



STUDY SESSION

Agenda Item # 1

AGENDA REPORT SUMMARY

Meeting Date: August 24, 2021

Subject: City Council Norms and Procedures

Prepared by: Jolie Houston, City Attorney

Reviewed by: Jon Maginot, Deputy City Manager

Approved by: Gabriel Engeland, City Manager

Attachment(s):

1. DRAFT Revised Los Altos City Council Norms
2. Individual City Council Member's Original Suggested Edits

Initiated by:

City Council

Previous Council Consideration:

Various dates from 2004 forward with the most recent including August 26, 2014; September 9, 2014; December 9, 2014; January 13, 2015; March 24, 2015; May 26, 2015; May 23, 2017; August 22, 2017; May 22, 2018, July 25, 2019, May 11, 2021 and July 13, 2021.

Fiscal Impact:

None

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the Council wish to amend and/or update the Council Norms and Procedures?

Summary:

- Council should consider amending the Council Norms and Procedures to reflect changes to current Council practices.

Staff Recommendation:

Provide the City Attorney and staff direction on the Council's proposed amendments to the Council Norms and Procedures.

Purpose

The purpose of this agenda item is to provide the current Council the opportunity to review the Council Norms and Procedures and to determine if there are any necessary changes.

Reviewed By:

City Manager

GE

City Attorney

JH

Finance Director

N/A



Subject: City Council Norms and Procedures

Are there changes necessary for clarification to certain sections?
Are there changes to delete sections that are outdated, unnecessary or redundant?
Are there changes necessary to reflect virtual meeting protocols?
Are there changes necessary to ensure more efficient Council meetings?

Background

The Council Norms and Procedures were originally adopted in 2004. Pursuant to Section 1.3 they are reviewed biennially or when the Council deems necessary.

Discussion/Analysis

This is a continuation of the Council study sessions on the Norms and Procedures held on May 11, 2021 and July 13, 2021. The Council should review the Council Norms and Procedures and discuss any proposed changes and/or deletions to the document.

Recommendation

Provide the City Attorney and staff direction on the Council's proposed amendments to the Council Norms and Procedures.

CITY COUNCIL NORMS AND PROCEDURES



COUNCILMEMBERS

[Jeannie Bruins](#)

Anita Enander

Neysa Fligor

Lynette Lee Eng

[Sally Meadows](#)

[Jan-Peppe](#) [Jonathan Weinberg](#)

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CITY OF LOS ALTOS

CITY COUNCIL NORMS AND PROCEDURES

SECTION 1. GENERAL

- 1.1 Purpose. The purpose of these Norms and Procedures is to promote communication, understanding, fairness, and trust among the members of the City Council, ~~and staff, and members of the public concerning public concerning~~ their roles, responsibilities, and expectations for management of the business of the City of Los Altos. The Norms also inform the public about what to expect from their elected representatives while performing their duties.
- 1.2 Values. ~~Council members~~Councilmembers shall represent the best interests of the City and community at large. Councilmembers shall treat fellow Councilmembers, members of the public, Commission and Committee members, and staff and consultants with respect, ~~civility~~civility, and courtesy. All Councilmembers shall respect each other's individual points of view and right to disagree. When addressing the public in any way, all Councilmembers shall make certain their opinions are expressed solely as their own, and do not necessarily reflect the opinions of any other Councilmember. Councilmembers shall respect and abide by the decisions of the majority of the Council at all times.
- 1.3 Review. The City Council shall conduct a review of this document biennially, or whenever a new Councilmember has been seated or Council deems necessary, to assist Councilmembers in being more productive in management of the business of the City. A new Council will consider the document within three months of its first regular meeting.
- 1.4 ~~Ralph M. Brown Act~~Compliance with Applicable Laws. All conduct of the City Council, Commissions, Committees and Subcommittees shall be in full compliance with all applicable laws, including but not limited to State laws such as, including, but not limited to, the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act, as amended. If there is a conflict between the Norms and Procedures and an applicable law, the applicable law shall govern.
- 1.5 Compliance with Norms and Procedures. Unless otherwise approved by at least a majority of Councilmembers or prohibited by law or due to circumstances beyond the City's control, for example, a declared state of emergency, all Councilmembers are required to comply with these Norms and Procedures.

SECTION 2. MAYOR AND VICE MAYOR SELECTION PROCESS

- 2.1 Reorganization. The reorganization of the Council ~~and the shall occur at a special meeting held on the first Tuesday of December. The~~ seating of new Councilmembers shall occur at ~~the same a~~ special meeting ~~that the Council reorganizes, which will be~~ held on the earliest available Tuesday following the certification of election results, which is typically on the first Tuesday of December. If the certification is delayed because of a recount or other reason, the Council will wait until the certification is final before holding its reorganization special meeting.

Seating preferences on the dais shall be made by the Mayor, Vice Mayor and then by seniority of the rest of the members, in that order. If two members have equal seniority based on year elected, then the member with the higher vote count in their most recent election is considered to have higher seniority.

A community reception honoring the incoming and outgoing Mayor and Councilmembers will be held immediately following the reorganization meeting.

- 2.2 Election of Mayor. Only Councilmembers elected by the voters [or appointed to the City Council due to the cancelation of an election](#) may serve as Mayor. ~~Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Mayor.~~

The term of office shall be one year. The Councilmember must have served at least 23 months to be eligible for Mayor. A majority vote of the Council is necessary to designate the Mayor. If there is at least one elected Councilmember with a minimum of 23 months of service who has not served as Mayor, he or she shall be designated Mayor before those who have already served as Mayor.

