

## **AGENDA**

**CITY COUNCIL OF THE CITY OF MORENO VALLEY  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
CITY AS SUCCESSOR AGENCY FOR THE  
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF  
MORENO VALLEY  
MORENO VALLEY HOUSING AUTHORITY**

**February 3, 2015**

**STUDY SESSION – 6:00 P.M.**

**City Council Study Sessions**

First & Third Tuesdays of each month – 6:00 p.m.

**City Council Meetings**

Second & Fourth Tuesdays of each month – 6:00 p.m.

**City Council Closed Session**

*Immediately following Regular City Council Meetings and  
Study Sessions, unless no Closed Session Items are Scheduled*

**City Hall Council Chamber - 14177 Frederick Street**

*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mark Sambito, ADA Coordinator at 951.413.3120 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

Jesse L. Molina, Mayor

Dr. Yxstian A. Gutierrez, Mayor Pro Tem  
Jeffrey J. Giba, Council Member

George E. Price, Council Member  
D. LaDonna Jempson, Council Member

**AGENDA  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
CITY AS SUCCESSOR AGENCY FOR THE  
COMMUNITY REDEVELOPMENT AGENCY OF THE  
CITY OF MORENO VALLEY  
MORENO VALLEY HOUSING AUTHORITY**

**\*THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS**

**STUDY SESSION - 6:00 PM  
FEBRUARY 3, 2015**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL**

**INTRODUCTIONS**

**PUBLIC COMMENTS ON MATTERS UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council Member, staff member or other person.

**SPECIAL ORDER OF BUSINESS**

1. GENERAL FUND LONG RANGE BUSINESS PROJECTIONS FOR THE PERIOD FY 2015/16 THROUGH FY 2024/25 (Staff Report/PowerPoint) (FMS/15 Mins.)
2. REVIEW AND DISCUSSION OF THE CITY COUNCIL RULES OF PROCEDURE (Staff Report/PowerPoint) (CA/20 Mins.)
3. CITY COUNCIL REQUESTS AND COMMUNICATIONS

AGENDA  
February 3, 2015

(Times shown are only estimates for staff presentation. Items may be deferred by Council if time does not permit full review.)

v Oral Presentation only – No written material provided

**\*Materials related to an item on this Agenda submitted to the City Council/Community Services District/City as Successor Agency for the Community Redevelopment Agency/Housing Authority after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.**

## **CLOSED SESSION**

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley or Housing Authority will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1      **SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9**

Number of Cases: 5

2      **SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**

Number of Cases: 5

## **REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY**

## **ADJOURNMENT**

## **CERTIFICATION**

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, certify that the City Council Agenda was posted in the following places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley  
14177 Frederick Street

Moreno Valley Library

AGENDA  
February 3, 2015



25480 Alessandro Boulevard

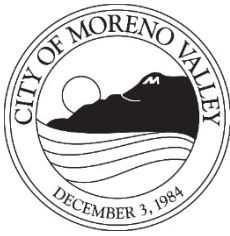
Moreno Valley Senior/Community Center  
25075 Fir Avenue

Jane Halstead, CMC,  
City Clerk

Date Posted: January 28, 2015

AGENDA  
February 3, 2015

**This page intentionally left blank.**



APPROVALS	
BUDGET OFFICER	<i>me</i>
CITY ATTORNEY	<i>SMB</i>
CITY MANAGER	<i>D</i>

---

## Report to City Council

---

**TO:** Mayor and City Council

**FROM:** Rick Teichert, Chief Financial Officer

**AGENDA DATE:** February 3, 2015

**TITLE:** GENERAL FUND LONG RANGE BUSINESS PROJECTIONS FOR THE PERIOD FY 2015/16 THROUGH FY 2024/25

---

### **RECOMMENDED ACTION**

Recommendations: That the City Council:

1. Receive and file the General Fund Long Range Business Projections for the period FY 2015/16 through FY 2024/25.

### **SUMMARY**

The City of Moreno Valley incorporated on December 3, 1984 during a significant housing boom in California. The City's population has grown from 58,300 in January 1985 to a current population of 199,258 as of January 2014.

The City of Moreno Valley, the second largest city in Riverside County, is on a path to remain fiscally sound and continues to maintain a good credit rating. The City's credit rating by Standard & Poor's was raised to A+ on October 30, 2014. The City needs to plan for the financial future to take advantage of opportunities and manage the many financial challenges affecting the community today and in the future. It is appropriate to review the recently established City Council goals and approved plans, such as the Economic Development Action Plan and the Two-Year Budget, to ensure they work in concert together, along with the appropriate financial policies to direct the City toward a strong and prosperous financial future.

In the wake of the Great Recession, the City had substantially reduced the General Fund expenditures and staffing levels in an effort to successfully manage the City's General Fund finances and achieve a balanced budget while faced with rapidly declining revenues. As revenues stabilized and with the end of the recession, the City

Council and Executive Management team remain focused on the strategic use of revenues and fund balances to maintain a balanced budget.

## **DISCUSSION**

The stabilization of the General Fund revenues presents an opportunity to look into the future to review and establish the City's long term financial direction and potential. Long range financial planning is an integral step in the visioning and goal setting process of a well-run government agency. This report discusses the goals and strategies of the organization and translates them into a financial context, using financial modeling to frame the fiscal policies and potential for the City's future. These Long Rang Business Projections (LRBP) look at the financial impacts of the current direction and policies of the organization over a longer duration of time. This document will provide the baseline that allows policymakers to test and model the impacts to the organization of various choices and decisions that will be faced in the near term and well into the future.

The foundation of the projections include the City Council Goals and Action Plan resulting from the Council's goal setting workshops in 2011 and 2013, the Economic Development Action Plan covering the three-year period of FY 2013/14 and FY 2015/16, and the two-year Budget for FY 2013/14 and FY 2014/15. These planning documents were relatively short-term focused to navigate the City through the recent years. The LRBP takes these documents and plans as the foundation and projects the City's economic development efforts and related estimated results through 2025. The report results in the following conclusions and/or recommendations:

- City Council has established a vision and direction for the City to implement its Economic Development Action Plan with a focus to bring in jobs and tax base growth.
- The LRBP brings life to that vision by being able to dynamically model revenues and expenditures resulting from the Economic Development Action Plan.
- The LRBP translates that revenue and tax base growth into services and programs based on Council's expenditure priorities that will continue to improve and enhance the quality of life for our residents.
  - The City is financially stable and the current vision and direction results in more stability and a better quality of life.
  - The needs are significant and the new revenue growth provides an opportunity to begin to meet these needs.
- The LRBP currently identifies the FY 2015/16 and FY 2016/17 budgets as balanced. It does not, however, address unfunded liabilities, support increased services, or re-establish any services which have been previously reduced. These items may include, but are not limited to, the following:
  - Any staffing increases for positions previously lost, including Police, Fire, and other City staff
  - Fire Stations, equipment and staffing to address commercial and retail growth
  - The restoration of funding for deferred infrastructure maintenance during the fiscal downturn

- Stay on Course with the adopted budget, but adjust the services and positions as new revenues allow.
- Update the Economic Development Action Plan for an additional three-year period.
- Establish a two-year budget, for period FY 2015/16 through 2016/17, based on a current stable economy and steady revenue growth. Remain dynamic, through the priorities set in this plan, to quickly allocate economic growth to appropriate uses.

### **ALTERNATIVES**

1. Receive and file the General Fund Long Range Business Projections for the period FY 2015/16 through FY 2024/25.
2. Do not receive and file the General Fund Long Range Business Projections for the period FY 2015/16 through FY 2024/25.

### **FISCAL IMPACT**

There is no fiscal impact for the Long Range Business Projections. Any fiscal impacts will be reflected in later staff reports to the City Council.

### **CITY COUNCIL GOALS**

**Revenue Diversification and Preservation.** Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

### **NOTIFICATION**

Publication of the agenda.

### **ATTACHMENTS**

Attachment 1: Presentation

Prepared By:  
Marshall Eyerman  
Financial Resources Division Manager

Department Head Approval:  
Richard Teichert  
Chief Financial Officer

**This page intentionally left blank.**

**CITY OF MORENO VALLEY:  
LONG RANGE BUSINESS PROJECTIONS 2015/16-2024/25**

**PRESENTATION BY: Rick Teichert, Chief Financial Officer  
Marshall Eyerman, Financial Resources Division Manager**

**Item No. 1.**



## Presentation Overview

- General Fund (GF) Operating Results
- Economic Projections
- Fund Balances
- Model Inputs
- Fiscal Challenges/Unfunded Needs
- Future Revenues

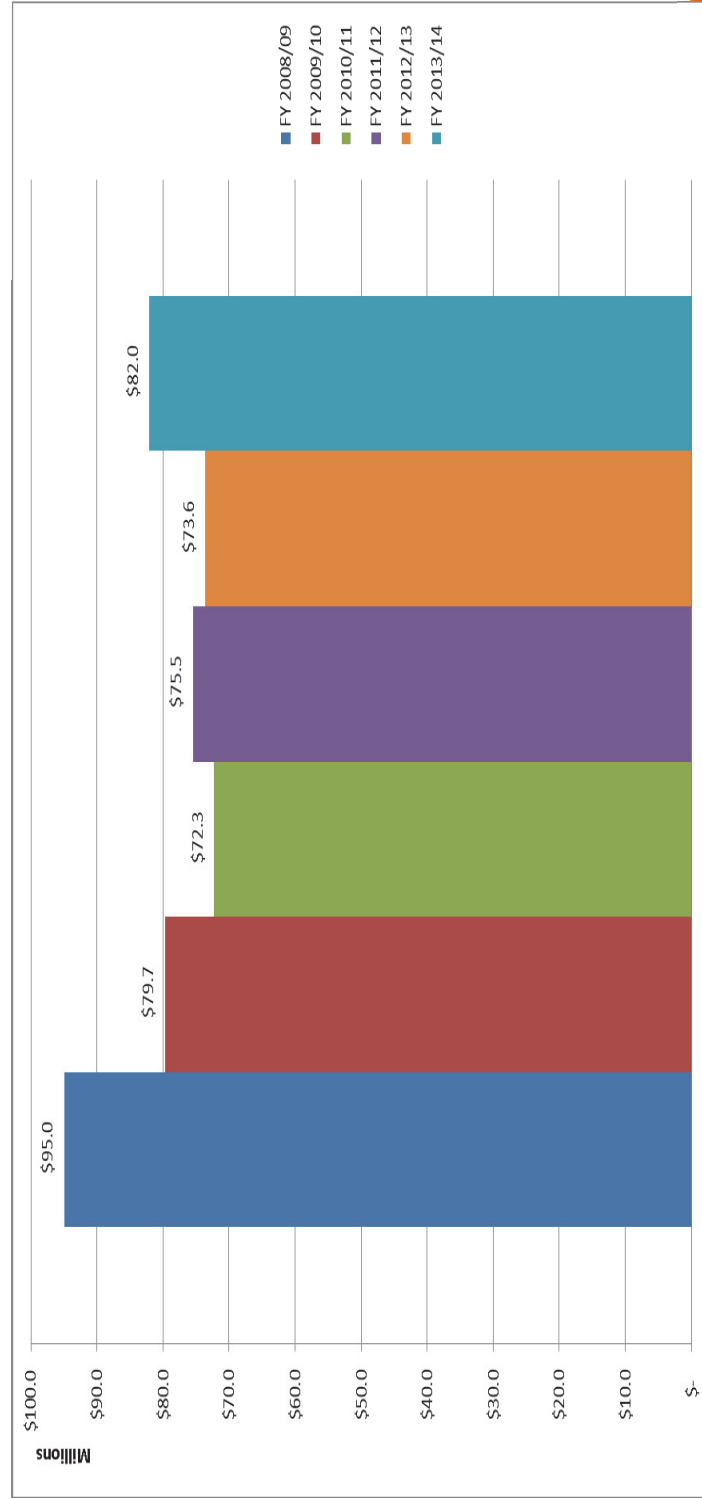
**Item No. 1.**

-12-



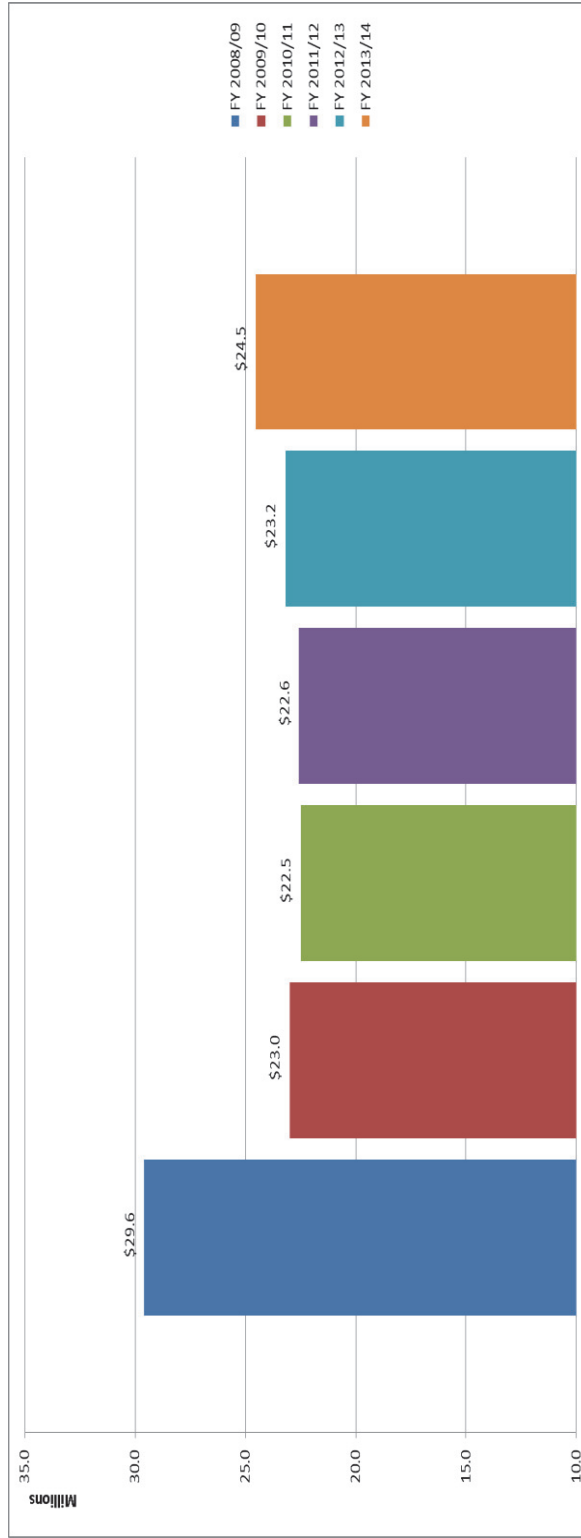
## Historical General Fund Operating Results - Revenues

- Still recovering from recession
- Beginning to see modest growth



## Historical General Fund Operating Results – Property Taxes

- Property Tax Revenues
  - An ad valorem tax on real property (City gets 11% of the 1% levy)

