

City Council Meeting: May 14, 2024

Santa Monica, California

RESOLUTION NO. 11585 (CCS)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING THE RULES OF ORDER AND PROCEDURE FOR THE CONDUCT OF CITY COUNCIL MEETINGS AND REPEALING RESOLUTION NUMBER 11547 (CCS)

WHEREAS, the Council desires to clarify and amend some procedural Rules for the preparation for and conduct of Council meetings.

THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council Rules of Order and Procedure are hereby amended to read as follows:

RULES FOR CITY COUNCIL MEETINGS

RULE 1. RULES OF ORDER.

These Rules of Order shall govern the conduct of all City Council meetings, unless superseded or prohibited by federal, state, or local law. To the extent a matter is not covered by these Rules, the procedures of the City Council shall be governed by the latest revised edition of Robert's Rules of Order. Robert's Rules shall be subordinate to all applicable laws and these rules to the extent they are inconsistent. These rules also apply to the Council sitting as or in combination with another body, such as the Housing Authority Board, Successor Agency, or Financing Authority, and to all boards and commissions.

The City Council rules, or any one thereof, may be suspended by a vote of two-thirds of the Councilmembers present.

RULE 2. TIME AND PLACE FOR HOLDING REGULAR MEETINGS.

Pursuant to the provisions of Section 611 of the Santa Monica City Charter, the City Council establishes the second and fourth Tuesdays of each month as the days for holding regular meetings of the City Council. The Council may amend the meeting calendar to add or delete a regular Council meeting. The regular meeting shall commence at 5:30 p.m. It is the intention of the City Council that all other Agenda public action items shall commence no earlier than 7:00 p.m., following the Closed Session, unless noticed otherwise on the Agenda. If any such Tuesday falls on any day designated by law by the City Council as a day for public feast, Thanksgiving or holiday, such regular meeting shall be held on the date of the regular meeting next following said Tuesday at the hour heretofore fixed or at such other day as may be fixed. The City Council Chamber in City Hall is established as the place for holding the City Council's regular meetings.

RULE 3. QUORUM AND ACTION

In accordance with Section 614 of the Santa Monica City Charter, 4 Councilmembers shall constitute a quorum for the transaction of business. Except as otherwise provided in the Charter, or other law or these rules, action shall be taken by a majority vote of the entire membership of the City Council, that is, at least 4 votes, unless a higher number is required. However, in the case of a quasi-judicial hearing, if only 4 Councilmembers are participating, the applicant or appellant shall be entitled to request and receive a continuance of the hearing, until such time as 5 Councilmembers are participating.

Whenever any Councilmember questions the presence of a quorum, the presiding officer shall forthwith direct the City Clerk to call the roll, each Councilmember shall respond when that Councilmember's name is called, and the Clerk shall announce the

result. Such proceedings shall be without debate, but no Councilmember who is speaking may be interrupted by a question as to the presence of a quorum.

The City Council may also establish standing committees and subcommittees of its members to address designated areas of City business on the Council's behalf and may establish ad hoc committees to formulate reports or recommendations on particular matters. Ad hoc committees must provide quarterly updates to Council, which shall be included on the Agenda by the City Clerk.

RULE 4. MEETINGS TO BE PUBLIC - EXCEPTION FOR CLOSED SESSIONS.

As required by the Ralph M. Brown Act (the "Brown Act"), California Government Code Sections 54950, et seq., all regular, adjourned regular, and special meetings of the City Council shall be public, provided, however, the City Council may meet in a Closed Session from which the public is excluded, for those purposes authorized by the Brown Act.

No Councilmember, employee of the City, or any other person present during a Closed Session of the City Council shall disclose to any person the content or substance of any communication that took place during the Closed Session unless the City Council specifically authorizes the disclosure by majority vote or unless the disclosure is required by law.

Any required public announcements following closed session shall be made by the City Attorney immediately upon the Council convening in open session following closed session. Council direction to provide authority to settle a claim or lawsuit shall not be reported out until the settlement is signed and final.

RULE 5. AGENDA.

The City Clerk shall prepare the Agenda under the direction of the City Manager

as follows:

(a) The City Manager shall consult with the Mayor and Mayor Pro Tempore in the preparation of the Agenda.

(b) Other than the City Manager, City Clerk, City Attorney (and/or their designees), Mayor, and Mayor Pro Tem, no person shall attend an Agenda preparation meeting without invitation of the City Manager.

(c) The Agenda and all available supporting documents shall be delivered to Councilmembers on the Tuesday preceding the Tuesday City Council meeting to which it pertains or as soon thereafter as possible.

