

PETALUMA CITY COUNCIL

RULES, POLICIES AND PROCEDURES

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CITY COUNCIL RULES, POLICIES & PROCEDURES

I. MEETINGS.

- A. Regular Meetings: The City Council shall hold regular meetings on the first and third Mondays of the month at 3:00 PM unless there is a need for a closed session which in such case may commence at 2:00 PM. Whenever the date fixed for any regular meeting of the Council falls upon a date designated as a holiday, such meeting will be held at the same hour on the next succeeding Monday not a holiday. New agenda items will not be started after 10:30 PM without a majority vote of those Council members present. Matters not completed by 11:00 PM will be continued to the next adjourned or regular meeting, unless a majority of Council members present at the meeting votes to continue the matter past 11:00 PM.
- B. Special Meetings: Special meetings may be ordered at any time by the Mayor whenever in his/her opinion the public business may require it or upon the written request of any majority of all the members of the Council. Whenever a special meeting shall be called, written notice of such meeting shall be delivered personally or by any other means by the City Clerk to each member of the Council and to each local newspaper of general circulation and radio/television station requesting notice in writing. Such notice must be delivered at least 24 hours before the time of such meeting as specified in the notice. The written notice may be dispensed with as to any Council member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The call and notice shall be posted at least 24 hours prior to the special meeting at Petaluma City Hall in a location that is freely accessible to members of the public. The notice shall specify the time and place of the special meeting and the business to be transacted. Business not in the notice shall not be considered at such meeting.
- C. Adjourned Meetings: 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. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the legislative body may declare the meeting adjourned to a stated time and place and he/she shall cause a written notice of the adjournment to be given in the same manner as provided in Government Code section 54956 for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

- D. 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, the City Council may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of section I(B) of these rules, or both of the notice and posting requirements .

For purposes of this section, "emergency situation" means any of the following:

1. Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the City Council.
2. Crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the City Council.
3. Any other event or occurrence which may be specified as an emergency situation by Government Code section 54956.5, as amended from time to time.

However, each local newspaper of general circulation and radio or television station which has requested notice of special meetings pursuant to section I(B)

shall be notified by the Council's Presiding Officer, or his or her designee, one hour prior to the emergency meeting by telephone and all telephone numbers provided in the most recent request of such newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the City Council, or its designee, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meetings, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

Notwithstanding Government Code section 54957, the City Council shall not meet in closed session during a meeting called pursuant to this section.

All special meeting requirements, as prescribed by section I(B) shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

The minutes of a meeting called pursuant to this section, a list of persons who the City Council's Presiding Officer, or the City Council's designee, 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 (10) days in a public place as soon after the meeting as possible.

- E. Location: All regular, adjourned regular, special, and emergency meetings shall be held in Petaluma City Hall except when set in a different place within the boundaries of the City of Petaluma, at the Mayor's direction or by majority vote of the Council, provided that such meetings may be conducted outside of the boundaries of the City in those instances allowed by the Ralph M. Brown Act.
- F. Quorum: A majority of the members of the Council shall constitute a quorum for the transaction of business, but a lesser number than a quorum may adjourn from time to time.
- G. Participation by Teleconference: Council members may participate in Council meetings by teleconference, provided that the Ralph M. Brown Act and other applicable provisions of state law are complied with, and that any Council

members participating by teleconference be at least fifty (50) miles outside the Petaluma city limits.

- H. Study Session: The Council may from time to time meet in study sessions open to the public and news media, the time and place to be designated by the Mayor or a majority of the Council members. Notice of study sessions shall be provided and agendas posted as required by the Brown Act for any such study session. Study sessions shall be devoted to the exchange of information deemed essential before a regular council meeting. No formal vote or official action shall be taken at study sessions, but members of the Council in attendance shall be entitled to express their opinions of any matter under discussion; providing, however, that nothing in this section shall prevent a polling of the Council or the taking of any informal vote or consensus in any matter under discussion. The participation of the public in such sessions shall be within the discretion of the Presiding Officer and subject to Council concurrence and compliance with the Brown Act. Study sessions need not be so designated, but may be called idea sessions, information sessions, workshops, etc.

II. AGENDA.

A. Agenda

1. Preparation of Draft Agenda: A draft agenda shall be prepared by the City Manager for each regular meeting containing the time of commencement of the meeting, the specific items of business to be transacted and the order thereof. The City Manager (a) may place items on the draft agenda for discussion and/or action; (b) shall place an item on the draft agenda for discussion only if requested in writing by any Council member; or (c) shall place an item on the draft agenda for discussion and/or action if requested by the Mayor in writing. For purposes of this paragraph 2(A), "writing" includes e-mail.
2. Approval of Draft Agenda: Said draft regular meeting agenda shall be presented to the City Council for approval for the date and time specified at the preceding Council meeting. Approval of those matters placed on

the draft agenda pursuant to Section II(A)(1) shall be by three or more affirmative votes. New agenda items proposed to be added to a draft agenda under discussion at a City Council meeting may only be added if such new proposed agenda items are approved for a future agenda by a majority of the Council members present.