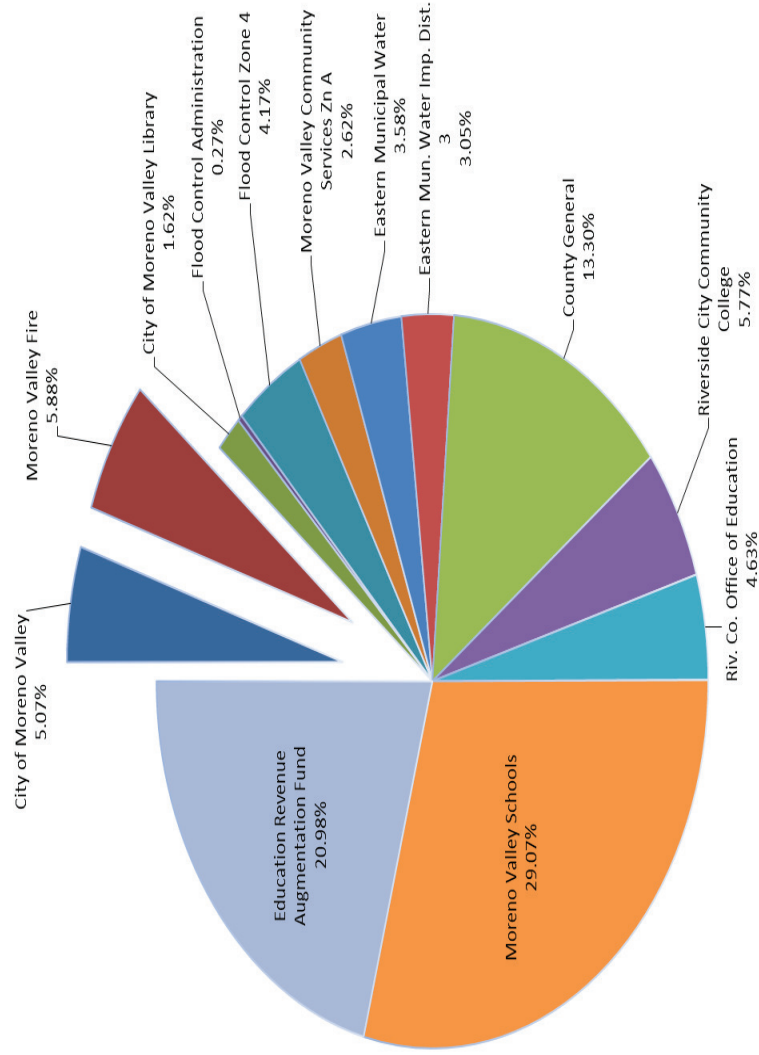


## Average Residential Property Tax and Tax Distribution

- Average Property Tax Revenues

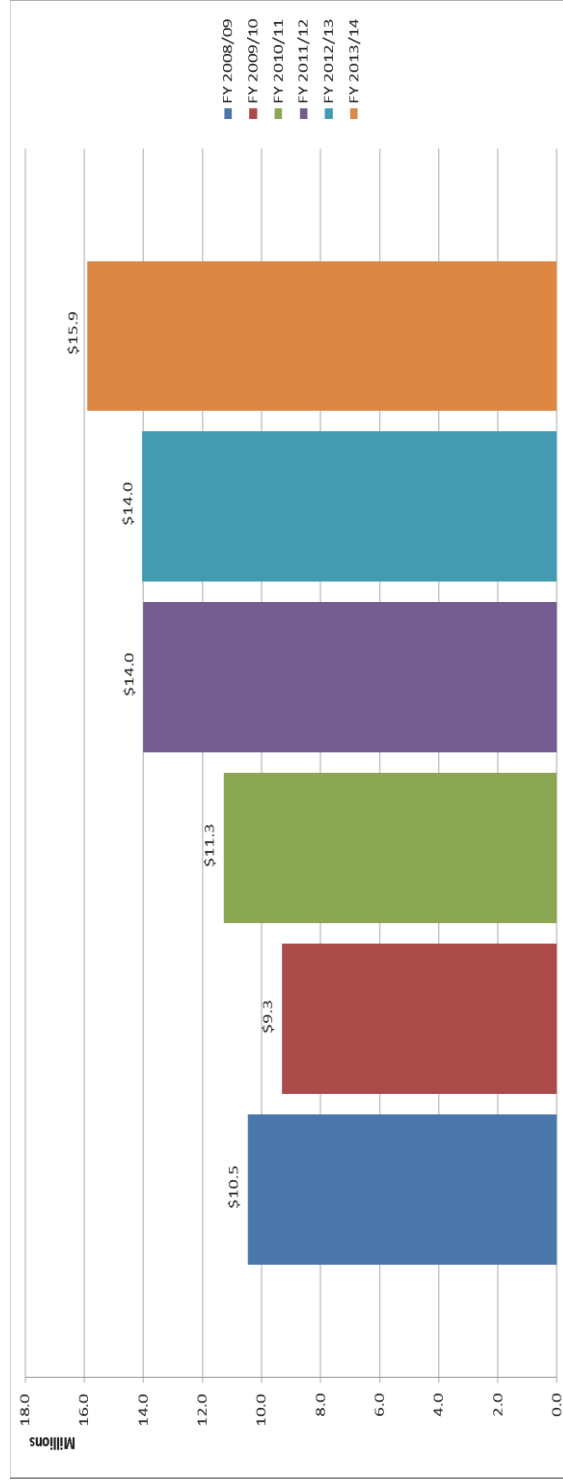
<b>Taxable Assessed Value</b>	<b>\$ 250,000</b>
General Property Tax	1.00%
Total Property Taxes	2,500
City of Moreno Valley	5.07%
Moreno Valley Fire	5.88%
Total Moreno Valley	10.95%

**Total City GF Share of Property Taxes \$ 274**



## Historical General Fund Operating Results – Sales Tax

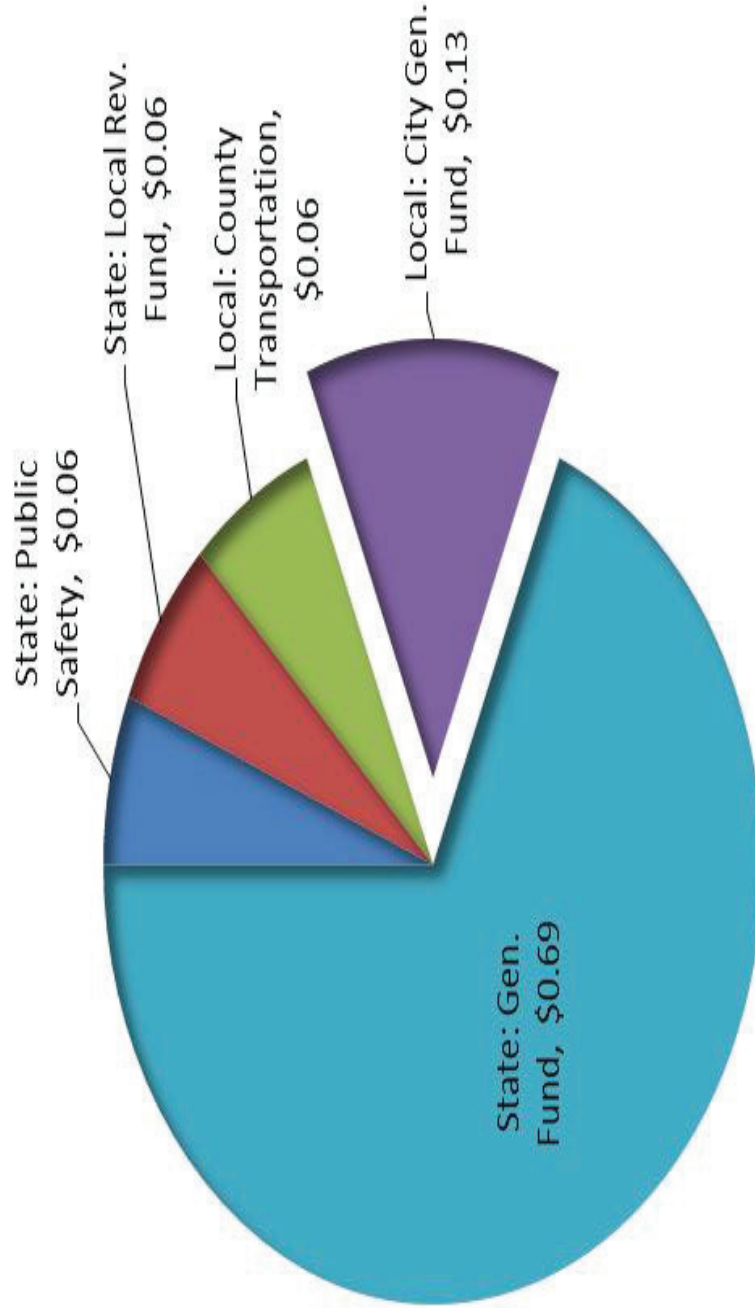
- Sales Tax Revenues
- State and local tax on total retail price of tangible personal property
- City's 1% share of the cumulative 8%





## Sales Tax Rate Allocation

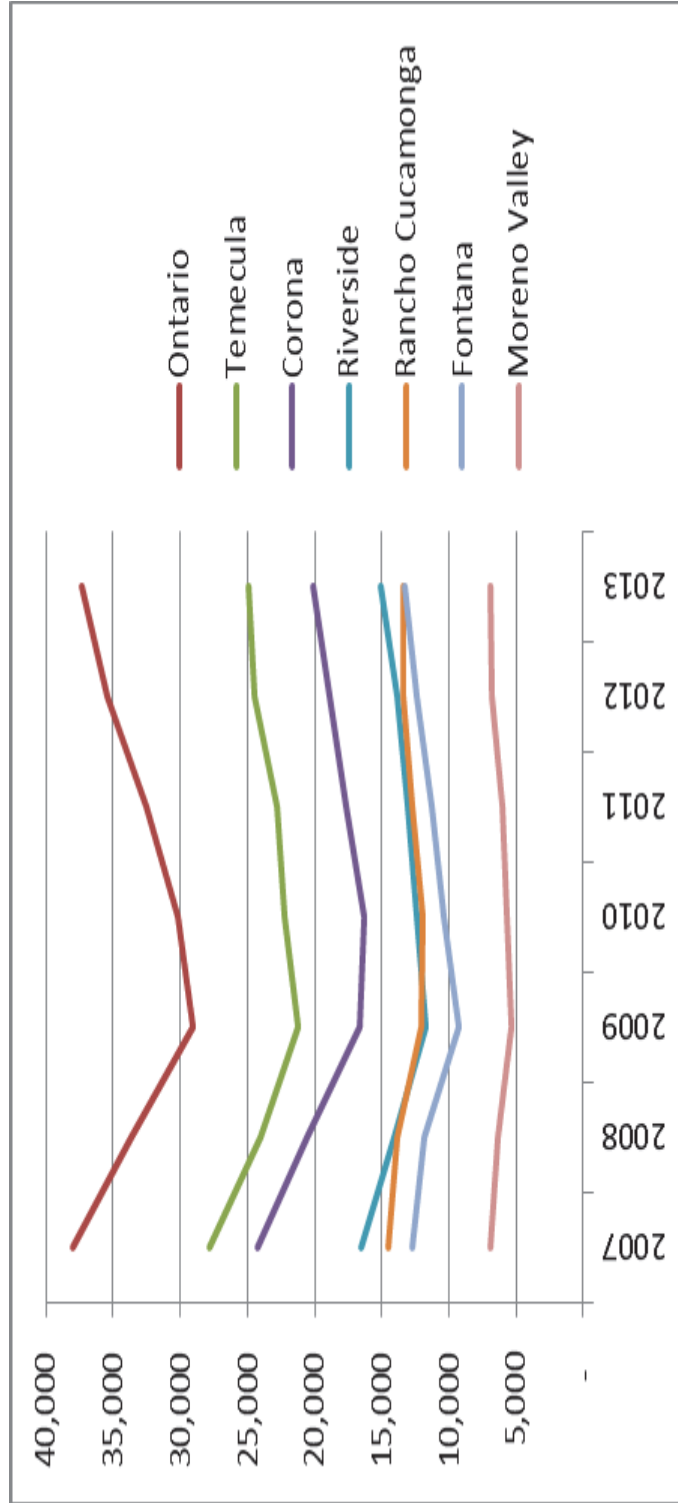
- Breakout of each \$1 of sales tax





## Historical Sales Tax Comparison

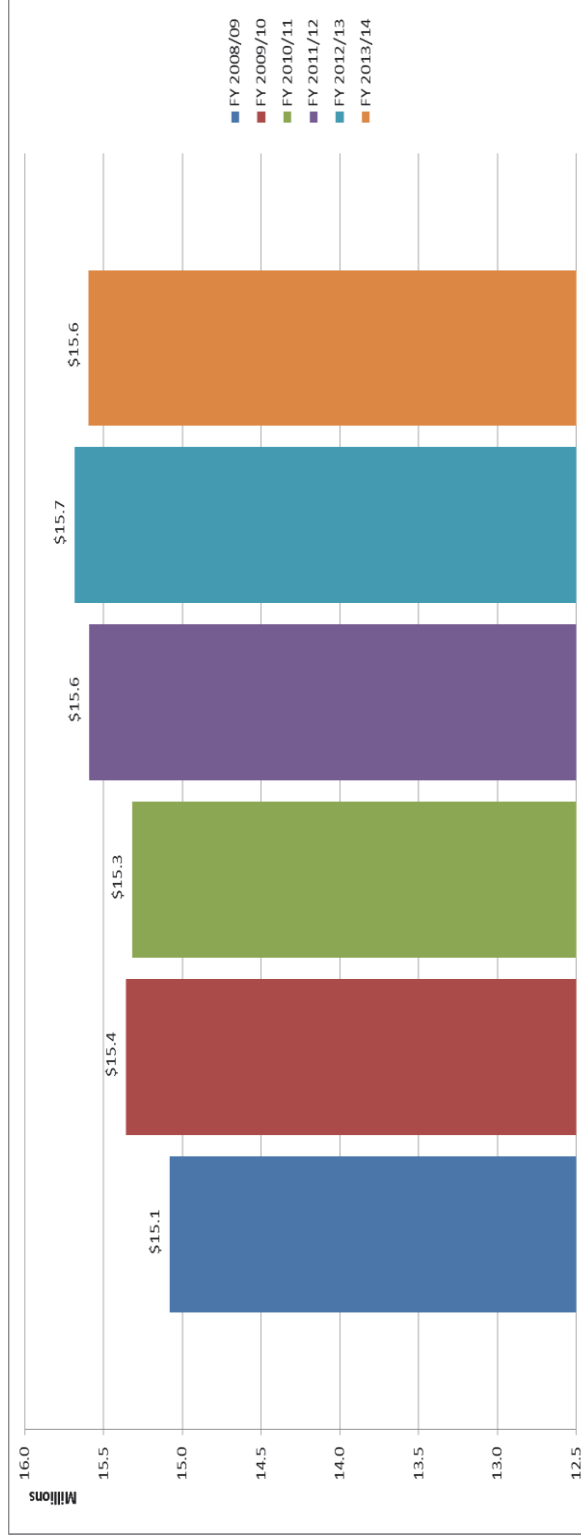
- Average sales tax per capita



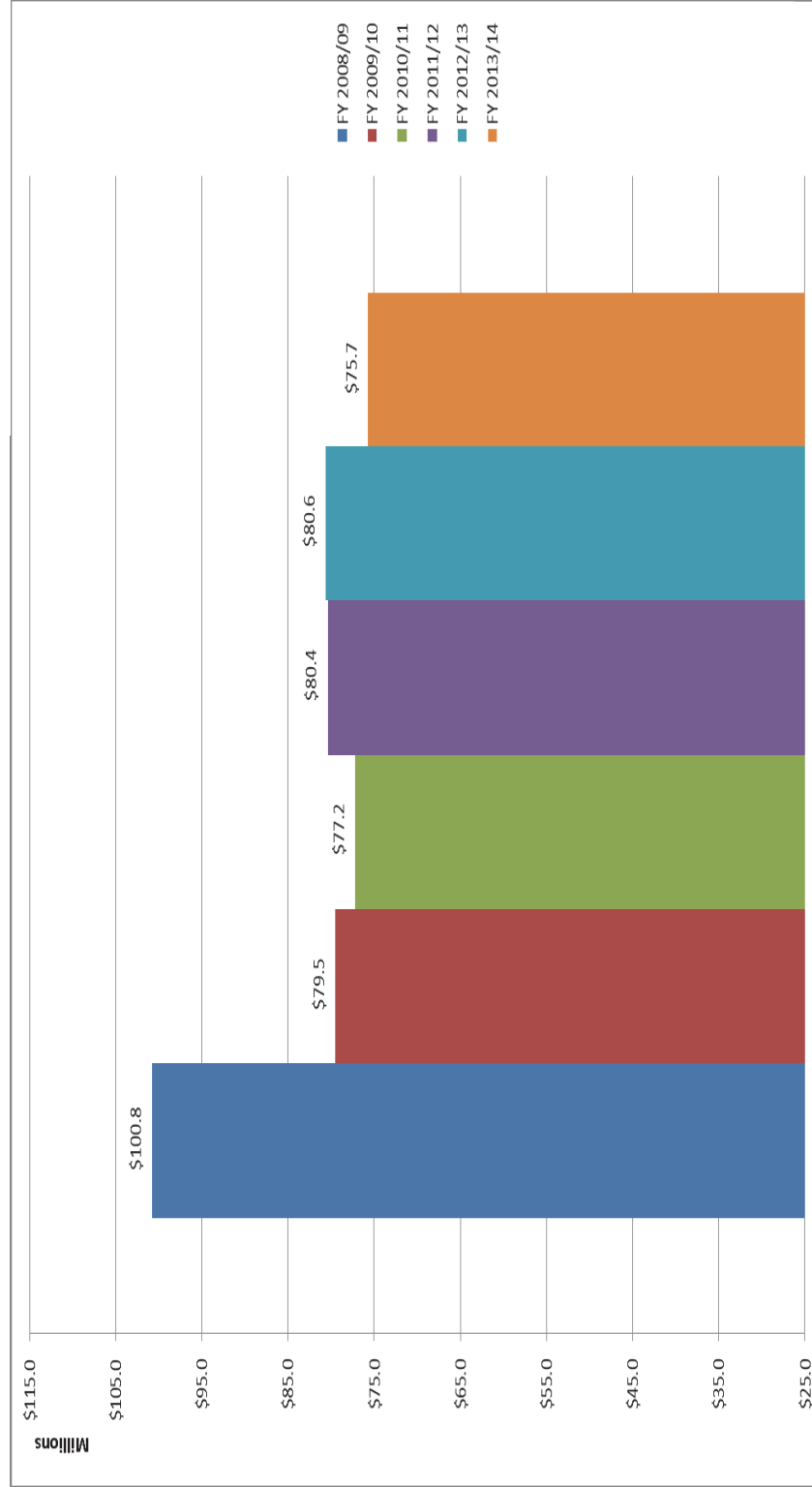


## Historical General Fund Operating Results – Utility Users Tax

- Utility Users Tax Revenues
  - City tax on use of utility services (5.75%)



