisfied with a ruling from the chair, he/she may move to appeal the ruling to the full Council. The motion must be seconded to put it before the Council. A majority vote in the negative or a tie vote sustains the ruling of the chair. The motion is debatable and the chair may participate in the debate. For example, if the chair determines a member of the public is making a comment on an impermissible topic and ends their opportunity to speak, another member may appeal that decision.

Suspend the Rules. Any Councilmember may move to suspend the rules if necessary, to accomplish a matter that would otherwise violate the rules. The motion requires a second and a 2/3 vote is required for passage. For example, if a member wanted to take an agenda item out of order, and the mayor did not exercise their authority to rearrange items, a member could make a motion to suspend the rules and immediately consider the identified agenda item.

Division of Question. Any Councilmember may move to divide the subject matter of a motion which is made up of several parts in order to vote separately on each part. The motion requires a second and a majority vote for passage. This motion may also be applied to complex ordinances or resolutions.

Reconsider. Except for votes regarding matters which are quasi-judicial in nature or matters which require a noticed public hearing, the Council may reconsider any vote taken at the same session to correct inadvertent or precipitant errors, or consider new information not available at the time of the vote. The motion to reconsider must be made by a Councilmember who voted on the prevailing side, must be seconded and requires a majority vote for passage, regardless of the vote required to adopt the motion being reconsidered. A motion to reconsider is not necessary to an item already decided by the Council to be scheduled for further consideration by the Council in accordance with the agenda setting protocol.

If the motion to reconsider is successful, the matter to be reconsidered takes no special precedence over other pending matters and any special voting requirements related thereto still apply. Except pursuant to a motion to reconsider, once a matter has been determined and voted upon, the same matter cannot be brought up again at the same meeting.

Rescind. Repeal or Annul. The Council may rescind, repeal or annul any prior action taken with reference to any legislative matter so long as the action to rescind, repeal or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements or unless otherwise specified by law.

Authority of The Chair. Subject to appeal, the chair shall have the authority to prevent the misuse of the legitimate form of motions, or the abuse of privilege of renewing certain motions, to obstruct the business of the Council by ruling such motions out of order. In so ruling, the chair shall be courteous and fair and should presume that the moving party is making the motion in good faith.

PUBLIC HEARINGS:

Public hearings are generally held following adoption of the consent agenda, public comment period, and informational presentations (unless the agenda has been reordered). The Mayor will open the Public Hearing. Speakers will be called forward and are encouraged to state their name and address. Comments are limited to the specific matter for which the public hearing is being held and are limited to two (2) minutes, unless a shorter or longer period is permitted by the Mayor. Written comments are permitted prior to and during the public hearing, and should be submitted to the City Clerk before the public hearing is closed.

Written documents will be entered into the file but will not be read aloud. After the public hearing is closed, no member of the public shall be permitted to address the Council or staff on that specific issue.

Public notices related to public hearings, including but not limited to special council meetings, budget approval, annexations, and street vacations are published by the City Clerk in the legal section of the local paper, and on the City's website as well as mailed/distributed as required by City Municipal Code and State law.

Time for Consideration. Matters noticed to be heard by the Council shall commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made.

Continuance of Hearings. Any hearing being held or noticed or ordered to be held by the council at any meeting of the Council may, by order or notice of continuance, be continued or recontinued to any subsequent meeting in the manner provided herein for adjourned meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted or made.

Public Discussion at Hearings. When a matter for public hearing comes before the Council, the Mayor shall open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor shall inquire if there are any persons present who desire to speak on the matter. Any person desiring to speak or present evidence shall make their presence known to the Mayor and upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard.

No person may speak without first being recognized by the Mayor. Members of the Council who wish to ask questions the presenter, applicant, staff or each other, during the public hearing portion may do so but only after first being recognized by the Mayor. The Mayor shall conduct the meeting in such a manner as to afford due process.

All persons interested in the matter being heard by council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by the City Clerk as part of the Clerk's record. Time limits may be established by the Council, limiting the duration of presentations as set forth in these rules. No person shall be permitted during the hearing, to speak about matters or present evidence which are not germane to the matter being considered. A determination of relevance shall be made by the Mayor, but may be appealed as set forth in these rules.

Consideration of Question by Council. After all members of the public desiring to speak upon the subject of the hearing have been given an opportunity to do so, the public hearing shall be closed by the Mayor and the council may consider what disposition they wish to make of the question or questions presented at the hearing. No member of the public shall be allowed, without consent of the Mayor, to speak further on the question during this period of deliberation, although the Councilmembers may ask questions of the speakers if so desired.

At the conclusion of council discussion, and appropriate motion having been made and seconded, the Council shall vote on the matter.

ATTENDANCE BY THE PUBLIC:

Except as specifically provided by law for closed sessions, all meetings of the Council shall be open and public. All persons desiring to attend shall be permitted to attend any meeting, and may address the Council on any item of interest.