If there are two or more such members who have served more than 23 months and have never served as Mayor, the one having served the longest time on the Council shall be designated as Mayor.

In the event there are two or more members who have never served as Mayor and have served the same length of time, the one who received the greatest number of votes at his/her election or re-election to the Council shall become Mayor.

In the event there are two or more members who have served as Mayor, who have served the same continuous length of time, and who have been re-elected to the Council, the one who received the greatest number of votes at his/her re-election to the Council shall become Mayor.

In the event three new members are elected to the Council, then an exception to Sections 2.2 and 2.3 will apply, allowing the immediate appointment of a Vice Mayor without the normal 11 months of prior service, and the following year such person may be appointed as the Mayor without the normal 23 months of prior service. Any member re-elected to the Council after a break in service will be treated in the normal sequence for appointment as Vice Mayor and Mayor, without regard to such person's service prior to the break in service.

The Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Mayor should be made to the City Manager.

- 2.3 Election of Vice Mayor. Only Councilmembers elected by the voters [or appointed to the City Council due to the cancelation of an election](#) may serve as Vice Mayor. ~~Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Vice Mayor.~~

The selection process for determining who shall serve as Vice Mayor will follow that of Mayor, except the Councilmember must have served at least 11 months to be eligible to serve as Vice Mayor.

The Vice Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Vice Mayor should be made to the City Manager.

- 2.4 Councilmembers Serving After a Break in Service. The time of continuous service for any elected member of the Council who previously served on the Council prior to a break in service shall be considered to have started at his/her election after their break in service.

- 2.5 Appointment of Vacancy. In the event of a vacancy of office by the death or resignation of any Councilmember, the Council shall appoint a new Councilmember within sixty (60) days after a vacancy becomes effective in compliance with the California Elections Code, unless the Council, by resolution, decides to instead call a special election. In the event of appointment, the Council shall determine the process for appointment prior to the application process and in accordance with State law.

SECTION 3. COUNCIL SUBCOMMITTEES

- 3.1 Responsibility. The Mayor shall appoint Councilmembers to standing and ad hoc subcommittees as required to accomplish the work of the Council, subject to affirmation by the Council at its next regular meeting. It will be the responsibility of these subcommittees to inform and make recommendations to the Council and submit them to the Council for a vote. Staff shall work with, and support, Council subcommittees as required.
- 3.2 Instructions and Expectations. The Council shall make certain that all Council subcommittees are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the committee's efforts shall be defined in writing and approved by a majority of the City Council.
- 3.3 Reporting. Council subcommittee members are to keep the Council informed of the work and progress of their subcommittee. These reports or minutes shall be made in writing whenever a recommendation is made to the Council.
- 3.4 Standing Subcommittees. ~~From time to time, the City Council may vote to establish our~~ standing subcommittees. ~~These include -of the Council exist:~~ the Council Youth Commission Interview Committee, the Open Government Committee, and joint committees with the different school districts that serve Los Altos residents. City/Los Altos School District Schools Issues Committee, the City/Cupertino Union School District Schools Issues Committee and the Open Government Committee.

The Council Youth Commission Interview Committee consists of two members of the City Council and is responsible for conducting interviews of applicants for the Youth Commission and making recommendations to the City Council regarding the appointments. The Committee meets as needed.

The City/~~Los Altos~~ School District ~~Schools Issues~~ Committees consists of two members of the City Council and two members of the Board of Trustees of the Los Altos applicable School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern by both legislative bodies, as directed by the City Council and/or School Board. Meetings are open to the public and are generally held at least bi-annually.

~~The City/Cupertino Union School District Schools Issues Committee consists of two members of the City Council and two members of the Board of Trustees of the Cupertino Union School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern. Meetings are open to the public.~~

The Open Government Committee consists of two members of the City Council and advises the City Council and provides information to the City Manager on potential ways to implement the Open Government Policy. The Committee develops appropriate goals to ensure practical

and timely implementation of the Open Government Policy and proposes any amendments to the Policy.

SECTION 4. COMMISSIONS AND COMMITTEES

- 4.1 Responsibility. The Council ~~will~~may appoint residents of the community to the City's non-Ceouncil standing commissions and committees. Commission and committee members shall represent the interests of the community at-large when serving on these bodies. These commissions and committees will respect the public and staff and shall take seriously their responsibility for reporting to the Council. Each commission is to keep a rotation schedule for representation at City Council meetings by one of its members. Attendance is required when a commission has an item of interest on the Council agenda, so as to be available to answer Council questions.
- 4.2 Governing. The City's Commissions and Committees are governed by the Commission Handbook as adopted and amended by the City Council. If there is a conflict between the Commission Handbook and the Norms and Procedures, the Commission Handbook shall control as to the Commissions and Committees.
- 4.3 Commission Liaisons. To facilitate the exchange of information between the Council and its Commissions, the Mayor will at least annually make liaison appointments to the Commissions. These appointments shall be ratified by the Council. Councilmembers shall respect the separation between policy making and advisory Commissions by: A) not attempting to lobby or influence Commissions on any item under their consideration; B) attending meetings of assigned Commissions, ~~as needed,~~ but not taking a position on an item before the Commission; C) not voting at the Commission's meeting on any item; and D) assisting the Commission in scheduling recommendations to be heard by the Council.

If an issue arises regarding a member of any Commission, staff may work with the assigned Council Liaison to resolve the issue.