(d) The City Manager may direct that any matter within the City Council's jurisdiction be placed upon the Agenda. The City Attorney may place items on the Agenda affecting the City Attorney's Office or litigation closed session. Any Councilmember requested substantive or discussion open session Agenda item shall be initiated as a "16 item" first to obtain Council direction (see Rule 6(x)). Councilmembers shall submit Councilmember Agenda items to the City Manager as follows: (1) for regular meetings, by noon on Monday, 8 days prior to the Council meeting, to ensure matters will be agendized for the following Tuesday; and (2) for special meetings, by 3:00 p.m. on the day at least 2 days before the day of the special meeting. Subject to Brown Act requirements, items submitted after 3:00 p.m. on the specified day will be agendized for the next regular meeting, unless the Councilmember has identified an urgency requiring that the matter be added to the current Agenda. The City Manager shall be responsible for submission of real estate, labor (except for City Attorney and City Clerk evaluations), security, and emergency closed sessions; the City Attorney shall be responsible for submission of litigation closed session items, including amicus participation items. The

City Attorney shall verify whether the requested closed session is a proper topic for closed session pursuant to the Brown Act before the item is published on an Agenda, and if not, it shall be omitted.

Councilmember items placed on the Agenda may be removed or amended by the sponsor(s), with the City Manager's approval, no later than noon on Thursday, 5 days prior to the Council meeting. Staff sponsored items may be removed from the Agenda (or postponed) by the City Manager at any time prior to the start of the applicable Council meeting and shall be announced by the City Clerk following Roll Call. The City Attorney may also remove items the City Attorney placed on the Agenda at any time prior to the start of the applicable Council meeting and shall be announced by the City Clerk following Roll Call.

Councilmember items may only be combined with other items on the Agenda by a vote of the Council. A Councilmember who wishes to combine the Councilmember's item with another item on the Agenda may direct that the following language be included with the Agenda item: "This item may be considered with Item ___." The City Manager may combine staff items on the Agenda to ensure the public's business is handled efficiently and conveniently.

Proposed alternatives, other than minor variations, to items or portions of items on the Agenda shall be submitted in writing to the City Clerk for distribution no later than noon the day prior to the Council meeting; any alternatives submitted after the deadline may be considered by the Council only by unanimous consent, provided they are Brown Act compliant; otherwise, the amendment along with the main item may be considered at a subsequent meeting pursuant to an approved motion to continue.

(e) The City Clerk shall post the Agenda as required by the Brown Act. Copies

of the Agenda shall be posted on the windows of the Santa Monica Institute room, located at 330 Olympic Drive, Santa Monica, California 90401. The City Clerk shall maintain on file in the Clerk's office declarations establishing compliance with the posting requirements.

(f) No action shall be taken on any item not appearing on the posted Agenda unless the item is added to the Agenda in the manner required by the Brown Act.

(g) Matters directed to be placed on the Agenda at the direction of Councilmembers shall be listed on the Agenda in the order of receipt by the City Clerk.

(h) Written requests to the City Council shall be received and opened by the City Clerk and referred to the City Manager or the Manager's designee and either shall be transmitted to the appropriate board, commission, or staff member, or shall be placed on the Agenda if City Council consideration is deemed appropriate by the Mayor or City Manager. Written requests being agendized shall be scheduled for City Council consideration at the earliest convenient meeting, taking into consideration the length and content of meeting Agendas. Members of the public submitting written requests shall be advised of how their request is being handled. Councilmembers shall receive copies of those written requests that are not agendized. Agendized communications shall be listed on the Agenda in order of receipt. No communication shall be placed on an Agenda if it contains material that:

- (1) Is profane.
- (2) Is potentially slanderous or libelous.
- (3) Advocates or opposes the candidacy of any person or party for any elective office.
- (4) Is primarily an advertisement or promotion or has as a substantial purpose

the advancement of any cause the major benefit of which is private and not public.

Members of the public submitting written requests to the City Council are encouraged to limit their submissions to one per meeting.

(i) All electronic presentation materials intended for use at a City Council meeting, including PowerPoint presentations, videos, audio, electronic images, and electronic portable document formats (PDFs), but excluding any hardcopy document projected by an overhead projector, must be received by the City Clerk no later than noon on the day of a City Council meeting. For clarity, this rule shall not apply to a current member of a board or commission speaking on a matter within the purview of the board or commission on which the member sits.

(j) Any Councilmember or the City Manager may place an item on the Council Agenda to present a report from a board or commission that is within the board or commission's subject matter authority that was duly approved by the board or commission. The request and the written or electronic materials to be distributed or displayed at the meeting must be provided to the City Clerk, the City Manager's Office, and the sponsoring Department Staff Liaison by 3 p.m. Friday, 11 days before the Council meeting. When heard, the speaker for the board or commission shall be permitted up to 10 minutes to present, unless the Council by majority vote allows for a different time. The Council may question the speaker concerning the report and presentation. The speaker shall have an opportunity to respond to comments by the City Manager and Staff. The City Manager and Staff may also provide information concerning the presentation. The presentation will not be considered an action item, but the City Manager may combine it with an action item on the Agenda, and the Council may provide direction concerning the matters raised in the presentation. Action may be taken on matters raised in the

presentation, subject to Brown Act compliance.

