RESOLUTION NO. 9716

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA AMENDING AND RESTATING RULES FOR THE CONDUCT OF ALL COUNCIL, COMMITTEE, BOARD, AND COMMISSION MEETINGS, PROCEEDINGS, AND BUSINESS, AND RESCINDING RESOLUTION NO. 9376

WHEREAS, the City Council has, by prior resolutions, the last of which was Resolution No. 9376, adopted rules for the conduct of its meetings, proceedings, and business; and

WHEREAS, from time-to-time there is a need to update and restate such rules, whether as a result of subsequent policy decisions, to ensure the orderly conduct of City business, or to protect the ability of the public to participate meaningfully in such business; and

WHEREAS, so that there is consistency across the conduct of all City-related business, certain of such rules should apply city-wide to the Council and all City Committees, Boards and Commissions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena as follows:

SECTION 1. The City Council of the City of Pasadena does hereby rescind Resolution No. 9376 and establish the following rules for the conduct of its meetings, proceedings and business.

RULE 1. COUNCIL MEETINGS

A. Meetings. Regular meeting times and places and procedures for special and adjourned meetings of the City Council shall be established by ordinance.

B. Mayor. The Mayor shall preside over all meetings of the City Council. In his/her absence, the Vice Mayor shall serve as presiding officer. In the absence of both the Mayor and Vice Mayor, the City Council shall designate a senior member of the City Council to serve as presiding officer.

C. Workshop Meetings. The City Council may reserve a meeting each calendar month for the purpose of conducting a workshop meeting. The workshop meeting need not be conducted, and may be either cancelled, or utilized as a regularly scheduled City Council meeting.

D. Meeting Schedule. The City Clerk shall prepare, following consultation with the Mayor and the City Manager, an annual schedule of meetings of the City Council identifying dates for regular, special, and/or joint meetings, as well as proposed meetings to be cancelled. This schedule shall be distributed to the full City Council.

RULE 2. ORDER OF BUSINESS

The business of the City Council, at its meetings, shall be conducted in accordance with the order of business detailed below. Departures from said order of business may be authorized from time to time at the discretion of the Mayor and/or by consent of the City Council.

CLOSED SESSION (To be heard at 5:30 p.m., and/or at the conclusion of the meeting)

PUBLIC MEETING (To be called to order at 6:30 p.m. or shortly thereafter)

ROLL CALL, PLEDGE OF ALLEGIANCE, AND CEREMONIAL MATTERS (Presentations, Proclamations, and Introductions)

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (*Public comment will be limited to a total of 20 minutes at the beginning of the meeting and will continue at the conclusion of the meeting, if necessary. Comments are limited to 3 minutes each, and the Mayor may limit this time if reasonable under the circumstances.)*

CONSENT CALENDAR *(The Consent Calendar consists of routine items which will be approved by one motion and one vote unless removed for separate discussion. There will be one opportunity for public comment on all consent items. Comments are limited to 3 minutes each, and the Mayor may limit this time if reasonable under the circumstances.)*

PUBLIC HEARINGS (Scheduled for 7:00 p.m. or shortly thereafter) *(There will be one opportunity for public comment for those speakers who wish to speak on more than one public hearing. Comments are limited to 3 minutes each, and the Mayor may limit this time if reasonable under the circumstances.)*

MULTIPLE AGENDA ITEM COMMENT *(There will be one opportunity for public comment for those speakers who wish to speak on more than one item of business on the agenda, excluding public hearings. Comments are limited to 3 minutes each, and the Mayor may limit this time if reasonable under the circumstances.)*

OLD BUSINESS

REPORTS AND COMMENTS FROM COUNCIL & COMMITTEE MEMBERS

Economic Development and Technology Committee; Finance Committee; Legislative Policy Committee; Municipal Services Committee; Public Safety Committee

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

ORDINANCES

First Reading

Second Reading

INFORMATION ITEM/WORKSHOP

BRIEF REPORTS/REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURNMENT

A posting statement by the City Clerk will be provided on the next page following the agenda.

RULE 3. AGENDA

A. Preparation by City Clerk. The City Clerk shall prepare, in consultation with the Mayor, City Manager, and City Attorney, an agenda for each meeting of the City Council, specifying the time and place of the meeting, and setting forth a brief general description of each item of business to be considered by the City Council at such meeting.

B. Times Certain. Certain items may be listed on the agenda for a time certain. Such listings shall mean that the item shall be heard as soon as reasonably possible after the specified time.

C. Placement of Items on Agenda. An item may be placed on a future agenda of the City Council by any of the following methods:

1. By the Mayor, City Manager, City Attorney, or City Clerk.

2. By a vote or consensus of the City Council.

3. By any member of the City Council submitting a request for an agenda item to the Mayor or City Manager, with the timing to be determined based on the orderly placement of the item for consideration.

4. By any member of the City Council submitting a written request for consideration of a future agenda item with the City Clerk. It shall be the Mayor's determination of the orderly placement of the request on a regular meeting agenda but not more than 45 days from receipt by the City Clerk. Consideration of the request shall be subject to approval by a vote of the City Council.