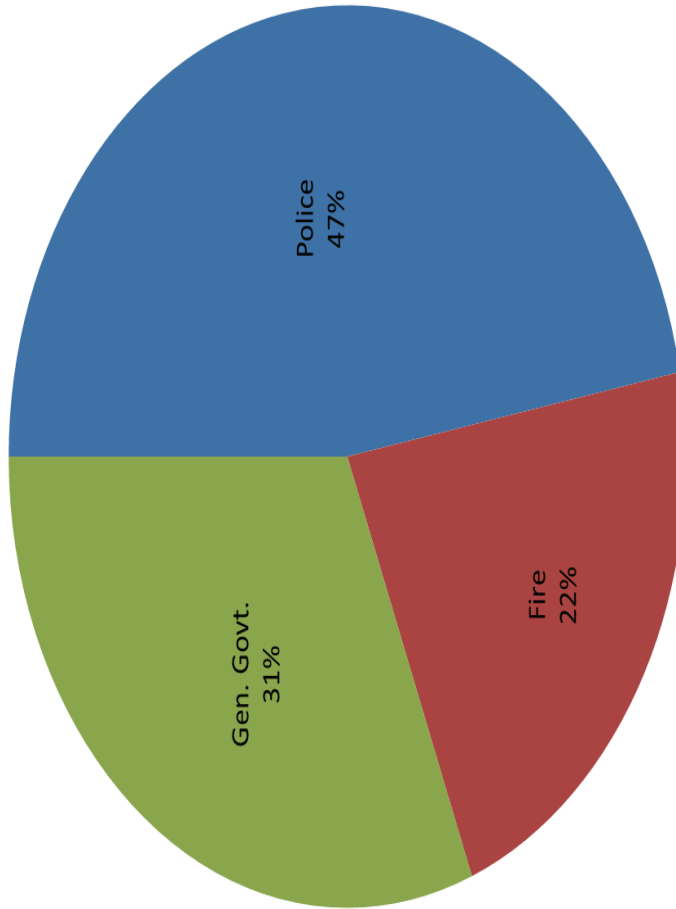
## Historical General Fund Operating Results - Expenses



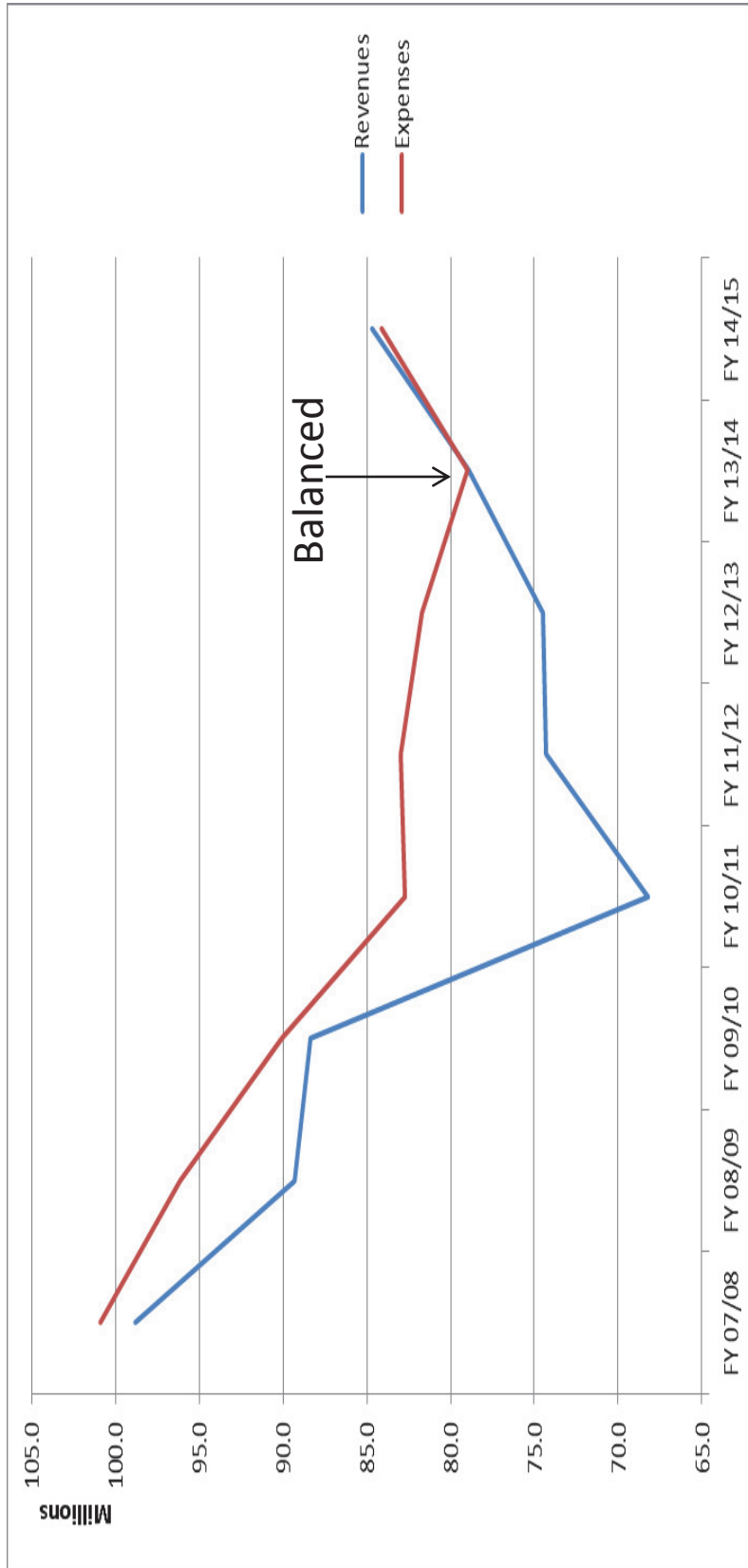




## Historical General Fund Operating Results - Expenses



## Historical General Fund Operating Results



## Economic Projections

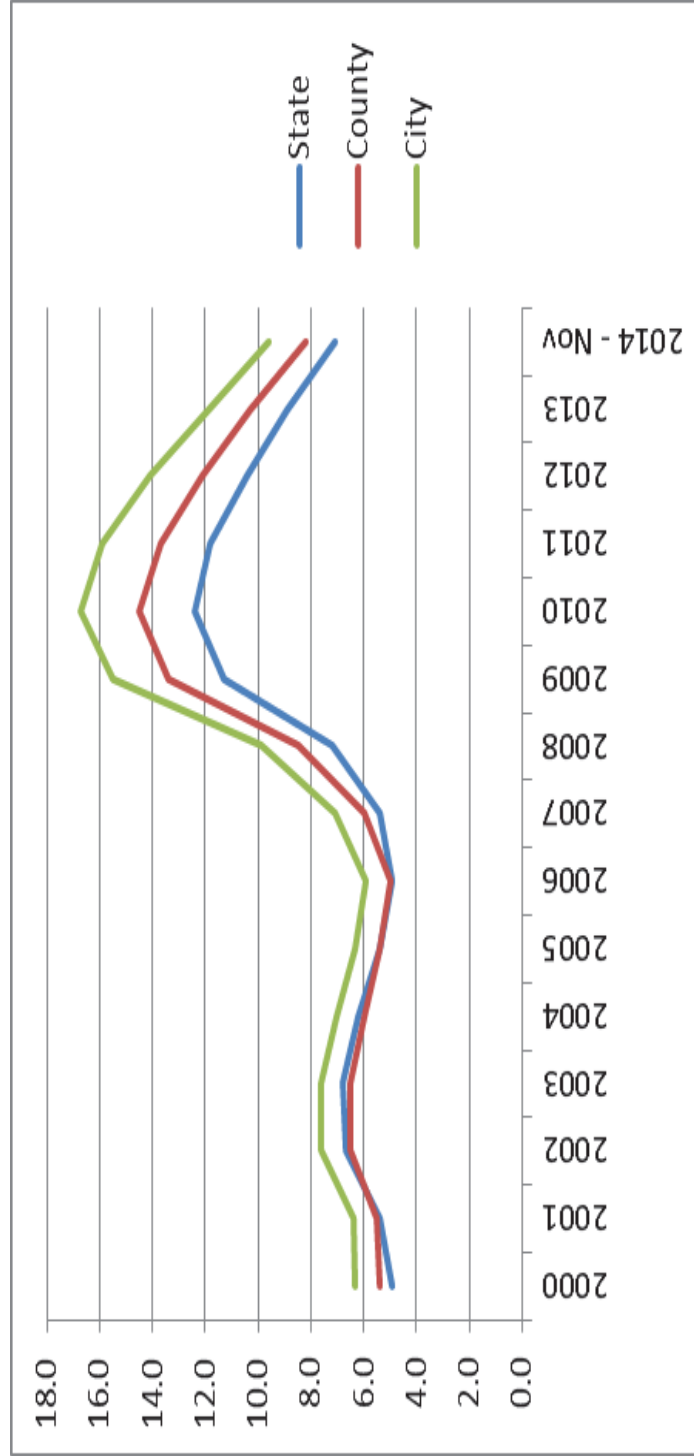
- Economic factors used for forecasting
  - Unemployment Rates
  - General indicator of income stability
  - Consumer Price Index
  - Identifies future cost of goods and contracts
  - Historically averages approximately 2%
- Home Values/Property Values
  - Indicator of property taxes





Economic Projections - Unemployment

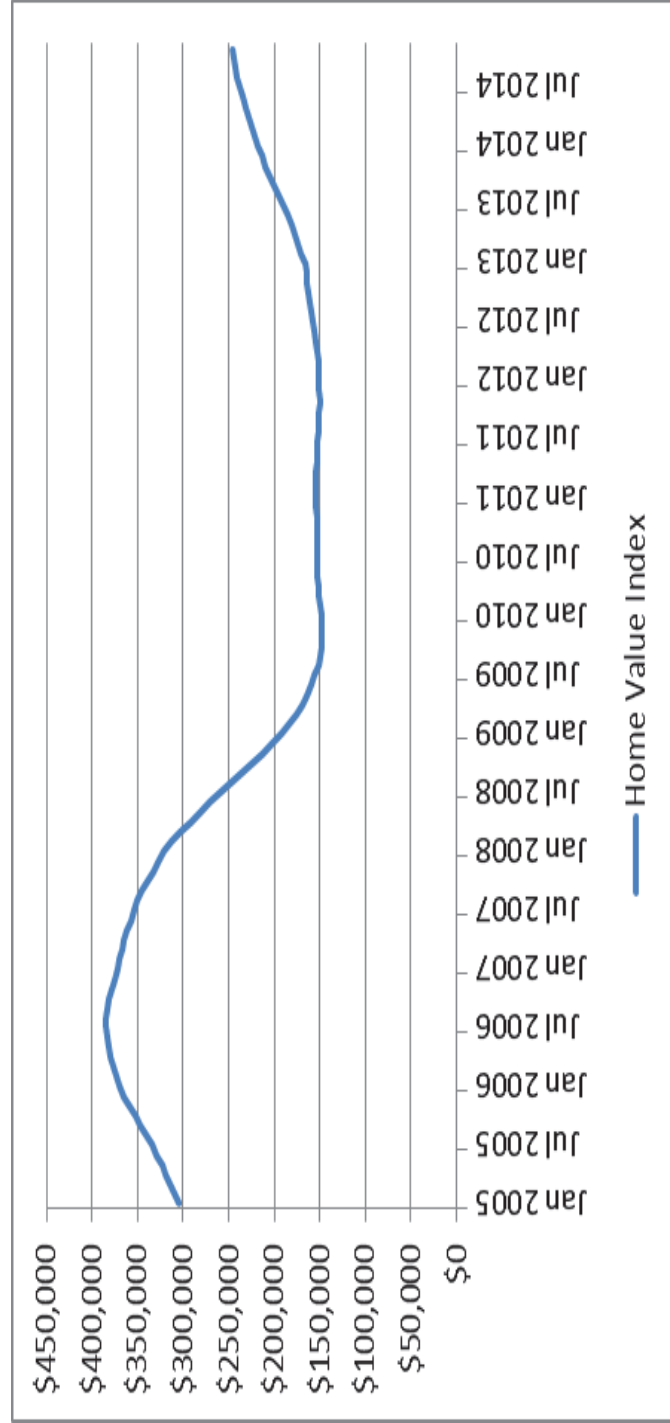
- Unemployment rates





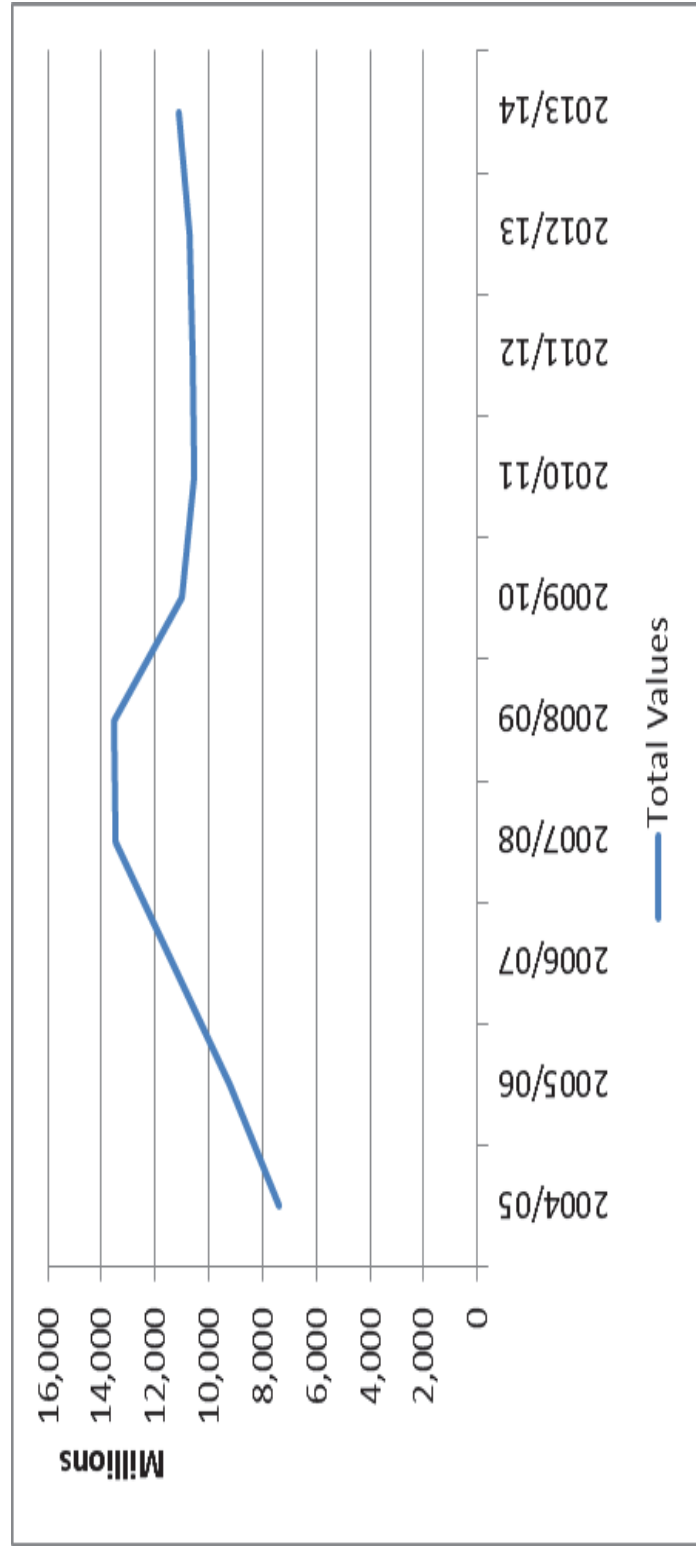
Economic Projections – Property Values

- Average Home Values



Economic Projections – Property Values

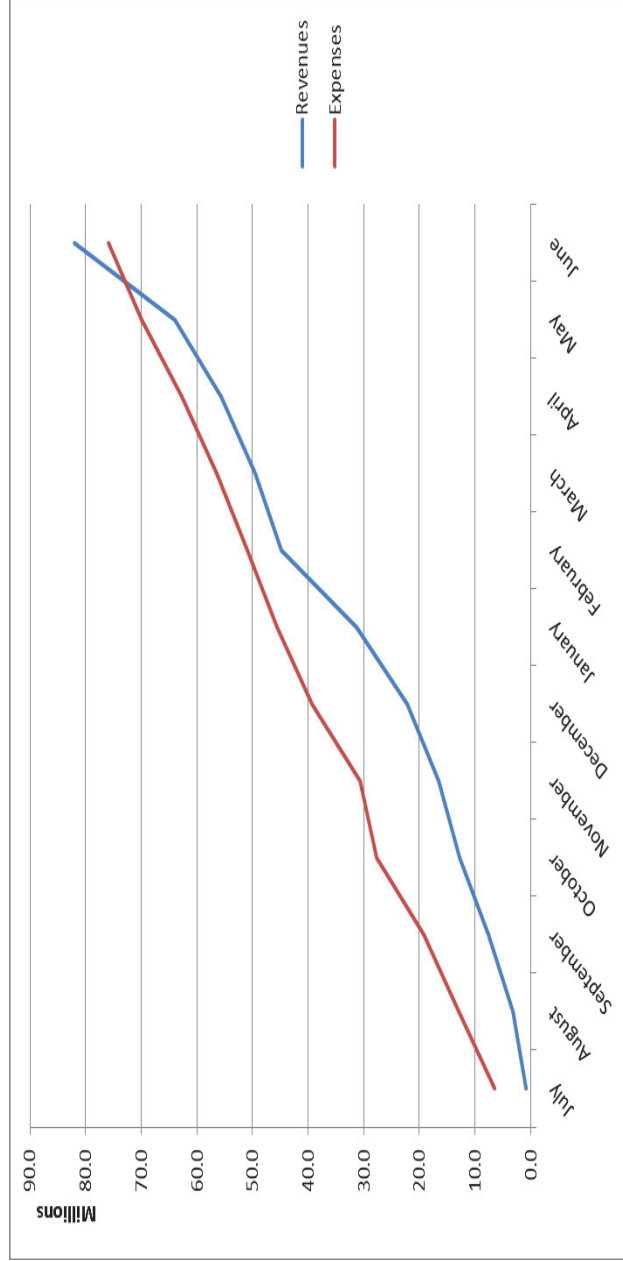
- Total property values





## Fund Balances

- FY 2013/14 Unassigned Fund Balance \$27.5M
- Unassigned funds may be used to cover annual cash flow requirements and reserves.
- Cash flow – Largest variance between revenues and expenses \$17M or 20.4% requirement



## Fund Balances

- Reserve Requirements
  - Based on experience
  - May be set by policy

Cash Flow	20.4%	17,000,000
Economic Uncertainty	14.0%	11,700,000
	<b>34.4%</b>	<b>28,700,000</b>
Emergency	8.3%	6,900,000
	<b>42.7%</b>	<b>35,600,000</b>

- Additional resources for Economic Uncertainty and Emergency Reserves may be funded through future General Funds savings.