(k) Any Councilmember planning on being absent from a Council meeting or a portion of a meeting may submit written statements on a topic on the Agenda to the City Clerk at least by noon the day of the Council meeting. The City Clerk shall publish the written statement prior to the beginning of the meeting, and the City Clerk shall read the statement into the record at the meeting. This procedure shall not apply to quasi-judicial matters, wherein Councilmembers ordinarily shall not communicate about the matter prior to conclusion of a public hearing.

RULE 6. CATEGORIES AND ORDER OF BUSINESS.

The business of the City Council shall be conducted in the order and manner specified below. The order may be changed by a majority vote of those present. The following is the order of business:

- (a) Call to Order.
- (b) Salute to the Flag.
- (c) Roll Call.
- (d) Levine Act disclosures.
- (e) City Clerk Agenda announcements and Agenda Procedural motions.

(f) **General Public Input.** Allows members of the public to address the City Council on matters not otherwise on the Agenda that are within the City Council's subject matter jurisdiction. State law prohibits the City Council from taking any action on items not listed on the Agenda. As a result, no formal action may be taken on any matter under this item.

(g) Public Comment for Special Agenda, Closed Session, and Consent Calendar Items Only.

(h) **Special Agenda Items.** This item includes the City Manager's Report, proclamations, commendations, introductions of special guests, special meetings, appointments to the City Council and presentations and reports by other non-City public entities or legislative bodies. A Councilmember may place a proclamation or commendation on the agenda by submitting a request to the City Manager or the City Manager's designee.

(i) Closed Session.

(j) Reports and any Additional Public Actions from Closed Session.

(k) Councilmember Travel Announcements.

(l) Mayor's highlight.

(m) **Consent Calendar.** The consent calendar shall consist of the approval of minutes of previous meetings and those other items such as contracts and routine resolutions that do not necessitate a separate public hearing and which are determined in the Agenda preparation process to be relatively non-controversial. Ordinances for second reading and adoption may be placed on the consent calendar if all members of the City Council were present when the vote for first reading and introduction took place and this vote was unanimous. The consent calendar shall be considered as one item regardless of the number of matters appearing on it and may be approved by a single vote. The title to the individual consent items need not be read unless a request to do so is made by any Councilmember. Members of the public shall have no more than one opportunity to address the City Council concerning any and all items on the consent calendar. Members of the public shall be heard prior to City Council consideration of the consent calendar. Councilmembers may request to have individual matters removed from the consent calendar so that they may be heard on those matters. All matters remaining

on the consent calendar may be approved by a single vote. Any items removed from the consent calendar shall be considered separately in the order of their appearance on the Agenda. Removed items may be heard immediately following the consent calendar or may be heard after the City Council concludes Closed Session or Study Session. Councilmembers are encouraged to notify the City Manager by noon the day before the meeting that an item may be pulled for discussion or questions to Staff and request a presentation of an item on the Consent Calendar. When the Clerk calls the Consent Calendar, the Clerk shall identify those items that Councilmembers have indicated they wanted to pull (by noon the day before) and which Councilmembers have made the requests. Only those items shall be pulled for discussion, unless a Councilmember makes an additional request following the Clerk's announcement.

(n) **Public Comment on Remaining Agenda Items.** Allows members of the public to have the opportunity to speak on items on the Agenda before or during the City Council's Consideration of the item, except where a public hearing is required by law.

(o) **Study Session.** During Study Sessions staff will present information regarding a complex matter that will be subject to Council deliberation and decisions in the future. No City Council action will be recommended or taken as part of the Study Session, other than to give direction to prepare and return with Agenda items in the future.

(p) **Continued Items.** This item includes agendaized items of a previous City Council meeting not considered at such meeting. The City Council may vote by a majority of its members to have a carry-over item placed on a subsequent Agenda as a continued item. If public comment on a continued item was concluded at the initial meeting, it shall not be repeated.

(q) **Administrative Proceedings.** This item includes proceedings requiring the

City Council to make a quasi-judicial decision concerning an individual application or appeal.

(r) **Ordinances.**

(1) Second Reading and Adoption. No public comment is permitted on second readings.

(2) Introduction and First Reading.

(s) **Staff Administrative Items.** This category will include policy matters to be considered by the City Council or at joint meetings of the City Council, Parking Authority, Housing Authority, the Public Financing Authority and/or Redevelopment Successor Agency.

(t) **Public Hearings.** This item consists of public hearings required by specific provisions of law. Public comment on a Public Hearing item shall be taken at the time the item is heard.

(u) **Reports of Boards and Commissions.** Boards and commissions that may present reports under this item and pursuant to rule 5(i) include, but are not limited to, all City boards, commissions, and task forces. Reports may also be provided by the Santa Monica Pier Corporation, Downtown Santa Monica, Inc., and Santa Monica Travel and Tourism. Note this subsection provides for the location or timing of these items if placed on the Agenda, not the authority to place items on the Agenda, which is addressed elsewhere in these rules.

