



AGENDA REPORT  
SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: February 19, 2019

Agenda Item 9C  
Approvals:  
City Manager JM  
Dept. Head \_\_\_\_\_  
Attorney \_\_\_\_\_  
Finance JL

**Department:** City Clerk  
**Prepared By:** Joanne Baade, City Clerk/Administrative Administrator JMB  
**Subject:** POLICY AND PROCEDURE 1201-11 - CITY COUNCIL MEETINGS AND OPERATIONS

**Fiscal Impact:** None.

**Background:** At its meeting of January 15, 2019, Council requested that Staff review and propose updates to the City's Policies and Procedures relating to Council meetings and operations. As part of this project, Council requested that the Policy update address 1) converting Council's parliamentary guidelines from Robert's Rules of Order to Rosenberg's Rules of Order, 2) meeting decorum, and 3) the possibility of modifying the process for Councilmembers to add items to a Council agenda.

**Summary:** The below Policies and Procedures relating to City Council meetings and operations are currently in effect in the City:

- Policy 1201-1 (Mayor and Mayor Pro Tempore)
- Policy 1201-2 (Meetings of the City Council)
- Policy 1201-3 (Order of Business and Preparation of Minutes)
- Policy 1201-4 (Council Correspondence and Agenda)
- Policy 1201-5 (Rules of Debate, Decorum, Voting Requirements and Procedures)

Staff has completed its review of the City's current Policies and is proposing that they be repealed and replaced with a new Policy and Procedure No. 1201-11, entitled "City Council Meeting and Operating Procedures". The new Policy includes language consistent with current practices, and omits Policy sections that are outdated, redundant with State law requirements, or that contain details that don't need to be included in a formal Policy. Proposed Policy and Procedure No. 1201-11 is attached as Exhibit A. The five Policies that are proposed for repeal are attached as Exhibit D.

The major changes between the City's current Policies and proposed Policy and Procedure 1201-11 are summarized below.

Redundancy with State Law

The City's current Policies reiterate many procedures required by State law. Because San Clemente, as a general law city, is required to follow State law, it is unnecessary to repeat legal requirements within the City's Policy. Moreover, citing State law in a City policy is ill-advised because future changes in State law would

create a discrepancy between City Policy and State law. For these reasons, all procedures required by State law have been removed from proposed Policy and Procedure 1201-11.

### Parliamentary Procedures

Municipal Code Section 2.04.050 specifies that the proceedings of the City Council shall be governed under "Robert's Rules of Order". Robert's Rules embody a complex and formalistic set of procedures that were initially created in 1876 to maintain order in large deliberative assemblies, such as a meeting of Congress.

Rosenberg's Rules of Order, on the other hand, consist of a simplified version of parliamentary procedures that are specifically designed for smaller bodies, such as a five-member city council. Rosenberg's Rules basically encompass practices already utilized by the City Council. Rosenberg's Rules are supported by both the League of California Cities and the Institute for Local Government.

Because of their simplicity and practical application to City Council meetings, Staff is recommending that Council utilize Rosenberg's Rules as its guide for parliamentary procedures. If Council is interested in transitioning to Rosenberg's Rules, it would first be necessary for Council to adopt an Ordinance to repeal the Municipal Code section that requires Council meetings to be governed under "Robert's Rules". Because the Council's resource for parliamentary procedures does not need to be adopted by Ordinance, Staff has included in the draft Policy and Procedure 1201-11 a section that specifies that meetings shall be guided by Rosenberg's Rules. If Council determines to adopt Policy and Procedure 1201-11, Staff recommends that it become effective on April 4, 2019, to coincide with the effective date of the Ordinance that will remove reference to Robert's Rules from the Municipal Code. A copy of Rosenberg's Rules of Order is attached as Exhibit C.

### Process for Council Members to Add an Item to the Agenda

Pursuant to Council's request, Staff drafted possible language for Policy and Procedure 1201-11 to address the process for Council members to add an item to an agenda. Section 4.5.4 describes the process to agendaize an item when the item is raised by a Councilmember at a Council meeting and the request is supported by a majority vote of Councilmembers present. The Policy also includes an optional Section 4.5.5 that would, if approved, enable an individual Councilmember to add an item to a future agenda, with the stipulation that the item shall not include preparation of staff analysis or Administrative Reports, advertising or public notices, or a hearing unless added to the agenda pursuant to Section 4.5.4 (i.e., by the Council majority).

Rules of Decorum

As requested by Council, the City Attorney prepared, and the draft Policy includes, two provisions relating to rules of decorum.

The first provision (Section 4.4.10) provides that persons addressing the City Council shall do so in an orderly manner and shall not engage in conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the City Council meeting. Any person who so disrupts the meeting shall, at the discretion of the Mayor, unless overruled by a majority of the Councilmembers, be subject to removal from the meeting.

The second provision (Section 4.4.11) specifies that the purpose of addressing the City Council is to communicate formally with the City Council regarding matters that relate to City Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the City Council. Speakers may be asked to clarify how their comments relate to the matter at hand.

**Staff****Recommendation:**

1. Introduce an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REPEALING SECTION 2.04.050 OF THE CODE OF THE CITY OF SAN CLEMENTE RELATING TO CITY COUNCIL PROCEEDINGS BEING GOVERNED UNDER "ROBERT'S RULES OF ORDER".
2. Repeal the following Policies and Procedures, effective April 4, 2019:
  - Policy 1201-1 (Mayor and Mayor Pro Tempore)
  - Policy 1201-2 (Meetings of the City Council)
  - Policy 1201-3 (Order of Business and Preparation of Minutes)
  - Policy 1201-4 (Council Correspondence and Agenda)
  - Policy 1201-5 (Rules of Debate, Decorum, Voting Requirements and Procedures)
3. Adopt Policy and Procedure 1201-11 entitled "City Council Meetings and Operations", effective April 4, 2019, with direction to Staff as to whether the Policy is to include Section 4.5.5 relating to the ability of an individual Councilmember to add an item to a future agenda.

