

RESOLUTION NO. ~~11-68~~

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA,
CALIFORNIA, AMENDING AND ADOPTING COUNCIL NORMS AND PROCEDURES
FOR COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES

WHEREAS, it is the intent and desire of the City Council to conduct its business in an orderly and fair manner; and

WHEREAS, there are certain basic rights of due process and opportunity to address issues with equity, fairness, and equal protection of the law; and

WHEREAS, certain parliamentary procedures have been found to be useful in order to assure that the communication and process of government are fair, reasonable, and just; and

WHEREAS, the City has a duty to proceed with the business of government in an efficient and orderly fashion; and

WHEREAS, the City Council desires to establish uniform norms and procedures in order to accomplish these goals; and

WHEREAS, the City Council adopted Resolution No. ~~00-134-11-68~~ on ~~October 24, 2000~~ July 12, 2011, adopting norms and procedures, and now desires to update that resolution.

NOW, THEREFORE, the City Council of the City of Santa Clarita does hereby resolve as follows:

SECTION 1. Act in the Public Interest

- A. ~~City Council~~members and staff shall recognize that stewardship of the public interest must be the primary concern.
- B. ~~City Council~~members will work for the common good of the people of Santa Clarita.
- C. ~~City Council~~members will assure fair and equal treatment of all persons, claims, and transactions coming before the City Council and Commissions.

SECTION 2. Advocacy

- A. Councilmembers shall represent the official policies or positions of the City Council when designated as delegates for this purpose.

- B. When representing their individual opinions and positions, Councilmembers shall explicitly state they do not represent the City Council of the City, nor will they allow the inference that they do.

SECTION 3. Role of the Mayor

A. Authority of the Chair

1. The Mayor, subject to the appeal of the full Council, shall have the authority to streamline the business of the Council by either seeking clarification of motions which appear to be out of order or by ruling any such motions out of order. In so ruling, the Mayor shall be courteous and fair, and should presume that the moving party is acting in good faith.
2. The Mayor's position is as a leader among equals; the City Manager goes to the Mayor as the representative leader of the Council.

B. Mayor to Facilitate Council Meetings

1. The Mayor is the presiding officer at all City Council meetings. In the Mayor's absence, the Mayor Pro Tem shall be the presiding officer.
2. All questions and remarks shall be addressed to the Mayor.
3. The Mayor shall decide all questions of order, subject, however, to an appeal to the Council.
4. The Mayor shall recognize the Councilmembers, City Manager staff, and citizens desiring to speak.
5. The Mayor will allow other Councilmembers to speak first on items before the Council and then will state his/her summary.
6. The Mayor shall not permit unauthorized remarks from the audience including applause, stamping of feet, whistles, yells or shouting, and/or similar demonstrations.
7. The Mayor shall designate a time limit for public comment. Upon expiration of that time, the Mayor shall inform the citizen that his or her time has expired and promptly move on to the next speaker or issue on the agenda.
8. The Mayor may call for a short recess during a Council meeting when deemed necessary. If a speaker becomes abusive, boisterous, or discourteous, an immediate declaration may be made by the Mayor that the Council is in recess. Upon reconvening the meeting, if the prior speaker attempts to resume, he or she can either be informed that his or her three (3) minute speaking opportunity has expired or be allowed to complete the balance of the three (3) minute speaking opportunity.

9. The Mayor shall manage the agenda in a manner that adheres to the City Council Adjournment Policy; all City Council meetings should adjourn by 11:~~30~~00 p.m. Pursuant to the City Council Adjournment Policy, exceptions are permitted upon a 4/5 vote of the Council.
10. The Mayor will represent the City and the majority opinion of the Council on all actions/positions taken by the Council.