(v) **Resolutions.** A resolution will be considered under this item only if its substance makes extensive public input advisable, or if it should be considered after another item on the Agenda, otherwise the resolution will be considered on the Consent Calendar.

(w) **Written Communication.** This item allows the City Council to consider issues raised by written submissions from the public.

(x) **Councilmember Requests for Discussion (16 items) and Closed Session Items.** This category consists of Councilmember requested Agenda items to provide policy direction. Action and direction may occur on these items to the extent specified in the Agenda item. Councilmembers shall submit proposed Agenda items to the City Manager, who shall consult Councilmember sponsors, the City Attorney, City Clerk, and Staff as needed. No Councilmember requested resolutions or ordinances should be developed or drafted until a majority of the Council gives direction to the City Manager and/or the City Attorney. The City Manager will work with the Councilmember to decide if the item will be placed on the Agenda or address them in other ways. Resolutions for advocacy would be an exception.

Councilmember requests for real estate and labor closed session items shall be submitted to the City Manager, and for litigation, including amicus participation, to the City Attorney.

The City Manager and City Attorney shall notify one another when Agenda item requests are made by Councilmembers.

With the exception of appointments to boards, commissions, and other bodies, all Councilmember discussion “16 items” on the Agenda shall be considered as one item, similar to the consent calendar, regardless of the number of matters and may be approved by a single vote. The title to the individual items need not be read unless a request to do so is made by any Councilmember. When the 16 items are called, Councilmembers may request to have individual matters removed for separate consideration. All remaining matters may be approved by a single vote. Any items removed shall be considered

separately in the order of their appearance on the Agenda.

RULE 7. PREPARATION OF MINUTES.

The City Clerk shall have exclusive responsibility for preparation of the Minutes, and any directions for corrections in the Minutes shall be made only by majority vote of the City Council.

RULE 8. APPROVAL OF MINUTES.

Minutes of a City Council meeting may be approved on the Consent Calendar without reading if the City Clerk has previously furnished each Councilmember with a copy and unless a reading is ordered by a majority vote of the City Council.

RULE 9. PRESIDING OFFICER.

(a) The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of both the Mayor and Mayor Pro Tempore, the City Clerk shall call the City Council to order and a temporary Presiding Officer shall be elected by the Councilmembers present to serve until the arrival of the Mayor or Mayor Pro Tempore or until adjournment.

(b) Selection of Mayor and Mayor Pro Tempore. As required by Charter section 604, the Mayor shall be selected by the Council. The procedure for selection shall be as follows: Beginning in December 2022, the Council shall select the longest continuously serving Councilmember, whether initially elected or appointed, to serve as Mayor for a 1 year term. Each subsequent December the next longest continuously serving Councilmember shall be selected as Mayor for a 1 year term, then rotating each December to select the Mayor in order of the next longest serving Councilmember. If two or more Councilmembers were elected at the same election, the Councilmember receiving the higher number of votes shall be considered as having served longer for

purposes of this provision. If two or more Councilmembers were initially appointed to serve at the same time, then when they each may first become eligible to be selected as Mayor, a coin flip shall decide who shall be considered as having served longer for purposes of this provision. The Mayor Pro Tempore may be selected by simple majority vote without regard to this provision. This provision shall not be subject to a suspension of the Council Rules, and shall be implemented until duly repealed or amended by the Council.

RULE 10. POWERS AND DUTIES OF PRESIDING OFFICER.

(a) **Participation.** The Presiding Officer may move, second, and debate from the chair, subject only to such limitations of debate as are imposed upon Councilmembers by these rules, and shall not be deprived of any of the rights or privileges of a Councilmember by reason of acting as the Presiding Officer.

(b) **Duties.** The Presiding Officer shall:

- (1) preserve order at all meetings of the City Council;
- (2) state (or cause to be stated) each question coming before the City Council;
- (3) announce the decisions of the City Council on all subjects;
- (4) decide all questions of order subject to the right to appeal rulings on questions of order to the entire City Council in accordance with Rule 12(d) below; and
- (5) encourage all persons present at the meeting to conform their conduct to the City's Civility Policy.

RULE 11. SWORN TESTIMONY AND SUBPOENA POWER.

Any Councilmember may request that anyone appearing before the City Council on any matter shall be sworn. On receipt of such a request, all proceedings shall be suspended, and the City Council will immediately vote on whether the individual should be sworn. A majority vote of the Councilmembers present shall determine whether the speaker shall be placed under oath. All oaths will be administered by the City Clerk.

The City Council shall have the power to issue subpoenas as provided in City Charter Section 614.

RULE 12. RULES OF DEBATE.

(a) **Getting the Floor.** A Councilmember desiring to speak shall gain recognition by the Presiding Officer.