**Exhibits:**

- A) Proposed Policy and Procedure 1201-11
- B) Draft Ordinance
- C) Rosenberg's Rules of Order
- D) Policies proposed for repeal (Policy 1201-1, 1201-2, 1201-3, 1201-4 and 1201-5)



## POLICY AND PROCEDURE

<p><b>Subject:</b> City Council Meeting and Operating Procedures (Parliamentary Procedures, Due Process, Mayor/Mayor Pro Tempore, Council Correspondence, Meetings, Agendas, and Minutes)</p>	<p><b>Index:</b> City Council</p> <p><b>Number:</b> 1201-11</p>
<p><b>Effective Date:</b> April 4, 2019</p>	<p><b>Prepared By:</b> City Clerk</p>
<p><b>Supersedes:</b> Policy and Procedures 1201-1 (Mayor and Mayor Pro Tempore); 1201-2 (Meetings of the City Council); 1201-3 (Order of Business and Preparation of Minutes); 1201-4 (Council Correspondence and Agenda); 1201-5 (Rules of Debate, Decorum, Voting Requirements &amp; Procedures); and 1202-2 (Management/Streamlining of City Council Meetings)</p>	<p><b>Approved By:</b></p>

**1.0 PURPOSE:**

To establish policies for City Council meetings and operations, including parliamentary procedures, due process, election/roles of Mayor and Mayor Pro Tem, agendas, and the preparation of minutes.

**2.0 ORGANIZATIONS AFFECTED:**

City Council  
City Commissions and Committees\*

*\*Note: Except as otherwise noted throughout this Policy, this Policy shall also apply to the City's Commissions and Committees. In applying this Policy to City Commissions and Committees, the term "Council" shall be interpreted to mean the name of the City Commission or Committee, the term "Mayor" shall be interpreted to mean "Chairperson", the term "Mayor Pro Tempore shall be interpreted to mean "Vice Chair", the term "Manager" shall be interpreted to mean "Director", and the term "City Clerk" shall be interpreted to mean the staff member responsible for providing support to the Commission/Committee.*

**3.0 REFERENCES:**

California Brown Act, GC Section 54950, et seq.

**4.0 POLICY:**

**4.1 Parliamentary Procedures and Due Process**

- 4.1.1 The proceedings of the City Council shall be guided under the latest revised edition of "Rosenberg's Rules of Order," on all matters pertaining to parliamentary procedure, but no ordinance, resolution, proceeding or other action of the City Council shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow such rules. In the event of a discrepancy between Rosenberg's Rules of Order and this Policy and Procedure, this Policy and Procedure shall prevail.
- 4.1.2 The Mayor, with assistance from the City Attorney, is designated as the parliamentarian for City Council meetings. The City Clerk shall assist in the City Attorney's absence.
- 4.1.3 It shall be understood that a member of the City Council or prospective member of the City Council may, in the course of seeking elective office, be asked to state positions on general issues that may eventually come before the Council at a later date. This policy shall in no way impair that Councilmember's right to consider the issue and vote as he/she determines is appropriate.
- 4.1.4 Ex parte communications are communications received outside of Council meetings or hearings. When the Council acts in a legislative role (for example, to adopt general plan or zoning amendments or to adopt ordinances), Councilmembers are permitted to draw upon nearly all observations and considerations they receive inside and outside the Council meeting. On the other hand, when acting in a quasi-adjudicatory role (hearing permits, revocations, and similar non-legislative decisions), the Council, as fact-finder, should limit its consideration of facts to those presented at the hearing, where all sides have the opportunity to hear and rebut testimony given by all participants. To this end, Councilmembers should avoid receiving or gathering information that might otherwise influence its consideration of the written record and any other testimony it hears through the formal hearing process, or at least disclose their receipt of that information.

4.2 Election of Mayor and Mayor Pro Tempore and Roles of Those Offices

- 4.2.1 At the first Regular City Council meeting in December of each year, the Council shall elect from its members a Mayor and Mayor Pro Tempore. The new Mayor and Mayor Pro Tempore shall assume office immediately upon election. *(Note: Commissions and Committees shall elect from its members a Chairperson and Vice Chair at its first regular meeting occurring after Council completes its annual appointment process for Commission and Committee members and those members assume office.)*
- 4.2.2 The Mayor and Mayor Pro Tempore shall serve a one-year term at the pleasure of the Council majority.
- 4.2.3 The Mayor shall act as the primary spokesperson and official representative of the City Council, unless such responsibility is delegated by the Mayor, or otherwise assigned by a majority of the City Council.
- 4.2.4 The Mayor shall preside at all regular, adjourned regular, special and emergency meetings of the City Council, including joint meetings with commissions and committees and closed sessions.
- 4.2.5 The Mayor shall execute all official City documents, warrants and correspondence approved by the City Council.
- 4.2.6 The Mayor is authorized to issue proclamations, commendations and certificates of recognition, which may be presented at Council meetings under Special Presentations. The total time allotted to Special Presentations should, if possible, be limited to 15 minutes per meeting. *(This section does not apply to Commissions or Committees.)*
- 4.2.7 Nothing in this section is intended to suggest that the office of Mayor possesses formal powers or authority in excess of other members of the City Council; rather, the person serving as Mayor is to be recognized as the chairperson of the Council.
- 4.2.8 The Mayor Pro Tempore shall serve and perform the functions of the Mayor in the absence of the Mayor. If both the Mayor and Mayor Pro Tempore are absent from a City Council meeting, the Council members present shall select a Councilmember from those members present to perform the functions of Mayor at that particular meeting.

4.3 **City Council Correspondence**

- 4.3.1 The City Manager, or his/her designee, is authorized to open and examine all mail or other written communications addressed to the City Council as a body, but shall not open correspondence addressed to an individual Councilmember without their express authorization.
- 4.3.2 The City Manager may take action, or direct that action be taken, on issues or requests that do not require Council action. The City Manager shall inform Council when actions are taken on matters of significance or that are likely to be of interest to the City Council.