SECTION 4. Role of the City Council and Council Subcommittees

A. Council Conduct in General

1. Councilmembers shall treat everyone with courtesy.
2. Inappropriate behavior is derogatory and damages the perception of the City.
3. While the Council is in session, the Councilmembers and City staff shall preserve strict order and decorum. No Councilmember shall delay or interrupt the proceedings of the Council or interrupt any Councilmember while speaking.
4. ~~The~~ Councilmembers should give a signal to the Mayor to indicate they want to speak. Mayor will acknowledge them before they begin speaking.
5. Any Councilmember shall have the right to express dissent from, or protest to, or comment upon, any action of the Council, and have the option to enter the reason into the minutes, such as "I would like the minutes to show that I am opposed to this action for the following reasons..."
6. Once a vote is taken on an issue, Councilmembers will support the decision made by the Council. If a Councilmember who voted in favor of the decision wants it to be reconsidered, he/she should make a motion at the meeting where the decision is made or at the next regular meeting. ~~will inform Council.~~ When possible, the Council should attempt to reach consensus on an issue. When this is not possible, the majority vote shall prevail. However, the Council shall respect the opinion of the minority.
7. When no Councilmember abstains from voting, the motion shall be lost on a tie vote. Any member who abstains for a reason other than a conflict of interest shall be deemed to have acquiesced to the motion and the motion shall be passed on a tie vote.

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

8. Council members shall publicly share substantive information, which they may have received from sources outside the public decision-making process, ~~that~~ which is relevant to a matter under consideration by the Council and Commissions.
9. When a rumor is involved, it is ~~that~~ each Councilmember's responsibility to not validate the rumor or repeat it to others. Assess the rumor by addressing the person the rumor involves. If a rumor affects the City, then the issue should be brought to the attention of the Mayor and the City Manager.
10. Councilmembers should allow ~~Allow~~ for everyone's opinion to be heard and respected, even if they do not win the vote or prevail on the issue. Strive for a win-win situation by respecting diverse opinions.
11. Councilmembers will allow room for dialogue. When discussing an agenda item, Council members will allow the opportunity to dialogue with each other to build consensus on an item.
12. Any member of the Council may move to require the Mayor to enforce the rules, and an affirmative vote of a majority of Councilmembers present shall be required to do so.

B. Council Conduct with One Another

1. Council members will value each other's time during Council Meetings- Councilmembers should seek answers to questions answerable by the City Manager prior to the Council Meeting.
2. All Councilmembers have the opportunity to speak and agree to disagree.
3. Council members will avoid negative comments that could offend other Councilmembers during public meetings, in the press, or any other time.
4. Council members will practice civility and decorum in discussions and debate.
5. Council members will honor the role of the Mayor in maintaining order.
6. Councilmembers will provide the City Manager with questions that will be asked publicly or during the Council meeting regarding specific items on the agenda. Councilmembers should provide the questions before the Council meeting so staff can be prepared to give a response.

C. Council Conduct with Staff

1. Councilmembers should always feel free to speak directly with the City Manager on matters of interest or concern to them.

2. Council members shall respect and adhere to the City's form of government, which is a general-law City operating under a Council-Manager form of government, with the City Council acting as the legislative body of the City. Council is the visionary policy maker; the City Manager staff is responsible for implementation of Council majority policies.
3. Council directs the City Manager to implement Council policy decisions through the administrative functions of the City.
4. ~~City~~ Council members shall treat staff professionally.
5. ~~City~~ Council members shall not publicly criticize an individual employee.
6. ~~City~~ Council members shall not get involved in administrative functions.
7. When possible, Council members shall seek answers to questions on an item on the agenda from the City Manager ~~or Department Head~~ prior to the meeting.
8. With the exception to closed session discussions permitted by the Brown Act, Councilmembers will not get involved in personnel issues, ~~except during a closed session where personnel issues may be discussed~~. This includes hiring, firing, promoting, disciplining, and all other forms of personnel matters, which are the responsibility of the City Manager.
9. If a Councilmember is unhappy about a department or an employee, he/she may discuss the situation with the City Manager or Assistant City Manager, not the Department Head.
10. To be consistent with requirements of the California Fair Political Practices Commission (FPPC), individual Councilmembers must not use their influence to effect a decision on a matter or project for which they have a conflict of interest. Individual Councilmembers must not discuss or meet with the City Manager, staff, or Commissioners about projects or issues in which the Councilmember has a conflict of interest.