3. Modifications to Approved Draft Agenda: After the draft agenda is approved by the City Council and before the posting of said agenda for the City Council meeting in which the items will be addressed, additional items shall be placed on said agenda when (a) the City Manager receives a request by two Council members, either verbally or in writing, that an item be added to the agenda. Items added in this manner will be addressed by the Council if a majority of the Council members present at the meeting votes to address the item; (b) the City Manager determines, with the concurrence of the City Attorney, that there is a need for that item to be placed on the agenda. Items added in this manner shall be addressed by the Council at the City Council meeting.
 4. Items for Future Agendas: Any Council member may request that an item be placed on a future agenda not yet drafted, to be considered by the City Manager for inclusion as future agendas are assembled.
- B. Order of Business: At the time set for each regular meeting, the Mayor shall call the meeting to order, and the business of the Council shall be taken up for consideration and disposition in the order set forth. The order of the agenda shall be established by the City Clerk, who may fix a time for public hearings at a later time in the meeting than its commencement. With the consent of a majority of the Council members present, items may be taken out of order.
- C. Agenda - Contents: The final agenda shall specify the time and location of the meeting. The agenda shall specify the time and location of the meeting. The agenda shall contain, when required by law or when appropriate, the following headings:
1. Roll Call of Members.
 2. Pledge of Allegiance.

3. Moment of Silence.
4. Proclamations.
5. Public Comment.
6. Correspondence.
7. Council Comments and Liaison Reports.
8. Agenda Changes, Additions, and Deletions.
9. Special Orders of the Day.
10. Consent Calendar.
11. Public Hearings.
12. Unfinished Business.
13. New Business.
14. Adjourn to Closed Session.
15. Report Out of Closed Session.
16. Approval of Proposed Agenda.
17. Adjourn.

D. Agenda - Posting: At least 72 hours before a regular meeting, the City Clerk shall post the agenda in a place accessible to the public at City Hall and on web site. Whenever possible, staff reports will be made available to the Council, public, and press one (1) week before the meeting. Packet materials or any supplemental material shall be delivered to Council members on a weekday by 5:30 PM.

E. Matters Not Appearing on the Agenda:

1. No action or discussion shall take place on any item not appearing on the agenda for a regular meeting as posted, unless:
 - (a) The City Council determines by majority vote that an emergency situation exists as described in Section I(D).
 - (b) The City Council determines by a two-thirds vote of the members of the City Council present at the meeting, or, if less than two thirds of the members are present, an unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

- (c) The item was included in a posted agenda for a prior meeting held not more than five (5) calendar days prior to the meeting at which the item is acted upon and at the prior meeting the item was continued to the meeting at which action is being taken.
 2. When an item not on an agenda is raised by a member of the public, the City Council may briefly respond, may ask questions for clarification, provide a reference to staff or the resources, or request the City Manager to report back at a subsequent meeting. Furthermore, a member of the City Council may take action to place a matter of business on a future agenda as permitted in Section II(A) herein.
- F. Minutes: The reading of minutes of the preceding meeting may be dispensed with unless required on a vote of the majority of the Council members present. If no objection to the minutes is made, the same will be deemed approved.
 1. Summary Minutes: Minutes of City Council meetings will be summary minutes. Summary minutes will include final motions with votes. The minutes will also reflect the names of public speakers. Council, staff, and public speakers' discussion and comments may be included in the minutes.
 2. Reading of Minutes: The reading of minutes of the preceding meeting may be dispensed with unless required on a vote of the majority of the Council members present. If no objection to the minutes is made, the same will be deemed approved.
 3. Comments for the Record: If a Council member or a member of the public desires that a comment be included in the minutes, he or she shall be responsible for indicating that the statement is "for the record" before making the comments.
 4. Audio and Video Recordings of Meetings: Taped audio and video recordings of proceedings are maintained by the City Clerk for a period of eight years plus the current year. Tapes are available for review at the City Clerk's office.