- 4.4 Attendance Requirement for Commissioners. Commissioners are expected to attend all regularly scheduled Commission meetings. If a Commissioner is not meeting the attendance requirement, the Commission Chair will first address the issue by talking with the Commissioner and will give the Commissioner an opportunity to meet the requirements. If the Commissioner continues to not meet the attendance requirement, the Chair can give the Commissioner an opportunity to resign from the Commission. If the Commissioner does not want to resign and continues to not meet the attendance requirement, the Chair should discuss with the staff liaison and Council liaison the appropriate action to address it.
- 4.5 Discipline or Removal of a Commissioner. Commissioners serve at the pleasure of the City Council. The City Council may discipline or remove a Commissioner at any time solely at the discretion of the Council. Any proposed removal can be with or without cause. A Councilmember who wishes to discipline or remove a Commissioner shall indicate their desire to place the discipline or removal on a future agenda at the end of a regular Council meeting. If three or more Councilmembers wish to agendize the discipline or removal of a certain Commissioner, the item will be placed on a Council agenda.

SECTION 5. AD HOC COMMITTEES AND TASK FORCES

- 5.1 Instructions and Expectations. The Council shall make certain that all Council-appointed Ad Hoc Committees and Task Forces are properly instructed in their assigned scope of work and

responsibilities. The expected outcome of the Committee's or Task Force's efforts shall be defined in writing and formally approved by a majority of the City Council.

- 5.2 Reports. Ad Hoc Committees and Task Forces are responsible for keeping the Council informed about issues being considered, and their progress. This is to be accomplished by meeting minutes distributed in the Council meeting packets or through oral reports to Council. Ad Hoc Committees and Task Forces are responsible for advising the Council of any need for information or more specific instructions.
- 5.3 Redirection. Ad Hoc Committees and Task Forces shall obtain Council concurrence before they proceed in any direction different from the original instructions of the Council.
- 5.4 Noticing. Per Resolution No. 2015-09, Ad Hoc Committees and Task Forces that are created by the City Council and are composed of less than a quorum of the Council and have members of City Commissions and/or members of the public on the committee are subject to the provisions of the Ralph M. Brown Act.

SECTION 6. ADMINISTRATIVE MATTERS

- 6.1 Attendance. City Councilmembers acknowledge that attendance at lawful meetings of the City Council is part of their official duty. Councilmembers shall make a good faith effort to attend all such meetings unless unable. Councilmembers will notify the Mayor or the City Clerk if they will be absent from a meeting.
- 6.2 Correspondence. With some exceptions, proposed correspondence (including electronic) from individual Councilmembers/Mayor on City stationery shall be reviewed by the Council in draft form prior to release. On occasion, there are urgent requests ~~from the League of California Cities~~ for correspondence concerning legislation directly affecting municipalities. ~~Assuming there is agreement between the Mayor and City Manager that the League's position corresponds with that of the Council,~~ The Mayor may send a letter without first obtaining Council review if the content of the letter aligns with the Council's position on the subject issue. A copy of the letter should be sent to all Councilmembers.

City letterhead will be made available for routine, discretionary correspondence (i.e., thank you notes, etc.), or such correspondence will be prepared by staff for signature, without prior consent of the Council. E-mails from Councilmembers should be respectful, ~~professional~~professional, and consistent with the City's Electronic Use Policy.

- 6.3 Regional Boards. The Mayor shall appoint Councilmembers to Regional Committees/Commissions/Boards as required by the governing bodies. These appointments are subject to affirmation by the Council. The role of the Council on regional boards will vary depending on the nature of the appointment. Representing the interests of Los Altos is appropriate on some boards; this is generally the case when other local governments have their own representation.

The positions taken by the appointed representatives are to be in alignment with the positions that the Council has taken on issues that directly impact the City of Los Altos. If an issue should arise that is specific to Los Altos, and the Council has not taken a position, the issue should be discussed by the Council prior to taking a formal position at a regional board meeting, to assure that it is in alignment with the Council's position.

Council representatives to such boards shall keep the Council informed of ongoing business through brief oral or written reports to the Council.

Councilmembers shall make a good faith effort to attend all regional meetings that require a quorum of the appointed members to convene a meeting. If a Councilmember is unable to attend, he/she should notify his/her alternate as far in advance of the meeting as possible so as to allow the alternate to attend.

Appointments to regional boards shall terminate upon the expiration of Councilmember's term unless: 1) the Councilmember is reelected and can serve the full term on the regional board; or 2) action is taken by the Council to reappoint the individual to the regional board, and such appointment is consistent with the regional board's policies.

- 6.4 Response to Public. It will be the responsibility of the City Manager to ensure a response is provided to all public correspondence for informational requests addressed to the Council. Staff shall respond to all requests for services and provide a copy of such correspondence to the City Council, as appropriate.
- 6.5 Proclamations. Proclamations are discretionary public announcements directing attention to a local resident, ~~organization~~ organization, or event. The Mayor, without formal action of the Council, may issue proclamations. Requests for proclamations should be submitted at least one week in advance. This allows the Mayor to decide if a proclamation should be issued. Alternatively, the Mayor, at his/her discretion, may refer a request to Council.
- 6.6 Reimbursement. City Councilmembers may be reimbursed for personal expenses for travel to and lodging at conferences or meetings related to their role as a Councilmember. Reimbursements shall be subject to the City's Travel and Expense Policy.

Brief reports must be given on any outside meeting attended at the expense of the City at the next regular Council meeting. Reimbursement is conditioned on the submission of this report to the City Council.