D. Council Conduct with the Public

1. Council members will make the public feel welcome.
2. Council members shall not be partial, prejudiced or disrespectful toward the public.
3. Council members should not make snappy, sarcastic comments to the public or to each other.
4. Council members shall treat members of the public equally, i.e. refer to citizens by surnames.

5. Councilmembers shall make no promises to the public on behalf of the City Council.
6. Councilmembers shall not debate issues with members of the public.
7. Councilmembers shall listen courteously and attentively to all public comments before the Council.

E. Council Conduct with Other Agencies

1. Councilmembers shall be clear about representing the City or personal interests to members of other agencies.
2. Councilmembers shall project a positive image of the City when dealing with other agencies.
3. Individual Councilmembers can lobby or discuss with other legislators, government officials, or developers issues that have been adopted by the Council or are Council policy; they should not represent themselves as the City if it is only an individual issue.
4. ~~City~~-Councilmembers shall show tolerance and respect for other agencies' opinions and issues, and agree to disagree with them when necessary.

F. Council Conduct with Commissions

1. The Mayor works through the Commission chairs.
2. Council shall treat all members of the Commissions with appreciation and respect.
3. Commissioners or Committee members may address the Council on items discussed by their respective bodies, but this should be limited to the chair or a representative which has been appointed by the Commission or Committee, and should be done only when asked by the majority of the Commission or Committee. This will not take precedence over any individual's first amendment right to address the Council as an individual.

G. Council Conduct with the Media

1. Councilmembers shall never go "off the record" (discuss inside information) when dealing with the media. Providing background information is acceptable.
2. Councilmembers shall select words carefully and cautiously.
3. Councilmembers shall represent the City's official position when speaking on behalf of the City to the media. Individual Councilmembers should indicate if

they are making comments that represents their own opinion and not of the Council majority.

3.4. Councilmembers shall inform the City Manager or the Communications Manager of any interview or comments made to the media about City projects or issues.

H. Obtaining the Floor

1. Any member of the Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Councilmember who seeks the floor when appropriately entitled to do so.
2. With the concurrence of the Mayor, a Councilmember holding the floor may address a question to another Councilmember, and that Councilmember may respond while the floor is still held by the Councilmember asking the question. A Councilmember may opt to not answer a question while another Councilmember has the floor.
3. Once recognized by the Mayor, a Councilmember shall not be interrupted while speaking, unless called to order by the Mayor, or unless another Councilmember raises a point of order or personal privilege. If a Councilmember, while speaking is called to order, they shall cease speaking until the question of order is determined and, if determined to be in order, may proceed.

3.4. When the question is called, no further debate shall occur.

I. Council Subcommittees

1. The role of Council Subcommittees is to develop program and policy recommendations for the full Council's consideration at meetings of the City Council.
2. Council Subcommittees will not make final and binding decisions on behalf of the City, nor will they commit the City's financial resources, or direct staff.

SECTION 5. Role of City Staff

- A. City staff will provide written analysis and information on all agenda items prior to the meetings. Additionally, a copy of the materials, including technical reports, will be available to the public.
- B. The City Manager Staff will be available to answer questions of the individual Councilmembers prior to and during Council meetings.
- C. Staff will respond to questions from the public during City Council meetings when requested to do so by the City Manager.

- D. Staff will not debate issues with the public or the Council.
- E. During City Council meetings, staff shall turn off or switch any electronic equipment such as pagers and cellular telephones to a silent mode.
- F. Councilmembers and staff who participate in meetings with individuals or agencies outside the City ~~outsiders~~—should be apprised of any follow up correspondence to that party, particularly if there is some controversy; City Manager and all Councilmembers should receive a copy of that correspondence. ~~get copied on all correspondence.~~
- G. It is staff's role to make recommendations to the City Council based on professional judgment and analysis of issues. Additionally, the City Manager is expected to implement Council majority direction. ~~Staff will remain objective on issues. Staff should not be an advocate for issues unless so directed by Council. Rather, they should promote or assist the efforts of Council.~~
- H. The City Manager ~~Staff~~ will inform Council as soon as possible of upcoming issues, particularly issues that will impact the City significantly and may be coming before the Council on short notice.
- ~~I. If any one or two Councilmembers feel something is controversial or a "hot" issue, and it may be coming before the Council, the City Manager will inform the Mayor about the issue. It is up to the Mayor to inform the members of the Council who might be interested.~~
- ~~J.~~ The City Manager will advise management to become more aware of, and sensitive to, potentially political or controversial issues coming before the Council.
- ~~JK.~~ City staff will implement all Council majority policies as directed by the City Manager; ~~staff will not implement any actions for the City without prior approval of City Council and City Manager.~~