(b) **Questions to Staff.** Councilmembers desiring to question City staff shall address their questions to the City Manager, the City Attorney, the City Clerk, or designated staff. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

(c) **Interruptions.** A Councilmember who has the floor shall not be interrupted when speaking unless the Councilmember called to order by the Presiding Officer, a point of order or a personal privilege is raised by another Councilmember, or the speaker chooses to yield to a question by another Councilmember. If a Councilmember is called to order, that Councilmember shall cease speaking until the question of order is determined. Whenever any person is called to order while speaking, such person shall be in possession of the floor after the question of order is decided, and may proceed with the matter under the discussion within the ruling made on the question of order.

(d) **Points of Order.** The Presiding Officer shall determine all points of order

subject to the right of any Councilmember to appeal to the City Council. A speaker having the floor may be interrupted, when recognized by the Presiding Officer, to raise a point of order. Questions concerning procedures or other legal issues may be directed to the City Attorney for legal advice. If an appeal is taken, the question shall be: "Shall the decision of the Presiding Officer be overruled?" The Presiding Officer's decision may be overruled by a two-thirds vote of the Councilmembers then present. The City Attorney may also raise a point of order to provide advice to the Council should there be a concern about procedures, due process, or other legal issues.

(e) **Point of Personal Privilege.** The right of a Councilmember to address the City Council on a question of personal privilege shall be limited to cases in which the Councilmember's integrity, character, or motives are questioned, or where the safety or welfare of the City Council is concerned. A speaker having the floor may be interrupted, when recognized by the Presiding Officer, to raise a point of personal privilege.

(f) **Privilege of Final Comment.** The Councilmember moving the introduction or adoption of an ordinance, resolution, or motion, shall have the privilege of speaking last on the matter after all other Councilmembers have been given an opportunity to speak.

(g) **Motion to Reconsider Legislative Actions.** A motion to reconsider any legislative action taken by the City Council may be made only by one of the Councilmembers on the prevailing side and may be seconded by any Councilmember. Such motion may be made at any time and shall be debatable. A motion by a non-prevailing Councilmember or a request by a member of the public for reconsideration may be made only if one year has passed since the action was taken.

(h) **Calling for the Question.** A question may be called by majority vote of

those present. However, neither the moving party nor the party seconding any motion may call for the question, each Councilmember shall be afforded one opportunity to speak on each item before the question is called, and a question may not be called to interrupt or cut off a particular speaker.

(i) **Limitation of Debate.** Councilmembers shall limit their remarks to the subject under debate. Except for questions raised by another Councilmember to a Councilmember, no Councilmember shall be allowed to speak more than once upon any particular subject until every other Councilmember desiring to do so has spoken. Prior to beginning deliberation, the Council may, by a two-thirds vote of those present, limit the amount of time that each Councilmember may spend stating the Councilmember's views on a particular Agenda item.

RULE 13. PROTEST AGAINST CITY COUNCIL ACTION.

Any Councilmember shall have the right to have the reasons for the Councilmember's opposition to any action of the City Council entered in the Minutes. Such opposition shall be made in the following manner: "I would like the Minutes to reflect that I opposed this action for the following reasons..." A written submission may be provided to the City Clerk to be included in the record.

RULE 14. DISCLOSURE FOR QUASI JUDICIAL MATTERS.

On quasi-judicial matters, Councilmembers shall verbally disclose off-the-record contacts relating to the item, after the item is called and before City Council consideration of the matter. Disclosure shall include the identity of any individual(s) with whom the Councilmember had contact, and the nature of the contact.

RULE 15. PUBLIC TESTIMONY.

(a) **Permitted.** Pursuant to the Brown Act, public testimony is permitted on all Agenda items, except ordinances for second reading or as otherwise provided in these rules, and the public shall have an opportunity to comment on any matter that is not on the Agenda but is within the City Council's jurisdiction. However, members of the public do not have the right to give testimony outside the scope of or unrelated to the Agenda item under consideration. Additionally, members of the public should strive to avoid unduly reiterating their own or others' testimony.

(b) **Registration.** Any member of the public wishing to address the City Council regarding any item on the Agenda for public discussion shall register with the City Clerk staff prior to the start of the meeting, if possible. No registrations for public input will be accepted on an item after the input period is closed.

(c) **Manner of Addressing the City Council.** After being recognized by the Presiding Officer, members of the public addressing the City Council shall go to the podium, state their name and whom they represent, if they represent an organization or other person. Members of the public are encouraged, but not required, to also state their address, neighborhood, or city of residence. All remarks shall be addressed to the City Council as a whole and not to any individual member thereof. After a public hearing has been closed, no member of the public shall address the City Council on the matter under consideration without first securing City Council approval.

(d) **Written Public Comment.** Those wishing to provide public comment are encouraged to submit it in writing via email to be viewed online. For written comments received by noon on the day of the Council meeting, best efforts shall be made to have them posted on the Council's online Agenda. All written comments shall be made part of the public record.