- 6.7 Training.
Ethics: Members of the City Council and commissions shall receive at least two hours of ethics training in general ethics principles and ethics laws relevant to his/her public service every two years. New members must receive this training within their first year of service. Members shall attend training sessions that are offered locally in the immediate vicinity of Santa Clara County or by completing online a state-approved public service ethics education program.

An individual who serves on multiple legislative bodies need only receive two hours of ethics training every two years to satisfy this requirement for all applicable public service positions.

Sexual Harassment: In addition, Councilmembers shall receive two hours of sexual harassment prevention training every two years, per State law. New members must receive this training within their first six months of service.

Brown Act: Members of the City Council and those individuals appointed by the City Council to serve on a commission or advisory committee will receive training on the requirements of the Brown Act at the time they begin their service and again when there is a scheduled Commission training. ~~ithin 60 days of beginning service.~~

Anti-Bias: At least every 2 years, Councilmembers and Commissioners will receive anti-bias training organized by the City.

Other Training. From time to time, the City Council may direct that Members of the City Council and Commissions receive training on different topics.

The City Clerk is required to keep training records for five years to document and prove that these continuing education requirements have been satisfied. These documents are public records subject to disclosure under the California Public Records Act.

- 6.8. Use of Electronic Devices during Council Meetings. City Councilmembers shall not use electronic devices to send or receive communications regarding agenda items or to access information which other Councilmembers do not have equal access to during a meeting of the City Council at which he or she is in attendance. This does not apply to receipt of telephone calls or text messages from family members in the event of an urgent family matter. If a Councilmember is aware of the urgent family matter prior to the Council meeting, the Councilmember should inform the Mayor. If the issue arises during the Council meeting, the Councilmember should ask for a break so the Councilmember can address the issue. This Norm also does not apply if the Mayor needs to communicate with City staff related to the management of the Council meeting and such communication cannot be done during a break. Councilmembers responding to such a message during the meeting shall do so in a manner that does not disrupt the meeting.
- 6.9. City Mission and City Seal. The Mission of the City of Los Altos is a statement that reflects the values of our residents. The City Seal is an important symbol of the City of Los Altos. No change to the City Mission and/or City Seal shall be made without Council approval. Use of the City Seal shall be by permission of the City Clerk.
- 6.10 Use of email. City Councilmembers shall strive to use only their City email account for City business.

SECTION 7. COUNCIL RELATIONSHIP WITH STAFF

- 7.1 City Manager. City Councilmembers are always free to go to the City Manager to discuss any subject. Issues concerning the performance of a ~~Department~~Department, or any employee must be directed to the City Manager. City Councilmembers shall not meet with groups of management employees for the purpose of discussing terms of employment or establishing employee policy. Direction to City employees, other than the City Manager or City Attorney, is the prerogative of the City Manager. In passing along critical information, the City Manager will be responsible for contacting all Councilmembers. The City Manager may delegate this responsibility to Department Heads.
- 7.2 Agenda Item Questions. The Council shall not abuse ~~staff~~, ~~nor~~ ~~embarrass~~, ~~or harass~~ staff ~~in public~~. If a Councilmember has a question on a subject, the Councilmember should contact the City Manager prior to any meeting at which the subject may be discussed. This does not restrict Councilmembers from asking questions during a Council meeting.
- 7.3 Complaints. Councilmembers shall encourage people to file all complaints related to work or services provided by City staff directly with the City Manager and the appropriate staff member. The City manager and sStaff shall ensure that all people receive a response. If a Councilmember receives a complaint directly, the Councilmember should forward the complaint to the City

Manager. If all Councilmembers are copied on the same complaint, the Mayor is responsible for forwarding the complaint to the City Manager.

- 7.4 Staff. Councilmembers may ask Department Heads for information. This informal system of direct communication is not to be abused.

SECTION 8. MEETINGS

- 8.1 Open to Public. All meetings of the City Council, ~~except for closed sessions as authorized by law, shall be open to the public, whether regular, special, or study sessions, shall be open to the public, unless a closed session is held as authorized by law.~~ All meetings shall be noticed as required to allow action to be taken by the Council.
- 8.2 Broadcasting of City Council Meetings. All regular Council meetings and study sessions shall be scheduled in the Community Meeting Chambers to allow for web streaming and simulcast on the City's Government Access Channel, unless the number of participants exceeds room capacity. The final decision shall be the responsibility of the Mayor. All regular City Council meetings and study sessions shall be video-recorded, unless the City is unable to do so due to unforeseen circumstances or circumstances beyond the City's control in which case the meeting shall be audio-recorded.
- 8.3 Regular Meetings. The City Council shall conduct its regular meetings at the time and place established by ordinance. At the first regular meeting in December, the City Council will approve the schedule of meetings for the next calendar year, which in addition to the regular meeting schedule, may include the cancellation of regular meetings and the addition of special meetings and study sessions. This practice does not, however, preclude the Mayor or a majority of the members of the City Council from calling additional meetings pursuant to Section 8.5, if necessary.

It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.

- 8.4 Cancelling Meetings. Any meeting of the City Council may be cancelled in advance by majority vote of the Council. The Mayor may cancel a meeting in the case of an emergency or when a majority of members have confirmed in writing to the City Manager their unavailability to attend a meeting or agreement to cancel a meeting.
- 8.5 Special Meetings. A special meeting may be called at any time by the Mayor or by a majority of the City Council in accordance with the Brown Act. Written notice of any such meeting must specify the purpose of the meeting and the identities of members making the call. Notice of the meeting must be given in accordance with law. Public comments at special meetings shall be limited to only those items described on the special meeting notice/agenda.

