

CITY OF COALINGA-COUNCIL RULES OF PROCEDURE

Decorum of City Council Members

1. Council Members shall:
 - a. put constituents first at all times;
 - b. treat each other, Staff, and the Public with dignity, courtesy, and respect;
 - c. value all opinions, be tolerant of new and different ideas, and encourage creativity and innovation;
 - d. follow through on commitments and be accountable to each other;
 - e. clarify when items are discussed in confidence and maintain appropriate confidentiality;
 - f. be attentive to others, limiting interruptions and distractions;
 - g. encourage dissent in debate while being mindful not to prolong discourse or block consensus;
 - h. be candid with each other about ideas and feelings, and resolve conflicts directly;
 - i. keep comments clear, concise, and on-topic to maximize opportunities for all to express themselves;
 - j. continuously strive to improve how members work as a team;
 - k. place clear and realistic demands on staff resources and time when requesting action;
 - l. start and end meetings on time, work from an agenda, and be present, attentive, and prepared;
 - m. present problems in a way that promotes discussion and resolution;
 - n. continually work to build trust in each other;
 - o. treat each other and everyone with courtesy and refrain from inappropriate behavior and derogatory comments at all times, including but not limited to Council Meetings, social media, and public events;
 - p. be fair, impartial, and unbiased when voting on quasi-judicial actions;
 - q. move to require the Mayor to enforce these Rules, and the Mayor shall do so upon an affirmative vote of a majority of the Council Members present;
 - r. preserve order and decorum during the meeting;
 - s. not delay or interrupt the proceedings or the peace of the council, nor disturb any council member while speaking, by conversation or otherwise;
 - t. prohibit disclosure of confidential communications and authorize public censure for failure to comply;

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- u. support the Rules established by the Council; and
- v. abide by these Rules in conducting the business of the City of Coalinga.
- w. value each other's time;
- x. attempt to build consensus on an item through an opportunity for dialogue; but when this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority;
- y. have the right to dissent from, protest, or comment upon any action of the Council;
- z. respect each other's opportunity to speak and, if necessary, agree to disagree;
- aa. avoid offensive negative comments and shall practice civility and decorum during discussions and debate; and
- bb. assist the Mayor's exercise of the affirmative duty to maintain order.
- cc. speak to the City Manager directly on issues and concerns but not give individual direction;
- dd. treat staff professionally and refrain from publicly criticizing individual employees;
- ee. avoid involvement in personnel issues except during Council closed sessions regarding council-appointed staff such as the City Manager and City Attorney, including hiring, firing, promoting, disciplining, and other personnel matters;
- ff. discuss directly with the City Manager and/or City Attorney any displeasure with a department or Staff; ~~and~~
- gg. request answers to questions on agenda items from the City Manager, City Attorney, City Clerk, City Treasurer, Department Directors, or Division Managers prior to the meeting whenever possible;
- hh. not utilize cellular telephones off during Council meetings and turn them off. (HORN)
- ii. be deemed to have forfeited his or her title to office upon failing to attend four (4) consecutive regular City Council meetings without excuse;
- jj. may present via audio, visual, presentation or other means of communications any agenda item requested to be placed on the agenda by that Councilmember; and (VOSBURG)
- kk. disclose conflicts of interest:
 - (i) The Political Reform Act prohibits any public official from making, participating in making, or in any way attempting to use his/her official position to influence a governmental decision in which the public official knows or has

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reason to know he/she has a financial interest.

(ii) A public official who holds an office specified in Government Code Section 87200, and who has a disqualifying financial interest in a decision, shall identify the conflict of interest or potential conflict of interest, and immediately, prior to the consideration of the matter, do all of the following:

- publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required;
- recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code Section 87100;
- Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters;
- And, the public official may speak on the issue during the time the general public speaks on the issue, but not from the dais.

(iii) Public officials who have a disqualifying conflict of interest shall also comply with the administrative regulations of the Fair Political Practices Commission, as may be amended or adopted, from time to time, for implementing this rule. (VOSBURG)

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Decorum of City Staff

1. City Staff shall:

- a. prepare well-written staff reports and provide accompanying documents on all agenda items in accordance with the agenda format and preparation schedule;
- b. be available for questions from Council Members in accordance with the Brown Act prior to and during meetings;
- c. respond to questions from the public during meetings only when requested to do so by Council Members or the City Manager;
- d. refrain from arguing with the Public or Council Members; ~~and~~
- e. switch any electronic equipment such as pagers and cellular telephones to silent, airplane mode or off during Council meetings; ~~;~~
- ~~f. remain objective on issues and should not be advocates for issues unless so directed by the City Manager; and;~~
- g. disclose conflicts of interest;

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(i) The Political Reform Act prohibits any public official from making, participating in making, or in any way attempting to use his/her official position to influence a governmental decision in which the public official knows or has reason to know he/she has a financial interest.

