

ATTACHMENT 1
RESOLUTION NO. 95-337

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, ESTABLISHING RULES FOR THE CONDUCT OF CITY COUNCIL MEETINGS.

WHEREAS, it is the desire of the City Council of the City of Calabasas to conduct all Council meetings in an orderly, efficient and responsive manner; and

WHEREAS, the City Council wants to provide for continuity of responsibility and to provide sufficient time and opportunity for full consideration and public discussion of important issues which the City Council must review and decide, therefore it is necessary to adopt the following rules covering the conduct of meetings; and

WHEREAS, the City Council adopted Ordinance No. 95-92 on March 15, 1995 including Section 2.04.050 which authorizes the City Council to establish rules for the conduct of its proceedings.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS HEREBY FINDS, CONCLUDES AND RESOLVES AS FOLLOWS:

Section 1. ADDRESSING NEW ITEMS AFTER 11:00 P.M.

It is the policy of the City Council of the City of Calabasas to conduct city business in a timely manner. Therefore, no new item of business listed on the agenda shall be addressed after 11:00 p.m. unless by majority vote of the city Council present. Any items not addressed that were listed on the agenda shall be continued to the next regular or adjourned regular meeting of the City Council.

Section 2. AGENDA.

(a) All reports, communications, ordinances, resolutions, contract documents, or other matters submitted to the council at a regular meeting shall be delivered to the city clerk not later than 9:00 a.m. preceding the meeting. The city clerk shall prepare the agenda of all matters under the direction of the city manager. The agenda including all items shall be delivered to the councilmembers and City Attorney on the [e.g. Friday] preceding the Wednesday council meeting to which it pertains and shall be made available to the public at the office of the City Clerk no later than Friday at 4:00 p.m. preceding the meeting.

(b) At least one copy of the agenda packet shall be placed in the City Library for use by the public, as well as providing copies of the Agenda to the Homeowners Associations, the Chamber of Commerce, at others upon request.

Section 3. CALL TO ORDER - ROLL CALL.

The Presiding Officer shall take the Chair at the appointed hour for the meeting, and shall immediately call the Council to order. Before proceeding with the business of the Council, the City Clerk shall call the roll of the members, and the names of those present shall be entered into the minutes.

Section 4. READING OF MINUTES.

Unless a reading of the minutes of a council meeting is requested by a majority vote of the council, the minutes may be approved without reading if the clerk has previously furnished each member with a copy.

Section 5. RULES OF ORDER.

Where not addressed in the body of this resolution, all questions as to procedure and debate shall be resolved by the City Attorney's interpretation of Roberts' Rules of Order, Newly Revised Edition.

Section 6. FAILURE TO OBSERVE RULES OF ORDER.

Rules adopted to expedite the transaction of the business of the council in an orderly fashion are deemed to be procedural only and the failure strictly to observe such rules shall not affect the jurisdiction of the council or invalidate any action taken at the meeting that is otherwise held in conformity with law.

Section 7. RULES OF DEBATE.

(a) **Getting the floor.** Every councilmember desiring to speak shall first address the chair, gain recognition by the presiding officer, and shall confine discussion to the question under debate, avoiding personalities and indecorous language.

(b) **Questions to staff.** A councilmember desiring to question the city staff shall, after recognition by the presiding officer, address the questions to the city manager, the city clerk, or the city attorney, who shall be entitled either to answer the inquiry or to designate a member of the staff for that purpose.

© **Interruptions.** A member, once recognized, shall not be interrupted when speaking unless it be to call him/her to order, or as otherwise provided in these rules. If a member, while speaking, is called to order, he/she shall stop speaking until the question of order is determined, and, if in order, he/she shall be permitted to proceed.

(d) **Points of Order.** The presiding officer shall determine all points of order subject to the right of any councilmember to appeal to the council. If an appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" A majority vote shall conclusively determine such question of order.

(e) **Point of personal privilege.** The right of a councilmember to address the council on a question of personal privilege shall be limited in cases in which his/her integrity, character or motives are questioned or where the welfare of the council is concerned. A councilmember raising a point of personal privilege may interrupt another councilmember who has the floor only if the presiding officer recognizes the privilege.

(f) **Privilege of closing debate.** The Councilmember moving the adoption of an ordinance, resolution or other matter shall have the privilege of closing the debate after a full discussion has been had on said item as determined by the presiding officer.