(e) **Time Limits.** Except on Written Communication, members of the public shall limit their remarks to 2 minutes per comment section unless the City Council grants additional time by majority vote or the City Council reduces this time limit because of the large number of speakers for public comment on the particular item. The order in which members of the public provide remarks will be determined by the City Clerk, to the extent possible giving priority to K-12 students speaking on their own behalf, those limiting their time to 1 minute on an item, while members of the public using the full 2 minutes will speak afterwards. Persons speaking on another's written communication and persons submitting late speaker requests, who receive permission to speak shall be limited to 1 minute. On Written Communication, those speaking on another's item may speak only if the person raising the matter appears and testifies. If the person who raises the item does not appear and testify, the matter shall be received and filed and persons wishing to speak on the matter may give their testimony during Public Input. Members of the public wishing to speak on more than one item shall limit their remarks to a total of 6 minutes per meeting unless the City Council grants additional time by majority vote. A member of the public may allocate time between items in one-minute increments up to 2 minutes. Testimony given as an applicant or appellant does not count toward the 6 minute maximum. A Board or Commission member reporting to the City Council on behalf of a Board or Commission who was duly authorized to speak for the Board or Commission shall be limited to maximum of 5 minutes to speak.

(f) **Special Time Limits for Applicants and Appellants.** Applicants and appellants on administrative items and public hearings shall limit their remarks to 10 minutes and may reserve some of their time for use for rebuttal at the conclusion of the public hearing. The appellant shall have the opportunity to address the City Council first

and last.

(g) **Special Time Limits for Special Agenda Items.** Public testimony is permitted on the City Manager's Report and Appointments to the City Council. Proclamations, commendations, and appearances by special guests are ceremonial items. To ensure adequate time for the Council's regular business, groups of honorees or guests, who wish to speak, should appoint one or two representatives to speak for them.

(h) **Special Assistance for Those Who Cannot Wait to Speak.** Members of the public, including those with special needs, who cannot wait to speak on an Agenda item may request assistance from the City Clerk, and a member of the Clerk's office will provide assistance in preparing a written statement of testimony for distribution to the City Council.

(i) **Extended Time Limits for Speakers Who Require Interpreter.** A member of the public who utilizes an interpreter to provide English language translation shall receive twice the time otherwise allotted under these rules.

(j) **Donating Time to Another Speaker.** Donations of time to other speakers may be made only if both the person donating time and the other speaker are physically present at the Council meeting. Except on Public Input, a member of the public, speaking on their own behalf, may donate 2 minutes per Agenda item to another speaker, speaking on their own behalf, and a speaker may accept one such donation from another per Agenda item. The speaker and the person donating time shall turn in their chits together, notify the Clerk of the donation, and go to the podium together. The speaker shall state both of their names and state that the speaker is speaking for both. Donated time shall not increase an individual speaker's total time limit of 6 minutes per meeting. Any request

received after the start of the hearing shall be considered late and the donor will not be permitted to donate the donor's time.

(k) Any electronic presentation materials presented as attachments to written public comment submitted by email for viewing online must be submitted in accordance with the time deadline set forth in Section 15(d) above. Electronic presentation materials will not be accepted in connection with public comment being provided by calling in to the Council meeting. For speakers who will be physically present to provide public comment at the Council meeting, all electronic presentation materials intended for use in connection with the public comment, including PowerPoint presentations, videos, audio, electronic images, and electronic portable document formats (PDFs), but excluding any hardcopy document projected by the overhead projector, must be received by the City Clerk no later than noon on the day of a City Council meeting. All such electronic presentation materials must be emailed to the City Clerk's Office and include the City Council meeting date, Agenda item number, and name of the public speaker who, as noted above, will need to be present at the meeting. See also Rule 5(i).

(l) Requests for Accommodation. Requests for a disability accommodation to provide public testimony at a Council meeting should be submitted in writing to the City Clerk's office via email at clerk.mailbox@santamonica.gov or via telephone at (310) 458-8211 at least 72 hours prior to the scheduled meeting. Best efforts shall be used to accommodate requests received after the 72 hour deadline. In the case of special meetings, requests should be submitted as early as possible, but no later than noon the day of the Council special meeting.

RULE 16. RULES OF CONDUCT AND SAFETY.

When the City Council is in session, all persons present, whether in person or

speaking by phone, must preserve safety and order and should strive to conform their conduct to the City's Civility Policy. Members of the public who are physically present at the Council meeting should sit in the audience seating area, unless addressing the City Council or entering or leaving the Council Chambers, should not block the aisles with personal belongings and should not bring audible equipment into the Council Chambers including cellular telephones or pagers. Members of the public may not, except when testifying on or participating in an Agenda item, enter the well area, which is the open area directly in front of the dais and extending outward from it to a line running between the points on the Clerk's desk and the podium nearest to the audience. Applause, vocally or clapping, is prohibited, except for ceremonial items, or as may be invited by the Presiding Officer.

Any person who disrupts the meeting shall be called to order by the Presiding Officer. Disruption shall include but not be limited to, blocking the audience or camera view of the proceedings. If such conduct continues, the Presiding Officer may request the Sergeant at Arms to remove the person from Council Chambers.