SECTION 6. Role of the Public

- A. Members of the public attending the Council meetings shall observe the same rules and decorum applicable to the Council and staff.
- B. Members of the public wishing to speak during the public participation portion of the City Council meeting shall prepare a presentation of not more than three (3) minutes. Public participation speaker's slips must be submitted to the City Clerk before this portion of the meeting begins. Members of the public wishing to address an item on the agenda during a City Council meeting should fill out a speaker's slip and submit it to the City Clerk before the Mayor announces the item. Each person addressing the City Council is given three (3) minutes to speak, indicated by a colored light system on the Council dais; a green light appears when the speaker begins; a yellow light appears when 30 seconds remain;

and a red light appears when time has expired. Comments should be complete at this time.

- C. All speakers must approach the podium when recognized by the Mayor. Members of the public shall only speak from the podium.
- ~~D.~~ Applause, stamping of feet, whistles, yells, or shouting, and/or similar demonstrations are is unacceptable public behavior. Applause is allowed during the Awards and Recognition section of the agenda.
- ~~ED.~~ Members of the public shall not make any impertinent and slanderous remarks, or become boisterous while addressing the Council or while attending the Council meeting in a manner that impedes the City Council to conduct an orderly meeting.
- ~~FE.~~ Members of the public shall turn off or switch any electronic equipment, such as pagers and cellular telephones, to a silent mode while attending a City Council meeting.
- ~~GF.~~ Members of the public shall not approach individual ~~City~~ Councilmembers while the meeting is in progress.
- ~~HG.~~ If a member of the public desires to provide written materials (10 copies recommended) to the Council, all such materials shall be given directly to the City Clerk. At no time shall the public provide the materials directly to members of the Council.

SECTION 7. Council Requests

- A. All Council requests dealing with policy issues, and those requests which may be construed as direction, go through the City Manager. Council should not direct employees. If the City Manager determines that a request by an individual Councilmember requires a significant amount of time to produce, the individual Councilmember will be advised to make the request of the entire Council at an agendized meeting. , except for general inquiries or questions, in which case Council may go to the Department Heads or key staff.
- B. Any request from City Council requiring financing must go through the City Manager.
- ~~C.~~ The City Attorney undertakes legal work at the request of a majority of the City Council, the City Manager and Department Heads or their designees. Individual Councilmembers may contact the City Attorney concerning conflicts of interest. Individual Councilmembers may also request legal opinions and advice of the City Attorney, provided that such work does not require more than 1/2 hour to complete. The results of such work will be shared with all Councilmembers. If the work is anticipated to require more than 1/2 hour to complete, the City Attorney will so advise and the Councilmember can make the request of the entire Council at an agendized meeting.