(ii) A public official who holds an office specified in Government Code Section 87200, and who has a disqualifying financial interest in a decision, shall identify the conflict of interest or potential conflict of interest, and immediately, prior to the consideration of the matter, do all of the following:

- publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required;
- recuse himself/herself from discussing the matter, or otherwise acting in violation of Government Code Section 87100;
- Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters;
- And, the staff member may speak on the issue during the time the general public speaks on the issue, but not from the dais.

(iii) Staff members who have a disqualifying conflict of interest shall also comply with the administrative regulations of the Fair Political Practices Commission, as may be amended or adopted, from time to time, for implementing this rule. (VOSBURG)

f.h.

Decorum of the Public

1. Members of the public attending Council meetings shall observe the same rules and decorum applicable to the Council Members and staff as noted above.
2. Members of the public attending Council meetings shall not bring food items into the Council Chambers. Water is okay so long as the container it is in has a closed top.
3. No person shall engage in conduct that is intended to or is likely to provoke violent or riotous behavior, nor shall any person engage in conduct that disturbs the orderly conduct of the Council meeting. Examples of disorderly conduct include, but are not limited to, feet-stamping, whistling, yelling or shouting, organized silent demonstrations, physically threatening conduct, name calling, cursing, and similar demonstrations.
4. The Mayor shall request that a person who is breaching the rules of decorum cease

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the conduct. If the person does not cease the conduct immediately, the Mayor may declare that person to be in disorder as a result of their conduct and order the person to leave the Council meeting. The Coalinga Police Department shall assist the Mayor in enforcing the rules of decorum, including removing disorderly persons upon order of the Mayor.

5. Lobbyists shall identify themselves and the client(s), business, or organization they represent before speaking to the Council.

- 5.6. Any person who willfully engages in conduct which is designed to or is likely to provoke others to engage in violent or riotous behavior, disturbs the peace of the meeting by loud and unreasonable noise, engages in other disruptive conduct which substantially interferes with the orderly conduct of business before the Council, and who fails, upon request of the Mayor, or representative acting in the capacity of the Mayor, to cease such activity, shall be barred from further attendance at such meeting unless permission to remain and/or address the Council is granted by a majority vote of the Council. A person violating this subsection may be charged with a misdemeanor. (VOSBURG)

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Addressing the Council

1. Purpose of Citizen Comments. During City Council meetings, the City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding ~~unagendized~~ matters within the ~~subject-matter~~ jurisdiction of the City.
 - a. Citizen comments should not be addressed to individual Council Members nor to City Officials, but rather to the Council as a whole regarding city business.
 - b. While members of the public may speak their opinions on City business, personal attacks on Council Members and City Officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
 - c. Consistent with the Brown Act, the public comment periods on the agenda are not intended to be "Question and Answer" periods or conversations with the Council and City Officials. ~~The limited circumstances under which members may respond to public comments as set out in Rule 8.D.2.~~
 - d. Members of the public with questions concerning Consent Calendar items may contact the Staff person who provided the report prior to the meeting. ~~g-to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.~~
 - e. ~~During Discussion items, the Mayor may stop a member of the public whose comments are not confined to the agendized item being heard.~~
2. Speaker time limits. In the interest of facilitating the Council's conduct of City business, the following time limits apply to members of the public (speakers) who

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wish to address the council during the meeting.

a. Matters ~~within the jurisdiction of the City, not on the agenda.~~ Three minutes per speaker.

~~b. Consent Calendar items. The Consent Calendar is considered a single item, and speakers are therefore subject to the three minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council Member's request and will be considered individually, with up to three minutes of public comment per speaker.~~

~~c. b. Discussion Calendar items. Three minutes per speaker.~~

~~d. c.~~ Time limits per meeting.