## Model Assumptions - Included

### Fiscal Challenges and Assumptions – Addressed in Baseline Model 1:

- Contractual service cost estimated at 2% cost increase
- Vacancy factor of \$1.5 million (M) for Police, Fire and staff vacancies for FY 15/16, increased to \$2.25M for FY 16/17
- Fund the accrued leave balance of \$6.5 million, transfer out \$500,000 in FY 15/16 (not include in later years)
- Annual Public Safety Contract Increases – Police and Fire
  - Assume a 10% annual Police contract increase and a 5% Fire contract increase
  - Each additional 1% adds about \$360,000 annually for Police and \$145,000 annually for Fire
- General Fund subsidy for street lights
  - Approximately \$.5 million for next two years, then increasing to approx. \$.1M
  - Southern California Edison requesting rate increase of approx. 17% or approx. \$210,000
- Anticipated City pension cost increases
  - Beginning FY 15/16 additional 3.756%, FY 16/17 - 6.6%; 5% compounded annually thereafter (\$22.6M salaries = \$849,000 - \$1,491,000)

## Item No. 1.

## Model Assumptions – Not Included

### Fiscal Challenges – Not Addressed in Baseline Model 1:

- Any staffing increases for positions previously lost, including Police, Fire, and City staff.
- Funding for any additional staff or services
  - Increasing Animal Services operations to six days a week
  - Position for the implementation and ongoing operation of the new CEDD software
  - Library Capital and Operating for new Library facility
- Fire Stations, equipment and staffing to address commercial and retail growth
  - Add fire station and equipment in the south industrial area to meet current demands
    - Annual operating costs estimated at \$2,000,000
  - Add fire station and equipment in the east end based on development requirements
- Police services:
  - Funding for the establishment of a reverse 911 system
  - The addition of any new officers or reclassification of Community Service Officers I to CSO II

## Model Assumptions – Not Included

### Fiscal Challenges – Not Addressed in Baseline Model 1:

- The restoration of funding for deferred infrastructure maintenance during the fiscal downturn
  - \$2M of cost allocated to Gas Tax fund (Crossing Guards and Staff)
  - Measure A dedicated to debt service payments
    - Street Arterial Development Impact Fees (DIF) debt - \$1.1M annually (matures 11/35)
    - Cert. of Participation debt - \$1.4M annually (matures 6/39)
- The General Fund's annual obligation to guarantee debt service payments on the 05 Lease Revenue Bonds
  - Police DIF payment allocation \$670,000 annually (matures 11/35)
  - Fire DIF payment allocation \$250,000 annually. FY 14/15 first year of shortfall (matures 11/35)
- New cost increases to meet increasing demands of the National Pollutant Discharge Elimination System (NPDES)
- Restore Funding for Technology Services
  - Collect additional cost allocation to fully fund \$500,000 annually to GF (\$900,000 annually City-wide)
- Need to rebuild and re-establish reserves

Model Results – Revenues and Expenses

Item No. 1.

	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20
	Estimated	Estimated	Estimated	Estimated	Estimated
Total General Revenues	\$ 87,138,796	\$ 91,222,463	\$ 93,945,315	\$ 96,410,188	\$ 98,950,935
Total General Government Exp.	86,994,201	91,147,515	96,541,650	101,829,256	107,485,607
<b>Variance</b>	<b>\$ 144,595</b>	<b>\$ 74,948</b>	<b>\$ (2,596,335)</b>	<b>\$ (5,419,068)</b>	<b>\$ (8,534,672)</b>



Model Results – Revenues and Expenses

	FY 20-21 Estimated	FY 21-22 Estimated	FY 22-23 Estimated	FY 23-24 Estimated	FY 24-25 Estimated
Total General Revenues	\$ 101,396,164	\$ 103,917,262	\$ 106,516,853	\$ 109,197,656	\$ 111,962,493
Total General Government Exp.	111,892,846	116,511,440	121,351,672	126,424,330	131,740,731
<b>Variance</b>	<b>\$ (10,496,682)</b>	<b>\$ (12,594,177)</b>	<b>\$ (14,834,819)</b>	<b>\$ (17,226,674)</b>	<b>\$ (19,778,239)</b>



Model Results - Revenues

	FY 15-16 Estimated	FY 16-17 Estimated	FY 17-18 Estimated	FY 18-19 Estimated	FY 19-20 Estimated
<b>General Fund Revenues</b>					
Taxes:					
Property Tax	\$ 12,054,599	\$ 13,109,321	\$ 13,877,932	\$ 14,209,880	\$ 14,550,127
Property Tax in-lieu	15,359,500	15,820,285	16,215,792	16,621,187	17,036,717
Utility Users Tax	15,771,120	16,092,542	16,420,393	16,754,801	17,095,897
Sales Tax	19,269,321	20,886,866	21,677,460	22,513,570	23,383,113
Other Taxes	8,757,905	9,076,155	9,401,349	9,739,028	10,089,707
Licenses & Permits	1,554,584	1,585,576	1,617,187	1,649,431	1,682,320
Intergovernmental	280,350	280,704	281,061	281,421	281,785
Charges for Services	9,217,339	9,490,810	9,567,750	9,748,229	9,932,318
Use of Money & Property	3,964,600	3,964,600	3,964,600	3,964,600	3,964,600
Fines & Forfeitures	612,565	618,691	624,878	631,126	637,438
Miscellaneous	219,400	219,400	219,400	219,400	219,400
Transfers In	77,513	77,513	77,513	77,513	77,513
<b>Total General Revenues</b>	<b>\$ 87,138,796</b>	<b>\$ 91,222,463</b>	<b>\$ 93,945,315</b>	<b>\$ 96,410,188</b>	<b>\$ 98,950,935</b>
	\$ 4,009,129	\$ 4,083,667	\$ 2,722,852	\$ 2,464,873	\$ 2,540,747
	4.8%	4.7%	3.0%	2.6%	2.6%



Model Results - Revenues

	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25
	Estimated	Estimated	Estimated	Estimated	Estimated
<b>General Fund Revenues</b>					
Taxes:					
Property Tax	\$ 14,898,880	\$ 15,256,352	\$ 15,622,761	\$ 15,998,330	\$ 16,383,288
Property Tax in-lieu	17,462,635	17,899,200	18,346,680	18,805,347	19,275,481
Utility Users Tax	17,269,856	17,445,555	17,623,010	17,802,240	17,983,263
Sales Tax	24,287,438	25,227,935	26,206,053	27,223,295	28,281,227
Other Taxes	10,453,923	10,832,235	11,225,228	11,633,513	12,057,727
Licenses & Permits	1,715,866	1,750,083	1,784,985	1,820,585	1,856,896
Intergovernmental	282,153	282,525	282,900	283,279	283,662
Charges for Services	10,120,088	10,311,614	10,506,970	10,706,234	10,909,482
Use of Money & Property	3,964,600	3,964,600	3,964,600	3,964,600	3,964,600
Fines & Forfeitures	643,812	650,250	656,753	663,320	669,953
Miscellaneous	219,400	219,400	219,400	219,400	219,400
Transfers In	77,513	77,513	77,513	77,513	77,513
<b>Total General Revenues</b>	<b>\$ 101,396,164</b>	<b>\$ 103,917,262</b>	<b>\$ 106,516,853</b>	<b>\$ 109,197,656</b>	<b>\$ 111,962,493</b>
	\$ 2,445,229	\$ 2,521,099	\$ 2,599,591	\$ 2,680,803	\$ 2,764,837
	2.5%	2.5%	2.5%	2.5%	2.5%



Model Results - Expenses

	FY 15-16 Estimated	FY 16-17 Estimated	FY 17-18 Estimated	FY 18-19 Estimated	FY 19-20 Estimated
<b>General Fund Expenditures</b>					
<b>General Government:</b>					
City Council	\$ 684,499	\$ 703,476	\$ 721,811	\$ 740,849	\$ 760,617
City Clerk	636,923	654,699	672,035	689,979	708,555
City Attorney	899,989	926,031	951,431	977,721	1,004,935
City Manager	1,971,728	2,028,411	2,083,377	2,140,379	2,199,498
Admin Services	4,049,199	4,148,947	4,245,261	4,345,285	4,449,168
CEDD	6,147,396	6,317,861	6,482,824	6,654,015	6,831,681
Finance	3,561,597	3,666,820	3,768,551	3,874,155	3,983,788
Fire	18,908,882	19,732,141	20,590,981	21,492,014	22,437,325
Police	42,080,085	46,045,010	49,534,763	53,303,403	57,373,231
Public Works	4,745,632	4,865,849	4,982,347	5,103,188	5,228,541
Non-Departmental	3,308,270	2,058,270	2,508,270	2,508,270	2,508,270
<b>Total General Government Exp.</b>	<b>86,994,201</b>	<b>91,147,515</b>	<b>96,541,650</b>	<b>101,829,256</b>	<b>107,485,607</b>
	\$ 3,669,601	\$ 4,153,314	\$ 5,394,135	\$ 5,287,606	\$ 5,656,351
	4.4%	4.8%	5.9%	5.5%	5.6%





Model Results - Expenses

	FY 20-21 Estimated	FY 21-22 Estimated	FY 22-23 Estimated	FY 23-24 Estimated	FY 24-25 Estimated
<b><u>General Fund Expenditures</u></b>					
<b>General Government:</b>					
City Council	\$ 781,145	\$ 802,463	\$ 824,603	\$ 847,598	\$ 871,484
City Clerk	727,786	747,697	768,315	789,667	811,781
City Attorney	1,033,107	1,062,276	1,092,478	1,123,754	1,156,145
City Manager	2,260,816	2,324,422	2,390,404	2,458,858	2,529,881
Admin Services	4,557,066	4,669,141	4,785,562	4,906,503	5,032,148
CEDD	7,016,080	7,207,482	7,406,166	7,612,424	7,826,559
Finance	4,097,611	4,215,791	4,338,505	4,465,934	4,598,268
Fire	23,429,104	24,469,647	25,561,367	26,706,793	27,908,583
Police	60,123,274	63,010,740	66,042,496	69,225,754	72,568,086
Public Works	5,358,587	5,493,511	5,633,506	5,778,774	5,929,526
Non-Departmental	2,508,270	2,508,270	2,508,270	2,508,270	2,508,270
<b>Total General Government Exp.</b>	<b>111,892,846</b>	<b>116,511,440</b>	<b>121,351,672</b>	<b>126,424,330</b>	<b>131,740,731</b>
	\$ 4,407,239	\$ 4,618,594	\$ 4,840,232	\$ 5,072,658	\$ 5,316,402
	4.1%	4.1%	4.2%	4.2%	4.2%



## Potential Future Funding Sources

### Item No. 1.

- Sales Tax Measure
  - State and local tax on total retail price of tangible personal property
  - Each 1% increase is approx. \$12M
- Transient Occupancy Tax (TOT)
  - Tax collected from temporary hotel occupants
  - The tax rate set at the time of City incorporation was 8%, which it remains at today
  - Most neighboring cities are at 10% or higher
  - Each 1% increase is approx. \$125,000
- Parcel fees and taxes (e.g. streetlight parcel fees, Community Facilities District, Landscape Lighting Maintenance District)
- Regardless of funding source, the City would need to determine priorities for any future funding sources

## Financial Updates FY 2014/15

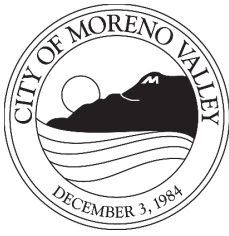
- March 2015: Mid-Year Budget Adjustments and Budget review

## FY 2015/16-2016/17 Budget Process

- Dec. 2014 – May 2015: Council Briefings
- **February 3, 2015:** Long Range Business Projections / Fiscal Challenges
- Jan. – March 2015: Study Sessions
- April – June 2015: Public Hearings
- June 2015: Budget Adopted



**This page intentionally left blank.**



APPROVALS	
BUDGET OFFICER	<i>me</i>
CITY ATTORNEY	<i>SMB</i>
CITY MANAGER	<i>D</i>

---

## Report to City Council

---

**TO:** Mayor and City Council

**FROM:** Suzanne Bryant, City Attorney

**AGENDA DATE:** February 3, 2015

**TITLE:** REVIEW AND DISCUSSION OF THE CITY COUNCIL RULES OF PROCEDURE

---

### **RECOMMENDED ACTION**

Recommendation:

1. That the City Council review and discuss the Rules of Procedure and direct staff to make any applicable changes for future consideration.

### **SUMMARY**

This Study Session item is a discussion of the current Rules of Procedure for City Council meetings. The Rules of Procedure are adopted by resolution. This Study Session will also give the Council the opportunity to discuss any changes it may want to consider to the Rules.

Any proposed changes would be brought before the Council in a future regular meeting for consideration and adoption.

### **DISCUSSION**

The City Council first adopted Rules of Procedure for City Council Meetings and Related Functions and Activities pursuant to Resolution No. 84-17 on December 3, 1984 as required by Moreno Valley Municipal Code Section 2.04.040. The City Council has since repealed and re-adopted the Rules of Procedure pursuant to Resolution Nos. 99-53, 2001-55, 2003-17, 2011-117 and 2013-10. The current Rules of Procedure were enacted pursuant to Resolution No. 2013-10 on February 12, 2013. Neither the 2011 nor the 2013 revisions included a comprehensive review of the Rules.

The current Rules are divided into nine sections:

1. Meetings;
2. Public Comments and Addressing the Council;
3. Conducting Business at Meetings;
4. Presiding Officer;
5. Rules, Decorum, and Order;
6. Motions;
7. Voting Procedure;
8. Legislative and Administrative Actions; and,
9. Committees.

The first section, "Meetings," addresses when and where the City Council shall meet. Regular meetings are held on the second and fourth Tuesdays of each month at 6:00 p.m. with Special Presentations starting at 5:30 p.m. Study Sessions are held on the first and third Tuesdays at 6:00 p.m. Closed Sessions are to be held after regular meetings and Study Sessions.

The Rules specify the order in which business is to be conducted: Call to Order, Pledge of Allegiance, Invocation, Roll Call, Introductions, Public Comments Not on the Agenda, Consent Calendar, Public Hearings, Items Pulled from the Consent Calendar for Discussion or Separate Action, Reports, Legislative Actions, Council Reports and Closing Comments, Public Comments on the Closed Session agenda, and then Closed Session. The time reserved on the agenda for Council Reports and Comments is when a Councilmember may bring to the Council's attention new items of business that may be considered at a future Council meeting. If two Council members concur that an item should be added to a future agenda, the Council shall give direction to staff as to whether the issue shall be agendized in a regular meeting, study session or a special meeting.

The second section of the Rules, "Public Comments and Addressing the Council," concerns the manner and order in which the public address the Council. Every agenda for a regular public meeting of a legislative body must provide an opportunity for members of the public to address the Council on any item of interest to the public that is within the body's subject matter jurisdiction and be allowed to comment on a specific item of business before or when it is considered by the body (unless the matter has been heard in committee, has not substantially changed, and the public had an opportunity to comment to the committee). During public comments on matters on the agenda and public hearings, all remarks should be limited to the subject that is being considered by the Council. If it appears that several speakers desire to speak regarding a single agenda item, the Mayor may reasonably limit the number of speakers as to each side of an issue. The Mayor may also regulate or terminate the comments of a speaker when he or she reasonably determines that the speaker is being unduly repetitious or engaging in extended discussion of irrelevancies. The Mayor shall first issue a warning to the speaker and explain the reasons for the warning prior to

terminating the speaker's time. The public may also submit comments in written form. The Rules also state that "All remarks and questions shall be addressed to the Presiding Officer or to the City Council and not to any individual council member, staff member or other person."