The Chief of Police or such member or members of the Police Department as the Chief may designate, shall be Sergeant At Arms of the City Council and shall carry out all orders given by the Presiding Officer through the City Manager for the purpose of maintaining order at City Council meetings. Any Councilmember may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the City Council shall require the Presiding Officer to do so.

RULE 17. SEATING ORDER.

After each municipal election, the City Clerk shall determine City Council member seating order by drawing lots, with the exception of the Mayor Pro Tem, who shall be

seated next to the Mayor. Changes in seating may be allowed by the Mayor, without requiring a vote, for good cause when those changing seats consent.

RULE 18. ENTITLEMENT TO VOTE AND FAILURE TO VOTE.

Every Councilmember is entitled to vote unless disqualified by reason of a conflict of interest. A Councilmember who abstains from voting consents to the decision made by the voting Councilmembers.

RULE 19. VOTING PROCEDURE.

Any vote of the City Council, including a roll call vote, may be registered by the members answering "Yes" for an affirmative vote or "No" for a negative vote upon the member's name being called by the City Clerk. Voting order shall be based on seating order with each roll call vote beginning at alternating ends of the dais and the Mayor voting last.

Unless any Councilmember calls for separate votes in advance, any item on the Agenda with related sub-parts shall be treated as one Agenda item and voted on in one motion. If the item and sub-parts receive sufficient votes for approval of some, but not all sub-parts, at the immediate request of any Councilmember, the first vote shall be nullified and Council shall then immediately, without discussion, vote on each item separately.

When the Council is making appointments to any committee, board, commission, or equivalent, the Clerk shall ask for nominations, also reciting nominations received through an application process. If applicable, nominations may include one or more positions, such as chair and vice chair, or equivalent. The Council may split the vote on combined nominations by an approved motion. After all nominations are received, the Clerk shall recite the list of all nominees. The Clerk shall then call the roll, and each member shall identify the individual or individuals for whom they are voting. After all votes

are cast, the Clerk shall recite the vote. If no nominee(s) receives a majority vote, then the two nominees receiving the highest number of votes shall then be voted upon in the same manner, until a nominee(s) receives a majority vote. If no nominee(s) receives a majority vote, the Clerk shall call for additional nominations and then repeat the process.

RULE 20. DISQUALIFICATION FOR CONFLICT OF INTEREST.

Any Councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification and shall leave the dais prior to Council consideration of the matter. A Councilmember stating or having the Presiding Officer state such disqualification shall not be counted as part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

RULE 21. TYPES OF MOTIONS.

(a) Only Councilmembers, or duly appointed members of boards sitting with the Council, may make Motions. The City Clerk shall record all motions and read them back when requested. Upon request, the City Attorney shall assist in the formation of motions. A Councilmember must have the floor to make a motion.

(b) Any motion that does not receive a second shall not move forward, and then another motion may be made.

(c) For noticed public hearings and quasi-judicial matters, a main motion shall not be made until public comment on the item is complete.

(d) There are three motions that are most common and are usually subject to debate:

(1) **The main motion.** This motion puts forward a substantive decision, most frequently an Agenda item, for Council consideration. A main motion may

include changes to the item as stated on the Agenda or supplemental materials. Only one main motion may be on the floor at one time.

(2) **The motion to amend.** This motion seeks to modify the main motion before the Council. A motion to amend cannot be made until there is a main motion on the floor. A motion to substitute a main motion with another motion shall be treated as a motion to amend. Only one motion to amend may be on the floor at one time. All motions to amend shall be resolved prior to voting on the main motion.

(3) **The procedural motion.** This motion is to address a rule of procedure, postpone, or take some other action. Procedural motions take priority over main motions and motions to amend. Only one procedural motion may be on the floor at one time. A “point of order” may be raised at any time, interrupting a speaker when recognized by the Presiding Officer, to make a procedural motion. Procedural motions are debatable but not subject to public comment.

(e) The following common procedural motions shall be handled as follows:

(1) Motion to adjourn. This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meeting. It is not subject to debate and requires a majority vote. It is the highest priority motion.

(2) Motion to recess. This motion, if passed, requires the Council to immediately recess. The Presiding Officer determines the length of the recess. It is not subject to debate and requires a majority vote.

(3) Motion to fix the time to adjourn. This motion, if passed, requires the Council to adjourn the meeting at a specific time set in the motion. It is not subject to debate and requires a majority vote.

(4) Motion to table. This motion, if passed, requires the discussion of the

Agenda item to be halted and the Agenda item placed on hold. The motion can contain a specific time in which the item can come back to Council. If the motion does not contain a specific time for the return of the item, a motion to take the item off the table will have to be taken at a future meeting to bring it back to the Council. A motion to table or to bring it back to the Council requires a simple majority vote.

(5) Motion to continue. This motion, if passed, requires the item to be withdrawn from the Agenda at that time and postponed either indefinitely or to a certain time and/or date, or to a time later in that meeting, as stated in the motion. A motion to continue is debatable and requires a simple majority vote.