The City Council may hold study sessions or joint meetings with other boards, commissions, committees, or agencies as deemed necessary to attend to City business. These meetings will be coordinated by the City Clerk. Study sessions are scheduled to provide Councilmembers the opportunity to better understand a particular item. While Council may legally take action at any noticed meeting, generally no formal action is taken at study sessions. If action is to be taken at a study session, then the agenda will state that action may be taken.

- 8.6 Closed Sessions. The City Council may hold closed sessions at any time authorized by law (and in consultation with the City Attorney), to consider or hear any matter, which is authorized by law. The Mayor or a majority of the City Council may call closed session meetings at any time. Requests for a closed session should be made to the City Manager.
- 8.7 Annual Retreat. The City Council shall hold an annual retreat following the reorganization of the Council (typically in December or January). The purpose of the retreat shall be to review accomplishments for the past calendar year and to discuss and set priorities for the City Council for the following calendar year.
- 8.8 Quorum. Three (3) members of the City Council shall constitute a quorum and shall be sufficient to transact business. If less than three Councilmembers appear at a regular meeting, the Mayor, Vice Mayor in the absence of the Mayor, any Councilmember in the absence of the Mayor and Vice Mayor, or in the absence of all Councilmembers, the City Clerk or Deputy City Clerk, shall adjourn the meeting to a stated day and hour.

Business of the City Council may be conducted with a minimum of three members being present; however, pursuant to the California Government Code, matters requiring the expenditure of City funds and all resolutions and non-urgency ordinances must receive three affirmative votes for approval.

- 8.9 Minutes. Staff shall prepare minutes of all public meetings of the City Council. Copies shall be distributed to each Councilmember. Closed session minutes, if any, shall be approved by all Councilmembers and kept in strict confidence.

~~8.11~~ ~~8.10~~ — Adjourned Meetings. The City Council may adjourn any regular, adjourned regular, ~~special~~special, or closed session meeting to a time and place specified in the order of adjournment and permitted by law.

~~8.118.12~~ Like all sections in the Norms and Procedures, this section is subject to section 1.5 of the Norms and Procedures.

SECTION 9. POSTING NOTICE AND AGENDA

- 9.1 Posting of Notice and Agenda. For every regular, special, or study session meeting, the City Clerk or other authorized person shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all items of business to be discussed at the meeting. This notice and agenda may be combined in a single document. Posting is to be according to the City's Open Government Policy and State law.
- 9.2 Location of Posting. The notice and agenda shall be posted at City Hall and at the meeting location, if located away from City Hall, in a place to which the public has unrestricted access and where the notice and agenda are not likely to be removed or obscured by other posted material, and to the City website. Similar to the other sections in the Norms and Procedures, this section is subject to Section 1.5 of the Norms and Procedures.

SECTION 10. AGENDA CONTENTS

- 10.1 ~~Mayor's Responsibility~~Setting the Agenda. ~~The Mayor is responsible for running a timely and orderly meeting. If the Mayor is unavailable to run a Council meeting, the Vice Mayor shall run the meeting.~~ The Mayor, in consultation with the City Manager or his/her designee, and the City Clerk shall organize the agenda.
- 10.2 Description of Matters. All items of business to be discussed at a meeting of the City Council shall be briefly described on the agenda. The description should set forth the proposed action

to be considered so that members of the public will know the nature of the action under review and consideration.

- 10.3 Availability to the Public. The agenda for any regular, special, or study session meeting, shall be made available to the general public as required by law.
- 10.4 Limitation to Act Only on Items on the Agenda. No action shall be taken by the City Council on any item not on the posted agenda, subject only to the exceptions listed below:
- A. Upon a majority determination that an “emergency ~~situation~~exception” (as defined by State Law) exists; or
 - B. Upon determination by a 4/5 vote of the full City Council, or a unanimous vote if less than a full Council, that an “urgency exception” (as defined by State Law) exists and the Council there is a needs to take immediate action and that the need to take the action came to the attention of the City Council subsequent to posting of the agenda.
 - ~~B.C.~~ Two Councilmembers are required to request an item be placed on the agenda for the full Council to determine if the item meets the urgency or emergency exception. This determination is done in accordance with Section 10.4A or 10.4B above and occurs soon after the Council meeting begins. If the Council votes to hear the emergency or urgency item, the item would then be placed as a discussion item on that Council meeting’s agenda.
- 10.5 ~~“Timing” of Agenda. Staff and/or the Mayor will “time” the agenda as a way for the Council to maintain a sense of how much time can be committed to any one item without going past an established ending time for the meeting.~~
- ~~10.6~~ Order of Agenda. The prescribed order of the agenda for Regular Meetings of the Council will be as follows: Establish Quorum, Pledge of Allegiance, Closed Session Announcement (if needed), Changes to the Order of the Agenda, Special Items, Public Comments on Items not on the Agenda, Consent Calendar, Public Hearings, Discussion Items, Informational Items, City Council Reports (~~limited to one minute per Councilmember~~), Future Agenda Items (~~limited to one minute per Councilmember~~), and Adjournment.
- 10.67 Changes to the Order of the Agenda. “Changes to the Order of the Agenda” will be an agenda item that is heard soon after the Council meeting begins whereby At the beginning of a Council meeting, the Mayor, Councilmembers and/or City staff may request a change to the order in which agenda items are to be considered. The Mayor will ask if there are any changes to the order of the agenda. Any requested changes will be made in the form of a motion and a vote will be taken. If there are no requests for changes, the agenda will be taken in the prescribed order.
- 10.78 Consent Calendar. A Councilmember or any member of the public may request an item be removed from the Consent Calendar. At the Mayor’s discretion, items removed from the Consent Calendar may be considered immediately after approval of the balance of the Consent Calendar or elsewhere in the agenda. Councilmembers shall be given the opportunity to ask a clarifying question about a consent item or make a brief comment about an item without having to remove the item from the Consent Calendar.
- 10.89 Tentative Council Calendar. The Tentative Council Calendar shall list items pending to come before Council within the next 12 months period and will be included as part of each Council Meeting’s Agenda Packet. City Staff will post the Tentative Council Calendar on the City’s website and make updates to the Tentative Council Calendar, as necessary.