- G. Consent Calendar: Items which are noncontroversial, which have been reviewed by the Council and staff and which have been made available to members of the news media and the public at Council meetings shall be grouped together and listed under the Consent Calendar. If any Council member abstains from voting on any item on the Consent Calendar due to a conflict of interest, or otherwise, the Council member shall so state, and the abstention shall be recorded by the City Clerk. The Council, including the member or members who have abstained may then vote, provided that for any item in which a member or members have abstained, it is deemed that such vote shall be recorded as an abstention for that item. Adoption of the Consent Calendar will be made by one action only of the Council. The Presiding Officer shall first advise the audience that the Consent Calendar matters shall be adopted in toto by one action of the Council unless any Council member has a question on an item. In that event, the Presiding Officer may defer action on the particular matter or matters and place the same on the regular agenda or be considered as individual items on the consent calendar for consideration in any order he/she deems appropriate at which time the public will be given an opportunity to comment on the particular item.

III. PUBLIC PARTICIPATION AT COUNCIL MEETINGS.

- A. Public Comment: Every agenda for a regular meeting shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by Section II(E) herein. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of the item. No person will be recognized to address the Council during the public comment portion of the agenda unless he/she is permitted by the Presiding Officer or, if a member of Council requests the Presiding Officer to permit such person to

address the Council. If a member of the Council requests the Presiding Officer to allow a person to address the Council during public comment, the Presiding Officer shall permit such person to address the Council.

B. Permission Required/Speaker Card: No person other than a member of the Council or a city official will be permitted to address the Council unless he/she is introduced or permitted by the Presiding Officer, or a member of the Council requests the Presiding Officer to permit such person to address the Council. Persons addressing the Council shall furnish the City Clerk with their names and addresses by way of completing a speaker card.

C. Time Limitations:

1. General Public Comment: Persons wishing to speak under general public comment on non-agendized matters shall be limited to three (3) minutes.

2. Public Comment on Agendized Items: Persons who address the Council under specific agenda items will be limited to not less than three (3) minutes. The primary spokesperson for a group supporting or opposing an agenda item will be limited to ten (10) minutes. Extensions to these time limits may be approved by the presiding officer or three Council members. Up to two members of the public may elect to cede their time to a third member of the public, such that a member of the public may have up to nine (9) minutes to speak, provided that any member of the public wishing to cede time to another member of the public under this section must be present at the meeting and shall state for the record that he or she is ceding his or her time.

D. Manner of Addressing Council: Any person desiring to address the Council shall stand and wait to be recognized by the Presiding Officer. After being recognized, he/she shall approach the podium, state his/her name and city of residence or, if not a resident of a city, the county of residence, for the record, and proceed to address the Council. All remarks and questions shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Council member or a member of the City staff without first obtaining permission of the Presiding Officer.

IV. DEBATE & DECORUM.

- A. Getting the Floor: Every Council member desiring to speak shall first address the Presiding Officer, gain recognition by the Presiding Officer, and shall confine himself/herself to the question under debate.
- B. Interruptions: A Council member, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, unless a point of order or personal privilege is raised by another Council member, or unless the speaker chooses to yield to a question by another Council member. If a Council member, while speaking, is called to order, he/she shall cease speaking until the question of order is determined; if determined to be in order, he/she may proceed. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks, or until recognition is withdrawn by the Presiding Officer.
- C. Points of Order: The Presiding Officer shall determine all points of order subject to the right of any Council member to appeal to the Council. He/She may request an opinion of the City Clerk or City Attorney in making such determination. Council decision shall conclusively determine such question of order.
- D. Point of Personal Privilege: The right of a Council member to address the Council of a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are questioned, or when the welfare of the Council is concerned. A Council member raising a point of personal privilege may interrupt another Council member who has the floor subject only to the power of the Presiding Officer to call him/her out of order.
- E. Decorum and Order - Council and City Staff: While the Council is in session, the Council members and City staff shall preserve order and decorum. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the directives of the Presiding Officer.
- F. Decorum and Order - Audience: Public members attending Council meetings shall observe the same rules of order and decorum applicable to the Council and

staff. Any person making disrespectful, impertinent or slanderous remarks, or who becomes boisterous while addressing the Council or while attending the Council meeting, shall be removed from the room if the Sergeant-at-Arms is so directed by the Presiding Officer. Such person may be barred from further audience before the Council during that meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the Presiding Officer, who shall direct the Sergeant-at-Arms to remove such offenders from the room.

- G. Enforcement of Order and Decorum: The Chief of Police, or such member of the Police Department as he/she may designate, shall be Sergeant-at-Arms at the City Council meetings, and he/she shall attend meetings when requested by the Presiding Officer or City Manager. He/She shall be available to respond to all meetings immediately upon call. He/She shall carry out all orders given by the Presiding Officer of Council for the purpose of maintaining order and decorum at the Council meetings. Any Council member may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the Council members present shall require him/her to do so.
- H. Failure to Obey Rules of Order: Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only, and the failure to strictly observe such rules shall not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law.