To ensure full access for any member of the public wishing to speak, and to maintain a timely and efficient meeting, public comment on the consent calendar, or regular agenda items where the City Council will be taking some action is limited to no more than two (2) minutes per person (unless otherwise directed by Mayor)

In response to public comment on non-agendized items, the Councilmembers may individually:

- briefly respond to statements made or questions posed by members of the public;
- ask questions for clarification;
- provide a reference to staff or other resources for factual information or response;
- request staff to report to the council at a subsequent meeting;
- request staff to place a matter of business on a future agenda as needed.

Disability Accommodation: If a person requires a disability accommodation that extends the normal speaking time, the Presiding Officer will state that the speakers' time is being modified for a requested accommodation, and shall extend the time as is reasonable for the speaker to convey the information.

Time Allocation if Many Commenters: The Mayor shall be authorized to establish a different time limit for public comments in order to allow equal access for all those wishing to address the City Council.

Yielding Time: Speakers may not "yield" a portion of their allotted time to others.

Speakers Location: Speakers shall address the Council from the podium or to speak when called upon utilizing the City's virtual format (currently Zoom) provided for that purpose during their comment. Any written materials or items to be submitted or shown to the Council shall be given to the City Clerk, who will distribute them to Council.

Repetitious or Dilatory Comments Discouraged. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged, but not required. Whenever any group of persons wishes to address the Council on the same subject matter, those persons are encouraged to designate a spokesperson to address the City Council. With the consent of the City Council, the Presiding Officer may extend the time allocation for a designated spokesperson.

In accordance with the Brown Act, comments that exceed the established time limit\ may be ruled out of order by the Presiding Officer. The Mayor shall be authorized to limit disruptive speech. No person shall use loud, profane, threatening, or personally abusive language, or engage in any other disorderly conduct so as to disrupt or otherwise significantly impede the orderly conduct of any Council meeting. Persons who violate this rule may be barred from attendance for the remainder of the Council meeting, provided that the Mayor has notified the person to conduct him or herself in a manner consistent with this rule, and warned the person that they will be removed if they continue to disrupt the Council meeting. If after notification and warning the person persists in disrupting the meeting, the Mayor shall order the person to leave the Council meeting. If the person does not remove himself or herself, the Mayor may request any law enforcement officer who is on duty at the meeting to remove that person from the Council Chambers.

PUBLIC REQUESTS FOR PROCLAMATIONS:

When appropriate, the Council recognizes years of service, volunteers, or presents special awards. In response to City Council, staff or approved citizen requests, the Mayor may issue proclamations in declaration or recognition of a special event, organization or person. . At this time the Mayor may request a City Councilmember(s) read the Proclamation into the record. The proclamation may not be read in its entirety and is up to the discretion of the Mayor.

CITY CORRESPONDENCE:

The Mayor is typically charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. The City Manager assists in preparing the correspondence.

Official correspondence from the City Council must be on official City letterhead and receive prior approval from a majority of the City Council. Individual Councilmembers may initiate correspondence for their own purpose using letterhead that identifies only themselves as a Councilmember. All Councilmember correspondence using City resources will be copied to the full Council consistent with the requirements of the Brown Act.

Individual Councilmembers may occasionally prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose as stated above.

If any Councilmember receives an email sent directly to their address, they are not required to share their response with the full Council. However, if they decide to share the email, they should forward a copy to the City Clerk for distribution by the City Clerk to the full Council, consistent with any Brown Act requirements.

On occasion, Councilmembers may wish to share an opinion on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, individual Councilmembers should clearly indicate they are not speaking for the Council as a whole, but as individuals. It is not appropriate to use City letterhead or Council titles for personal or political purposes.

External Communication.

The Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the City for all ceremonial purposes and shall perform such other duties consistent with the office.

Signing of Documents

The Mayor shall sign all ordinances, resolutions, and other documents necessitating their signature, which were adopted by a quorum of the City Council, unless signature authority has been delegated in the adopting action.

Outside Activities:

Councilmember Participation in Community Activities: From time to time, Councilmembers may choose to participate in community activities, committees, events, and task forces. When a Councilmember participates in these types of activities, the Councilmember is acting as an interested party rather than acting on behalf of the City Council. If asked to speak or comment at a public event, Councilmembers should state that they are acting as interested parties rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the Council has formally designated the Councilmember as its representative for the matter.

Serial Meetings:

Serial meetings are meetings that at any one time involve only a portion of a legislative body, but eventually involve a quorum. Serial meetings yield a process which deprives the public the opportunity for a meaningful contribution to the decision-making process.

Serial meetings may be a chain, in which member A contacts or emails member B, B then contacts C, C contacts D, and so on, until a quorum is involved. To avoid the potential of serial meetings, members shall refrain from using the "reply all" feature when responding to emails. An elected official has the right to confer with a colleague about public business. But if and when a "collective concurrence as to action to be taken" is reached, the Brown Act is violated.

Councilmembers are encouraged to consider the possibility of serial meetings when engaging in discussion with their colleagues on a matter within the subject jurisdiction of the City.

City Logo:

The City Manager or City Clerk may approve the use of the City's Logo for specific purposes by other government agencies to which the City maintains membership or which the City contributes grant funding or co sponsors an event. All authorized use of the City's logo shall be in writing, shall indicate the specific use allowed, and shall include the words "Any other use of this logo is prohibited".