- (i) Each speaker shall limit his/her remarks to the specified time allotment.
- (ii) The ~~City Clerk~~Mayer shall consistently utilize the timing system.
- (iii) In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group, but with no increase in time.
- (iv) Speakers shall not concede any part of their allotted time to another speaker.
- (v) The Mayor, with consensus of Council, may further limit, or expand, the time allotted for public comments per speaker or in total for the orderly conduct of the meeting; such limits shall be fairly applied.

Electronic Devices

1. Members of the public shall turn their electronic devices that are capable of emitting sound – including cellular telephones, personal data devices, pagers, digital tablets, laptop computers, etc. – to the off or silent mode during Council meetings.
2. Cameras. Cameras and recording equipment may be used during Council meetings only if:
 - a. the devices are silent during use; and
 - b. the devices are used in a manner and at locations that do not impede walkways or others views of the meeting or disrupt the conduct of the meeting.

Location of Speaker

1. Members of the public shall not approach the dais without the express consent of the Mayor.
2. Members of the public wishing to address the Council must approach the podium

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when recognized by the Mayor and speak only from the podium.

3. Members of the public should, but are not required, to state their name and address before beginning comments.

MEETING TYPES AND SCHEDULES

Regular Meetings

1. The Council shall meet the first and third Thursday of each month generally beginning at 6:00 p.m. in the City Hall Council Chambers, 155 W. Durian Ave, Coalinga, California, except as otherwise provided in the annually adopted meeting schedule or as otherwise revised by the Council.
2. Whenever possible, Special Workshops shall take place in the Council Chambers.
- 2.3. All City Council meetings, regular or special, other than emergency meetings, including workshops, shall not be scheduled before 5:00 p.m. (VOSBURG).

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Adjourned Meetings

As permitted by law, the Council may adjourn any Regular, adjourned Regular, Special, or adjourned Special meeting to a time and place specified in the motion of adjournment.

Any Regular, Adjourned Regular, Special, or Adjourned Special Meeting of the Council may be adjourned to a time and place specified in the order of the adjournment. Less than a quorum may so adjourn from time to time. If all the members of the Council are absent from a Regular or Adjourned Regular Meeting, the City Clerk or Deputy City Clerk may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be delivered personally or by mail to each member of the Council, the City Attorney, and to each local newspaper of general circulation and radio or television station requesting notice in writing. Such notice shall be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as set forth in the notice. A copy of the order or notice of an adjournment shall be conspicuously posted on or near the door of the place where the Regular, Adjourned Regular, Special, Adjourned Special Meeting was held within twenty-four (24) hours after the time of the adjournment. When a Regular or Adjourned Regular Meeting is adjourned as provided in this section, the resulting Adjourned Regular Meeting shall be a Regular Meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the Adjourned Meeting is held, it shall be held at the hour specified for Regular Meetings by ordinance, resolution, law, or other rules.

Special Meetings

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A Special Meeting of the City Council may be called at any time by the Mayor, Mayor Pro-Tem, or by a majority of the members of the Council by delivering personally or by mail a written notice to each member of the Council, the City Attorney, and to each local newspaper of general circulation and radio or television station requesting notice in writing. Such notice shall be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as set forth in the notice. The call and notice shall set forth the time and place of the Special Meeting and the business to be transacted. No other business shall be considered at such meeting. Such written notice may be dispensed with as to any member who, at or prior to the time the meeting convenes, files with the City Clerk or Deputy City Clerk, a written waiver of the notice. Such waiver may be given by telephone or by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting as the time it convenes.

Emergency Meetings

1. In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the legislative body may hold an Emergency Meeting without complying with either the 72-hour or 24-hour notice and posting requirements for Regular and Special Meetings, but shall otherwise comply with the Brown Act procedures generally stated below.
2. Each local newspaper of general circulation and radio or television station that has requested notice of Special Meetings pursuant to the Brown Act, shall be notified by the Mayor of the legislative body, or designee thereof, at least one hour prior to the Emergency Meeting, or in the case of a dire emergency, at or near the time that the Mayor or designee notifies the Council of the Emergency Meeting.
3. This notice shall be given by telephone call to the numbers provided in the most recent request for notification.
4. In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the Emergency Meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.
5. During an Emergency Meeting, the legislative body may meet in closed session pursuant to the Brown Act if agreed to by a two-thirds vote of the members present, being not less than four votes of the Council.
6. All Special Meeting requirements in the Brown Act shall be applicable to an Emergency Meeting, with the exception of the 24-hour notice and posting requirement.