V. OFFICERS AND MEMBERS.

A. Presiding Officer:

1. Designation: The Presiding Officer of all meetings of the City Council shall be the Mayor or, in the Mayor's absence, the Vice Mayor, who may, for all ceremonial purposes, be called the Vice Mayor of the City, as provided in Sections 20 and 21 of the City Charter. The Presiding Officer may introduce or second and debate any matter before the Council from the chair. In the absence of the Mayor and Vice Mayor, the meeting shall

be called to order and chaired, on a temporary basis, by that Council member present who has served longest on the Council, and he or she shall perform the duties of the Presiding Officer until either the Mayor or Vice Mayor appears.

2. Duties of Presiding Officer: Decorum and order shall be preserved by the Presiding Officer, who will also decide all questions of order, subject to appeal to the Council. If a member transgresses the rules of the Council, the Presiding Officer shall, or any member may, call him/her to order, in which case, upon order of the Presiding Officer, such member shall relinquish the floor, unless permitted by the Presiding Officer to explain. The Presiding Officer shall control time of individual presentations in accordance with these rules.
 3. Right of Appeal for Presiding Officer Ruling: Any member may appeal to the Council from a ruling of the Presiding Officer. The member making the appeal may state briefly the reason for same, and the Presiding Officer may state briefly the basis for the ruling; but, there will be no debate on the appeal, and no other member may participate in the discussion. The Presiding Officer will then put the question, "Will the decision of the chair be sustained?" If a majority votes "yes" the ruling of the Presiding Officer prevails; if otherwise, it is overruled.
- B. Vice Mayor: The Vice Mayor shall be selected at the first meeting in January and shall serve for a one-year term. The selection shall be based on seniority. In the case of newly seated Council members, their seniority shall be established by the number of votes received at the time of their election. If a Council member does not accept the appointment, the member's name shall go back to the bottom of the seniority list. No member of the Council shall serve a second term until all other members of the Council have had an opportunity to serve.
- C. City Clerk/Duties: The City Clerk shall be the Clerk of the City Council, whose duties at Council meetings shall be as follows:
1. Call and record the names of the members present;
 2. Keep and record all minutes of the meetings of the City Council;

3. Read and present all communications and written reports, proposed resolutions and ordinances;
4. Record the yes and no votes of the members of the Council on all resolutions and ordinances introduced and adopted;
5. Perform such other duties as shall be directed by the City Council.

The Clerk shall prepare an agenda for each regular or special meeting describing each item of business to be considered, and will furnish a copy of the agenda to the Mayor, each Council member, City Manager, City Attorney and Department Directors prior to the meeting. The City Clerk shall post the agenda in a public area seventy-two (72) hours prior to each regular and adjourned meeting. Agendas for special meetings shall be posted twenty-four (24) hours prior to the meeting.

- D. Attendance: Council members are expected to attend all meetings of the City Council. No member shall be excused from attendance at a Council meeting, except upon notification to the City Clerk or City Manager. No member may leave the Council Chambers during a regular session without permission of the Presiding Officer, unless he or she steps down because of a conflict of interest.
- E. Seating Arrangement: Members of the Council shall occupy the seats in the Council Chambers assigned to them by the Mayor, but any two or more members may exchange seats by mutual agreement.
- F. Council Vacancies and Temporary Absences:
 1. A Vacancy in the Office of Mayor or Council Member: If a vacancy should occur in the office of Mayor or Council member, the vacancy shall be filled by appointment pursuant to section 13 of the Petaluma City Charter.
 2. Temporary Absences in the Office of Mayor or Council Member: If a temporary absence (as opposed to a vacancy under state law) should occur in the office of Mayor or Council member, and the appointment of a temporary replacement is either expressly authorized by state law or is not specifically prohibited or inconsistent with state law, the Council may, but is not required (unless required to do so by state law), appoint such

temporary replacement. If the Council decides to appoint a temporary replacement, the appointment shall be conducted pursuant to the following procedure:

- (a) By resolution the Council shall declare a temporary absence and authorize publication of a request for applications (the form of which is to be determined by the Council) for the temporary appointment.
- (b) Said application shall be submitted within two (2) weeks of the date the request is published.
- (c) The appointment shall be made at a regularly scheduled meeting within thirty (30) days, or as soon thereafter as possible, after the deadline for submission of applications.
- (d) Voting:
 - (1) After public interview of candidates, the Council shall first decide whether it still wishes to appoint a temporary replacement with such vote determined by a majority of the Council members present at the meeting.
 - (2) If so, votes shall be conducted until a candidate receives a majority vote of the Council members present at the meeting. Any such appointment shall be by resolution.
- (e) Oath of Office: The candidate selected shall take the oath of office at the meetin in which the appointment occurs.
- (f) Term of Office: The candidate who received a temporary appointment shall serve in the capacity of Council member until the expiration of the term of the Council member who is temporarily absent or until the temporarily absent Council member returns to reclaim his or her Council seat unless expressly prohibited by state law.