The third section of the Rules, "Conducting Business at Meetings," states, among other things, that items may be placed on the agenda by the Mayor, a Council member (with the concurrence of one other Council member), the City Manager, the City Attorney, or the City Clerk.

The fourth section of the Rules, "Presiding Officer," provides that the Mayor is the presiding officer at meeting and if the Mayor is absent, the Mayor Pro Tem shall preside. The Mayor Pro Tem may preside over the Special Presentations if the Mayor requests. The Council selects the Mayor and Mayor Pro Tem each year at its first regular meeting in December for the upcoming year.

The fifth section of the Rules, "Rules, Decorum, and Order," states that the presiding officer is responsible for the maintenance of order and decorum at all times. The presiding officer shall determine all points of order subject to the right of any Council member to appeal to the City Council. The question would be "Shall the decision of the presiding officer be sustained?" A majority vote would then govern the question of order.

All Council members, staff members and members of the public should speak respectfully and avoid the use of profanity, vulgarity and slanderous comments. Recognizing that the First Amendment precludes the Council from prohibiting speakers from speaking based upon the content of speech, the presiding officer shall use his best efforts, short of enforcement action, to remind and encourage all participants to keep their speech respectful towards others and within bounds appropriate for children and persons of sensitivity toward coarse language as a courtesy to others. Disruptive remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer.

Council members wishing to speak to the question under debate shall activate the light signaling to the presiding officer a request to speak. Once recognized by the presiding officer, the Council member who is speaking shall not be interrupted unless called to order by the presiding officer, or a point of order is called by another Council member, or the speaking Council member chooses to yield to another Council member. Furthermore, no Council member shall speak for more than five minutes each time that Council member has the floor without the approval of a majority vote of the City Council. No Council member normally shall speak more than once upon any one subject until every other Council member choosing to speak thereon has spoken.

The sixth section of the Rules, "Motions," describes the various motions the Council may consider.

The seventh section of the Rules, "Voting Procedure," describes the manner in which votes are to be cast.

The eighth section of the Rules, "Legislative and Administrative Actions," briefly describes an Ordinance, a Resolution, a Minute Order and a Minute Entry.

The ninth section of the Rules, "Committees," establishes the Finance Committee, and the Public Safety Committee. The City Council may also, by resolution, create other standing committees.

### **NOTIFICATION**

Publication of the Agenda.

### **ATTACHMENTS**

Attachment 1 – Rules of Procedure for Council Meetings and Related Functions and Activities  
Attachment 2 – Power Point Presentation

Prepared By:  
Suzanne Bryant  
City Attorney

Concurred By:  
Jane Halstead  
City Clerk

Concurred By  
Michelle Dawson  
City Manager



RESOLUTION NO. 2013-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING RESOLUTION 2011-117, AND ADOPTING AMENDED AND RESTATED RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES

WHEREAS, Section 2.04.040 of the City of Moreno Valley Municipal Code requires that the City Council adopt Rules of Procedure to govern the procedures and conduct of its meetings; and

WHEREAS, the City Council has previously adopted, repealed and re-adopted the City of Moreno Valley City Council Rules of Procedure for City Council Meetings and Related Functions and Activities pursuant to Resolution No. 84-17, Resolution No. 99-53, Resolution No. 2001-55, Resolution No. 2003-017 and Resolution No. 2011-117; and

WHEREAS, it is in the best interests of the City of Moreno Valley that the City Council further repeal, amend and re-adopt the Rules of Procedure for City Council Meetings and Related Functions and Activities; and

WHEREAS, in order to keep the Rules of Procedure for City Council Meetings and Related Functions and Activities readily accessible to the City Council and the public, it is desirable to have one document containing both the existing rules and the changes now being made,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

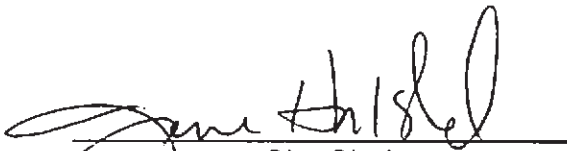
1. Resolution No. 2011-117 is hereby repealed; and
2. The Rules of Procedure for City Council Meetings and Related Functions and Activities attached as Exhibit 1 to this Resolution are hereby adopted; and
3. The Rules of Procedure for City Council Meetings and Related Functions and Activities attached to this Resolution shall become effective immediately upon adoption.

1  
Resolution No. 2013-10  
Date Adopted: February 12, 2013

APPROVED AND ADOPTED this 12th day of February, 2013.

  
Mayor of the City of Moreno Valley

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

2  
Resolution No. 2013-10  
Date Adopted: February 12, 2013

RESOLUTION JURAT

STATE OF CALIFORNIA )

COUNTY OF RIVERSIDE ) ss.

CITY OF MORENO VALLEY )

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2013-10 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 12<sup>th</sup> day of February, 2013 by the following vote:

AYES: Council Members Baca, Molina, Stewart and Mayor Owings

NOES: None

ABSENT: Mayor Pro Tem Co

ABSTAIN: None

(Council Members, Mayor Pro Tem and Mayor)

  
CITY CLERK

(SEAL)



3  
Resolution No. 2013-10  
Date Adopted: February 12, 2013

**RULES OF PROCEDURE  
FOR  
COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES**

**1. MEETINGS .....8**

**1.1. REGULAR MEETINGS .....8**

        1.1.1. Time and Place .....8

        1.1.2. Agenda .....8

            1.1.2.1. Order of Business .....8

            1.1.2.2. Changes in Agenda .....9

            1.1.2.3. Delivery and Posting of Agenda .....9

        1.1.3. Roll Call .....10

        1.1.4. Approval of Minutes: .....10

        1.1.5. Public Hearings .....10

            1.1.5.1. Order of Proceedings .....10

            1.1.5.2. Public Testimony .....10

                1.1.5.2.1. Time Limits .....10

                1.1.5.2.2. Testimony After Closure of Hearing .....11

                1.1.5.2.3. Written Testimony .....11

                1.1.5.2.4. Testimony Under Oath .....11

            1.1.5.3. Quasi-judicial Hearings .....12

        1.1.6. Consent Agenda .....12

        1.1.7. City Council Reports and Comments .....12

**1.2. SPECIAL PRESENTATIONS .....12**

**1.3. ADJOURNED MEETINGS .....13**

**1.4. STUDY SESSIONS .....13**

        1.4.1. Notice and Agenda .....13

        1.4.2. Lack of Quorum .....13

        1.4.3. Limited Actions .....13

        1.4.4. Time and Place .....13

        1.4.5. Special Study Sessions .....14

**1.5. SPECIAL MEETINGS .....14**

        1.5.1. Notice .....14

        1.5.2. Matters Considered .....14

**1.6. SPECIAL JOINT MEETINGS .....14**

        1.6.1. Calling of Meeting .....14

        1.6.2. Rules of Procedure .....14

        1.6.3. With Other Council Meetings .....15

**1.7. CLOSED SESSIONS .....15**

        1.7.1. Regular Closed Sessions .....15

        1.7.2. Special Closed Sessions .....15

        1.7.3. Immediate Closed Sessions .....15

        1.7.4. Minutes .....15

        1.7.5. Agendas .....15

        1.7.6. Announcements of Action Taken .....15

**1.8. EMERGENCY MEETINGS .....16**

<b>2. PUBLIC COMMENTS AND ADDRESSING THE COUNCIL .....</b>	<b>16</b>
2.1. PUBLIC COMMENTS GOVERNED BY THIS SECTION; EXCEPTIONS .....	16
2.2. MANNER OF ADDRESSING THE CITY COUNCIL .....	16
2.2.1. Speaker Forms.....	16
2.2.2. Speaker Procedures.....	16
2.2.3. Address Presiding Officer.....	17
2.2.4. Subject Under Discussion.....	17
2.2.5. Council Member Responses.....	17
2.2.6. Addressing the City Council After the public comment period.....	17
2.2.7. Channeling Communications to Staff.....	18
2.2.8. Limitations on Public Comments .....	18
2.2.8.1. Multiple Speakers.....	18
2.2.8.2. Repetitious and Irrelevant Commentary .....	18
2.2.9. Written Correspondence.....	18
2.2.9.1. Included in Agenda Packet.....	18
2.2.9.2. Letters of Appeal.....	19
2.2.9.3. Written Public Comments.....	19
2.3. PERSONS AUTHORIZED TO BE WITHIN PLATFORM AREA .....	19
2.4. PUBLIC COMMENTS AT REGULAR AND ADJOURNED REGULAR MEETINGS.....	19
2.4.1. Public Comments On Matters not on the Agenda .....	19
2.4.2. Public Comments On Matters on the Agenda .....	19
2.5. PUBLIC COMMENTS AT SPECIAL MEETINGS .....	19
2.6. PUBLIC COMMENTS AT STUDY SESSIONS.....	20
2.7. PUBLIC COMMENTS ON MATTERS ON CLOSED SESSION AGENDAS.....	20
2.7.1. Closed Sessions After Meetings.....	20
2.7.2. Closed Sessions Before Meetings and Separate Closed Sessions.....	20
2.7.3. Time Limits.....	20
<b>3. CONDUCTING BUSINESS AT MEETINGS .....</b>	<b>20</b>
3.1. AGENDA ITEMS.....	20
3.2. NOTICE OF MEETINGS .....	21
3.3. QUORUM AND REQUIRED MAJORITIES .....	21
3.3.1. Majority Quorum and Majority Vote.....	21
3.3.2. Matters Requiring Three Votes.....	21
3.3.3. Emergency Items.....	21
3.3.4. Need For Immediate Action.....	21
3.3.5. Other Matters Requiring Super-Majority Votes.....	21
3.3.6. Legally Required Participation .....	23
3.4. MEETINGS TO BE PUBLIC .....	23
3.5. CONCLUSION OF MEETINGS.....	23
<b>4. PRESIDING OFFICER .....</b>	<b>23</b>
4.1. MAYOR AND MAYOR PRO TEM.....	23
4.1.1. Mayor as Presiding Officer.....	23
4.1.2. Presiding Officer at Special Presentations.....	24
4.2. SELECTION OF MAYOR AND MAYOR PRO TEM.....	24
4.2.1. Annual Selection.....	24
4.2.2. City Clerk Presides.....	24
4.2.3. Selection Process.....	24
4.2.4. Written Ballot.....	24

4.2.5. Term of Office.....	25
4.3. VACANCIES.....	25
4.3.1. Occurrence of Vacancy.....	25
4.3.2. Filling Vacancy.....	25
4.4. CALL TO ORDER.....	25
4.5. PARTICIPATION OF PRESIDING OFFICER.....	25
4.6. QUESTION TO BE STATED.....	26
4.7. SIGNING OF DOCUMENTS.....	26
<b>5. RULES, DECORUM, AND ORDER.....</b>	<b>26</b>
5.1. MAINTENANCE OF ORDER.....	26
5.2. POINTS OF ORDER.....	26
5.3. LANGUAGE.....	26
5.4. ENFORCEMENT OF DECORUM.....	27
5.4.1. Sergeant-At-Arms.....	27
5.4.2. Failure to Yield, Disruptions.....	27
5.4.3. Clearing the Room.....	27
5.5. DECORUM AND ORDER – COUNCIL MEMBERS.....	27
5.5.1. Manner of Speaking.....	27
5.5.2. Questioning Staff.....	28
5.5.3. Interruptions.....	28
5.5.4. Personal Privilege.....	28
5.5.5. Conflict of Interest and Disclosure.....	28
5.5.5.1. Applicable Law.....	28
5.5.5.2. No Participation.....	28
5.5.5.3. Contacts and Consultations With Interested Parties.....	28
5.5.6. Limitation of Debate.....	29
Dissents, Protests, and Comments.....	29
5.6. PROCEDURES IN ABSENCE OF RULES.....	29
5.7. RULINGS OF PRESIDING OFFICER FINAL UNLESS OVERRULED BY COUNCIL.....	29
5.8. DECORUM AND ORDER - PUBLIC.....	30
5.9. DECORUM AND ORDER - EMPLOYEES.....	30
<b>6. MOTIONS.....</b>	<b>30</b>
6.1. WITHDRAWAL OF MOTIONS.....	30
6.2. MOTIONS OUT OF ORDER.....	30
6.3. DIVISION OF QUESTION.....	30
6.4. PRECEDENCE OF MOTIONS.....	30
6.5. MOTION TO ADJOURN.....	31
6.6. MOTION TO TABLE.....	31
6.7. MOTION TO LIMIT OR TERMINATE DISCUSSION.....	31
6.8. MOTION TO AMEND.....	31
6.9. MOTION TO SUBSTITUTE.....	31
6.10. MOTION TO CONTINUE.....	32
<b>7. VOTING PROCEDURE.....</b>	<b>32</b>
7.1. VOTING PROCEDURE.....	32
7.2. ROLL CALL VOTING.....	32
7.3. ABSTENTIONS DISCOURAGED.....	32
7.4. RECONSIDERATION.....	32
7.5. TIE VOTES.....	33

8.	LEGISLATIVE AND ADMINISTRATIVE ACTIONS .....	33
8.1.	DEFINITIONS .....	33
8.1.1.	Ordinance .....	33
8.1.2.	Resolution .....	33
8.1.3.	Minute Order .....	33
8.1.4.	Minute Entry .....	33
8.2.	ORDINANCES .....	34
8.2.1.	Introduction and Adoption of Ordinances .....	34
8.2.1.1.	Introduction and Reading .....	34
8.2.1.2.	Altered Ordinances .....	34
8.2.2.	Effective Date .....	34
8.2.3.	Publishing .....	34
8.2.4.	Urgency Ordinances .....	34
8.3.	RESOLUTIONS .....	34
8.3.1.	Resolutions Prepared in Advance .....	34
8.3.2.	Resolutions Not Prepared in Advance .....	35
8.3.3.	Urgency Resolutions .....	35
8.3.3.1.	Oral Presentation .....	35
8.3.3.2.	Disfavored .....	35
8.4.	POLICIES .....	35
9.	COMMITTEES .....	35
9.1.	FINANCE COMMITTEE .....	35
9.2.	PUBLIC SAFETY COMMITTEE .....	36
9.3.	OTHER COMMITTEES .....	36

## 1. MEETINGS

### 1.1. REGULAR MEETINGS

#### 1.1.1. TIME AND PLACE.

##### 1.1.1.1. *Regular Time and Place.*

Regular meetings of the City Council shall be held on the second and fourth Tuesdays of each month at 6:00 p.m. in the City Council Chambers of City Hall or such other time and place as shall be specified by resolution of the City Council.

#### 1.1.2. AGENDA.

##### 1.1.2.1. *ORDER OF BUSINESS.*

The order of business of each regular meeting of the City Council shall be as set forth in the agenda prepared by the City Clerk. The agenda shall be a listing by topic of the subjects, numbered as designated by the City Clerk and taken up for consideration in substantially the following order:

- Special Recognition/Presentations (5:30 p.m., if necessary)\*
- Call to Order (6:00 p.m.)
- Pledge of Allegiance
- Invocation
- Roll Call
- Introductions
- Public Comments on Matters Not on the Agenda\*\*
- Public Comments on Matters on the Agenda\*\*\*
- A-D. Consent Calendars \*\*\*\*
  - City Council
  - Moreno Valley Community Services District
  - Housing Authority
  - Board of Library Trustees
- E. Public Hearings
- F. Items Pulled from Consent Calendars for Discussion or Separate Action
- G. Reports
- H. Legislative Actions

City Council Reports and Closing Comments  
Public Comments on Matters on the Closed Session  
Agenda\*\*\*\*\*



Closed Session, if needed  
Report of Action from Closed Session

Adjournment

\*See Section 1.2 below

\*\* Public Comments on Matters Not on the Agenda are governed by Subsection 2.4.1 below and will be heard prior to City Council Reports and Closing Comments. Following public comments on matters not on the agenda, the Presiding Officer may request that staff respond to legal or factual issues raised during the public comments. In the event that the agenda item for such public comments has not been called by 9:00 p.m., it shall be called as the next item of business following the conclusion of any item being heard at 9:00 p.m.

\*\*\* *The Presiding Officer will announce that public comments on matters on the agenda will be taken up as the item is called for business [Subsection 2.4.2 below], between staff's report and City Council deliberation.*

\*\*\*\*Consent calendars will begin immediately after Public Comments with the remaining items taken in the order of the agenda. Any consent calendar item(s), pulled for discussion or separate action will be heard immediately following the public hearings.

\*\*\*\*\*Public Comments on matters on the closed session agenda (if a closed session is held) are governed by Section 2.7 below.

**1.1.2.2. CHANGES IN AGENDA.**

Except with the consent of the majority of the City Council, items shall not be taken out of the order prescribed above. No matters other than those listed on the agenda shall be acted upon by the City Council except as permitted under applicable state law.