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7. The minutes of an Emergency Meeting; a list of persons who the Mayor or designee of the Council, notified or attempted to notify; a copy of the roll call vote; and any actions taken at the meeting, shall be posted for a minimum of ten days in a public place as soon after the meeting as possible.

Closed Sessions

1. Closed Sessions generally shall be conducted on the first and third Thursday of every month or during Special Meetings held immediately prior to Regular Meetings.
2. In accordance with the Brown Act, the public may speak regarding any Closed Session item prior to the Closed Session during the Citizen Comments portion of the agenda.
3. All Closed Session information, verbal or written, is privileged and confidential and shall not be shared with any person not at the Closed Session. Any Council Member sharing information in violation of this rule may be subject to censure by the Council consistent with the Council's confidentiality policy then in effect.
4. The City Attorney shall report out in open session any reportable actions that were taken by Council and the vote on such actions in accordance with the Brown Act.

Public Hearings

1. The city clerk shall set Public Hearing dates on all matters that require a notice and Public Hearing before the Council, such as matters received from the planning division and appeals to the Council.
2. Public Hearings will not be withdrawn or continued without the full knowledge and concurrence of the Council Members within whose districts/jurisdiction the issue resides.
3. The Council may refuse to grant a continuance of any Public Hearing unless there is a valid legal reason why the Public Hearing must be continued.
4. Continuances.
 - a. Any person (applicant, appellant, or designated representative) scheduled for a Public Hearing before the Council:
 - (i) may obtain one continuance for a period not to exceed the second Regular Meeting after the original scheduled Public Hearing date, as a matter of right, without personally appearing before the Council on the scheduled hearing date, provided a written request for the continuance must be delivered to the City Clerk by noon on the day prior to the scheduled Public Hearing. Any person, who has once obtained a continuance by any procedure, may not obtain a subsequent continuance by notifying the City Clerk as provided in this

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Rule 6.F.a(i).

- (ii) who wants to obtain a continuance of the Public Hearing beyond the second Regular Meeting after the original scheduled Public Hearing date, or has not notified the City Clerk as provided in Rule 6.F.4.a(i), may obtain a continuance only by appearing before the Council at the time the original Public Hearing is scheduled and requesting a continuance. This continuance is not a matter of right and will not be granted unless the Council is satisfied that good cause exists for the continuance and that a substantial number of people will not be inconvenienced by such continuance.
 - (iii) who has once obtained a continuance of a Public Hearing either by notice to the City Clerk per Rule 6.F.4.a(i) or by personal appearance per Rule 6.F.4.a(ii), may obtain a further continuance only by appearing before the Council at the scheduled Public Hearing and satisfying the Council that extraordinary circumstances exist that would justify this second continuance.
 - (iv) who has twice obtained a continuance of a Public Hearing, may obtain an additional continuance only by appearing before the Council at the scheduled hearing and satisfying the Council that a miscarriage of justice would result from the refusal of the Council to grant a continuance.
- b. City Staff may request and upon Council's approval obtain a continuance based on the need of the originating department or on behalf of a Council Member. Department staff may request, via the City Clerk, as many continuances as needed to complete and ready the project or appeal for the Public Hearing process; however, Staff may not serve as a requestor on behalf of an applicant or appellant.
 - c. Any organized group of residents or neighborhood associations, not recognized as an applicant or appellant, may contact their Council Member and request a continuance as needed to complete and ready the project or appeal for the hearing process. The Council Member, in his or her sole discretion, may request the Council approve the continuance for good cause.
 - d. At the meeting when the Public Hearing is scheduled, but before the hearing starts, any Council Member may request the Council approve a continuance.
 - e. Disputes regarding the length of a continuance will be decided by the Council at the scheduled hearing if City Staff or the City Clerk cannot obtain mutual agreement between the parties beforehand.