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VI. PROCEDURES.

A. Motions:

1. Procedure - Generally:
 - (a) Motions may be made by any member of the Council, including the Presiding Officer.
 - (b) Any member of the Council, other than the person offering the motion, may second a motion.
 - (c) Before a motion can be considered or debated, it must be seconded.
 - (d) A Council member wishing to second a motion should do so through a verbal request to the Presiding Officer.
 - (e) Once the motion has been properly made and seconded, the Presiding Officer shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Council member properly recognized by the Presiding Officer.
 - (f) Once the matter has been fully discussed and a vote called for, no further discussion will be allowed, provided, however, Council members may be allowed to explain their votes.
2. Precedence of Motions: When a main motion is before the Council, no motion shall be entertained except the following which shall have precedence, one over the other, in the following order:
 - (a) Adjourn.
 - (b) Recess.
 - (c) Postpone temporarily or definitely (table).
 - (d) Previous question.
 - (e) Limit or extend debate.
 - (f) Refer to committee or staff.
 - (g) Amend.
 - (h) Postpone indefinitely.

The above order of preference is subject to the following restrictions:

- (a) A motion shall not be repeated without intervening business or discussion.
- (b) A motion shall not be in order when the previous question has been ordered.
- (c) A motion shall not be in order while a vote is being taken.

3. Particular Motions, Purpose, Criteria: The purpose and salient criteria of the above-listed motions are as follows:)

(a) Motion to Adjourn:

Purpose: To terminate a meeting.

Debatable or Amendable: No, except to adjourn to another time to which the meeting is to be adjourned.

(b) Motion to Recess:

Purpose: To permit an interlude in the meeting and to set a definite time for continuing the meeting.

Debatable or Amendable: Yes, but restricted as to time or duration of recess.

(c) Motion to Postpone Temporarily:

Purpose: To set aside, on a temporary basis, a pending main motion provided that it may be taken up again for consideration during the current meeting or at the next regular meeting. It is also referred to as a motion to lay on the table.

Debatable or Amendable: It is debatable but not amendable.

(d) Motion for Previous Question (Vote Immediately):

Purpose: To prevent or stop discussion on the pending question or questions and to bring such question or questions to vote immediately. Any Council member,

when recognized by the Presiding Officer, may move to vote immediately. Upon such motion, if seconded, all discussion shall be terminated and a vote taken on the motion. A vote of four (4) Council members (or if less than a full Council is present, a vote of two thirds of the members present) is necessary to sustain the motion. If the motion carries, the vote on the proposal before the Council shall be taken immediately, without further discussion provided Council members may be allowed to explain their votes. If the motion fails, discussion shall continue.

Debatable or Amendable: No.

(e) Motion to Limit or Extend Debate:

Purpose: To limit or determine the time that will be devoted to discussion of a pending motion or to extend or remove limitations already imposed on its discussion.

Debatable or Amendable: Not debatable; amendments are restricted to the period of time of the proposed limit or extension.

(f) Motion to Refer to Committee or Staff:

Purpose: To refer the question before the Council to a committee or to the City staff for the purpose of investigating or studying the proposal and to make a report back to the Council. If the motion fails,

discussion or vote on the question resumes.

Debatable or Amendable: Yes.

(g) Motion to Amend:

Purpose: To modify or change a motion that is being considered by the Council so that it will express more satisfactorily the will of the members. If the motion fails, discussion or vote on the main motion resumes. If the motion passes, then main motion should be voted on as amended.

Debatable or Amendable: It is debatable unless applied to an undebatable main motion. It is amendable.

(h) Motion to Postpone Indefinitely:

Purpose: To prevent further discussion and voting on the main motion. If the motion fails, discussion and voting on the main motion resumes. If it passes, the subject of main motion shall not be brought up again for the remainder of the meeting or the next regular meeting. A resolution to lay on the table any matter will preclude all amendments or debate on the subject concerned. If the resolution prevails, consideration of the subject of the resolution laid on the table may be resumed only upon motion of a member who voted in favor of the resolution to lay on the table.

Debatable or Amendable: It is debatable but not amendable.

(i) Main Motion:

Purpose: The primary proposal or question before the Council for discussion and decision.

Debatable or Amendable: Yes.

B. Ordinances:

1. Introduction: An ordinance shall be introduced by motion and seconded by different members of the Council at any regular meeting or at a special meeting called for the purpose of introducing the ordinance. The City Clerk shall note the name of the persons moving and seconding the proposal in the minutes.

The vote of the members shall determine whether the ordinance shall be printed or posted, as required by Section 45 of the City Charter.

