

## **PROCEDURAL GUIDELINES FOR THE CONDUCT OF COUNCIL MEETINGS**

### **SECTION 1. MEETINGS**

The City Council (**Council**) shall hold regular meetings on the first and third Tuesday of each calendar month at 7:30 p.m. in the Council Chamber of the City Hall unless circumstances determine that a particular meeting shall be held at some other location in the City, all as set forth in Section 2.04.010 of the Covina Municipal Code. Special meetings of the City Council may be called at any time in the manner prescribed by State law.

### **SECTION 2. CONDUCT BY PERSONS IN ATTENDANCE**

Any person making personal, impertinent, or slanderous remarks or who shall be become boisterous while addressing the Council so as to disrupt the Council meeting shall be forthwith, by the Mayor, barred from further audience before Council, unless permission to continue is granted by a majority vote of the Council.

Members of the audience have the right to express their views about items on the Agenda or issues within the jurisdiction of the City. Members of the audience, however, shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language; clapping; whistling; stamping; sign waving or other acts that disturb, disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. Actions expressing the views of members of the public, such as clapping, are permitted as free speech so long as the actions do not disturb, disrupt, or otherwise impede the orderly conduct of the meeting.

### **SECTION 3. PROHIBITED ITEMS**

The following items are prohibited from being used in the Council Chambers during public meetings to enable members of the public and meeting participants to observe and participate in public meetings without disruption:

- a) Items that impede the visibility of others at public meetings;
- b) Items that amplify sounds, including but not limited microphones and loudspeakers;
- c) Signs larger than 11 x 17 inches; or
- d) Any other items which are disruptive to the conduct of business.

### **SECTION 4. ENFORCEMENT OF DECORUM**

a) The Police Chief, or such other official as the Mayor may designate, shall be Sergeant-at-Arms of the Council meetings. ~~He, she, or~~ They, shall carry out all orders and instructions given by the ~~Mayor~~ **Presiding Officer** for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the Presiding Officer, it shall be the duty of the Sergeant-at-Arms, or any of them present, to remove any person who violates the order and decorum of the meeting and otherwise willfully disturbs the public meeting pursuant to Penal Code Section 403 or disrupts the public meeting pursuant to Covina Municipal Code Section 2.04.040.

b) **Clearing the Room.** Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or groups of persons so as to disrupt, disturb, or otherwise impede the orderly conduct of such meeting and order cannot be restored by the removal

of the individuals who are willfully interrupting the meeting, the City Council may order that the meeting room may be ordered cleared and the meeting shall continue in session. The motion to clear the room shall be by a majority vote of the City Councilmembers present at the meeting. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Government Code Section 54957.9.

c) Violation of the California Penal Code. A person or persons who substantially impairs the conduct of a City Council meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

#### SECTION 5. AGENDA

Upon approval by the City Manager, the Chief Deputy City Clerk shall arrange an agenda of such matters according to the order of business and furnish each member of the Council, City Clerk, and City Attorney with a copy of the same prior to the Council meeting and as far in advance of the meeting as time for preparation will permit. ~~At least one copy of the agenda packet shall be placed in the City Library for use by the public, and~~ One copy of the agenda packet shall be placed in the City Clerk's Office for ~~local newspapers~~ public examination.

#### SECTION 6. AMENDMENTS TO THE AGENDA

Matters of an urgent or emergency nature may be submitted to the City Council by the City Manager and/or the City Attorney as an amendment to the agenda in accordance with the Brown Act.

#### SECTION 7. THE PRESIDING OFFICER

The Mayor of the Council shall be the Mayor, or in the absence of the Mayor, the Mayor Pro Tem. The Mayor shall preserve strict order and decorum at all regular and special meetings of the Council. ~~He/she~~ They shall state every question coming before the Council, announce the decision of the Council on all subjects, and decide all questions of order, subject to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. ~~He/she~~ They shall sign all ordinances, resolutions, and contracts adopted or approved by the Council during ~~his/her~~ they presence.

#### SECTION 8. CITY COUNCIL PROCEEDINGS

The City Council meetings shall be conducted in the procedural order set forth below:

- a. Call to Order. The Mayor shall take the Chair at the appointed hour for the meeting, and shall immediately call the Council to order. In the absence of the Mayor and Mayor Pro Tem, the City Clerk, Chief Deputy City Clerk, or Deputy City Clerk, shall call the Council to order, whereupon a temporary ~~chairman~~ Chair shall be elected by the members of the Council present. Upon the arrival of the Mayor or Mayor Pro Tem, the temporary ~~chairman~~ Chair shall immediately relinquish the Chair upon the conclusion of the business presently before the Council. In the absence of the City Clerk, Chief Deputy City Clerk, or Deputy City Clerk, the

Mayor shall appoint a Council Member to serve as City Clerk Pro Tem, in accordance with State law.

- b. Roll Call. Before proceeding with the business of the Council, the City Clerk, Chief Deputy City Clerk, or Deputy City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.
- c. Quorum. A majority of all the members elected to the Council shall constitute a quorum at any regular or special meeting of the Council. In the absence of a quorum, the City Clerk shall call the meeting adjourned.
- d. Order of Business. All meetings of the Council shall be open to the public. Promptly at the hour set by law on the day of each regular meeting, the Council Members, City Clerk, City Attorney, and City Manager shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition in the following order, unless the Mayor, without objection from the Council Members, agree to consider an item out of order:

Call to Order  
Roll Call  
Pledge of Allegiance  
Invocation  
Approval of Agenda  
Presentations  
Oral Communications Public Comments  
Council/Agency/Authority Comments  
City Manager Comments  
Consent Calendar  
Continued Public Hearings  
Joint Public Hearings  
Public Hearings  
Continued Business  
New Business  
Adjournment

#### SECTION 9. RULES OF DEBATE

- a. Mayor. The Mayor may debate and vote on each item before the Council. The Mayor, or such other member of the Council as may be presiding may move, second, and debate from the Chair Presiding Officer, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Council Member by reason of his/her them acting as the Presiding Officer.
- b. Getting the Floor. Every member desiring to speak shall address the Chair Presiding Officer, and upon recognition by the Mayor, shall confine himself/herself themselves to the question under debate, avoiding all personalities and indecorous language and matters outside of the Agency's subject matter jurisdiction.