MEETING AGENDAS

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Requirements for Agenda Item Submission

1. The City Manager and City Clerk shall develop the agenda for Council meetings in consultation with the Mayor and Mayor Pro-Tem.
2. Council Members may submit items for inclusion on a future agenda by submitting the request via email within ten (10) days of the next finalized agenda via email or written notice.
3. Council Members may submit staff reports or descriptions of oral reports to the City Clerk and or the City Manager for placement on the agenda.
4. Department directors, subject to the discretion of the City Manager, may submit staff reports or descriptions of oral reports to the City Clerk for placement on the agenda.
5. Outside agencies may submit agenda items in accordance with the following:
 - a. Items from outside agencies must be sponsored for agenda placement by Council Members or department Staff; and
 - b. All agenda items must be submitted in accordance with the agenda packet submission and preparation requirements.

b-6. All Items placed on a City Council agenda, including all exhibits and attachments, shall be reviewed and approved by the City Attorney prior to finalizing the agenda. (VOSBURG)

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Declaration of Policy

1. No ordinance, resolution, motion, or item of business shall be introduced or acted upon at a meeting of a legislative body of the City without it appearing on a duly noticed and posted agenda in accordance with the Brown Act. Exceptions to this rule are limited to those provided by state law.
2. No ordinance, resolution, motion, or item of business will be considered that:
 - a. does not affect the conduct of the business of the City of Coalinga or its powers or duties as a municipal corporation, or
 - b. supports or disapproves of any legislation or action
 - (i) of the State of California;
 - (ii) of the Congress of the United States; or
 - (iii) before any officer or agency of the state or nation,unless the proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers or duties of the City of Coalinga or its officers or employees.

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- c. Rule 7.B.2 may be invoked only before Public Comment or council deliberation on the matter and by three affirmative votes on the question: "Shall the Council consider this matter?"

Procedures for Submission of Reports

1. A written staff report should be prepared and submitted for agenda review in accordance with the agenda review procedure.
2. Staff reports shall include a section reflecting review by the City Attorney as appropriate.
3. "Continued" items do not require a new staff report if there are no changes other than the agenda date. If there is any other change, a new staff report meeting all applicable requirements must be submitted.
4. Staff reports shall contain the name of the staff member or department head putting the item on the agenda.
5. Staff reports shall include any fiscal information as it relates to the city budget or spending or saving money.

Written Communications from the City and the Public

1. The City Clerk, City Manager, and or City Attorney shall manage communications to Council Members regarding meeting topics to ensure compliance with the Brown Act.
 - a. Except for records exempt from disclosure under the California Public Records Act and otherwise by law, agendas or any other writings distributed to all or a majority of the Council Members for discussion or consideration at a Public Meeting are disclosable to the public, and shall be made available upon request without delay.
 - b. Materials distributed to the Council Members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Council Member, or at the conclusion of the meeting if prepared by another person.
2. Interested parties or their authorized representatives may address the Council by written communications regarding anything within the jurisdiction of the City. Citizen Comments submitted in writing to the City Clerk by 5:00pm on the day of the City Council meeting shall be distributed to the City Council and included in the record, however they will not be read agenda items.
 - a. Written communications received by the City Clerk prior to posting of the agenda will be included in the agenda packet material. Written communications received by the City Clerk after that deadline will be delivered to the Council Members at the Council Meeting if related to an item on the meeting agenda.

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- b. Documents (10 copies recommended) that members of the public submit to the City Council at the meeting shall be given directly to the City Clerk for distribution and shall not be given directly to the Council. The documents will be made available to the public.

Preparation of the Agenda Packet

1. No later than 6:00 p.m. on the Monday prior to each regularly scheduled meeting, the City Clerk shall finalize the agenda packet.
2. Agenda Packet Contents.
 - a. The agenda packet shall include the agenda, the staff reports, draft resolutions and ordinances, contract, and other attachments. Items noted as "To Be Delivered" on the agenda will be delivered prior to the start of the Council Meeting and published to the City's website no later than the following day. No item shall be required to be considered by the Council if the applicable written material is not delivered to the Council before the agenda item is discussed and made available to the public at the same time.
 - b. Corrections or supplements to a staff report or other written materials already included in the agenda packet may be delivered separately.
 - c. All agreements on the agenda shall be available for review by the Council and the Public prior to the meeting, or at the meeting location during the meeting, unless determined otherwise by the City Attorney.

Distribution of the Packet

1. The City Clerk shall distribute the agenda packet to the Council Members and persons requesting copies of the agenda packet no later than Monday at 6:00 p.m. prior to the regularly scheduled meeting.
2. Paper or electronic copies of the agenda packet shall be available for the news media and other such organizations, agencies, institutions, or persons who so subscribe.