4.4 **City Council Meetings**

- 4.4.1 The date, time and location of Regular Meetings of the City Council shall be established by resolution.
- 4.4.2 At all meetings of the City Council, a majority of the Council members shall constitute a quorum for the transaction of business. In the event less than a quorum of the City Council is present, the City Clerk shall adjourn the meeting (which may include adjourning to an Adjourned Regular Meeting), post a Notice of Adjournment, and prepare minutes that reflect that the meeting was adjourned due to lack of a quorum.
- 4.4.3 The City Clerk, or Mayor, shall announce an agenda item before discussion on that item commences.
- 4.4.4 Each person desiring to address the Council is requested to submit to the City Clerk a speaker form. After being called upon by the Mayor, the speaker may proceed to the podium. The speaker may state for the record his/her name and city of residence, but shall not be required to do so. Unless additional time is granted by the Mayor (unless overruled by a majority vote of Councilmembers present), the speaker shall limit his/her remarks to three (3) minutes. Project applicants and appellants (including members of an applicant's or appellant's project presentation team, when applicable) shall limit their remarks to a combined total of ten (10) minutes, unless additional time is granted by the Mayor (unless overruled by a majority vote of Councilmembers present). The time that a speaker devotes to responding to Council inquiries shall not be deducted from their allotted speaker time.
- 4.4.5 Members of the public may not assign their speaker time to another person.

- 4.4.6 In order to avoid repetitious presentations, whenever any group of persons wishes to address the Council with the same message, it shall be proper for the Mayor to request that a spokesperson be chosen by the group to represent the group's position. Speakers shall not, however, be required to abide by such a request.
- 4.4.7 To expedite Council meetings, Councilmembers are encouraged to contact Staff prior to Council meetings to obtain answers to questions and to obtain clarifications as needed.
- 4.4.8 Staff shall compose Administrative Reports in a clear and concise manner. Staff shall strive to write reports in a manner that can be easily understood by persons that do not have training in the report's subject matter.
- 4.4.9 Staff presentations at Council meetings are to be condensed to the briefest extent possible, while still providing a basic overview of the issue under consideration. Staff is encouraged to refrain from reiterating issues previously addressed in the Administrative Report.
- 4.4.10 Persons addressing the City Council shall do so in an orderly manner and shall not engage in conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the City Council meeting. Any person who so disrupts the meeting shall, at the discretion of the Mayor, unless overruled by a majority of the Councilmembers, be subject to removal from the meeting.
- 4.4.11 The purpose of addressing the City Council is to communicate formally with the City Council regarding matters that relate to City Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the City Council. Speakers may be asked to clarify how their comments relate to the matter at hand.

4.5 **City Council Agendas**

- 4.5.1 With the exception of items added to a City Council agenda pursuant to Section 4.5.4 or 4.5.5 of this Policy, the City Manager shall be responsible for determining items to appear on City Council meeting agendas.



- 4.5.2 The standard template for City Council agendas shall be established by Council by majority vote. The City Manager shall have the authority to reorganize the template on a case-by-case basis if he/she believes that a variation in the normal order of business is appropriate.
- 4.5.3 Councilmembers may agendize items to enable them to "report out" on matters relating to their own activities, including activities pertinent to their Council-appointed positions on regional commissions, committees and boards, provided the report is informational only. If Council action is being sought, the process defined in Section 4.5.4 or 4.5.5 of this Policy shall be followed.
- 4.5.4 A member of the City Council may propose at a Council meeting that an item be agendized for future Council discussion, consideration, and/or action. If the proposal is supported by a majority vote of Councilmembers present, subject to notice and hearing requirements, it shall be agendized for a future meeting and noticed as required by law.
- 4.5.5 **[Subject to agenda posting and publication requirements, an individual Councilmember may add an item to a future agenda. Such items may include background material prepared and submitted by the individual Councilmember initiating the item, but shall not include preparation of staff analysis or Administrative Reports, advertising or public notices, or a hearing unless added to the agenda by the City Council pursuant to Section 4.5.4.]**
- 4.5.6 Notwithstanding Sections 4.5.1, 4.5.4 and 4.5.5 of this Policy, the process to review, appeal, or otherwise "call up" decisions by the Planning Commission or other subordinate City bodies shall be subject to the requirements of the San Clemente Municipal Code.
- 4.5.7 Notwithstanding Sections 4.5.4 and 4.5.5, a proposal to reconsider any action taken by the City Council may be raised only at the same meeting or the next regularly scheduled meeting of the City Council after the action is taken and may be raised only by one of the Councilmembers who voted with the prevailing side. Additionally, the motion to reconsider may only be made by one of the Councilmembers who voted with the prevailing side.
- 4.5.8 The City Clerk shall be responsible for the preparation of Council meeting agendas and shall cause copies to be posted on the City Hall bulletin board(s) and City website. Whenever feasible, regular and adjourned regular meeting agendas shall be posted at least six days prior to meetings, but in no event less than the posting time

requirements as set forth in State law. In the case of special meetings, agendas shall be posted as soon as practical, but in no event less than the posting time requirements as set forth in State law.

4.5.9 Consent Calendar items shall be comprised of items that are expected to be noncontroversial. Unless an item is removed from the Consent Calendar by a member of the Council, staff, or the public for separate discussion and action, the Consent Calendar may be acted upon by one motion.

4.5.10 The City Council may waive the reading in full of all Resolutions and Ordinances. The reading of Resolution titles shall be optional. The reading of Ordinance titles shall not be waived.

4.6 **City Council Minutes**

4.6.1 The City Clerk shall have exclusive responsibility for the preparation of the minutes.

4.6.2 The minutes of City Council meetings shall be submitted to Council for approval/modification at a City Council meeting. Any direction for modifications to the City Council minutes shall only be made upon a majority vote of the City Council.

4.6.3 Minutes shall be prepared in brief concise form, in what are commonly referred to as "action minutes". Action minutes memorialize what was *done* at a meeting, as opposed to what was *said* at a meeting. An exception to this guideline is that a brief summarization of comments provided to Council by the public are to be included in the minutes. Additionally, the identity of Councilmembers who make motions, second motions, and cast votes on motions are to be included in the minutes.

4.6.4 Unless the reading of the minutes of a City Council meeting is ordered by a majority of the Council, such minutes may be approved without reading if the City Clerk has previously furnished each Councilmember with a copy thereof.

4.6.5 The approved minutes shall be executed by the Mayor and City Clerk upon approval by the City Council and shall constitute the official record of the City Council meeting.