~~Quarterly (first meeting in January, April, July and October),~~ Council shall review the Tentative Council Calendar quarterly at a regularly scheduled Council meeting. At this time, Councilmembers may request new items be added with the required support from other Councilmembers depending on whether a staff report is required. The Councilmember requesting the item shall state the topic and which Council priority the request aligns to. Council and staff shall agree as to where the new item shall be placed on the Tentative Council Calendar.

10.4~~90~~ Placing items on a future agenda. Members of the City Council may have any matter that can be legally agendaized placed on the agenda of the City Council by indicating their desire to do so under that portion of the City Council agenda designated, "Future City Council Agenda Items." Placing an item on a future agenda requires two Councilmembers to support the item if no staff work is required and three Councilmembers if staff work is required. Unless an item is deemed an urgency exception or emergency exception, as defined in the Norms, Councilmembers shall request the placement of items on future agendas at a public Council meeting.

10.1~~04~~ Council questions. Councilmembers shall strive to provide questions to city staff on agenda items as early as possible before a council meeting to allow adequate time to respond to the questions. Staff will provide all questions and answers to Council questions to all Councilmembers prior to the subject Council meeting, and, excepting attorney-client communications, to the public as soon as possible. Councilmembers shall strive to notify staff if they plan to raise a specific question at the Council meeting. If a Councilmember feels they need additional information to make a decision on an item, and the item is not time sensitive, the Councilmember may request the item be continued to a future meeting during Changes to the Order of the Agenda.

10.11 Emergency Meetings. The City Council may hold an emergency meeting (as defined in State Law) without complying with either the 24-hour notice requirement, or the 24-hour posting requirement, or both of the notice and posting requirements.

SECTION 11. PROCEDURES FOR THE CONDUCT OF PUBLIC MEETINGS

11.1 Role of Mayor.

A. The Mayor is responsible for running the meeting. If the Mayor is unavailable to run a Council meeting, the Vice Mayor shall run the meeting. The Mayor shall be responsible for maintaining the order and decorum of meetings. It shall be the duty and responsibility of the Mayor to ensure that the rules of operation and decorum contained herein are observed. The Mayor shall maintain control of communication between Councilmembers and among Council, staff and public. The Mayor has the prerogative to be the last Councilmember to vote on an item. The Mayor and Council Members are responsible to self-monitor their own conduct and speaking time to ensure a timely meeting.

B. Communication with Councilmembers

1. Councilmembers shall request the floor from the Mayor before speaking.
2. When one member of the Council has the floor and is speaking, other Councilmembers shall not interrupt or otherwise disturb the speaker.

C. Communication with Members of the Public Addressing the Council

1. The Mayor shall open the floor for public comment as appropriate.
2. Councilmembers may question a person addressing the Council at the conclusion of the person's comments or upon expiration of the person's time to speak.

3. Any staff member with an item on the agenda will be available to the City Council to answer questions arising during discussions between Councilmembers and among Councilmembers and members of the public.
4. Members of the public shall direct their questions and comments to the Council.

11.2 Rules of Order. The City Council adopts no specific rules of order except those listed herein. The City Council shall refer to *Rosenberg's Rules of Order*, as a guide for the conduct of meetings, with the following modifications:

- A. Although permitted, a motion is not required prior to a general discussion on an agenda item. A pre-motion discussion allows the members to share their thoughts on the agenda item so that a motion can more easily be made that takes into account what appears to be the majority position.
- B. All motions, except nominations, require a second.
- C. A motion may be amended at the request of the maker and the consent of the person who seconded the motion. Such a procedure is often used to accommodate concerns expressed by other members.
- D. A motion to amend may still be used.

The Mayor has the discretion to impose reasonable rules at any particular meeting based upon facts and circumstances found at any particular meeting. These latter rules will be followed unless objected to by a majority of the City Councilmembers present.

11.3 Appeal Procedures. Appellants shall be given the opportunity to speak first. Appellants and applicants responding to appeals may be given a total of up to 10 minutes each to present their positions to the City Council prior to hearing public comments. Appellants shall be given up to 5 minutes of rebuttal time after public comments are heard.