Posting of Agenda

1. The City Clerk shall post the agenda of each Regular or adjourned Regular Meetings of the legislative body at least 72 hours in advance of the meeting in a location that is freely accessible to members of the public as required by the Brown Act.
2. The City Clerk shall maintain an affidavit indicating the location, date, and time of posting each agenda.
3. Agendas will generally be published to the City's website by the end of business on the Monday before Regular Meetings.

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4. Staff reports including attachments, exhibits, and agreements will generally be published to the City's website by end of business on the Monday before Regular Meetings.
5. If technical difficulties occur, the agenda and reports will be published on the City's website as soon as those difficulties are resolved.

Failure to Meet Agenda Deadlines

1. The City Clerk shall not, without the consent of the City Manager or City Attorney, accept any agenda item or revised agenda item after the deadlines established and noted in these Rules.

Exceptions to the Agenda Requirement

1. Matters not included on the published agenda may be discussed and acted upon by the legislative body only in the following situations:
 - a. at a meeting during which a majority of the Council Members determine in open session that the matter in question constitutes an "emergency"; or
 - b. Upon a determination by two-thirds of the Council Members, or if less than two-thirds are present by unanimous vote of the Council Members present, that:
 - (i) there is a need to take immediate action; and
 - (ii) the need for action came to the attention of the City after the agenda had been posted; or
 - c. the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

Types of Agenda Items

1. Closed Sessions – confidential discussions with the legislative body as permitted by the Brown Act.
2. Ceremonial Matters – the presentation and receipt of ceremonial resolutions and celebrations not requiring formal legislative body action.
3. Administrative Matters – consent items making clerical corrections to previous legislative documents and to ensure accurate legislative history.
4. Consent Calendar – considered one item, consisting of informational items, matters routine in nature or only requiring a yes or no response without formal discussion and not likely to be subject to debate or inquiry by the Council Members or the public; typically adopted in one motion.
5. Public Hearings – duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action

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by the Council.

6. New Business – non-routine items requiring an oral presentation and discussion before action is taken.
7. Information Items – items when staff is required by federal or state law or city code to inform Council of an issue when authority has been delegated to a person, position, board, or commission.
8. Public Comment – oral communications from the public regarding matters ~~not on the agenda but~~ within the subject matter jurisdiction of the City.
9. City Council Reports and Requests:
 - a. Brief oral or written reports summarizing meeting or conference attendance at City expense, as required by AB 12349;
 - b. Requests that City Manager or Staff report on various issues;
 - c. Requests to place items on a future council meeting agenda must be approved (consensus by Council must be received);
 - d. Reports on district and citywide activities or news.

Ordinances and Non-Binding Resolutions

1. Ordinances on the agenda may be passed for publication or adopted in accordance with established procedures.
2. Ordinance changes during the review and adoption process.
 - a. The text of an ordinance receiving the necessary votes to bring the matter to Council shall be the text that is included in the published agenda as pass-for-publication.
 - b. The text of an ordinance passed for publication shall be the text that is included in the published agenda for the meeting at which the adoption of the ordinance is discussed.
 - c. Notwithstanding subsections a, b, and c, typographical and clerical errors may be corrected at any time during the ordinance review and adoption process.
 - d. If a Staff Member intends to make a substantive (i.e., anything not typographical or clerical) change to an ordinance after it is included in a published agenda, at or before the time the ordinance adoption item is called on the agenda the Staff Member shall distribute sufficient written copies of the proposed change so that all other members, the Council Members, relevant City staff, and the public audience have copies.
 - e. Consideration of a proposed substantive change from the ordinance text that was included in the published agenda shall be continued until the next regular council meeting unless another meeting date is approved by Council.

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- f. If the Council's motion to adopt an ordinance includes a change to the ordinance text from that published in the agenda, prior to the vote the City Attorney or City Clerk shall repeat verbatim the proposed change or otherwise indicate the change is reflected in the circulated written copy of the change.