**1.1.2.3. DELIVERY AND POSTING OF AGENDA**

Barring insurmountable difficulties, the agenda for each regular meeting of the City Council, and reports and other documentation related thereto, shall be delivered to the Council members and made available to the public on the Thursday preceding the Tuesday meeting to which the agenda pertains. The agenda shall conform to, and be posted in accordance with, applicable requirements of the

California Government Code. Agendas shall be posted at least 72 hours prior to the time scheduled for the meeting on the bulletin board outside the City Council Chambers at City Hall and at such other places within the City as the City Council has designated for posting notices of City Council meetings.

**1.1.3. ROLL CALL**

Before proceeding with the business of the City Council, the City Clerk shall call the roll of the Council members and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical, except that the Mayor shall be called last.

**1.1.4. APPROVAL OF MINUTES:**

Unless requested by a majority of the City Council, minutes of the previous meeting may be approved without public reading if the City Clerk has previously furnished each Council member with a copy thereof.

**1.1.5. PUBLIC HEARINGS**

**1.1.5.1. ORDER OF PROCEEDINGS.**

Generally, public hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

- Staff Review and Report
- Questions of Staff by City Council
- Hearing Opened by Mayor
- Presentation by Proponent, Applicant or Appellant
- Questions of Proponent, Applicant or Appellant by Council and/or Staff
- Public Testimony
- Rebuttal by Proponent, Applicant or Appellant
- If Desired, Hearing Closed
- Questions by City Council
- Discussion by City Council
- Action by City Council

**1.1.5.2. PUBLIC TESTIMONY.**

**1.1.5.2.1. Time Limits.**

Questions, comments, and testimony from the public shall be limited to the subject under consideration. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the presiding officer may, at the beginning of the hearing, limit testimony from the public, but in no event to less than 5 minutes per individual and no less than 20 minutes per

hearing item. Any person may speak for a longer period of time, upon approval of the City Council, when this is deemed necessary in such cases as when a person is speaking as a representative of a group or has graphic or slide presentations requiring more time.

**1.1.5.2.2. Testimony After Closure of Hearing.**

Once the hearing has been closed, no additional public testimony will be taken without a majority vote of the City Council to reopen the hearing, even in cases where the item is continued to a future date for Council consideration. However, after the hearing has been closed, the Council may direct questions to the applicant or any other person who has testified during the hearing, and receive their answers, which shall be deemed to be part of the record of testimony at the hearing. In the event that public testimony is reopened to allow additional information or additional speakers, the proponent, applicant or appellant shall be permitted a reasonable time for rebuttal. Any request for reopening of the hearing shall be submitted in writing to the bailiff or to the City Clerk, who shall deliver it to the presiding officer in a manner calculated to be least disruptive to any proceedings under way.

**1.1.5.2.3. Written Testimony.**

Testimony submitted in written form may be added to the record of the hearing by motion and majority vote or consent of the City Council.

**1.1.5.2.4. Testimony Under Oath.**

In any hearing before the City Council, notice of which is to be published or posted, if the City Council or any member thereof, or a proponent or opponent of the matter, requests that any or all participants in the proceedings testify under oath or affirmation, the making of such request shall be set forth in the notice of hearing. Additionally, the notice of hearing shall state that the giving of testimony under oath or affirmation shall be voluntary as to each person wishing to be heard in the matter, and that any persons having a question or concern regarding the giving of testimony under oath or affirmation should consult an attorney of their own choosing and at their own expense. Each person testifying under oath or affirmation in any such proceeding shall, before so testifying, state on the record agreement to testify under oath or affirmation in the matter and has had an opportunity to choose and to consult with an attorney in respect thereto. Upon

request to the City Clerk, each Council member will receive sufficient notice, by phone, memo, fax or electronic mail prior to the time of publishing or posting of any hearing notice in order to make such a request.

**1.1.5.3. QUASI-JUDICIAL HEARINGS.**

Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the City Attorney shall advise the City Council in this regard.

**1.1.6. CONSENT AGENDA**

Items of routine nature, not anticipated to be controversial, may be placed on the consent calendar by the City Manager. All items may be approved by one blanket motion upon unanimous consent. Any Council member may request that any item be withdrawn from the consent agenda for separate consideration. Any Council member may abstain from voting on any consent agenda item without requesting its removal from the consent agenda, by orally stating intent to abstain as to a particular item. The City Clerk shall record such abstentions in the minutes.

**1.1.7. CITY COUNCIL REPORTS AND COMMENTS**

The Mayor or any Council member may, during the time for reports and comments by Council members, report on activities in representing the Council or the City on boards, committees, commissions, task forces, and other official bodies, before other governmental agencies and at public events. Each Council member may also bring to City Council's attention any item of new business under this portion of the agenda. Action on any matter of business not listed on the agenda shall be deferred until properly listed on the agenda for a subsequent City Council meeting unless properly added to the agenda due to a need for immediate action pursuant to state law. If two Council members concur that an item should be added to a future agenda, the Council shall give direction to staff as to whether the matter should be placed on the agenda for a regular Council meeting, a study session or a special meeting.

**1.2. SPECIAL PRESENTATIONS.**

In order to promote efficiency in handling the business of the City and to provide for proper recognition of those making a contribution to the community, the City Council shall, from time to time, absent special circumstances such as scheduling issues precluding a recipient from attending at that time, convene at 5:30 p.m. prior to a regular City Council Meeting for ceremonial purposes. Such a session shall be posted on the agenda for the regular Council Meeting as "Special Presentations". Agenda items for a Special Presentations session shall include

only ceremonial matters, including but not limited to, giving or receiving of gifts and awards, proclamations or previously adopted resolutions.

### **1.3. ADJOURNED MEETINGS.**

Any meeting may be adjourned to a time, place, and date certain, but not beyond the next regular meeting. Once adjourned, the meeting may not be reconvened.

### **1.4. STUDY SESSIONS**

#### **1.4.1. NOTICE AND AGENDA.**

A study session is a meeting of the City Council, provided a quorum is present. Regular study sessions shall be noticed, agendized and conducted in compliance with state laws governing regular meetings of the City Council.

Special study sessions may be called in accordance with the procedures for special meetings of the City Council and shall be noticed, agendized and conducted in accordance with state law governing special meetings of the City Council.

#### **1.4.2. LACK OF QUORUM**

In the event that a quorum is lacking for a study session, the meeting may proceed as a briefing at the request of the council members present, but shall not be considered a meeting of the City Council and no direction shall be given to staff by majority consent except to place an item on a future agenda. The proceedings shall continue to be open to the public, public comments shall be taken as for regular study sessions, and all other rights of the public with respect to City Council meetings shall be observed.

#### **1.4.3. LIMITED ACTIONS.**

Notwithstanding that a study session is a meeting of the City Council, the Council by these rules has determined that study sessions are limited purpose meetings and that no formal vote or final action of the City Council shall be taken. The Council members may individually express their opinions and ask questions concerning a study session item, and may, by majority consent, give general direction to staff concerning further action to be taken prior to formal City Council consideration of the item, but any final action or formal motions or vote required to effect Council approval or denial shall take place at a regular Council meeting. However, Council members shall not express opinions, nor give directions to staff indicative of any opinions, regarding the approval, disapproval, granting or denial of any item for which a subsequent public hearing will be required prior to final action.

#### **1.4.4. TIME AND PLACE.**

Regular study sessions of the City Council shall be held on the first and third

Tuesday of each month at 6:00 p.m. in the City Council Chambers of City Hall or such other time and place as specified by resolution of the City Council.

**1.4.5. SPECIAL STUDY SESSIONS**

Study sessions may be held at times or places other than the regular time and place if noticed and agendized as a special meeting and designated as a study session. A special meeting designated as a study session shall be subject to this Section 1.4.

**1.5. SPECIAL MEETINGS.**

**1.5.1. NOTICE.**

The Mayor or a majority of the members of the Council may call special meetings of the City Council upon not less than 24 hours notice and in accordance with Section 54956 of the California Government Code, and other applicable state statutes, as amended from time to time.

**1.5.2. MATTERS CONSIDERED.**

Only matters contained in the notice of the special meeting may be considered. No ordinance, other than an urgency ordinance, may be adopted at a special meeting. Matters may be placed on the notice of special meeting only with the prior approval of the Mayor or of a majority of the members of the Council.

**1.6. SPECIAL JOINT MEETINGS**

**1.6.1. CALLING OF MEETING.**

Special Joint Meetings of the City Council and the governing board of another governmental agency (other than those whose governing boards are comprised of the City Council members) may be called and noticed in accordance with the rules for calling special meetings of the City Council.

**1.6.2. RULES OF PROCEDURE.**

The rules of procedure governing such joint meetings shall be agreed to by the Mayor and the chairperson of the other governing body or bodies and shall be listed on the agenda for the Special Joint Meeting. The agenda shall include ratification of the agenda by each body as the first order of business after roll calls and ceremonial openings such as the flag salute and invocation, if any. Ratification of the agenda shall be deemed to be adoption of any rules and agenda formats contained therein for the purposes of that meeting only. However, all rules and agenda formats shall conform to all applicable state and federal laws and regulations.



**1.6.3. WITH OTHER COUNCIL MEETINGS.**

A Special Joint Meeting may be called and noticed even if a regular Council meeting or study session would have ordinarily been scheduled for the same time and place. However, if agenda items are included for the consideration of the Council separately from the other attending body(ies), the meeting shall be deemed both a special joint meeting and a regular Council meeting or study session as applicable, and the rules of procedure applicable to each type of meeting shall apply respectively to those agenda items to be considered jointly or separately or to each portion of the meeting so designated on the agenda.

**1.7. CLOSED SESSIONS.**

**1.7.1. REGULAR CLOSED SESSIONS.**

Regular closed sessions shall be held immediately following Regular City Council Meetings and Study Sessions, unless no closed session items are scheduled for that meeting.

**1.7.2. SPECIAL CLOSED SESSIONS.**

Special closed sessions may be called in accordance with the provisions of these rules and state laws for calling special meetings of the City Council.

**1.7.3. IMMEDIATE CLOSED SESSIONS.**

The City Council may, subject to the requirements of state law, recess an open meeting to an immediate closed session when the issues raised in the open session give reason to do so.

**1.7.4. MINUTES.**

Pursuant to Section 54957.2 of the California Government Code, the City Clerk may from time to time be required to attend a closed session of the City Council and keep and enter in a minute book a record of topics discussed and decisions made at each meeting. The confidentiality of such minutes shall be maintained pursuant to said section of the Government Code.

**1.7.5. AGENDAS.**

Agendas for regular closed sessions shall be noticed, agendized and conducted in compliance with state laws governing regular meetings of the City Council and the provisions of §1.1.2.3 above.

**1.7.6. ANNOUNCEMENTS OF ACTION TAKEN.**

When required by state law, actions taken in closed session shall be announced in open session promptly after the closed session. For closed sessions held immediately before any City Council meeting, announcement

shall be made during the subsequent meeting. A place may be listed on the agenda for such announcements. After closed sessions held after any City Council meeting or not in conjunction with any other meeting of the City Council, the members of the Council shall reconvene in open session and make such announcements prior to final adjournment of the meeting.

### **1.8. EMERGENCY MEETINGS.**

Upon finding by majority vote that an emergency situation exists where prompt action is necessary due to the disruption or threatened disruption of public facilities due to either a work stoppage or other activity which severely impairs public health or safety, or a crippling disaster which severely impairs public health or safety, the Council may convene an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement for special meetings provided that all provisions of Section 94956.5 of the California Government Code, and other applicable law, are complied with.

## **2. PUBLIC COMMENTS AND ADDRESSING THE COUNCIL**

### **2.1. PUBLIC COMMENTS GOVERNED BY THIS SECTION; EXCEPTIONS**

The rules and procedures set forth in this Section 2 shall govern each opportunity for the public to address the City Council during its meetings except as expressly set forth elsewhere or as otherwise required by law. These rules and procedures shall govern public testimony during public hearings except as to those matters set forth in Subsection 1.1.5 above. Public comments are also governed by the rules of decorum set forth in Subsection 5.8 below.

### **2.2. MANNER OF ADDRESSING THE CITY COUNCIL**

#### **2.2.1. SPEAKER FORMS.**

Members of the public may address the City Council during the time set aside for public comments on any subject not on the agenda under the jurisdiction of the City Council and before consideration of any item on the agenda; however, no person shall address the City Council without first being recognized by the Presiding Officer. Any person desiring to speak shall first complete an appropriate speaker request form and submit it to the bailiff, or in the absence of the bailiff, the City Clerk. Speaker request forms are required to be completed and submitted prior to the Presiding Officer calling for public comments on any subject not on the agenda or any particular agenda item. Any speaker request form not completed and submitted before the Presiding Officer calls for public comments shall be considered late and the public comment shall not be received except on a majority vote of the City Council after an appropriate motion and second prior to the first public comment being received. No person is required to list his or her name or address on the speaker request form; however, such information would be



helpful for staff to provide follow-up information to the speaker if needed.

**2.2.2. SPEAKER PROCEDURES.**

At the time for public comments, the Presiding Officer shall announce speakers in random order by name or number from the submitted speaker request forms received for that item. The first speaker announced by the Presiding Officer shall take their place at the speaker's podium and wait until the Presiding Officer indicates they may proceed with their comments. The second speaker announced by the Presiding Officer shall line up behind the speaker's podium along the wall to await their turn at the speaker's podium. Upon conclusion of the comments of the speaker at the speaker's podium, the person waiting shall immediately take their place at the speaker's podium and wait until the Presiding Officer indicates they may proceed with their comments. The Presiding Officer shall announce the next speaker, who will line up behind the speaker's podium along the wall. This procedure shall be followed until all speakers have been called by the Presiding Officer.

**2.2.3. ADDRESS PRESIDING OFFICER.**

All remarks and questions shall be addressed to the Presiding Officer or to the City Council and not to any individual council member, staff member or other person. No person shall begin their comments until recognized by the Presiding Officer. The Presiding Officer determines the order of speakers, except that the order of speakers for public hearing development projects is determined by other policies.

**2.2.4. SUBJECT UNDER DISCUSSION.**

During public comments on matters on the agenda and public hearings, all remarks shall be limited to the subject under consideration.

**2.2.5. COUNCIL MEMBER RESPONSES.**

Any council member who has been recognized by the Presiding Officer for such purpose may address or respond to a member of the public who has addressed the City Council pursuant hereto. Such address or response shall not exceed three (3) minutes in time and shall be deemed to be the individual position or opinion of the council member offering the address or response and shall not constitute the official position or obligation of the City Council or the City in any manner. Unless otherwise directed by the City Council upon a majority vote after an appropriate motion and second, the restrictions imposed by this Subsection 2.2.5 shall apply only to those portions of the agenda during which public comments are received.

**2.2.6. ADDRESSING THE CITY COUNCIL AFTER THE PUBLIC COMMENT PERIOD.**

After the public comment period has been concluded for any agenda item, no member of the public shall address the City Council without first obtaining

permission by a majority vote of the City Council after an appropriate motion and second. Any request for such permission shall be submitted in writing to the bailiff or to the City Clerk, who shall deliver the request to the Presiding Officer in a manner least disruptive to any proceedings under way.

**2.2.7. CHANNELING COMMUNICATIONS TO STAFF.**

After any public comment where a request has been made by the speaker, the Presiding Officer may, the speaker to communicate the same request to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to council members, pursuant to Subsection 2.2.9.

**2.2.8. LIMITATIONS ON PUBLIC COMMENTS**

The making of oral communications to the City Council by any member of the public during the "Public Comments" portions of the agenda shall be subject to the following limitations:

**2.2.8.1. *MULTIPLE SPEAKERS.***

If it appears that several speakers desire to speak regarding a single agenda item, the Presiding Officer may reasonably limit the number of speakers as to each side of an issue. In this regard, preference may be given to speakers who represent groups of persons who have designated a spokesperson. The Presiding Officer may, but is not required to, allow grouping of speakers into a coordinated presentation if it would be beneficial to the City Council's understanding of an issue or would be time efficient in conducting the City council's business. However, no additional time shall be given to address the City Council on that agenda item.

**2.2.8.2. *REPETITIOUS AND IRRELEVANT COMMENTARY***

Irrespective of any time limits, the Presiding Officer may regulate or terminate the comments of a speaker when the Presiding Officer reasonably determines that the speaker is being unduly repetitious or engaging in extended discussion of irrelevancies. The Presiding Officer shall first issue a warning to the speaker and explain the reasons for the warning prior to terminating the speaker's time.

**2.2.9. WRITTEN CORRESPONDENCE**

**2.2.9.1. *INCLUDED IN AGENDA PACKET.***

Any written communication relating to a matter pending, or to be brought before the City Council shall, whenever possible, be included in the agenda packet for the meeting at which such item is to be considered. If received after the delivery of the agenda packet, it shall

be distributed to all persons receiving the agenda packet and all others requesting such information as soon as practicable after receipt.

**2.2.9.2. LETTERS OF APPEAL.**

Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the municipal code, or other applicable ordinances.

**2.2.9.3. WRITTEN PUBLIC COMMENTS.**

Public comments submitted in written form shall be copied and distributed to all members of the City Council, the City Manager, and the City Attorney.

**2.3. PERSONS AUTHORIZED TO BE WITHIN PLATFORM AREA**

While the City Council is in session, no person except city officials shall be permitted within the area of the Council Chambers forward of the speaker's podium without the invitation or consent of the presiding officer.