11.4 Public Hearing Procedures. All land use public hearing items shall follow the following procedures:

- A. Staff presentation and/or report followed by clarifying questions from the Council
- B. Disclosure of communications: Councilmembers shall disclose all personal communications with any individual, including, but not limited to, the project applicant, prospective project applicants, neighboring property owners, ~~residents~~residents, or any other party regarding development projects. These disclosures shall include a full description of the nature of the discussion, and in particular, any information not presented as part of the public record
- C. The Mayor shall open the public hearing
 - a. Applicant presentation; the applicant shall be given a total of up to 10 minutes to present to the City Council
 - b. The Council shall take public comments
 - c. Applicant rebuttal period; the applicant shall be given a total of up to 5 minutes rebuttal time. If there are no public comments, the applicant shall not be given time for rebuttal
- D. The Mayor shall close the public hearing
- E. Council discussion, ~~consideration~~consideration, and decision

11.5 Staff and Consultant Reports. Staff and consultant reports will be given a limit of up to 10 minutes. Staff is to assume that the Council has read all materials submitted. Council shall be given an opportunity to ask questions of staff prior to hearing public comments.

11.6 Public Comment.

- A. Persons present at meetings of the City Council may comment on individual items on the agenda. During Regular City Council meetings, comments may be offered on items not on the agenda under that portion of the agenda identified for Public Comment.
- B. The limit for speakers will be 1 to 3 minutes, depending on the number of speakers. ~~If there are 10 or fewer requests to speak on any agenda item, the limit for each speaker will be 3 minutes. The Mayor may limit the time to be spent on an item and may continue the item, with the approval of the majority of the Council, to a future meeting at his/her discretion, and the number of items that the Council is discussing at that meeting.~~

A group of speakers may designate a single speaker to represent the group. The designated speaker would be given the time which would have been allocated to others (to a maximum of 10 minutes) to speak. Individuals wanting to delegate time to another must be present at the meeting and must indicate their desire to cede time to a single individual by noting on a speaker card they are doing so. Persons who have ceded their time will not be permitted to speak on the topic at that meeting. Members of the public are not be permitted to cede their ing of time will not be allowed during quasi-judicial proceedings, land use hearings.

- C. In order to facilitate an orderly meeting, anyone wishing to address the City Council is asked to fill out a Request to Speak card, indicating their name, ~~address~~address, and agenda item number/topic. A separate card is requested for each item. The request to speak cards shall be turned into the City Clerk before the item is heard by the City Council.
- D. Upon addressing the Council, each speaker is requested, but not required, to first state his/her name, whom they represent and/or city of residence.
- E. After the speaker has completed their remarks, Councilmembers may ask questions of the speaker after being acknowledged by the Mayor. Councilmembers shall be respectful of the speakers and shall not enter into a debate with any member of the public.
- F. Upon conclusion of the Public Comment section for any item, the Mayor may provide Councilmembers and/or staff with an opportunity to respond to statements made by the public.
- G. All Councilmembers shall listen to all public discussion as part of the Council's community responsibility. Individual Councilmembers should remain open-minded to comments made by the public.
- H. The Mayor has the right to ask a member of the public to step down if over the allotted time or if comments are not germane.

11.7 Motions. It will be the practice of the City Council for the Mayor to provide Councilmembers an opportunity to ask questions of staff, comment on, and discuss any agendized item in order to help form a consensus before a motion is offered. After such discussion, the Mayor or any Councilmember may make a motion. Before the motion can be considered or discussed, it must be seconded. Once a motion has been properly made and seconded, the Mayor shall open the matter to full discussion offering the first opportunity to speak to the moving party, and thereafter, to any Councilmember recognized by the Mayor. Customarily, the Mayor will take the floor after all other Councilmembers have been given the opportunity to speak.

If a motion clearly contains divisible parts, any Councilmember may request the Mayor or moving party divide the motion into separate motions to provide Councilmembers an opportunity for more specific consideration.

Tie Votes: Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter.

If a tie vote results at a time when less than all members of the Council, who may legally participate in the matter, are present, the matter shall be automatically continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

11.8 Reconsideration of a Council Action.

A. Request for Reconsideration by a member of the public.

~~1. Request by a member of the public.~~

Any member of the public may request that a member of the City Council that voted in the majority request reconsideration. In order for that member of Council to take action, such request must be received no later than 5:00 p.m. on the third day following the decision. The requestor should specify in writing the reason for the request to reconsider. The Councilmember would then need to follow the procedure described in Section B below.

~~2. Request by a member of the City Council.~~

~~Only a member of the City Council who voted on the prevailing side may request reconsideration. The request may be made at the same meeting or 24 hours in advance of the posting of the agenda for the next regular meeting. Meeting agenda postings are governed by the Open Government Policy or Brown Act, whichever requires the most notice.~~

~~3. The City Councilmember making the request should state orally or in writing the reason for the request, without dwelling on the specific details or setting forth various arguments.~~

B. Motion to Request for Reconsideration by a Councilmember-Any Council Action.

1. Request by a member of the City Council.

Only a member of the City Council who voted in the majority may request reconsideration. The request may be made at the same meeting, or 24 hours in advance of the posting of the agenda for the next regular meeting. The request needs to be supported by two (2) Councilmembers, including the requesting Councilmember, for it to be added to the agenda. A request added to an agenda shall be structured in a manner that a motion for reconsideration may be considered immediately following approval of the request for reconsideration.

In presenting a request for reconsideration, the City Councilmember making the request should state orally or in writing the reason for the request, without dwelling on the specific details or setting forth various arguments.

2. Motion for Reconsideration at the same meeting.

_____ A motion to reconsider an action taken by the City Council may be made at the same meeting at which the action was taken (including an adjourned or continued meeting), or in accordance with Section 11.8B1. A motion to reconsider an action may be made only by a Councilmember who voted ~~on the prevailing side in the~~ majority but may be seconded by any Councilmember and is debatable.