(6) “Friendly Amendment.” This is a “request,” rather than a formal motion. The speaker asks whether the maker of the main motion would agree to amend the motion, as suggested. If agreed, and if the member providing the second also agrees, or another second is offered, then the main motion is replaced with the amended motion. If an offer for a “friendly amendment” is rejected, then a formal motion to amend may be made.

RULE 22. CHANGING VOTE.

The vote of a Councilmember may be changed only if the Councilmember makes a timely request to do so immediately following the announcement of the vote by the City Clerk or the Presiding Officer and prior to the time that the next item in the order of business is taken up.

RULE 23. AGENDA MANAGEMENT.

At any time after roll call, the Presiding Officer may call for a motion for Agenda management to reorder or combine Agenda items or to determine when public comment may be taken on one or more items. However, public comment may be taken later, but

not earlier, than the time or position shown on the Agenda. Noticed public hearings scheduled for a time certain may be heard later, but not earlier, than the time scheduled. Such a motion shall require the votes of a majority of the Councilmembers present to pass. If such a motion is passed, the City Clerk shall call Agenda items or comment opportunity in accordance with the Agenda as modified by the motion.

RULE 24. PROCEDURE ON AGENDA ITEMS REQUIRING A MOTION.

The following procedure shall be followed in connection with any Agenda item requiring a motion:

- (a) City Clerk reads the title.
- (b) Presiding Officer calls for a staff report.
- (c) Councilmembers question City staff.
- (d) City Council conducts Public hearing.
- (e) City Council deliberates.
- (f) A Councilmember makes a motion, another Councilmember seconds the motion, and the Council debates it, with the maker of the motion having the opportunity to speak last.
- (g) The Presiding Officer or City Clerk restates the motion.
- (h) The City Council votes on the motion.
- (i) The Presiding Officer or City Clerk announces result.

RULE 25. PRESENCE OF CITY STAFF AT CITY COUNCIL MEETINGS.

The City Manager, City Clerk, and City Attorney, or, in their absence, their authorized representatives, shall attend and be present during all City Council meetings and give necessary service and advice.

RULE 26. RECORD OF MEETINGS.

All public meetings of the City Council shall be recorded. The recording shall be made by City TV and retained in accordance with the City's record retention schedule. The use of other recording or television equipment is permitted so long as it is not disruptive of the meeting.

RULE 27. USE OF TECHNOLOGY TO COMMUNICATE DURING MEETINGS

During City Council meetings, Councilmembers shall not use electronic communications of any type, including texts and emails, to communicate among themselves.

RULE 28. ADJOURNMENT

No new item shall be considered after 11:00 p.m. unless consideration is approved by a two-thirds vote of the Councilmembers present.

RULE 29. CHARTER SECTION 615

In accordance with Charter Section 615, the adoption of all ordinances and resolutions shall be by reading of title only unless a Councilmember present at the meeting objects.

RULE 30. INTERPRETATION AND MODIFICATION OF THESE RULES.

These rules shall be interpreted liberally to provide for the optimum in the free interchange of information and public debate without an unnecessary waste of time or duplication of effort. These rules may be amended by resolution.

RULE 31. FAILURE TO OBSERVE RULES OF ORDER.

These rules of order and procedures govern the conduct of City Council meetings. These rules are intended to expedite the transaction of the business of the City Council in an orderly fashion and are deemed to be procedural only. Failure to strictly observe these rules shall not affect the jurisdiction of the City Council or invalidate any action taken

at a meeting that otherwise conforms to law.


RULE 32. COUNCIL BRIEFINGS.

The City Manager and/or City Attorney may meet with Councilmembers to provide briefings. Briefings shall be conducted in compliance with the Brown Act. No person shall attend these meetings other than the Councilmembers invited without invitation of the City Manager and/or City Attorney. No Councilmember shall authorize or permit any person who is not a City of Santa Monica employee or duly appointed agent of the City (for example, outside counsel, contractor, or consultant) acting within the scope of that person's job duties, to represent them as a Councilmember, or represent the Council, or the City, at any meeting, function, or event.

SECTION 2. Resolution Number 11547 (CCS) and all other resolutions adopting, amending, or relating to City Council Rules of Order, are hereby repealed in their entirety.


SECTION 3. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

DocuSigned by:

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Douglas Sloan, City Attorney

Adopted and approved this 14th day of May, 2024.

DocuSigned by:

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Phil Brock, Mayor


I, Nikima S. Newsome, Interim City Clerk of the City of Santa Monica, do hereby certify that Resolution No. 11585 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 14th day of May, 2024, by the following vote:

AYES: Councilmembers de la Torre, Torosis, Davis, Parra, Zwick,
Mayor Pro Tem Negrete, Mayor Brock

NOES: None

ABSENT: None

ATTEST:

DocuSigned by:

7032651F371E430...

Nikima S. Newsome, Interim City Clerk