All agenda items shall be placed on the agenda, and all agendas shall be prepared pursuant to the requirements of the Ralph M. Brown Act (California Government Code Sections 54950 et seq.).

D. Scheduling. The City Clerk is hereby empowered to and shall endeavor, in consultation with the City Manager, to schedule sufficient time between public hearings and other scheduled business matters such that the public is not kept unduly waiting, and the City Council will have sufficient time to review necessary materials, hear testimony, and deliberate matters among themselves.

E. Posting. The resultant final agenda for each regular meeting shall be posted at least 72 hours prior to the meeting in accordance with the Ralph M. Brown Act (California Government Code Sections 54950 et seq.). The City Clerk shall maintain a record of such posting as contained in the posting statement.

F. Availability of Agenda Materials. The City Clerk shall post the agenda, agenda materials, and supplemental agenda materials on the City's agenda webpage.

Any interested person may request copies of agenda reports by contacting the City Clerk and paying the established rate of reproduction, as provided by the City Council by resolution, or may make copies on their own from the agenda materials posted on the City's agenda webpage or from those copies found at the Central Library.

G. Advance Distribution of Documentation for Major Matters. Documentation prepared relating to major policies, that may be associated with or supporting discussion items, public hearings, or ordinances, which have attracted or are prospectively believed to attract significant public attention and interest, should be

distributed, whenever possible, at least one week in advance to allow for public dissemination and encourage public comment. This excludes agenda reports and presentation materials, which will be prepared and disseminated to the public in accordance with the Brown Act.

SECTION 2. The following rules are applicable to the City Council, as well as all City Committees, Boards and Commissions, provided however that each Committee, Board and Commission may adopt by resolution modifications to such rules if necessary for the orderly conduct of their particular business.

RULE 4. PUBLIC HEARINGS

A. Time for Consideration. Public Hearings and matters noticed or ordered to be held by the body shall be commenced at the time specified for the hearing or consideration of such matters, or as soon thereafter as is reasonably possible.

B. Continuance of Hearings. Any public hearing being held, or noticed to be held by the body may, by order or vote of the body, be continued or recontinued to any subsequent meeting of the body.

C. Public Discussion at Hearings. There will be one opportunity for public comment for those speakers who wish to speak on more than one public hearing. Upon opening a public hearing, or all public hearings when there are more than one, and before any motion is adopted relating to the merits of the matter to be heard, the Mayor/Chair shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence relating to such matter. Any person desiring to so speak or present evidence will be asked to complete a speaker's request

card and submit it to the City Clerk/recording secretary or Sergeant at Arms (see Rule 6-C below for additional details). Upon being recognized by the Mayor/Chair, such person may speak or present evidence relevant to the matter being heard, limited to three minutes. The Mayor/Chair, in his/her discretion, and/or in consultation with the body, may limit or extend time for public comment as he/she may find reasonable under the circumstances. No person shall be permitted to speak or present evidence until he/she is recognized by the Mayor/Chair and given permission to speak or present evidence. Members of the body who wish to ask questions of the person, or of each other, or who wish to discuss the subject matter of the hearing during the course of the hearing, may do so, but only after being recognized by the Mayor/Chair. Any time taken for such questions shall not count toward the speaker's time limit.

All persons interested in the matter which is the subject of the hearing shall be entitled to submit written evidence which will be part of the record and shall be given reasonable opportunity to present oral evidence relevant to such subject. All evidence presented shall be retained by the City as part of the official record for the item being discussed or considered; however, parties displaying models and large exhibits may substitute photographs to be placed in the official record. Also, interested persons shall be given reasonable opportunity to present arguments for or against any proposed action. However, no person shall be permitted, during such hearing, to speak or present evidence relating to matters not relevant to the matter which is the subject of the hearing. The Mayor/Chair may admonish a speaker to address the proposed action, and thereafter terminate a speaker's time for failure to remain on topic.

It shall be the policy of the body that legally required and advertised public hearings may have higher time priority over other time scheduled agenda items which have been so scheduled in the normal course of business rather than for statutory or other legal reasons.

RULE 5. ROBERT'S RULES OF ORDER

In all matters not otherwise provided for herein, the proceedings for the body shall be governed under "Robert's Rules of Order", the most current edition.

RULE 6. PETITIONS AND COMMUNICATIONS

A. Petitions and Communications Not on the Agenda. If a person or group wishes to present to the body at its meeting a written or oral petition or communication, such submission will be permitted at the time the body takes up "Public Comment on matters not on the agenda."