4.6.6 The City Clerk shall enter the original executed minutes into the official records of the City as a permanent document.

4.7 **Closed Sessions**

- 4.7.1 The City Council may hold closed sessions during duly-noticed Council meetings on issues authorized by State law.
- 4.7.2 A City Commission or Committee may hold closed sessions during duly-noticed meetings of its body on issues authorized by State law, the City Council, and the City Attorney.
- 4.7.3 No member of the City Council, employee of the City, or any person present during a closed session shall disclose to any other person the content or substance of discussion or action which took place during the session, unless a majority vote of the Council authorizes such disclosure.
- 4.7.4 Closed sessions shall be limited to members of the City Council, City Manager, City Attorney and/or City legal counsel, as well as staff members and experts designated by the City Manager or City Attorney to attend portions of Closed Sessions relating to specific issues, as permitted by law.
- 4.7.5 To the extent possible, the public will be notified prior to the time that the City Council recesses to closed session as to whether or not a public announcement of action is anticipated following the Closed Session.

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF SAN CLEMENTE, CALIFORNIA,  
REPEALING SECTION 2.04.050 OF THE CODE OF  
THE CITY OF SAN CLEMENTE RELATING TO CITY  
COUNCIL PROCEEDINGS BEING GOVERNED  
UNDER "ROBERT'S RULES OF ORDER"

**WHEREAS**, Section 2.04.050 of the Code of the City of San Clemente currently provides that the proceedings of the City Council shall be governed under "Robert's Rules of Order"; and

**WHEREAS**, "Robert's Rules of Order" embody a complex and formalistic set of rules that were initially created in 1876 to maintain order in deliberative assemblies, including large congregations, such as a meeting of Congress, and that are sometimes inconsistent with State law; and

**WHEREAS**, the City Council of the City of San Clemente, California, desires to discontinue its use of "Robert's Rules of Order" and to replace such rules with "Rosenberg's Rules of Order" because of their simplicity and practical application to smaller assemblies, such as a meeting of a five-member city council; and

**WHEREAS**, the Code of the City of San Clemente currently provides that proceedings of the City Council shall be governed under "Robert's Rules of Order", even though it is not necessary to reference the City's authority for parliamentary procedures within the Code; and

**WHEREAS**, it is necessary for the City Council of the City of San Clemente to repeal Section 2.04.050, relating to Proceedings Governed by Robert's Rules of Order, prior to adopting "Rosenberg's Rules of Order" as an operational guideline and a Council Policy and Procedure.

**NOW, THEREFORE**, the City Council of the City of San Clemente, California, hereby ordains as follows:

**Section 1:** Section 2.04.050 of the Code of the City of San Clemente, set forth below for reference, is hereby repealed in its entirety:

"2.04.050 - Proceedings governed by Robert's Rules of Order.

The proceedings of the City Council shall be governed under "Robert's Rules of Order," on all matters pertaining to parliamentary law, but no ordinance, resolution, proceeding or other action of the City Council shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow such rules."

ORDINANCE NO.

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**Section 2:** The City Clerk shall certify to the passage of this ordinance and cause the same to be published as required by law, and the same shall take effect as provided by law.

APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA        )  
COUNTY OF ORANGE        ) ss.  
CITY OF SAN CLEMENTE     )

I, Joanne Baade, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. \_\_\_\_\_ having been regularly introduced at the meeting of \_\_\_\_\_, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and said ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

## VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

### About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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### ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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## INTRODUCTION

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The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

*First*, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

*Second*, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

*Third*, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

*Fourth*, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

*Fifth*, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

*Sixth*, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

*Seventh*, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

*Eighth*, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

*Ninth*, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

*Tenth*, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

### Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

### The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion.** The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

*First*, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

*Second*, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

*Third*, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

### To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

**Motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**Motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

**Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**Motion to limit debate.** The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

### Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

**Motion to limit debate.** Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

### Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?*

*Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

### The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

### Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

**Order.** The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

### Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.



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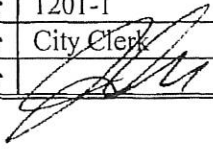
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POLICY AND PROCEDURE

<b>Subject:</b>	Mayor and Mayor Pro Tempore	<b>Index:</b>	City Council
		<b>Number:</b>	1201-1
<b>Effective Date:</b>	September 18, 2007	<b>Prepared By:</b>	City Clerk
<b>Supersedes:</b>	February 24, 1993	<b>Approved By:</b>	

1.0 **PURPOSE:**

To define the roles of the Mayor and Mayor Pro Tempore, and to establish guidelines for the selection of individuals to serve in these positions.

2.0 **ORGANIZATIONS AFFECTED:**

City Council

3.0 **REFERENCES:**

4.0 **POLICY:**

4.1 To provide for the efficient organization of Council business and activities, the Council shall elect from its members a Mayor and Mayor Pro Tempore.

4.1.1. The Mayor and Mayor Pro Tempore shall serve a one year term at the pleasure of the Council majority. During that period the Mayor shall act as the primary spokesperson and official representative of the City Council, unless such responsibility is delegated by the Mayor, or otherwise assigned by a majority vote of the City Council.

4.2 The Mayor shall preside at all regular, adjourned regular, special and emergency meetings of the City Council, including joint meetings with commissions and committees and closed sessions.

4.2.1. The Mayor shall also preside as the Chair of the Board of Directors for the San Clemente Redevelopment Agency.

4.3 The Mayor shall execute all official City documents, warrants and correspondence approved by the City Council.

4.4 The Mayor shall serve as the primary contact for the City Manager to provide direction and advice regarding routine planning and operational issues.



4.4.1. Nothing in this section is intended to suggest that the position of Mayor possesses formal powers or authority in excess of other members of the City Council. Rather, the person serving as Mayor is to be recognized as the leader of the Council, or first among equals.

4.5 The Mayor Pro Tempore shall serve and perform the functions as Mayor in the absence of the duly-elected Mayor.

4.6 If both the Mayor and Mayor Pro Tempore are absent from a meeting, the Council members present shall select a person from among its members to preside at that particular meeting.