SECTION 8. Presentations and Events

- A. Councilmember presentations during a Council meeting are limited to the item or issue being deliberated. To insure that the appropriate presentation equipment is available, Councilmembers must provide the City Manager City Clerk advance notice of the intent to make a presentation. Individual Council Members must obtain a majority vote of the City Council in order to provide a presentation during a Council Meeting that includes a video, PowerPoint, other visual aids, or public testimony, which pertain to specific items on the agenda and is relevant to the matter under consideration.
- ~~B. When there is an accomplishment by a Councilmember, it is appropriate for them to be at the opening, groundbreaking, ribbon cutting, etc., to accept the recognition and acknowledgment, along with the City staff that worked on the project. All Councilmembers will be informed and invited to of events, activities, groundbreakings, ribbon cuttings, etc., that acknowledge a Citywide accomplishment. and given the opportunity to attend; if it is a major event and if it is a Citywide accomplishment, particularly those that are positive and acknowledge the City's efforts, all Councilmembers will be invited to be present. The Mayor will preside at each event on behalf of the City Council and will work with the City Manager to decide who can speak at each event.~~
- ~~C. When invitations to openings are printed and City accomplishments are announced on the invitation, all Councilmembers will have the opportunity to review the invitations before printing to insure all accomplishments are included.~~
- CD. The Mayor, City Manager, and each Councilmember may present a segment of the City's Annual State of the City Address, taking 4-5 minutes each; ~~the presentations will be in, their own style Power Point, lecture, etc.~~ The Mayor will work with the City Manager to determine the format of the presentation and issues or projects that will be discussed.
- DE. During public presentations, the Mayor, and, if the Mayor deems appropriate, a Councilmember who was highly involved in the project, will represent the City; ~~however, all Councilmembers will be consulted prior to the presentation.~~

SECTION 9. Council Agenda

- A. The City Manager is responsible for setting the agenda for Council Meetings. Additionally, any Any Councilmember or the Mayor can put items on the agenda, with a verbal majority consensus of the Council.
- A-B. Consistent with requirements of the Brown Act, the Mayor or majority of the Council may call a special meeting.
- CB. Either the City Manager, staff or Councilmembers can present agenda topics.

DC. The City Manager will try to research ahead of time any controversial agenda item, what the issues might be, and try to avoid any "surprise" conflicts. In a democratic process it should be recognized that sometimes this is unavoidable.

~~D. Staff will flag agenda priorities in the council packets for the Council,~~

E. Councilmembers will be given sufficient lead and preparation time for reviewing agendas. In the event that an individual Councilmember feels that they have not been given sufficient time to review the agenda and materials, the Councilmember can ask the Council to continue the item. An item can be continued with a majority vote.

SECTION 10. Public Correspondence

- A. City letterhead with all Councilmember names will be used for responses to policy issues.
- B. City letterhead with City seal only, will be utilized by individual Councilmembers for responses to constituent letters, so long as it is not a policy issue, or as long as the Councilmember indicates it is his/her opinion, not the policy of the Council.
- C. Councilmembers should respond to an e-mail inquiry if they are comfortable with the Council's policy and stand on the issue; if not, refer it to the City Manager.
- D. Councilmembers will forward email correspondence, and phone calls and their responses, to the Council secretary who will monitor responses and track the request, suggestion, issue, etc.

SECTION 11. Closed Session Confidentiality

- A. All proper matters discussed during closed sessions shall be private and confidential, and the disclosure by any person of the topics or details of such matters is expressly prohibited.
- B. Notes in closed session shall not be taken; however, if a Councilmember feels it is necessary, then only cursory notes should be permitted. All closed session information, verbal or written, is confidential and private. Councilmembers will return written documents to staff at the end of each closed session.

SECTION 12. Compliance and Enforcement

- A. Councilmembers have the primary responsibility to assure that ethical standards are understood and met by the Council, and that the public can continue to have full confidence in the integrity of government.
- B. The Mayor and the Council have the responsibility to intervene when actions of members are in violation of the standard norms and procedures.

SECTION 13. Administration

A. The Council will review and revise the City Council norms and procedures as needed.

B. During City Council discussions, deliberations, and proceedings, the Mayor has been designated with the primary responsibility to insure that ~~the City Council~~members, staff and members of the public adhere to the Council's norms and procedures.

SECTION 14. Resolution No. ~~11-68 03-22~~ is hereby rescinded.

SECTION 15. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this ~~12th day of July, 2011~~.

MAYOR

ATTEST:

CITY CLERK

DATE: _____

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SANTA CLARITA)

I, _____, CMC, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing resolution was duly adopted by the City Council of the City of Santa Clarita at a regular meeting thereof, held on the ~~12th day of July, 2011~~ by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS: ~~None~~

CITY CLERK