Motions introducing ordinances are deemed to include waiver of full reading and title of the ordinance unless otherwise specifically stated.

2. Adoption: Ordinances may be adopted by motion and majority vote of the Council members present except for those ordinances which require a larger number of votes for approval. Motions to adopt ordinances are deemed to include waiver of full reading and title of ordinance unless otherwise specifically stated.

3. Withdrawal of Motion: An ordinance may be withdrawn at any time before it is acted upon by the Council only with the consent of the members moving and seconding its adoption.

C. Resolutions:

1. Adoption: A resolution may be adopted by motion and seconded by different members of the Council. A resolution may be acted upon at the same meeting. Resolutions may be adopted on the date they are first presented to the Council. It is not required that resolutions be read either in full or by title only. It need not be published or posted unless specifically required by law.

2. Withdrawal of Resolution: A resolution may be withdrawn only with the consent of the members moving and seconding its adoption, at any time before it is acted upon by the Council.

D. Voting: In case of a tie in votes on any proposal, the proposal is considered lost.

Every member present when a question is put, including presentation of a resolution for adoption, should vote either "yes" or "no." At the beginning of any agenda item where a member has a financial interest in the question within the meaning of Government Code section 87100 (conflicts of interest), the nature and extent of the financial interest shall be disclosed immediately and the Council member shall leave the dais thereby absenting himself/herself from consideration of the item.

The City Clerk shall record his/her vote as an abstention. In all other cases, whenever a member refuses to vote, the City Clerk shall cast a vote of "yes" for such member.

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.

E. Right to Dissent or Protest: Any member of the City Council has the right to express dissent from, or protest against, any ordinance or resolution presented to or adopted by the Council, and have the reasons therefor entered upon the minutes of the Council proceedings. Such dissent or protest must be in writing, presented in respectful language, and presented to the City Clerk not later than the next regular meeting following the date or passage of the action objected to.

F. Motion for Reconsideration: After decision by the Council on any question, except the adoption of an ordinance, any member who voted with the majority may move a reconsideration of any action at the same or next succeeding meeting. The motion may be seconded at the same meeting that the motion was made or the next succeeding meeting. The vote on such motion shall be held thereon, at the next succeeding or regular meeting after the motion was made, not less than

one week thereafter; provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. If at the time of the original decision a Council member intends to later move for reconsideration, the Council member should so advise of his/her intent at the time of the vote on the original motion. A motion to reconsider will require the same number of votes as is required to adopt an ordinance or resolution. If the motion for reconsideration passes, the actual reconsideration of the question shall be heard at the next regularly scheduled meeting not less than one week after the vote on the motion for reconsideration. After the actual reconsideration of the question has once been acted upon, no other motion for or resolution of a reconsideration thereof will be made without unanimous consent of the members present. In the case of a tie vote, the prevailing side or majority of the Council will be deemed to be those Council members who voted in the negative.

VII. APPOINTMENTS.

A. Definition:

1. Commission: For the purposes of this document, "commission" shall mean any local (City), or county, regional or other outside board, committee, commission, agency, or task force.
2. Appointment: An action taken by a majority of the Council for a Council member to serve as a representative or alternate representative to a commission.
3. Recommendation: An action taken by a majority of the Council recommending a Council member as representative to county, regional or other outside commission, where final appointment is made by said commission.
4. Representative: Official liaison, delegate and/or appointee of Council (see attached Exhibit "A" for a detailed listing of commissions to which Council members are appointed or recommended).

B. Ad Hoc Commissions: Ad Hoc commissions are formed on an as-needed basis with a clearly defined purpose and term. Ad Hoc commissions will consist of up

to three Council members, recommended by the Mayor and concurred with through a motion by the full Council.

- C. Council member Appointments and Recommendations: The Mayor, with the approval of a majority of the Council members present, shall make appointments or recommendations of Council member representatives and alternate representatives to local (City) and county, regional, and other outside commissions.
- D. Mayor to Act as Council Ceremonial Representative: The Mayor shall act as the City Council's ceremonial representative at public events and functions. In the Mayor's absence, if the Vice Mayor is unable to assume the responsibility, the Mayor will appoint another Council member to assume the responsibility.
- E. Council member Participation in Community Activities: From time to time, Council members may choose to participate in community activities, committees, events, and task forces. When a Council member participates in these types of activities, the Council member is acting as an individual 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 Council member as its representative for the matter.
- F. Annual Consideration: All local (City), County and Regional appointments shall be considered on an annual basis or upon vacancy.
- G. Procedure:
 - 1. Notification: By December 1, the Mayor, in coordination with the City Clerk, shall notify Council members and Council members-elect of all upcoming openings for Council representation on local (City), county, regional and other outside commissions.
 - 2. Interest: Prior to the first regular Council meeting in January, Council members shall provide to the Mayor a list of local (City), county, regional or other outside commissions on which they have an interest in serving, as well as a list of county, regional and other outside commissions to which they believe the City should appoint or recommend a representative. A

week before the second regular Council meeting in January, the Mayor shall provide his or her recommendations as to the appointments.