- c. Interruptions. A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order, or as herein otherwise provided. If a member, while speaking, be called to order, ~~he/she~~ they shall cease speaking until the question of order is determined, and, if in order, ~~he/she~~ they shall be permitted to proceed.
- d. Privilege of Closing Debate. The Council Member moving the adoption of an ordinance, resolution, or other matter shall have the privilege of closing the debate after a full discussion has been had on said item as determined by the Mayor.
- e. Move to Reconsider. A motion to reconsider any action taken by the Council may be made prior to the close of such meeting wherein such action was taken. Such motion must be made by a member of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions while a member has the floor. It shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.
- f. Reference to Roberts' Rules of Order. Where not addressed in the body of this resolution, all questions as to procedure and debate shall be resolved by the City Attorney's interpretation of Roberts' Rules of Order, Newly Revised Edition.

#### SECTION 10. ADDRESSING THE COUNCIL

Any person desiring to address the Council on matters not listed on the agenda shall first secure the permission of the Mayor during the period allowed for Oral Communications. On matters listed on the agenda, persons may request the permission of the Mayor to speak on a matter at the time it is being considered by the City Council.

- a. Written Communications. Interested parties or their authorized representatives may address the Council by written communications with regard to matters under discussion. ~~Written communications submitted prior to the start of the meeting will be provided to the Council prior to the discussion. All written communications on items appearing before the Council received prior to or after consideration will not be read aloud or entered into the official record unless otherwise provided by approval of the Mayor.~~
- b. Oral Communications. Individuals, or their authorized representatives, may address the Council by oral communications on any matter concerning the City's business, or any matter over which the Council has control or jurisdiction.
- c. Audio and Visual Aids. ~~The use of City equipment for audio and/or visual aids is prohibited except as approved by the Mayor, City Manager, City Clerk, Chief Deputy City Clerk, or Deputy City Clerk.~~

- d. Council Response to Oral Communications. Matters brought before the Council under Oral Communications shall be referred to staff for additional information and/or report if deemed appropriate by two (2) members of the Council ~~Members~~. No formal action shall be taken.

#### SECTION 11. ADDRESSING THE COUNCIL AFTER MOTION IS MADE

After a motion is made by the Council, no person shall address the Council without first securing the permission of the Mayor to do so.

#### SECTION 12. MANNER OF ADDRESSING COUNCIL—TIME LIMIT AND MAYORAL DISCRETION

Each person addressing the Council shall step up to the microphone ~~in front~~ located on the podium, give ~~his or her~~ their name or otherwise identify themselves and address in an audible tone of voice for the record, and ~~unless further time is granted by the Mayor,~~ shall limit ~~his or her~~ their address to ~~five (5) minutes, unless reasonably revised by the Mayor due to special circumstances. If five (5) or more requests to speak on an item are received, the time limit will be reduced to three (3) minutes, unless revised by the Mayor~~ three (3) minutes unless reasonably revised by the Mayor due to special circumstances, such as ten (10) or more speakers wishing to speak during the Oral Communication portion of the meeting or on a single Public Hearing item. Speakers may not transfer any portion of their time to others or be allowed an extension of time to speak on behalf of others unless authorization is provided by the Mayor. All remarks shall be addressed to the Council as a body and not to any individual member thereof. No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Mayor. No question shall be asked to a Council Member, City Attorney, or City Manager except through the Mayor. When called upon by the Mayor, the City Manager may, when deemed appropriate, refer the question to a staff member.

On agenda items that receive ten (10) or more requests to speak, the Mayor may: 1) move placement of the item on the agenda to facilitate the flow of all agenda business; 2) may limit the time allotted to speakers on an item; 3) may limit the total time allots for public comment on an individual item.

#### SECTION 13. SILENCE CONSTITUTES AFFIRMATIVE VOTE

~~Unless a member of the Council states that he/she is not voting, his/her silence shall be recorded as an affirmative vote.~~

#### SECTION 13. ABSTENTION FROM VOTING

A Council Member may abstain from voting on any ordinance, resolution, or other motion.

#### SECTION 14. CITY ATTORNEY OPINIONS

Requests for formal opinions from the City Attorney must be approved by two (2) of the Council Members.

**SECTION 15. ORDINANCES, RESOLUTIONS, MOTIONS & CONTRACTS**

- a. Presentation of Ordinances. No ordinance shall be prepared for presentation to the Council unless ordered by two (2) members of the Council, or requested by the City Manager, or prepared by the City Attorney on his/her own initiative.
- b. Prior Approval by Administrative Staff. All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or ~~his~~ their authorized representative, and shall have been examined and approved for administration by the City Manager or ~~his/her~~ their authorized representative.

**SECTION 16. REPORTS, RESOLUTIONS, & ORDINANCES TO BE FILED WITH CLERK**

All reports, resolutions, and ordinances shall be filed with the [Office of the City Clerk](#) and entered in the minutes.

**SECTION 17. ADJOURNMENT**

A motion to adjourn shall always be in order and decided without debate.

**SECTION 18. CERTIFICATION**

The City Clerk has certified to the passage and adoption of the resolution, and the same has thereupon taken effect and is in force.