5.0 ***DEFINITIONS:***

N/A


6.0 ***PROCEDURE:***

6.1 At the first regularly scheduled City Council Meeting in December, the City Clerk shall conduct the election for Mayor from among the Council members for the coming year, and open the floor to nominations. The newly-elected Mayor shall then conduct the election for Mayor Pro Tempore from among the Council members for the coming year, and open the floor to nominations. Such elections shall be made by a majority vote of the Council members present at the meeting.

6.2 The Mayor and Mayor Pro Tempore shall assume the duties of their respective offices immediately upon election.



## POLICY AND PROCEDURE

<i>Subject:</i>	Meetings of the City Council	<i>Index:</i>	City Council
		<i>Number:</i>	1201-2
<i>Effective Date:</i>	September 18, 2007	<i>Prepared By:</i>	City Clerk
<i>Supersedes:</i>	May 19, 1999	<i>Approved By:</i>	

### 1.0 **PURPOSE:**

To establish procedures for the scheduling and conduct of regular, adjourned regular, special and emergency meetings of the City Council.

### 2.0 **ORGANIZATIONS AFFECTED:**

City Council

### 3.0 **REFERENCES:**

Government Code 36805-36813  
 Government Code 54953-54957  
 Municipal Code - Section 2.04.010

### 4.0 **POLICY:**

- 4.1 Regular meetings of the City Council shall be held at least once a month at a time and location as established by resolution.
- 4.2 Regular meetings of the City Council shall be held the first and third Tuesdays of each month. Closed Sessions will be conducted from 5:00 to 6:00 p.m. The general session shall commence at 6:00 p.m. In the event no Closed Session items are scheduled, the City Clerk shall recess the meeting to 6:00 p.m. No new agenda item shall be initiated after 11:00 p.m., without a majority vote of the City Council.
- 4.3 Adjourned regular meetings shall be established by a majority vote of the City Council or, in the absence of a Council majority, by declaration of the City Clerk at the close of the meeting immediately prior to the adjourned regular meeting.
- 4.4 Special meetings may be called by the Mayor or a majority of the City Council.
- 4.5 Emergency meetings may be called by Council in situations which could severely impair public health, safety, or both, as determined by a majority of the City Council.

4.6 At all meetings of the City Council, a majority of the Council members shall constitute a quorum for the transaction of business. In the event less than a quorum of the City Council is present, the City Clerk shall adjourn the meeting to a specified time and place.

4.7 All meetings of the City Council, except closed sessions, shall be open to the public, as set forth in the Brown Act. (G.C. 54953)

4.8 The Mayor shall be the presiding officer at all meetings of the City Council. The Mayor Pro Tem shall preside in the Mayor's absence.

4.8.1 The Mayor shall vote as a Councilmember on all matters before the City Council except in matters involving a potential conflict of interest.

4.9 The Mayor shall preside at all closed sessions of the City Council. The Mayor Pro Tem shall preside in the absence of the Mayor.

5.0 **DEFINITIONS:**

Not applicable.

6.0 **PROCEDURE:**

6.1 The date, time and location of all regular meetings shall be established by resolution.

6.2 The City Council may, by majority vote, adjourn meetings to adjourned regular meetings, specifying the date, time and location. If all Council members are absent, the City Clerk may declare a meeting adjourned to a stated date, time and place. Any City Council matter may be considered at adjourned regular meetings. The City Clerk shall post an adjournment notice, pursuant to G .C. 54955.

6.3 Special meetings may be called by the Mayor or by a majority of the City Council to discuss issues, provided that written notice is delivered to each member of the Council and to the press at least 24 hours prior to the time specified for the proposed meeting.

6.3.1 The notice shall specify the date, time and location of the special meeting and the business to be transacted. No other business may be transacted.

6.3.2 In addition, the City Clerk shall give notice of such special meeting, pursuant to G. C. 54956.

6.3.3 Written notice may be dispensed with for any Council member who, at or prior to the time the meeting convenes, files a written waiver of such notice with the City Clerk.

4.6 At all meetings of the City Council, a majority of the Council members shall constitute a quorum for the transaction of business. In the event less than a quorum of the City Council is present, the City Clerk shall adjourn the meeting to a specified time and place.

4.7 All meetings of the City Council, except closed sessions, shall be open to the public, as set forth in the Brown Act. (G.C. 54953)

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4.9 The Mayor shall preside at all closed sessions of the City Council. The Mayor Pro Tem shall preside in the absence of the Mayor.

5.0 **DEFINITIONS:**

Not applicable.

6.0 **PROCEDURE:**

6.1 The date, time and location of all regular meetings shall be established by resolution.

6.2 The City Council may, by majority vote, adjourn meetings to adjourned regular meetings, specifying the date, time and location. If all Council members are absent, the City Clerk may declare a meeting adjourned to a stated date, time and place. Any City Council matter may be considered at adjourned regular meetings. The City Clerk shall post an adjournment notice, pursuant to G .C. 54955.

6.3 Special meetings may be called by the Mayor or by a majority of the City Council to discuss issues, provided that written notice is delivered to each member of the Council and to the press at least 24 hours prior to the time specified for the proposed meeting.

6.3.1 The notice shall specify the date, time and location of the special meeting and the business to be transacted. No other business may be transacted.

6.3.2 In addition, the City Clerk shall give notice of such special meeting, pursuant to G. C. 54956.

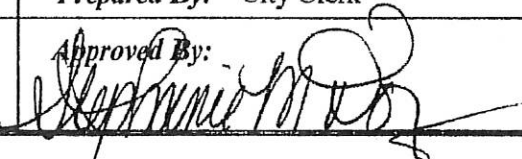
6.3.3 Written notice may be dispensed with for any Council member who, at or prior to the time the meeting convenes, files a written waiver of such notice with the City Clerk.

- 6.5.3 The City Council or its designee shall publicly announce at a public meeting any settlement or final action and the roll call vote taken during a closed session, as provided by law, immediately following the closed session or at the next Council meeting.
- 6.5.4 No member of the City Council, employee of the City or any person present during a closed session shall disclose to any other person the content or substance of discussion or action which took place during the session, unless a majority vote of the Council authorizes such disclosure.
- 6.5.5 Closed sessions, to the extent permitted by law, shall be limited to members of the City Council, the City Manager, the City Attorney, the City Clerk, and other staff members on specific issues as designated by the City Manager, unless the presence of non-members is requested by a majority of the City Council members.
- 6.5.6 To the extent possible, the public will be notified whether an announcement of action is anticipated prior to going into closed session.