(g) **Limitation on debate.** No councilmember shall be allowed to speak more than once upon any particular subject until every other councilmember desiring to do so shall have spoken. Remarks shall generally be limited to two minutes.

(h) **Motion to close debate.** When a motion to close debate is duly made and seconded, there shall be no further debate. If the question carries, the presiding officer shall put pending amendments to a vote, without debate, in the inverse order of their introduction before putting the main question. If the question is decided negatively, the main question and its amendments remain before the council.

(i) **Motion to reconsider.** A motion to reconsider action taken by the council may be made only on the day action was taken. It may be made either immediately at the same meeting in which the original decision was made or at the next following meeting. This motion must be made by one to the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member had the floor; it is debatable. Nothing in these rules prevents a member of the council from making or remaking the same or any other motion at a subsequent meeting of the council.

(j) **Remarks of councilmember - when entered in minutes.** A councilmember may request, through the presiding officer, the privilege of having an abstract of his/her statement on any subject under consideration by the council entered in the minutes. If the council consents, the statement shall be entered in the minutes.

(k) **Synopsis of debate - when entered in the minutes.** The clerk may be directed by the presiding officer, with consent of the council, to enter into the minutes a synopsis of the discussion on any question coming regularly before the council.

(l) **Protest against council action.** Any councilmember shall have the right to have the reasons for his/her dissent from, or his/her protest against, an action of the council entered in the minutes. The dissent or protest to be entered in the minutes shall be made in the following manner: "I would like the minutes to show that I am opposed to this action for the following reasons ...".

Section 8. VOTING.

(a) **Majority Vote.** Three affirmative votes are required to enact an ordinance

or to adopt a resolution or motion granting a franchise or authorizing the payment of expenditure of money or incurring of a debt. The majority of a quorum is required to adopt other resolutions or motions. A "majority" refers to a majority of the quorum present.

(b) **Silence constitutes affirmative vote.** Unless a member of the council states that he/she is not voting, his/her silence shall be recorded as an affirmative vote.

© **Tie vote.** Tie votes shall constitute a failed which may be reconsidered.

(d) **Changing vote.** A member may change his/her vote only if he/she makes a timely request to do so immediately following the announcement of the vote by the city clerk and prior to the time that the next item in the order of business is taken up.

(e) **Absence from voting.** A member who has heard the full discussion of the matter before the Council shall be entitled to record his or her vote if at the time of the call of the vote said member was absent and the next item in the order of business has not been taken up.

(f) **Abstention from voting.** A councilmember may abstain from voting on any ordinance, resolution, or other motion.

(g) **Effect of Abstention.** If an abstention from voting is based on the advice of the City Attorney that said abstention shall not be recorded as either a negative or affirmative vote. Any abstention based on self disqualification, however, shall be registered as a vote consistent with that of the majority or as an affirmative vote for the subject ordinance, resolution or motion in the event of a tie.

Section 9. ADDRESSING THE COUNCIL.

(a) **Manner of addressing council.** Each person desiring to address the council shall step up to the microphone, shall be asked to state his or her name and address for the record, state the subject he/she wishes to discuss, state whom he/she is representing if he/she represents an organization or other persons, and unless further time is granted by majority vote of the council, shall limit his/her remarks to three minutes as determined by the chair. If the speaker feels he/she will need more time, he/she should so request before beginning his/her remarks. All remarks shall be addressed to the council as a whole and not any member thereof. No question shall be asked a councilmember or a member of the city staff without the permission of the presiding officer.

(b) **Spokesman for group of persons.** In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the council on the same subject matter. The presiding officer may request that a spokesman be chosen by the group to address the council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the council.

© **After motion.** After a motion has been made 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 by a majority vote of the city council.


Section 10. AMENDMENT OF RULES.

(a) Any provision of these rules not governed by the City Code may be temporarily suspended by a vote of the majority of the Council. The vote on any such suspension shall be entered into the minutes.

(b) These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

The City Clerk shall certify as to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED and ADOPTED this 19th day of July, 1995.




Dennis Washburn, Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CALABASAS)

I, **ROBIN PARKER**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 95-337**, was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held July 19, 1995, and that it was adopted by the following vote, to wit:

AYES: Mayor Washburn, Mayor pro Tem Hill, Councilmembers Foley, Lopata.

NOES: None.

ABSTAIN: None.

ABSENT: Councilmember Devine.



Robin Parker, CMC, City Clerk
City of Calabasas, California