**2.4. PUBLIC COMMENTS AT REGULAR AND ADJOURNED REGULAR MEETINGS.**

**2.4.1. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

Each person addressing the City Council during Public Comments on Matters Not on the Agenda shall be permitted three (3) minutes to address the City Council, but in cases where it appears that a large number of persons desire to address the City Council on one subject, the Presiding Officer may limit public comments on any one subject to an aggregate of fifteen (15) minutes. Public comments on matters not on the agenda shall be taken in accordance with the Order of Business set forth in paragraph 1.1.2.1 above.

**2.4.2. PUBLIC COMMENTS ON MATTERS ON THE AGENDA**

Public comments on the agenda shall be taken as to each agenda item called by the Presiding Officer for consideration; however, speakers who wish to address the City Council on any consent calendar item may only speak once prior to City Council consideration of the consent calendar. Each member of the public requesting to speak shall be allowed three (3) minutes to complete comments and all speakers on any one (1) agenda item shall be limited to a total aggregate time of fifteen (15) minutes.

**2.5. PUBLIC COMMENTS AT SPECIAL MEETINGS**

At special meetings of the City Council, no public comments will be taken on matters not on the agenda. Public comments on matters on the agenda shall be taken as to each agenda item as called by the Presiding Officer for consideration.

However, with respect to Special Joint Meetings with other Agencies or Commissions, public comments on matters on the agenda shall be taken in any manner consistent with state law and agreed to under Subsection 1.6.2 above. Each member of the public requesting to speak shall be allowed three (3) minutes to complete comments and all speakers on any one agenda item shall be limited to a total aggregate time of fifteen (15) minutes, except with respect to public hearings, where speakers shall be governed by the rules pertaining to public hearings at regular meetings.

#### **2.6. PUBLIC COMMENTS AT STUDY SESSIONS.**

A public comment period, entitled "Public Comments on Matters Either on the Agenda or Not on the Agenda Under the Jurisdiction of the City Council" shall be included as part of the study session agenda. Such public comments shall be taken at the beginning of the meeting prior to the City Council consideration of any agenda item. Each speaker shall be subject to a three (3) minute time limit, with a total aggregate time for public comments of thirty (30) minutes. The City Council may extend the thirty (30) minute time limit upon a majority vote after an appropriate motion and second.

#### **2.7. PUBLIC COMMENTS ON MATTERS ON CLOSED SESSION AGENDAS.**

The public shall be permitted to make comments on matters on the closed session agendas prior to the holding of each closed session in accordance with the following procedures:

##### **2.7.1. CLOSED SESSIONS AFTER MEETINGS.**

For Closed Sessions held immediately after an open session of any City Council meeting, public comments shall be taken immediately prior to the Council adjourning the open session.

##### **2.7.2. CLOSED SESSIONS BEFORE MEETINGS AND SEPARATE CLOSED SESSIONS.**

For Closed Sessions held immediately before any City Council meeting, or not in conjunction with any other meeting of the City Council, the Council shall convene in the Council Chambers or such other place as noted on the Agenda for the Closed Session, and receive public comments on matters on the Closed Session Agenda prior to retiring to the Closed Session.

##### **2.7.3. TIME LIMITS.**

Each speaker shall be limited to three (3) minutes for all items on the Closed Session Agenda with an aggregate time limit for all public comments of fifteen (15) minutes unless extended upon a majority vote of the City Council after an appropriate motion and second.

### **3. CONDUCTING BUSINESS AT MEETINGS**

#### **3.1. AGENDA ITEMS.**

Items may be placed on the agenda of any regularly scheduled meeting of the City Council by the Mayor, or by any member of the City Council with the concurrence of one other member of the Council, or by the City Manager, City Attorney, or City Clerk. Items may be placed on the agenda of any special meeting with the consent of a majority of the City Council.

### **3.2. NOTICE OF MEETINGS**

Notice of regular meetings or regular study sessions need be given only under circumstances required by state law. Notice of Special Meetings and adjourned meetings shall be given in accordance with state law. Posted notice of all meetings shall be given as required by state law at the locations specified by resolution of the City Council. Inadvertent failure of the Clerk to post notice at any location so specified shall not invalidate any meeting so long as the posting actually done by or under the direction of the Clerk complies with state law for posted notices.

### **3.3. QUORUM AND REQUIRED MAJORITIES**

#### **3.3.1. MAJORITY QUORUM AND MAJORITY VOTE.**

Unless otherwise provided for in the Municipal Code or by state law, a majority of the City Council shall be a quorum sufficient to do business and motions may be passed 2-1 if only 3 attend.

#### **3.3.2. MATTERS REQUIRING THREE VOTES.**

The following matters, however, require three affirmative votes: (a) adoption of ordinances; (b) resolutions granting franchises, (c) resolutions amending the general plan; and (d) orders or appropriations for payment or expenditure of money.

#### **3.3.3. EMERGENCY ITEMS.**

Discussion and action on an item not appearing on the posted agenda of regular meetings, regular study sessions and closed sessions may occur if an emergency situation as defined in California Government Code Section 54956.5 is determined to exist by a majority vote of the Council.

#### **3.3.4. NEED FOR IMMEDIATE ACTION.**

Discussion and action on an item not appearing on the posted agenda may occur if the legislative body determines by a two-thirds vote of the members of the legislative body present at the meeting (or a unanimous vote if less than two-thirds of the members are present) there is both: a) the need to take action immediately, and; b) that the need for action came to the attention of responsible officers of the City after the agenda was posted.

#### **3.3.5. OTHER MATTERS REQUIRING SUPER-MAJORITY VOTES.**

Where state or federal law requires a vote greater than a majority for valid



action or approvals, the required vote for passage or approval shall be in accordance with the applicable statute. These matters include, but are not limited to:

- a) Adoption of a general tax (two-thirds majority of Council prior to public vote)
- b) An urgency ordinance for the immediate preservation of the public peace, health or safety, which must contain a declaration of the facts constituting the urgency (four-fifths vote)
- c) Interim ordinances effective immediately prohibiting land uses which may be in conflict with a contemplated zoning proposal which is or will be studied within a reasonable time (four-fifths vote)
- d) Adoption of a resolution of necessity for a proposed taking of property by power of eminent domain (two-thirds vote of all members of the city council)
- e) Conversion of land purchased for park purposes or land used for park purposes to other uses (four-fifths vote with special findings after a public hearing)
- f) Award of contracts without competitive bidding (finding by a four-fifths vote that an emergency exists)
- g) Resolution finding that a project can be performed more economically by day labor or through open market purchases of materials and supplies and dispensing with further public bidding after all bids are rejected (four fifths vote)
- h) Override of a decision of an Airport Land Use Commission "ALUC" (two-thirds vote including adoption of findings required by state statute)
- i) Override of an adverse determination of an ALUC concerning the city's proposed amendment of its general plan (two-thirds vote)
- j) Adoption of a redevelopment plan if either the Planning Commission or Project Area Committee has recommended against approval (two-thirds vote of the entire Council)
- k) Adoption of a resolution to authorize immediate expenditure of public money to safeguard life, health or property in case of emergency or disaster (four-fifths vote)
- l) Agreements to share sales and use tax proceeds among cities and/or counties (two thirds vote or voter-approval)
- m) Declaration of emergency setting an election to approve a general tax

other than at a regularly-scheduled general city election (unanimous vote of the governing body)

**3.3.6. LEGALLY REQUIRED PARTICIPATION**

If a majority of the City Council shall be disqualified to vote on a matter by reason of a conflict of interest, the City Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the City Council shall determine, that number of its disqualified members which, when added to the members eligible to vote, shall constitute a quorum. Any disqualified member so chosen shall not participate in any discussion of the item and shall participate in voting only to the minimum extent required for a lawful and legal decision.

**3.4. MEETINGS TO BE PUBLIC**

Study sessions and all regular, adjourned or special meetings of the City Council shall be open to the public; however, the City Council may hold closed sessions from which the public may be excluded for the consideration of any matter for which a closed session is permitted under applicable state law.

**3.5. CONCLUSION OF MEETINGS**

The Council shall endeavor to adjourn all regular, adjourned or special meetings of the City Council including study sessions at 11:00 p.m. or as soon thereafter as any matter then being considered is concluded. The Council may, by motion and majority vote, continue the meeting after such time. However, continuing the meeting after such time without such motion or vote shall not invalidate any action taken.

**4. PRESIDING OFFICER**

**4.1. MAYOR AND MAYOR PRO TEM**

**4.1.1. MAYOR AS PRESIDING OFFICER.**

The Mayor shall be the presiding officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the City Clerk shall preside temporarily and shall immediately call for the Council to elect one of their number as a temporary presiding officer to serve until the arrival of the Mayor or the Mayor Pro Tem or until adjournment, whichever first occurs. A temporary presiding officer so elected shall be referred to by the Council and City Staff as "Mister Chairman" or "Madame Chairman" as appropriate to gender.

**4.1.2. PRESIDING OFFICER AT SPECIAL PRESENTATIONS.**

At the request of the Mayor, the Mayor Pro Tem may be designated as the presiding officer at the Special Presentations sessions.

**4.2. SELECTION OF MAYOR AND MAYOR PRO TEM.**

**4.2.1. ANNUAL SELECTION.**

The City Council shall meet annually at its first regular meeting in December to choose one of its number as Mayor and another of its number as Mayor Pro Tem. The new Mayor and Mayor Pro Tem shall be installed and sworn in during a special ceremonial meeting on the first Tuesday of January and shall assume their offices at the regular City Council meeting on the second Tuesday of January. However, in the event of a need for a special meeting between the special ceremonial meeting and the regular meeting on the second Tuesday, the newly sworn Mayor shall preside.

**4.2.2. CITY CLERK PRESIDES.**

The City Clerk shall convene and preside at the special ceremonial meeting for the installation and swearing in of the Mayor and Mayor Pro Tem. The City Clerk shall then administer the oaths of office. Each Council member shall have an opportunity for brief comments and the meeting shall be adjourned. No other business shall be conducted at such ceremonial meeting.

**4.2.3. SELECTION PROCESS.**

Nominations for the office of Mayor or Mayor Pro Tem may be made by any member of the City Council and need not be seconded in order to be effective. Each selection shall be by three or more affirmative votes. In the event that no person receives three or more votes in the selection process for one or both offices, the selection process shall be repeated immediately; provided, however, that the two persons receiving the highest number of votes in the preceding selection process shall be the only nominees for the office to be filled. If, upon repeating the selection process for Mayor or Mayor Pro Tem, no person has yet received three affirmative votes for such office, the City Council may either repeat the selection process until the officer has been duly selected or may continue the selection to the next regular meeting of the City Council.

**4.2.4. WRITTEN BALLOT.**

Voting in the selection of Mayor and Mayor Pro Tem shall be by written ballot unless the City Council, by three or more affirmative votes, determines to conduct the selection process by voice vote. If conducted by written ballot, the vote of each Council member shall remain undisclosed until all votes



have been cast and have been lodged with the City Clerk. The City Clerk shall then read aloud into the minutes of the City Council the identity of the voting Council member and the name of the person for whom such person is voting. The written ballots shall be public documents and shall be retained in the records of the City Council. The Standard Code of Parliamentary Procedure, third edition, as revised or approved from time to time by the American Institute of Parliamentarians, shall apply to resolve any question of procedure arising during the selection process, which is not governed by this Section.

#### **4.2.5. TERM OF OFFICE.**

Except as provided in this Section, the Mayor and Mayor Pro Tem selected pursuant hereto shall serve until the next meeting scheduled for selection of Mayor and Mayor Pro Tem pursuant to this Section, and thereafter until their successors have been duly selected.

### **4.3. VACANCIES.**

#### **4.3.1. OCCURRENCE OF VACANCY.**

The offices of Mayor and Mayor Pro Tem shall be deemed vacant upon the happening of any of the following:

- a) The death of the holder of such office;
- b) The loss or resignation from membership on the City Council by the holder of such office; or
- c) The acceptance by the City Council of the resignation from such office by the holder thereof.

#### **4.3.2. FILLING VACANCY.**

At its first regular meeting after the occurrence of a vacancy created by any of the foregoing events, the City Council shall select a successor to such office pursuant to the selection procedures established by this Section.

### **4.4. CALL TO ORDER**

The meeting of the City Council shall be called to order by the Presiding Officer. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary presiding officer as provided above.

### **4.5. PARTICIPATION OF PRESIDING OFFICER**

The presiding officer (except the City Clerk, when acting as presiding officer) may move, second, and debate from the chair, subject only to such limitations of debate as are imposed on all Council members. The presiding officer shall not be deprived of any of the rights and privileges of a Council member by reason of acting as presiding officer. However, the presiding officer is primarily responsible

for the conduct of the meeting. If the presiding officer believes that personally engaging in the making or seconding of motions or extended debate on questions before the City Council would jeopardize the presiding officer's ability to fairly and efficiently conduct the meeting, the presiding officer may, but shall not be required to, turn the responsibility of presiding over to the Mayor Pro Tem or, in the absence or inability to act of the Mayor Pro Tem, to the City Clerk for the election of another Council member as temporary presiding officer.

#### **4.6. QUESTION TO BE STATED**

The presiding officer should restate or cause to be restated each question immediately prior to Council debate and discussion and again prior to calling for the vote. Following the vote, the presiding officer should announce whether the question carried or was defeated and the vote totals. Before proceeding to the next item of business, the presiding officer may also state the effect of the vote for the benefit of the audience.

#### **4.7. SIGNING OF DOCUMENTS**

After approval as to form by the City Attorney or his deputy, the Mayor, or Mayor Pro Tem in the absence of the Mayor, shall sign ordinances, resolutions and proclamations adopted by and letters, contracts and other documents and instruments approved by the City Council. The City Clerk or Assistant City Clerk shall attest to the signature of the Mayor or Mayor Pro Tem.

### **5. RULES, DECORUM, AND ORDER**

#### **5.1. MAINTENANCE OF ORDER**

The presiding officer is responsible for the maintenance of order and decorum at all times.

#### **5.2. POINTS OF ORDER**

The presiding officer shall determine all points of order subject to the right of any Council member to appeal to the City Council. If any appeal is taken, the question shall be "Shall the decision of the presiding officer be sustained" in which event a majority vote shall govern and conclusively determine such question of order.

#### **5.3. LANGUAGE**

All Council members, staff members and members of the public should speak respectfully and avoid the use of profanity, vulgarity and slanderous comments. Recognizing that the First Amendment precludes the City Council from prohibiting speakers from speaking based upon the content of speech, the presiding officer shall use his best efforts, short of enforcement action, to remind and encourage all participating in the meeting to keep their speech respectful towards others and within bounds appropriate for children and persons of sensitivity toward coarse language as a courtesy to others present or otherwise viewing Council meetings.

## **5.4. ENFORCEMENT OF DECORUM**

### **5.4.1. SERGEANT-AT-ARMS.**

The Chief of Police or his designee shall be ex-officio sergeant-at-arms of the City Council. At meetings where a Bailiff is assigned and present, the bailiff shall act as Sergeant-at-Arms, but shall remain subject to the direction of the Police Chief. The Sergeant-at-arms shall carry out all legal and valid orders and instructions given him by the presiding officer for the purpose of maintaining order and decorum in the Council Chambers. Upon instructions from the presiding officer, it shall be the duty of the sergeant-at-arms to remove any disorderly person from the Council Chambers or place the disorderly person under arrest or both.

### **5.4.2. FAILURE TO YIELD, DISRUPTIONS.**

Any person who refuses to relinquish the floor after their allotted time or while speaking or while attending the City Council meeting engages in conduct which disrupts the business of the meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer. Disruptive remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer who may direct the sergeant-at-arms to remove such offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer.

### **5.4.3. CLEARING THE ROOM.**

As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the City Council may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the City Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

## **5.5. DECORUM AND ORDER – COUNCIL MEMBERS**

### **5.5.1. MANNER OF SPEAKING.**

Any Council member desiring to speak shall activate the light signaling to the presiding officer a request to speak. In the event such signal lights are not

available or functional, the Council member shall first address the presiding officer. Upon recognition by the presiding officer, the Council member shall speak only to the question under debate.

**5.5.2. QUESTIONING STAFF.**

A Council member desiring to question the staff should address his question to the City Manager, or, in appropriate cases, the City Clerk or City Attorney, who shall be entitled either to answer the inquiry or to designate some staff member for that purpose. Such a designation may be made at the time of any staff presentation or on the agenda listing for the item.

**5.5.3. INTERRUPTIONS.**

Once recognized, a Council member shall not be interrupted while speaking unless called to order by the presiding officer; unless a point of order is raised by another Council member, or unless the speaker chooses to yield to questions from another Council member.

**5.5.4. PERSONAL PRIVILEGE.**

The right of a Council member to address the City Council on a question of personal privilege shall be limited to cases in which that Council member's integrity, character, or motives are assailed, questioned, or impugned.

**5.5.5. CONFLICT OF INTEREST AND DISCLOSURE**

**5.5.5.1. APPLICABLE LAW.**

All Council members are subject to the provisions of California law, including, but not limited to, Chapter 7, Title 9, of the California Government Code, Section 87100, et seq., relative to conflicts of interest, and to conflicts of interest codes adopted by the City Council.