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POLICY AND PROCEDURE

<p><b>Subject:</b> Order of Business and Preparation of Minutes</p>	<p><b>Index:</b> City Council</p> <p><b>Number:</b> 1201-3</p>
<p><b>Effective Date:</b> 5-6-03</p>	<p><b>Prepared By:</b> City Clerk</p>
<p><b>Supersedes:</b> May 19, 1999 February 24, 1993</p>	<p><b>Approved By:</b></p> 

1.0 **PURPOSE:**

To establish the order of business for the City Council and guidelines pertaining to the minutes of the City Council, Commissions and Committees.

2.0 **ORGANIZATIONS AFFECTED:**

City Council  
Commissions and Committees

3.0 **REFERENCES:**

Resolution No. 47-79  
GC-36814  
GC-40801  
GC-54954.2

4.0 **POLICY:**

4.1 The City Council shall establish an order of business to facilitate the organization of Council meetings and expedite proceedings.

4.2 The City Clerk shall have exclusive responsibility for the preparation and recording of the minutes.

4.2.1. The City Clerk shall be authorized to use tape recordings at any regular or special meeting of the Council to assist in the preparation of such minutes.

4.2.1.1. Audio tape recordings of the City Council meetings shall be retained for five years.

4.2.1.2 . Video tape recordings of the City Council meetings shall be retained for one year.

4.2.2. The minutes of the City Council and its appointed commissions and committees shall be prepared in brief concise form, pursuant to Robert's Rules of Order, in what is commonly referred to as "action type minutes," containing a descriptive entry of the item under consideration and the subsequent motion and vote.

4.2.2.1 Public Hearing items shall include a summarization of the major comments of the members and audience participants, and the names of persons speaking for and against the item under consideration.

5.0 **DEFINITIONS:**

5.1 Consent Calendar: The Consent Calendar shall consist of a number of items that shall be proposed for adoption in a single motion.

5.1.1. The Consent Calendar is intended to be a mechanism to facilitate approval of routine matters which are not expected to generate questions or discussion.

5.1.2. Any Consent Calendar item can be removed for further discussion or separate action if requested by any Council member, staff or the public. Items removed from the Consent Calendar will be considered under Item 7, Unfinished Business.

5.2 Items not appearing on posted agenda: The City Council may take action on items of business not appearing on the posted agenda under any of the following conditions pursuant to the Brown Act, GC 54954:

5.2.1 Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

5.2.2 Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a 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.

5.2.3 The item was posted for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

Prior to discussing any non-agendized item, the City Council shall publicly identify the item and add the item to the agenda pursuant to sections 5.2.1, 5.2.2 or 5.2.3

under New Business Item 8, otherwise stipulated by a majority vote of the City Council.

6.0 **PROCEDURE:**

6.1 At all regular meetings, the business of the City Council shall be taken up for consideration and disposition in the following order:

- Invocation
- Pledge of Allegiance
- Roll Call
- 1. Special Presentations
- 2. Motion Waiving Reading in full of Resolutions and Ordinances
- 3. Consideration of Agendizing items requiring immediate action for consideration under New Business Item No. 8
- 4. Consent Calendar
- 5. Public Hearings
- 6. Oral Communications
- 7. Unfinished Business
- 8. New Business
- 9. Reports
- 10. Resolutions/Ordinances
- 11. Adjourn

6.1.1 The aforesaid order of business shall not be changed except by majority vote of the City Council.

6.2 At the first regular meeting of each month, the City Council shall convene as the Board of Directors of the San Clemente Redevelopment Agency immediately following the business of the City Council. The order of business shall be as follows:

- 1. Roll Call
- 2. Approval of Minutes
- 3. Warrant Register
- 4. Unfinished Business
- 5. New Business
- 6. Oral Communications
- 7. Adjournment

6.3 Any directions for changes in the minutes shall be made only upon a majority vote of the Council.

6.4 Unless the reading of the minutes of a Council meeting is ordered by a majority of the Council, such minutes may be approved without reading if the City Clerk has previously furnished each councilmember with a copy thereof.

6.5 The approved minutes shall be executed by the Mayor and City Clerk.



6.6 The City Clerk shall enter the original executed minutes into the official records of the City as a permanent document.

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## POLICY AND PROCEDURE

<b>Subject:</b>	Council Correspondence and Agenda	<b>Index:</b>	City Council
<b>Effective Date:</b>	5-6-03	<b>Number:</b>	1201-4
<b>Supersedes:</b>	February 24, 1993	<b>Prepared By:</b>	City Clerk
		<b>Approved By:</b>	<i>[Signature]</i>

1.0 **PURPOSE:**

To establish guidelines and procedures for correspondence addressed to the City Council and for the preparation of the City Council Agenda.

2.0 **ORGANIZATIONS AFFECTED:**

City Council

3.0 **REFERENCES:**

G.C. 54954.2  
Resolution No. 86-127

4.0 **POLICY:**

- 4.1 The City Clerk is authorized to open and examine all mail or other written communications addressed to the City Council unless same is addressed to the personal attention of any one member of the Council.
- 4.2 Correspondence relating to or requiring legislative action shall be placed on the Agenda by the City Clerk.
- 4.3 The City Manager is responsible for determining the content and order of presentation for each Council Meeting Agenda.
  - 4.3.1. The City Clerk is responsible for the preparation and distribution of the Agenda and for the public notice/recording requirements established by law.

5.0 **DEFINITIONS:**

Not applicable.

