



City Council Meeting

Item #11 - Action on a Recommendation from the Governance & Ethics Committee to Adopt New Council Policy 055 Providing for a Consolidated Set of Council Meeting Procedures and Protocols for Use by the City Council and Other City Boards, Commissions and Committees

RTC 25-366
June 24, 2025

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Background

- **August 17, 2021 – Council Priority Setting:** Council approved a 6-month pilot program for very basic meeting management “protocols” (really, an order of business), to be revisited at the 2022 Council Priority Session. 2022 Priority Sessions never held; formal resolution never adopted; proposed order of business mostly followed since.
- **December 4, 2023 - Governance and Ethics Meeting:** Committee provided input on the current procedures, and considered possible modifications, including possibility of switching from Robert’s Rules of Order to Rosenberg’s; additional info requested



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Background

- **July 2nd Governance & Ethics Committee:**
 - Staff presented options for different meeting management procedures (potential time limits, discussions prior to making motions, standards of decorum, etc.)
 - Options included a transition from parliamentary rules based on Robert's Rules of Order to rules based on Rosenberg's Rules of Order
 - Additional information presented on Robert's vs. Rosenberg's
 - Committee Direction:** Staff prepare draft policy based on Rosenberg's, without specific time or speaker limits on Council discussions, and including presiding officer flexibility in managing/trailing public presentations



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Background

- **October 4, 2024 Governance & Ethics Committee:**
 - Staff presented a fully drafted policy consistent with Committee direction
 - Another robust discussion of various issues, including opportunities for rounds of questions and soft and hard time limit options
 - Ultimate direction to recommend the policy to the City Council for consideration in substantially the form presented
- **City Attorney's Office Review and Refinement of Language, Including Input from the Mayor given her central role as "Presiding Officer"**



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Key Provisions

- **Transition to Rosenberg's.** In general, the Council Policy will transition the City from parliamentary rules based upon the use of Robert's Rules of Order to a system based on Rosenberg's Rules of Order, and other existing City practices.
- **Relationship to Other Laws.** Refers to--but stands alone from--Rosenberg's. All rules remain subject to requirements under the Brown Act and City Charter.
- **Applicable to Other City Boards, Commissions and Committees.** Supplemental rules okay, but anything else subject to Council approval
- **Mayor as Presiding Officer.** Consistent with the City's Charter and Rosenberg's draft policy maintains the concept of the Mayor/Chair as presiding officer having primary responsibility for managing the meeting in accordance with applicable rules. **[Policy Section A]**
- **Appeal of Points of Order.** Through a process of appeal on points of order, a majority of members present and voting reserves the right to overrule the Mayor/Chair. **[Policy Section A.2 and Section G]**

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Key Provisions (cont'd)

- **Order of Consideration of Agendized Items.** Policy includes an order for consideration of agendized items consistent with current practices **[Policy Section B]**.
- **Rules for Public Comment for Agendized and Non-Agendized Items.** Rules include:
 - (1) comments to be directed to City Council as a body,
 - (2) public testimony time limits consistent with City Council Policy 029 [3 minutes for non-agendized, 2 minutes for agendized items],
 - (3) only one opportunity to speak except in special circumstances
 - (4) prohibitions on disruptive/unruly behavior
 - (5) special rules for public presentations, including Brown Act compliant limits on Council action and the ability of the Mayor to bifurcate public presentations, with a second round at the end of the meeting as circumstances may warrant, and
 - (6) specific rule now for ceding time (12 minutes for non-agendized and 8 minutes for agendized items) **[Policy Section C]**

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Key Provisions (cont'd)

- **Procedures and Protocols for Council Deliberations [Policy Section D]**
Rules include:
 - (1) provision for additional questions and commencement of deliberations without a motion/second
 - (2) process for taking turns,
 - (3) discussions to be limited to item under consideration
 - (4) recognition/comments to be made through the presiding officer
 - (5) protocols for focus on matter at hand, maintaining an open mind, prohibition on personal attacks, avoidance of repetition and interruptions.

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Key Provisions (cont'd)

- **Terms for Main Motions and Secondary Motions [Policy Section E].**
Based primarily on procedures set forth in Rosenberg's and other existing/best practices.
 - (1) procedures for both "main motions" and "secondary motions"
 - (2) maker's right to withdraw a motion
 - (3) no formal limits on number of times to speak or time limits; equal treatment
 - (4) express provisions for "friendly" amendments
 - (5) process for/distinction between amended and substitute motions
 - (6) simplified process for managing multiple motions
 - (7) process for reconsideration (City Council Policy 042)
 - (8) list and explanation of "secondary" motions (e.g., personal privilege, table/continue an item, call for the question, etc.)
 - (9) **provision for Presiding Officer to adjourn meeting on their own initiative, with consensus**

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Key Provisions (cont'd)

- **Council Action** [Policy Sections E.10, 11 and 12]
 - City Clerk to "state" the motion on the floor prior to vote
 - Simple majority (four affirmative votes) required unless other laws apply (e.g., five votes required for budget amendments under the Charter).
 - Motions with less than required votes "fail;" approved votes subject to reconsideration under Council Policy 042.
- **Standards for Decorum** [Policy Section F]. Includes reference to existing City Council Behavioral Standards.
- **Enforcement of Rules and Appeals** [Policy Section G], Presiding Officer has primary responsibility, and receives deference; City Attorney available to provide input/advice; Presiding Officer determinations subject to appeal by the Council.
- **Reference to Other Relevant City Council Policies** [Policy Section H], including Council Policy 029-Time Limits for Speakers at Council, Council Policy 030 - Adding an Item on the Agenda; and Council Policy 042 - Reconsideration of Council Action

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Possible Discussion Points

- **Clarity on Recusals and Abstentions**
 - requirement for "recusal" for conflicts of interest
 - Charter cities have discretion on rules for other abstentions
 - current "best practice": (1) participate when you can, but no obligation; (2) state reason for exemption, but no obligation; (3) if not legally obligated to recuse, abstaining party's "seat" counts for a quorum, but abstention treated as a "non-vote"
- **Any formal time guidelines/limits for City Council comments?**
 - debated at Committee level, but not recommended
 - other jurisdictions do impose limits (e.g., Cupertino, Oakland)
 - pros and cons to this approach
- **Other policies to be incorporated or added, e.g. special rules for public hearings, ex parte communications, agenda headings/order**

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Recommendation

- Adopt by Resolution Council Policy 055, entitled "Council Meeting Procedures and Protocols" in substantially the form presented, with such changes Council may approve and direct staff to come back with any necessary actions, including required amendments to the City Code in order to implement such policy

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