CONDUCT OF MEETING

Call to Order – Mayor

1. The Mayor, or in the Mayor's absence the Mayor Pro-Tem, shall take the chair at the hour appointed for the meeting and shall immediately call the meeting of the Council to order.
2. In the absence of the Mayor and Mayor Pro-Tem, the City Clerk shall call the meeting to order and a Mayor *Pro-Tempore* shall be appointed from the members present.
3. Upon the arrival of the Mayor, the Mayor Pro-Tem or Mayor Pro-Tempore shall immediately relinquish the chair at the conclusion of the business then before the Council.
- 3.4. Call to Order includes Pledge of Allegiance, Changes to the Agenda, and Council's Approval of Agenda. (VOSBURG)

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Roll Call / Attendance

1. A majority of the members of the Council then in office and present within the City limits of Coalinga shall constitute a quorum.
2. Before the Council proceeds with the business before it, the City Clerk shall call the roll and note the Council Members present for the minutes. The late arrival of Council Members shall be entered into the minutes.
3. A Council Member shall be considered present at a meeting if the member either is physically in the Council Chambers or is participating in the meeting through teleconference in accordance with the Brown Act. Meeting attendance of Council Members through teleconference will be permitted on a case-by-case basis, determined by the majority of Council.
4. Council Members attending a council meeting through a teleconference are counted when determining a quorum unless they are not within the City limits of Coalinga. (Question – Does Council want this to remain?)
5. Council Members must be physically present at the Council Chamber dais or teleconference location to vote. Proxy or absentee voting is not permitted.

Order of Discussion

CITY OF COALINGA-COUNCIL RULES OF PROCEDURE

The order of business is typically carried out as listed on the agenda or as set out below; however, the Mayor, Mayor Pro-Tem and or City Manager may request the items, unless Council Members object.

Council Members may request items be reordered by motion.

1. Awards, Presentations, Appointments and Proclamations.

a. Ceremonial presentations, proclamations, or recognition shall be presented by Department Heads, City Manager, or the requesting Councilmember. (VOSBURG)

1.2. CitizenPublic Comments will be held at the beginning ~~and at the end~~ of the meeting.

2. Consent Calendar items removed for discussion.

- a. Council Members or the City Manager may request that an item be removed from the Consent Calendar for separate consideration.
- b. Members of the Public wishing to have an item removed from the Consent Calendar for separate consideration may make a request to a Council Member or the City Manager prior to the beginning of council meeting.
- c. All matters remaining on the Consent Calendar shall be approved by a single action, such single action to have the legal effect of individual action on each matter.
- d. If Consent Calendar items are removed, they shall be discussed immediately and voted on individually after adoption of the balance of the Consent Calendar.

3. Public Hearings.

a. The order of Public Hearings will generally be as follows:

a. Open Public Hearing (VOSBURG)

(i)

(i) Staff comments, information, and reports, followed by Council Member questions.

(ii) proponent, if applicable, speaks, followed by Council Member questions.

(iii) opponent, if applicable, speaks, followed by Council Member questions.

(iv) if the Public Hearing is on an appeal that does not require Council *de novo* review, then the appellant (opponent) speaks before the applicant (proponent) in accordance with the allotted time.

(v) Public Comments.

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CITY OF COALINGA-COUNCIL RULES OF PROCEDURE

~~(vi)~~ if the Public Hearing is a *de novo* review appeal, the applicant speaks in rebuttal, but if not a *de novo* review appeal, the appellant speaks in rebuttal.

~~(vii)~~ closure of Public Comment.

~~(viii)~~ further Council Member discussion.

~~(ix)~~ motion to close Public Hearing and take action. See Rule 6.F regarding continuances.

b. The Mayor may direct speakers to avoid repetition in order to permit maximum information to be provided the Council within the time allotted to the hearing.

4. ~~Consent Calendar~~New-Business.

a. Consent Calendar items removed for discussion.

(i) Council Members or the City Manager may request that an item be removed from the Consent Calendar for separate consideration.

(ii) Members of the Public wishing to have an item removed from the Consent Calendar for separate consideration may make a request to a Council Member or the City Manager prior to the beginning of council meeting.

b. All matters remaining on the Consent Calendar shall be approved by a single action, such single action to have the legal effect of individual action on each matter.

c. If Consent Calendar items are removed, they shall be discussed immediately and voted on individually after adoption of the balance of the Consent Calendar.

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4. 5. Ordinance, Presentation, Discussion and Potential Action

a. The order of discussion after introduction of an item by the Mayor will generally be as follows:

(i) Staff comments, information, and reports, followed by questions from the Council Members.

(ii) ~~Public Comments and information, followed by questions from the Council Members.~~

(iii) Council Member discussion, motion, and action.

b. Once the item is placed before the Council for discussion, motion, or action, no member of Staff or the Public shall be allowed to address the Council without the consent of the Mayor or Council Members.