6.0 **PROCEDURE:**

- 6.1 Correspondence not requiring legislative action shall be referred to the City Manager's Office who, in turn, is responsible for taking appropriate action on any valid request or petition by and through the respective departments.
  - 6.1.2. All referrals and action by the City Manager and City Clerk shall be brought to the attention, whenever applicable, of the City Council.
- 6.2 All items for inclusion in the Agenda shall be delivered to the City Clerk's office no later than twelve o'clock (12:00) noon on Monday the week preceding the regular meeting.
  - 6.2.1. All items for inclusion in the Agenda under "Council Members" shall be submitted to the City Clerk by Councilmembers no later than five o'clock (5:00) p.m. on Wednesday the week preceding the Council Meeting.
  - 6.2.2. Councilmember requests to agendize issues which have previously been considered by the same sitting Council within the previous twelve months will only be agendized upon direction of the majority of the City Council.
  - 6.2.3. The City Manager may poll the City Council to determine whether an issue should be agendized for Council action or processed administratively.
  - 6.2.4. Requests from the public to agendize an item not endorsed by staff will be circulated to the City Council. The item will be agendized if requested by a Council majority.
- 6.3 The City Clerk shall prepare the Agenda.
  - 6.3.1. At least 72 hours before a regular meeting, the City Clerk shall post an Agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.
  - 6.3.2. The Agenda shall specify the time and location of the regular meeting and shall be posted on the City Hall bulletin board and at the San Clemente Public Library.
  - 6.3.3. No action shall be taken on any item not appearing on the posted Agenda, except under the following conditions:
    - 6.3.3.1 Upon a determination by a majority vote of the City Council that an emergency situation exists, as defined in G.C. 54956.5.

6.3.3.2. Upon a determination by a two-thirds vote of the City Council, or a unanimous vote if less than two-thirds of the members are present, that the need to take action arose subsequent to the Agenda being posted.

6.3.4. Correspondence requesting that an issue be placed on the Agenda which is received after the deadline will be held over until the next regular Council Meeting.

6.3.5. Any correspondence reasonably related to a subject which will be on the next Council Agenda shall be transmitted to the Council regardless of the time or date received. In order to assure that the City Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the City Council meeting.

6.4 The Agenda shall be available to the members of the City Council and the public by four o'clock (4:00) p.m. on Thursday of the week preceding the City Council meeting.

6.4.1. In the case of special meetings, the Agenda will be made available at least twenty-four (24) hours prior to the meeting.



# POLICY AND PROCEDURE

<b>Subject:</b> Rules Of Debate, Decorum, Voting Requirements & Procedures	<b>Index:</b> City Council <b>Number:</b> 1201-5
<b>Effective Date:</b> February 24, 1993	<b>Prepared By:</b> City Clerk
<b>Supersedes:</b> N/A	<b>Approved By:</b> <i>Truman Benedict</i>

**1.0 PURPOSE:**

To establish voting requirements and procedural guidelines to assist Council as they conduct business in official meetings.

**2.0 ORGANIZATIONS AFFECTED:**

City Council

**3.0 REFERENCES:**

Robert's Rules of Order  
San Clemente Municipal Code 2-5, 2-6 and 3-A  
Government Codes 81000-91015 and 36813

**4.0 POLICY:**

4.1 Rules adopted to expedite the transaction of the business of the Council are procedural only. 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 conformance with the law.

4.2 In the normal course of business and notwithstanding the laws or regulations relating to conflict of interest, each Councilmember should at all times be openminded, objective, impartial, and make no judgment or engage in any partisan position until all of the available evidence pertaining to an issue has been submitted to the Council at a regular public meeting.

4.2.1 It shall be understood that a Councilmember or prospective Councilmember may, in the course of seeking elective office, be asked to state positions on general issues that may eventually come before the Council at a later date. This policy shall in no

way impair that Councilmember's right to consider the issue and vote as he/she determines is appropriate.

- 4.3 Pursuant to 4.2 above, in order to avoid any attack on the validity of Council hearings, members of the hearing body shall avoid forming final conclusions or making commitments during any meetings, conferences, or discussions regarding the merits of the matter of issue before the body, including but not limited to specific zoning and related land-use proposals, comprehensive planning, and like matters with proponents and opponents of said issues.
- 4.4 Every Councilmember, unless disqualified by reason of a conflict of interest or as otherwise provided by law, shall cast his/her vote upon any matter put to vote by the legislative body.
- 4.5 Any Councilmember who abstains from voting without a valid reason shall be deemed to have voted with the majority on that particular issue.
  - 4.5.1 A Councilmember who publicly announces that he/she is abstaining from voting on a particular matter for specified reasons shall not subsequently be allowed to withdraw that abstention.
- 4.6 Tie votes shall be lost motions.
- 4.7 A Councilmember may change his/her vote only if the request to do so immediately follows the last vote cast and is prior to the time that the result of the vote has been announced by the Mayor or the City Clerk.
- 4.8 A motion to reconsider any action taken by the City Council may be made only at the same meeting or the next regularly scheduled meeting of the City Council.
  - 4.8.1 A motion to reconsider may be made only by one of the Councilmembers who voted with the prevailing side.
- 4.9 Rules of Decorum:
  - 4.9.1 Councilmembers: While the Council is in session, all members must preserve order, decency, and decorum, and no member shall delay or interrupt the proceedings of the Council or disturb any member while speaking, or refuse to obey the order of the Mayor.
    - 4.9.1.1 Discussion by members of the Council shall relate to the subject matter at hand and shall be relevant and pertinent to allow for the expeditious disposition and resolution of the business before the body.

4.9.2 Employees: Members of the City staff shall observe the same rules of order and decorum as are applicable to members of the City Council.

4.9.3 Public Addressing Council: Any person making personal, impertinent, or slanderous remarks or who becomes boisterous in a way that impedes or interrupts the proceedings of the Council may be barred from further audience before the Council by the Mayor. An individual so barred may not return for the remainder of the meeting unless permission is granted by a majority vote of the City Council.

4.9.3.1 Any Councilmember may move to require the Mayor to enforce the rules, and the affirmative vote of a majority of the Council shall require him/her to do so.

4.10 Rules of Debate: Except as otherwise provided for in this policy, any special rule adopted by the City Council, or as otherwise provided by state statute, the procedures of the City Council meetings shall be governed by the latest revised edition of "Robert's Rules of Order." The City Attorney is designated as the parliamentarian for City Council meetings. The City Clerk shall preside as the parliamentarian in the City Attorney's absence.

5.0 **DEFINITIONS:**

Not applicable.