B. Addressing the Body. Each person addressing the body will be asked to approach the audience microphone, give his/her name in an audible tone of voice for the record, and unless further time is granted by the Mayor/Chair, shall limit his/her comments to three minutes. A member of the public shall only address the body from the audience microphone, unless authorized by the Mayor/Chair to speak from another location. Members of the public shall direct comments to the body as a whole, and not to staff, individual members of the body, or the public. No person shall be permitted to interrupt members of the body, staff presentations, or members of the public who are at the microphone during a meeting. Any person making personal, impertinent or slanderous remarks about members of the body, staff, or the public, or who shall

become boisterous or threatening or personally abusive of the body, staff or members of the public shall be asked by the Mayor/Chair to cease and desist such activity, and may be requested or required to leave the meeting in the event the behavior continues to disrupt the meeting proceedings (see RULE 7 - DISORDERLY CONDUCT). Any person may record a meeting unless the body finds that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

C. Speaker Cards. The City of Pasadena encourages and welcomes public participation on matters related to the City's business. Any person desiring to speak to the City Council during public comment on matters not on the agenda, or during the comment period for items on the agenda, is asked to submit a speaker card. Speaker cards may be submitted to the recording secretary, or Sergeant at Arms at the start of the City Council meeting (no earlier than 5:30 p.m. for regular meetings), or any time after the start of the meeting, up to consideration of the item. If a speaker wishes to address more than one item of business, a speaker card must be submitted prior to consideration of Multiple Agenda Item Comment.

D. Public Comment. Public comment shall be limited to matters within the subject matter jurisdiction of the body. Public comment on matters on the agenda will be allowed only for items of business to be discussed by the body, and for matters not on the agenda (at regular meetings only). Public comment on matters not on the agenda will be limited to a total of 20 minutes at the beginning of the meeting, and will continue, if necessary, in the event that not all speakers are heard in the initial 20-

minute period, after all other business of the meeting is concluded. Speaker cards for public comment on matters not on the agenda must be received by the recording secretary prior to the completion of the initial 20-minute period. When a speaker is called, the speaker shall promptly approach the audience microphone. Failure to do so may preclude an opportunity to speak during that subject public comment period. Speakers may not yell into the microphone, as doing so presents difficulties for designated translators to accurately translate comments, and may make it difficult for the body to understand the speaker. There shall be only one opportunity for public comment on the entire consent calendar. There shall be only one opportunity for public comment on multiple items of business on the agenda. There shall be only one opportunity for public comment on items that are taken up for consideration together. Public comment speakers shall limit comments to no more than 3 minutes each. The Mayor/Chair, in his/her discretion, and/or in consultation with the body, may limit or extend time for public comment as he/she may find reasonable under the circumstances. Speakers may not cede their time to other speakers. However, to allow for the more efficient presentation of evidence and use of meeting time, the Mayor/Chair may, in his/her reasonable discretion and after advance request, allow multiple speakers at the meeting to designate one person to speak on their behalf at a greatly reduced amount of time than the speakers would have otherwise taken individually. Use of technology in the meeting room (such as Power Points and overhead displays) is restricted to staff, City consultants, applicants for a quasi-judicial approval, and appellants of a quasi-judicial approval. Members of the public may use such technology

only upon the approval of the body when necessary for clarification of the speaker's public comment. No person shall be permitted to speak or present evidence that is (a) not directly relevant to the matter which is the subject of the item, or (b) unduly repetitious. The Mayor/Chair may admonish a speaker to address the item of business, and thereafter terminate a speaker's time for failure to remain on topic.

RULE 7. DISORDERLY CONDUCT

The Mayor/Chair shall have the authority at all meetings to preserve order so that the body may carry out the public business expeditiously, to ensure that the public has an opportunity to be heard, to ensure that the body has the opportunity to meaningfully deliberate, and to enforce the rules of the body. No person in the audience shall engage in conduct that disrupts the meeting, including but not limited to the utterance of threatening, abusive or loud language or sounds, whistling, clapping, stamping of feet, repeated waiving of arms, presenting of signs that interfere with the participation of others in the audience, or other disruptive acts. Members of the audience and speakers shall not wear or display signs, placards, banners, hats, costumes, or similar items at any time at a meeting that obstruct the view of other audience members. To protect public safety and the rights of all members of the audience to participate in a meeting, any signs, placards, banners, props, or similar items shall not be larger than 8.5x11 inches, be illuminated, or be attached to any pole, stick, or other device. To preserve order, the Mayor/Chair may: (1) call a short recess of the body, (2) recess the entire meeting and clear the room; (3) remove or cause the removal of any person from any meeting of the body for actual disruption or disorderly conduct, or conduct as

hereinabove stated in Rule 6-B; or (4) take any other lawful action that may be necessary to preserve the peace and public safety. The Mayor/Chair may command the assistance of the Sergeant at Arms or any peace officer of the City who shall enforce all lawful orders directed by the Mayor/Chair or presiding officer to restore order at any meeting of the body. A member of the public who disrupts and is ordered removed from the meeting shall be excluded for the remainder of the meeting.

Adopted at the regular meeting of the City Council on the 3rd day of June, 2019 by the following vote:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

Mark Jomsky
City Clerk

Approved as to form:

Theresa E. Fuentes
Assistant City Attorney