**5.5.5.2. NO PARTICIPATION.**

Any Council member prevented from voting because of a conflict of interest shall refrain from any participation with respect to that item, including but not limited to questions, comments, debate and voting. Such Council member shall leave the Council Chambers during debate and voting on the issue.

**5.5.5.3. CONTACTS AND CONSULTATIONS WITH INTERESTED PARTIES.**

At the time that each matter is taken up by the City Council for action in public session and prior to participation in the consideration of that matter, each member of the City Council shall identify by name (or if sufficient legal reason exists not to disclose the name, by the general description of the person and the person's interest in the matter) each person with a material interest in the matter who has consulted with

that Council member regarding the matter since the application or other proposal was actually presented to the City. Such disclosure may be oral and shall be supplemented, as required, if the matter is continued from one meeting to another. Failure to make a disclosure of consultation shall be deemed to be a representation that no disclosable consultation took place in respect to a matter coming before the City Council for action. For items requiring a public hearing as to which any party is entitled to due process of law, each Council member should discourage such contacts and consultations outside of the hearing and shall, in addition to the disclosure required above, generally describe on the public record, the content of any such communication received outside of the public hearing.

**5.5.6. LIMITATION OF DEBATE**

No Council member shall speak for more than five minutes each time that Council member has the floor, without the approval of a majority vote of the City Council. No Council member normally should speak more than once upon any one subject until every other Council member choosing to speak thereon has spoken. The five-minute limit set forth herein shall not apply to remarks by a Council member under Council Member Reports and Closing Comments.

**5.5.7. DISSENTS, PROTESTS, AND COMMENTS**

Any Council member shall have the right to express dissent from, or protest to, or comment upon, any action of the City Council and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons . . ."

**5.6. PROCEDURES IN ABSENCE OF RULES**

In the absence of a rule herein or in a written policy adopted by the City Council, to govern a point or procedure, The Standard Code of Parliamentary Procedure, third edition, shall be used as a guide, unless the Council, by majority vote or consent adopts an interim rule for that point or procedure by motion and majority vote.

**5.7. RULINGS OF PRESIDING OFFICER FINAL UNLESS OVERRULED BY COUNCIL**

In presiding over City Council meetings, the presiding officer shall, with due consultation with the City Attorney, decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Council members present and voting and shall be binding and legally



effective (even if clearly erroneous) for purposes of the matter under consideration.

#### **5.8. DECORUM AND ORDER - PUBLIC**

Decorum of public speakers during public comments shall be governed by Section 2 of these rules. Members of the audience shall not address the Council, the presiding officer, the staff or other members of the public except during public comment periods. When a member of the audience has important information, answers to questions raised during Council deliberations, or new evidence for Council consideration after the closing of the public comment period applicable to that item, the member of the public shall request to be recognized by the presiding officer by silently standing and/or raising a hand. Persons unable to stand or raise a hand may use such other means, including speaking out loud, if necessary, as are reasonably calculated to attract the attention of the presiding officer with the least disruption to the proceedings. The presiding officer shall have discretion to deny the request or briefly question the person regarding the general nature of the information held by the audience member, and/or the relevance and importance of the information. If the presiding officer deems the answers to such questions worthy of Council consideration the presiding officer shall ask for the Council to indicate, by majority consent, whether they wish to hear and consider the comments.

#### **5.9. DECORUM AND ORDER - EMPLOYEES**

The City Manager shall insure that all city employees observe proper rules of decorum. Any staff members, including the City Manager, desiring to address the City Council or members of the public shall first be recognized by the presiding officer. All remarks shall be addressed to the presiding officer or to the City Council and not to any one individual Council member or member of the public.

### **6. MOTIONS**

#### **6.1. WITHDRAWAL OF MOTIONS**

Once a motion is made and seconded, it shall not be withdrawn by the mover without the consent of the person seconding it.

#### **6.2. MOTIONS OUT OF ORDER**

The presiding officer may at any time, by majority consent of the City Council, permit a Council member to introduce an ordinance, resolution, or motion out of the regular agenda order.

#### **6.3. DIVISION OF QUESTION**

If the question contains two or more divisible propositions, the presiding officer may, and upon request of a Council member shall, divide the same.

#### **6.4. PRECEDENCE OF MOTIONS**

30

Rules of Procedure for Council Meetings  
and Related Functions and Activities  
Resolution No. 2003-17 Adopted March 25, 2003  
Amended – Resolution 2011-117 Adopted December 13, 2011  
Amended – Resolution No. 2013-10  
Date Adopted: February 12, 2013

When a motion is before the City Council, no motion shall be entertained except the following, which shall have precedence in the following order:

- Adjourn
- Fix hour of adjournment
- Table
- Limit or terminate discussion
- Amend
- Postpone

#### **6.5. MOTION TO ADJOURN**

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 discussion has been ended, and vote on motion is pending; and
- d) While a vote is being taken.

A motion to adjourn without specifying another time if adopted shall adjourn the meeting to the next regular meeting or next regular study session, whichever first occurs and shall not be debatable. A motion to adjourn to a specific time shall be debatable only as to the time to which the meeting is adjourned.

#### **6.6. MOTION TO TABLE**

A motion to table shall be used to temporarily bypass the subject. A motion to table shall not be debatable and shall not be subject to amendment. Such a motion shall immediately terminate any further debate of the subject under consideration until the motion is determined. If the motion shall prevail, the matter may be "taken from the table" by motion and majority vote at any time, subject to agenda posting and any notice requirements.

#### **6.7. MOTION TO LIMIT OR TERMINATE DISCUSSION**

Such a motion shall be used to limit or close debate on, or further amendments to, the main motion and shall not be debatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

#### **6.8. MOTION TO AMEND**

A motion to amend shall be debatable only as to content of the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. Amendments shall be voted first and then the main motion, as amended.

#### **6.9. MOTION TO SUBSTITUTE**

A motion to substitute a new motion for a pending motion or to amend the pending motion by substitution shall be debatable only as to the content of the substituted

motion. A motion to substitute or to amend by substitution shall be germane to the general subject matter of the pending motion but may differ in wording, purpose and/or effect. If the motion prevails, the new motion shall take the place of the former motion and any amendments previously adopted, which shall no longer be on the floor. If the motion fails, the original motion remains pending. Such a motion shall be voted on before voting on any proposed amendments not already approved.

#### **6.10. MOTION TO CONTINUE**

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

### **7. VOTING PROCEDURE**

#### **7.1. VOTING PROCEDURE**

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Council member present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall be carried out by the City Clerk in a random order as determined by the City Clerk in her/his sole discretion. The clerk shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond "aye," "no," or "abstain;" provided that when a vote is collectively taken by voice or when a method of voting other than by voice or roll call is used, any Council member not audibly and clearly responding "no" or "abstain" or otherwise registering an objection shall be recorded as voting "aye." There shall be no order of voting necessary in the case of electronic voting.

#### **7.2. ROLL CALL VOTING**

A roll call vote shall be used for all ordinances, resolutions and orders for franchises or payments of money. Any other question before the City Council shall not require a roll call vote unless requested by any member. It shall not be in order for members to explain their votes during roll call. Council members may change their votes before the next order of business is called.

#### **7.3. ABSTENTIONS DISCOURAGED**

Every Council member should vote "aye" or "nay" on each item unless disqualified for cause.

#### **7.4. RECONSIDERATION**

Any Council member who voted with the majority may move for reconsideration of any action at the same meeting or at the next regular meeting, so long as the item is duly listed and posted on the agenda for the subsequent meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the City Council.



## **7.5. TIE VOTES**

Tie votes shall be lost motions. When all Council members are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the City Council takes other action to further consider the matter. If a tie vote results at a time when less than all members of the City Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the City Council, unless otherwise ordered by the City Council.

## **8. LEGISLATIVE AND ADMINISTRATIVE ACTIONS**

### **8.1. DEFINITIONS.**

#### **8.1.1. ORDINANCE**

An "Ordinance" is a formal legislative act of the City Council having the force of law and has the meaning generally attributed to ordinances under the California Government Code. Ordinances are memorized in documents so designated and executed with the formalities required by the Government Code.

#### **8.1.2. RESOLUTION**

"Resolution" means a formal action of the City Council memorialized by a separate document, numbered in sequence, and preserved in a separate set of books. A resolution documents both the action taken by the Council and the reasons for the action and may contain findings of fact and/or recitations of legal or policy reasons for the action. "Resolutions" are used when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, when needed for legal reasons to document important Council decisions, when documenting important policy or administrative decisions with long-term effects, or where the frequency of future reference back to its contents warrants a separate document.

#### **8.1.3. MINUTE ORDER.**

A "minute order" as used locally denotes a decision of the City Council entered in the minutes and documenting the reasons (findings of fact and policy considerations) for the decision at the request of a member of the City Council or for legal reasons at the request of the City Attorney. A "minute order" is drafted far more briefly than a "resolution" and is distinguished from a mere minute entry only by the detail entered in explaining findings of facts and policy considerations behind the Council's decision.

#### **8.1.4. MINUTE ENTRY.**

The "minute entry", is an entry in the minutes of the meeting recording a City

Council action.

## **8.2. ORDINANCES**

### **8.2.1. INTRODUCTION AND ADOPTION OF ORDINANCES**

#### **8.2.1.1. INTRODUCTION AND READING.**

Except for urgency ordinances, ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting. However, an urgency ordinance may be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Council members present, all ordinances shall be read in full either at the time of introduction or passage. Waiver of further reading of all ordinances on the agenda of any meeting may be done in advance as a consent calendar item.

#### **8.2.1.2. ALTERED ORDINANCES.**

When ordinances, other than urgency ordinances, are altered after introduction, they shall be introduced again and shall be passed only at a regular or at an adjourned regular meeting held at least five days after alteration and reintroduction. Corrections of typographical or clerical errors are not alterations within the meaning of this section.

### **8.2.2. EFFECTIVE DATE**

All ordinances, except as provided in Section 36937 of the Government code, shall take effect thirty (30) days after adoption but may be made operative at such later date as may be designated in the ordinance.

### **8.2.3. PUBLISHING**

It shall be the duty of the City Clerk to post or publish all ordinances in accordance with Section 36933 of the Government Code within fifteen (15) days after adoption.

### **8.2.4. URGENCY ORDINANCES**

All urgency ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. If such an ordinance fails to receive a four-fifths (4/5) majority, it may thereafter be considered and passed in the same manner and with the same effect as regular ordinances.

## **8.3. RESOLUTIONS**

### **8.3.1. RESOLUTIONS PREPARED IN ADVANCE**

If a resolution has been prepared in advance, the procedure shall be: motion,

second, discussion, vote pursuant to methods prescribed in Section 7.1, and result declared. It shall not be necessary to read a resolution in full or by title except to identify it. Any member may require that the resolution be read in full.

### **8.3.2. RESOLUTIONS NOT PREPARED IN ADVANCE**

If a resolution has not been prepared in advance, the procedure shall be to instruct the City Manager or the City Attorney to prepare a resolution for presentation at a subsequent City Council meeting.

### **8.3.3. URGENCY RESOLUTIONS**

#### **8.3.3.1. ORAL PRESENTATION.**

In matters of urgency, a resolution may be presented orally in motion form together with instructions for written preparation for later execution. After the resolution has been verbally stated, the voting procedure in Section 8.2 above shall be followed.

#### **8.3.3.2. DISFAVORED.**

Urgency resolutions shall be avoided except when absolutely necessary; and they shall not be used when resolutions are required by law, including, but not limited to actions related to public financing, improvement acts, eminent domain, general plan and zoning matters, force account work on public projects and other matters where state statutes specify that action must be taken by formal resolution. If the resolution has been drafted in written form, either before or during the meeting, this section shall not be deemed applicable.

## **8.4. POLICIES**

The City Council may, by resolution or by motion, adopt written policies governing administrative and other routine matters, providing ongoing direction to City staff regarding particular subjects, or setting standards for City involvement in particular types of activities such as public financing, investment, economic development, influencing action by other governmental bodies, and such other matters as the Council may determine from time to time. Such policies shall be compiled in the City's administrative policy handbook together with policies issued by the City Manager for the direction of the City Staff.

## **9. COMMITTEES**

### **9.1. FINANCE COMMITTEE**

There shall be a standing committee of the City Council known as the finance committee, whose duties shall be those as prescribed in the City of Moreno Valley Municipal Code, or as otherwise assigned by the City Council. The committee shall consist of two (2) Council members appointed by the Mayor and confirmed by the

35

Rules of Procedure for Council Meetings  
and Related Functions and Activities  
Resolution No. 2003-17 Adopted March 25, 2003  
Amended – Resolution 2011-117 Adopted December 13, 2011  
Amended – Resolution No. 2013-10  
Date Adopted: February 12, 2013

City Council.

**9.2. PUBLIC SAFETY COMMITTEE**

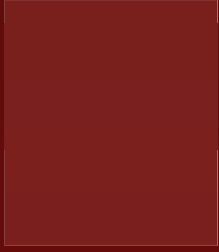
There shall be a standing committee of the City Council known as the public safety committee. The committee shall consist of two (2) members who shall be Council members appointed by the Mayor and confirmed by the City Council. The public safety committee shall study matters relating to law enforcement, fire services, traffic safety, animal control, and related matters referred to it by the City Council, and shall make recommendations to the City Council.

**9.3. OTHER COMMITTEES**

The City Council may by resolution create other standing committees and by motion or resolution may appoint ad hoc committees for particular temporary purposes.



Attachment 2



# *Rules of Procedure for Council Meetings*

*Study Session  
February 3, 2015*

# Rules of Procedure

**Item No. 2.**

**The Current Rules are divided into nine sections:**

- Meetings**
- Public Comments and Addressing the Council**
- Conducting Business at Meetings**
- Presiding Officer**
- Rules, Decorum, and Order**
- Motions**
- Voting Procedure**
- Legislative and Administrative Actions**
- Committees**

## Meetings

**Meetings are held on the second and fourth Tuesdays of the month at 6:00 p.m. Special Presentations start at 5:30 p.m.**

**Study Sessions are held on the first and third Tuesdays at 6:00 p.m.**

**Closed Sessions are to be held after regular meetings and after Study Sessions.**

## **Order of Business**

**The Rules specify the order in which business is to be conducted.**

- The time reserved on the agenda for Council Reports and Comments is when a Council member may bring to the Council's attention new items of business that may be considered at a future regular meeting, study session or special meeting.**



## Second Section of the Rules: Public Comments and Addressing the Council

**Every agenda for a regular meeting must provide an opportunity for members of the public to address the Council.**

**During public comments on matter on the agenda and public hearings, all remarks should be limited to the subject that is being considered by the Council.**

- If it appears that several speakers desire to speak regarding a single agenda item, the Mayor may reasonably limit the number of speakers as to each side of an issue.**
- The Mayor may also regulate or terminate the comments of a speaker when he determines that the speaker is being unduly repetitious or engaging in extended discussion of irrelevancies.**



**Item No. 2.**

## **Third Section of the Rules: Conducting Business at Meetings**

**Items may be placed on the agenda by the Mayor, a Council member (with the concurrence of one other Council member), the City Manager, the City Attorney, or the City Clerk.**

## **Fourth Section of the Rules: Presiding Officer**

**The Mayor is the presiding officer at meetings and if the Mayor is absent, the Mayor Pro Tem shall preside.**

**The Mayor Pro Tem may preside over the Special Presentations if the Mayor requests.**

**The Council selects the Mayor and Mayor Pro Tem each year at the first meeting in December for the upcoming year.**



**Item No. 2.**

## **Fifth Section of the Rules: Rules, Decorum, and Order**

**The Presiding Officer is responsible for the maintenance of order and decorum.**

**The Presiding Officer shall determine all points of order subject to the right of any Council member to appeal to the City Council.**

**All Council members, staff members and members of the public should speak respectfully and avoid the use of profanity, vulgarity, and slanderous comments.**

## **Fifth Section of the Rules: Rules, Decorum, and Order**

**Once a Council member has pushed the request to speak button and has been recognized by the Presiding Officer, that Council member shall not be interrupted unless called to order by the Presiding Officer, or a point of order is called by another Council member, or the speaking Council member chooses to yield to another Council member.**



**Item No. 2.**

## **Fifth Section of the Rules: Rules, Decorum, and Order**

**No Council member shall speak for more than five minutes each time that Council member has the floor without the approval of a majority vote of the City Council.**

**No Council member normally shall speak more than once upon any one subject until every other Council member choosing to speak has spoken.**



## **Sixth Section of the Rules: Motions**

**The sixth section of the Rules describes the various motions the Council may want to consider.**



**Item No. 2.**

## **Seventh Section of the Rules: Voting Procedure**

**The seventh section of the Rules describes the manner in which votes are to be cast.**





**MORENO VALLEY**  
WHERE DREAMS SOAR

## **Eighth Section of the Rules: Legislative and Administrative Actions**

**The eighth section of the Rules briefly describes an Ordinance, a Resolution, a Minute Order, and a Minute Entry.**



**Item No. 2.**

## **Ninth Section of the Rules: Committees**

**The ninth section of the Rules establishes the Finance Committee, and the Public Safety Committee.**

**The Council may also, by resolution, create other standing committees.**



MORENO

VALLEY

**This page intentionally left blank.**