6. Announcements

a. City Manager's Announcements

CITY OF COALINGA-COUNCIL RULES OF PROCEDURE

b. Councilmember's Announcements/Reports

c. Mayor's Announcements

7. Future Agenda Items

8. Closed Session

a. Closed or executive session may be held as required for items as follows: personnel matters, labor negotiations, security matters, providing instructions to real property negotiators, legal counsel regarding pending litigation, and protection of records exempt from public disclosure.

9. Closed Session Report

b. 10. Adjournment

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Oral Communications from the Audience

1. As required by the Brown Act, a portion of each Council Meeting agenda will provide an opportunity for members of the Public to address the Council on any item within the jurisdiction of the City~~agendized item~~, including Closed Session, and Consent Calendar and Discussion items. ~~Regular Meeting agendas also will provide for Public Comment on any unagendized matter that is within the subject matter jurisdiction of the City.~~
2. In response to ~~Public Comment~~Citizen Comments on non-agendized items, the Council Members may individually:
 - ~~a. briefly respond to statements made or questions posed by members of the Public;~~
 - b.a. ask questions for clarification;
 - ~~c.b. provide a reference to Staff or other resources for factual information or response;~~
 - d.c. request that Staff follow up with the Community Member; and Staff, with consensus of Council, to report to the Council at a subsequent meeting; and
 - e.d. request Staff, with consensus of Council, to place a matter of business on a future agenda as needed.

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Quorum Call

1. During the course of the meeting, should the presiding officer note a quorum is lacking, the ~~M~~Mayor shall call this fact to the attention of the City Clerk.
2. The Mayor then shall issue a quorum call. If a quorum has not been restored within two minutes of a quorum call, the Mayor may declare a recess for a reasonable period of time in order to reestablish a quorum.

CITY OF COALINGA-COUNCIL RULES OF PROCEDURE

3. If no quorum is reestablished within a reasonable time, the Mayor shall adjourn the meeting.

Obtaining the Floor

1. Any Council Member wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor shall recognize any Council Member who seeks the floor when appropriately entitled to do so.
2. With the concurrence of the Mayor, a Council Member holding the floor may address a question to another Council Member and that Council Member may respond while the floor is still held by the member asking the question. A Council Member may opt not to answer a question while another member has the floor.

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Motions to Reconsider an Item

1. A motion to reconsider any action taken by Council may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by a member, and may be made at any time and have precedence construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council so long as the ability to make such motion meets the requirements of applicable law. (VOSBURG)

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Tabled Items

1.If an item is tabled to a future City Council meeting date, prior to placing the tabled item on the agenda, the City Clerk and/or City Manager ill confirm with the originator of the item that the item should be placed back on the agenda. (VOSBURG).

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Motions

1. *Robert's Rules of Order, a manual of parliamentary procedure* shall be used for the management of motions.

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Swearing in of New City Council Members

1.Newly elected City Council Members shall be sworn in during a special City Council meeting beginning at 5:00pm on the first Thursday of January following an election, when possible. (VOSBURG)

CITY OF COALINGA-COUNCIL RULES OF PROCEDURE

Selecting a Mayor and Mayor Pro Tem

1. The Mayor and Mayor Pro Tem positions are selected by a majority of the Council at any new Council term, or at any time a reorganization is called for and approved by a majority of the Council. Members eligible for those positions must have served on the Council at least one year in any term on the Council. Members without one year of Council experience are ineligible. (VOSBURG)

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Council Salary

1. Councilmembers are paid a salary in accordance with Sec. 2-103. Payment of the City of Coalinga Municipal Code. (VOSBURG)

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Review

1. The Council Rules of Procedure will be reviewed annually by the Coalinga City Council on or about each February. (HORN & VOSBURG)

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Additional Items Requested by VOSBURG:

1. Add a section on all things Censure: What is a censure? What are censurable offenses? Which censurable offenses have consequences? What are the consequences? How is it decided that a censure and a consequence are applied in a fair and equal manner?
2. Would like to change Citizen Comment section to state it is reserved for items not on the agenda.
3. Would like to change Ordinance Presentation, Discussion and Potential Action Items section to allow citizen comments.
4. Would like to change Consent Calendar section to allow citizen comments on pulled items.

1-

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To be discussed