6.0 **PROCEDURE:**

6.1 Rules of Debate.

6.1.1 Getting the Floor: Any Councilmember desiring to speak shall first address the chair, gain recognition by the Mayor, and shall confine remarks to the question under debate. Members shall not engage in any indecorous, abusive, or inappropriate language and shall avoid personal attacks on any other members of the Council or City officials; or impugn the integrity, honesty, or motives of such officials.

6.1.2 Interruptions: A Councilmember, once recognized by the Mayor, shall not be interrupted when speaking unless called to order by the Mayor, or unless a point of order or personal privilege is raised by another Councilmember, or the speaker chooses to yield to a question by another member of the Council. If a Councilmember is called to order, he/she shall cease speaking immediately until the question of order is determined; and, if determined to be in order, he/she shall proceed.

6.1.3 Limitation of Debate: No Councilmember shall be allowed to speak more than once upon any particular subject matter until every other

Councilmember desiring to do so has spoken. Each Councilmember should limit his/her remarks on a particular subject matter to not more than five minutes.

6.1.3.1 Arguments in support of any motion shall be made first by the motionmaker, followed by the second. The order of others wishing to speak for or against a motion shall be determined by the Mayor.

6.1.3.2 City Council comments or arguments should be offered only after a recognized motion and second. All subsequent comments shall be prefaced by an indication as to whether the argument is in favor or in opposition.

6.1.4 Points of Order: The Mayor shall determine all points of order, subject to the right of any Councilmember to appeal to the City Council. Upon an appeal, a majority vote shall conclusively determine a question of order.

6.1.5 Point of Personal Privilege: The right of a Councilmember to address the Council on a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are questioned, or where the welfare of the Council is concerned. Any Councilmember raising a point of personal privilege may interrupt another Councilmember who has the floor only if the Mayor recognizes the privilege.

6.1.6 Privilege of Closing Debate: The Councilmember moving the adoption of an ordinance, resolution, or motion shall have the privilege of closing debate.

6.2 Addressing the City Council:

6.2.1 Manner of Addressing Council: Each person desiring to address the Council shall submit to the City Clerk a completed form (available at the entrance to the Council Chambers) requesting to address Council, and shall then proceed to the speaker's stand upon recognition from the Mayor. The speaker shall state for the record his/her name and city of residence. Unless further time is granted by the Mayor, (unless overruled by a majority vote of the Council), the speaker shall limit his/her remarks to three (3) minutes. All remarks shall be pertinent to the subject at hand. All remarks must be addressed to the Council as a whole and not to any member individually. No questions shall be asked of a Councilmember or member of the City staff without the permission of the Mayor.



6.2.2 Spokesperson for a Group: In order to avoid repetitious presentations and delay in the business of the Council, whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Mayor to request a spokesperson be chosen by the group to represent their position.

6.2.3 After Motion: After a motion has been made and seconded, or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so from the Mayor or a majority vote of the Council.

6.3 Processing of Motions: When a motion is made and seconded, it shall be restated by the Mayor or the City Clerk if so requested before debate. Once restated, a motion may not be withdrawn by the mover without the consent of the Council. Once stated by the Mayor, the motion belongs to the Council.

6.3.1 Motions out of Order: The Mayor may at any time, by majority consent of the members, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order of business.

6.3.2 Division of Question: If the question contains two or more divisible propositions, the Mayor may, and upon request of a member, shall, (unless appealed), divide the question and require a vote on each portion of the question.

6.3.3 Precedence of Motion: When a motion is before the Council, no motion shall be entertained except; (a) to adjourn, (b) to fix the hour of adjournment, (c) to lay on the table, (d) for the previous question, (e) to postpone to a certain day, (f) to refer, (g) to amend, and (h) to postpone indefinitely. These motions shall have precedence in the order indicated.

6.3.3.1 Motion to Adjourn: (Not debatable) A motion to adjourn shall be in order at any time, except as follows: (a) when repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking; (c) when the previous question has been ordered, and (d) while a vote is being taken. A motion to adjourn "to another time" is debatable only as to the time to which the meeting is to be adjourned.

6.3.3.2 Motion to Fix Hour of Adjournment: Purpose is to set a definite time at which to adjourn. Undebatable and unamendable except as to time set, which shall not be beyond the time and date of the next regular meeting.

- 6.3.3.3 Motion to "Lay on the Table:" This allows the Council to lay the main motion aside temporarily without setting a time for resuming its consideration, but with the provision that it can be taken up again whenever a majority so decides.
- 6.3.3.4 Motion for Previous Question: (Also referred to as call for the question) Purpose is to close debate on main motion. Undebatable. Just shouting "question" does not accomplish the same thing. If motion fails, debate is reopened; if motion passes, then vote on the main motion is in order.
- 6.3.3.5 Motion to Amend: (Debatable only as to amendment) A motion to amend an amendment is in order, but one to amend an amendment to an amendment is not. An amendment modifying the intention of a motion is in order, but an amendment relating to a different matter shall not be in order. (A substitute motion on the same subject is acceptable.) Amendments are voted first, then the main motion as amended.
- 6.3.3.6 Motion to Postpone: A motion to postpone indefinitely is fully debatable and if the same is adopted, the principal question shall be declared lost. Motions to postpone to a definite time are amendable and debatable as to propriety of postponement and time set. Motions to "refer" are similarly not debatable except for the propriety of referring.

#### 6.4 Voting Procedures:

- 6.4.1 Question to be Stated: After a motion has been properly offered and a second is acknowledged by the Mayor, the Mayor or City Clerk if requested to do so shall verbally restate each question immediately prior to calling for the vote. Following the vote, the Mayor shall announce whether the question carried or was defeated. In the case of a roll call vote, the City Clerk shall announce the results of the vote. The Mayor may, at his/her discretion, publicly state the affect of the vote for the benefit of the audience before proceeding to the next item of business.
- 6.4.2 Electronic Roll Call Vote: The City Council shall cast its votes electronically, unless waived by the Mayor. The City Clerk shall cause the results of the vote to be displayed on the electronic display board, which shall constitute a roll call vote.

6.4.3 Entry of Ayes and Noes on Record: At any time, at the request of any member of the Council, any question shall be voted upon by electronic vote, and the ayes and noes shall be recorded in the minutes.

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