3. Term: Unless prohibited by city ordinance or controlling state law, Council members wishing to serve as representatives for more than one year may do so with the concurrence of the Council. Council members must express their desire to do so at the time the appointment or recommendation is made, at a regular Council meeting.
 4. Council Reorganization and Confirmation of Appointments: At the second regular Council meeting in January, the Mayor shall appoint, with the approval of a majority of the members of the City Council present, Council member appointments or recommendations for appointment to local (City), county, regional and other outside commissions.
 5. County and Regional Appointments: County and regional appointments whose terms do not coincide with this schedule shall be brought to the City Council for consideration and action with sufficient lead time to allow timely coordination in making Petaluma's appointments to those bodies.
- H. Council Appointees Shall Report to the Council: For county and regional appointments, after the appointments are made, the Council representative shall provide the City Council with a copy of the previous and current agenda, which shall be included in the next Council packet along with a brief summary of the prior county or regional meeting. If the meeting minutes are available, these shall suffice. A regular report from the Council representative from any particular committee, commission, agency or authority shall be listed on the regular City Council agendas as "Discussion, direction and possible action to the City Council representative of the particular committee, commission, agency or authority."
- I. Council Direction to Their Representative: If any Council member is inclined to give direction to the Council representative as to how to vote on a particular issue, a motion may be made and adopted to give direction to the representative, and the Council representative shall cast a vote in that manner. If there is a Council minority, the reason for the dissenting vote shall be conveyed to the particular

committee, commission, agency or authority at the request of one of the minority Council members. In this case, each Council member's vote would need to be stated at the particular meeting when voting on that issue.

- J. Attendance of City Representative at County or Regional Agencies: In regard to attendance, it shall be the Council member representative's responsibility to (1) be present at each meeting, or (2) arrange for the appointed alternate to be present, or (3) arrange for another member of the City Council to be present. If a representative is absent for more than three consecutive meetings, notice will be given to the Council, and the subject will be agendaized to review the appointment.
- K. Project- or Topic-Specific Appointments: For project or topic-specific appointments such as an ad hoc committee like the Petaluma Visitors' Program or a Specific Plan, the Mayor shall make recommendations to the City Council, and pursuant to the recommendations, the City Council shall discuss and give the Council's recommendations to staff for preparation of a resolution filling the available positions. The resolution shall be adopted by the City Council, and the decision shall be final based on a majority vote.
- L. Vacancies: Unless prohibited or restricted by controlling provisions of the Petaluma City Charter, duly adopted City Ordinances, or other controlling state law, should a vacancy occur by reason of circumstances set forth in Government Code sections 1770, 36513, and 36502, Council shall fill any such Council representative vacancy within thirty (30) days. The appointed successor Council member shall serve until the expiration of his/her predecessor's term.

VIII. HEARINGS.

- A. Application and Definition: The following procedural rules shall apply to all hearings before the City Council. As used herein, the word "hearing" shall include all public hearings required by state law or city ordinance, and proceedings for the revocation, suspension or reinstatement of permits, licenses, and franchises.
- B. Rights of Interested Persons: On the date and at the time and place designated in the notice, the Council shall afford any interested person or his/her authorized

representative, or both, the opportunity to present documentary evidence, and/or to present statements, arguments, or contentions orally and/or in writing, subject to the rules of Addressing the Council and rules hereinafter stated.

C. Presentation of Evidence:

1. Oral Evidence: All oral statements which are relevant to the subject matter of the hearing may be considered by the Council. Oral evidence may be taken on oath or affirmation at the request of any interested party or his/her authorized representative.
2. Exhibits and Documents: Exhibits and documents used by the City staff and any persons participating in the hearing may be considered as evidence.
3. Communications and Petitions: All communications and petitions may be considered as evidence by the Council.
4. Staff Reports: Whenever practicable, a written staff report shall be prepared and summarized aloud as part of the staff presentation. Said report shall be considered as evidence.
5. Large Maps and Displays: Large size maps and displays presented for use at the hearing shall, whenever practicable, be displayed in full view of the participants and the audience. Said maps or displays, or authentic reductions thereof, may be considered as evidence.
6. Admissible Evidence: The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence in civil actions.

D. Evidence Outside the Hearing: Any evidence taken outside the Council Chambers such as field trips, views of the premises and discussions with individuals, may be considered by the Council in reaching its decision.

E. Continuances: Any hearing held, noticed, or ordered to be held by the Council may, by minute action, be continued to any subsequent regular or adjourned

meeting of the Council provided that if the hearing is continued to a time less than twenty-four (24) hours after the time specified in the order on notice of hearing, a copy of the order or notice of continuance shall be posted outside the Council Chamber forthwith following the meeting at which the order of continuance was made.

- F. Decision: The Council shall consider all evidence properly presented in accordance with the rules stated herein and, unless otherwise provided by law, said decision or determination shall be made by motion, resolution, or ordinance, as appropriate. Action may be taken thereon at a subsequent meeting of the Council. Any Council member who failed to hear portions of the hearing and who did not familiarize himself/herself with the minutes or conduct thereof so as to be able to publicly state that he/she is familiar with the issues and evidence presented at the hearing shall disqualify himself/herself from discussion or voting on such matter.
- G. Record of Hearing: A verbatim mechanical recording shall be made of the oral evidence presented at the hearing. Said recording, together with all documents, maps, exhibits, and displays admitted into evidence, shall be retained by the City Clerk for a period of eight (8) years from the date of the close of the hearing. In lieu of retaining said recording, the City Clerk may prepare a typewritten transcript thereof which shall be retained for the same period of time.

IX. MISCELLANEOUS.

- A. Inconsistencies: The Petaluma City Charter, the Brown Act or other controlling state law shall prevail over any provisions in these rules or procedures which are inconsistent.
- B. Temporary Change of Rules: Any provision of the rules not governed by the Petaluma City Charter or controlling state law may be temporarily changed at any meeting, and only for the meeting, by the Council with a four-fifths vote of the members present. The vote on any such changes shall be taken by roll call and entered upon the record.

- C. A Non-observance of Rule: These Rules are adopted to expedite and facilitate the transaction of the business of the City Council in an orderly fashion and shall be deemed to be procedural only, and the failure to strictly observe any such Rules shall not affect the jurisdiction of, or invalidate any action taken by the Council.
- D. Non-exclusive Rules: Rules set forth are not exclusive and do not limit the inherent power and general legal authority of the Council, or of its Presiding Officer, to govern the conduct of City Council meetings as may be considered appropriate and not consistent with these Rules from time to time or in particular circumstances for purposes of orderly and effective conduct of the affairs of the City.
- E. Review of City Council Rules: The City Council shall review and modify, if appropriate, the City Council Rules at least on a yearly basis.
- F. Use of City Letterhead: With the exception of the Mayor, no City Council member shall send a letter out on City stationery unless approved by the Council. Notwithstanding the foregoing, any individual Council member may send correspondence on City stationery bearing only that Council member's name on the letterhead.
- G. Packet Materials from Public. The City Clerk and City Manager are authorized to set the deadline for receipt of information from the public that the public wishes to be placed in the Council packet for distribution.

COUNTY

Airport Land Use Commission	Recommendation to Mayors' and Councilmembers' Association
City Selection Committee	Recommendation to Mayors' and Councilmembers' Association
Local Agency Formation Commission (LAFCO)	Recommendation to Mayors' and Councilmembers' Association
Policy Advisory Committee for Solid Waste Management Alternatives Analysis	Recommendation to Mayors' and Councilmembers' Association
Remote Access Network	Recommendation to Mayors' and Councilmembers' Association
Sonoma County Agricultural Preservation & Open Space District	Recommendation to Mayors' and Councilmembers' Association
Sonoma County Child Care Planning Council	Recommendation to Mayors' and Councilmembers' Association
Sonoma County Human Services Commission	Recommendation to Mayors' and Councilmembers' Association
Sonoma County Transportation Agency (SCTA)	Council Representation
Sonoma County Water Agency Water Advisory Committee (WAC)	Council Representation
Sonoma County Water Agency Zone 2A Advisory Committee	Council Representation

REGIONAL and STATE

Association of Bay Area Governments (ABAG)	Recommendation to Mayors' and Councilmembers' Association
Bay Area Air Quality Management District (BAAQMD)	Recommendation to Mayors' and Councilmembers' Association
Bay Area Hazardous Waste Management	Recommendation to Mayors' and Councilmembers' Association
Golden Gate Bridge, Highway and Transportation District	Recommendation to Mayors' and Councilmembers' Association
Metropolitan Transportation Commission (MTC)	Recommendation to Mayors' and Councilmembers' Association
North Bay Division, Executive Board, League of California Cities	Recommendation to Mayors' and Councilmembers' Association
North Bay Watershed Association	Council Representation
North Coast Railroad Authority	Recommendation to Mayors' and Councilmembers' Association
Sonoma/Marin Area Rail Transit Commission (SMART) – Joint Powers Authority	Recommendation to Mayors' and Councilmembers' Association