The motion must be approved by a majority of the entire City Council.

~~2. Reconsideration at a subsequent meeting.~~

~~_____ Requests for reconsideration not made at the same meeting must be made by a member of the prevailing party 24 hours to the City Manager prior to the posting of the next regular meeting agenda. If the request is supported by any two (2) other Councilmembers, then it shall be added to the agenda. A request added to an agenda shall be structured in a manner that the reconsideration may take place immediately following approval of the request for reconsideration.~~

At the time such motion for reconsideration is heard, testimony shall be limited to the facts giving rise to the motion.

C. Effect of Approval of Motion.

Upon approval of a motion to reconsider, and at such time as the matter is heard, the City Council shall only consider any new evidence or facts not presented previously with regard to the item or a claim of error in applying the facts.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken and all interested persons (including applicants, owners, ~~supporters~~ supporters, and opponents) are still present, the matter may be reconsidered at that meeting or at the next regular meeting or intervening special meeting (subject to the discretion of the maker of the motion) and no further public notice is required.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken but all interested persons are not still present, or if the motion is made and approved at the next regular meeting or intervening special meeting, the item shall be scheduled for consideration at the earliest feasible City Council meeting and shall be re-noticed in accordance with the Government Code, the City Municipal Code and the *Council Norms and Procedures*. The Clerk shall provide notice to all interested parties as soon as possible when a matter becomes the subject of a motion to reconsider.

11.9 Discussion.

- A. The discussion and deliberations at meetings of the City Council are to secure the mature judgment of Councilmembers on proposals submitted for decision. This purpose is best served by the exchange of thought through discussion and debate.

To the extent possible, Councilmembers should disclose any ex parte communication prior to discussion on an item.

Discussion and deliberation are regulated by these rules in order to assure every member a reasonable and equal opportunity to be heard.

B. Obtaining the Floor for Discussion.

After the Council has commented on an issue, and a motion has been stated to the Council and seconded, any member of the Council has a right to discuss it after obtaining the floor. The member obtains the floor by seeking recognition from the Mayor. A member who has been recognized should limit his/her time to 3 minutes.

C. Speaking More Than Once.

To encourage the full participation of all members of the Council, no member or members shall be permitted to monopolize the discussion of the question. If a Councilmember has already spoken, other Councilmembers wishing to speak shall then be recognized. No Councilmember shall be allowed to speak a second time until after all other Councilmembers have had an opportunity to speak.

D. Relevancy of Discussion.

All discussion must be relevant to the issue before the City Council. A Councilmember is given the floor only for the purpose of discussing the pending question; discussion which departs is out of order. Councilmembers shall avoid repetition and strive to move the discussion along. Arguments, for or against a measure, should be stated as concisely as possible.

A motion, its nature, or consequences, may be debated vigorously. It is never permissible to attack the motives, character, or personality of a member either directly or by innuendo or implication. It is the duty of the Mayor to instantly rule out of order any Councilmember who engages in personal attacks. It is the motion, not its proposer, that is subject to debate.

It is the responsibility of each Councilmember to maintain an open mind on all issues during discussion and deliberation. It is not necessary for all City Councilmembers to speak or give their viewpoints if another Councilmember has already addressed their concerns.

E. Mayor's Duties During Discussion.

The Mayor has the responsibility of controlling and expediting the discussion. A Councilmember who has been recognized to speak on a question has a right to the undivided attention of the Council.

It is the duty of the Mayor to keep the subject clearly before the members, to rule out irrelevant discussion, and to restate the question whenever necessary.

F. After the Vote.

Once a majority of the Council has approved a motion, no further discussion shall be made unless the item is brought for reconsideration as described previously.

11.10 Councilmember Respect. Councilmembers shall abide by the majority decision of the Council, even if in the minority. Councilmembers appointed to serve on regional boards and committees shall maintain the Council's position on an item, even if the Councilmember disagrees with that position.

11.11 Council and Staff Reports and Directions on Future Agenda Items. Council and staff reports at the end of Council meetings shall be limited to announcing Council, Regional Board activities on which Councilmembers serve, City and City-sponsored activities. Community groups may announce their activities during Public Comments at the beginning of Council meetings.

SECTION 12. CLOSED SESSIONS

12.1 Purpose. It is the policy of the City Council to conduct its business in public to the greatest extent possible. However, state law recognizes that, in certain circumstances, public discussion could potentially jeopardize the public interest, compromise the City's position, and could cost the taxpayers of Los Altos financially. Therefore, closed sessions shall be held from time to time as allowed by law. The procedures for the conduct of these meetings shall be the same as for public meetings, except that the public will be excluded for the closed session portion of the meeting.

Prior to convening the closed session portion of the meeting, the Mayor or City Clerk shall publicly announce the closed session items and ask for public input regarding any items on the closed session agenda.

City Councilmembers shall keep all written materials and verbal information provided to them in closed session in complete confidence to ensure that the City's position is not compromised. No mention of information in these materials shall be made to anyone other than Councilmembers, the City Attorney or City Manager, except where authorized by a majority of the City Council.

12.2 Rule of Confidentiality. The City Council recognizes that breaches in confidentiality can severely prejudice the City's position in litigation, labor relations and real estate negotiations. Further, breaches of confidentiality can create a climate of distrust among Councilmembers and can harm the Council's ability to communicate openly in closed sessions, thereby impairing the Council's ability to perform its official duties.

The City Council further recognizes that confidentiality of discussions and documents are at the core of a closed session. Confidentiality is essential if the closed session is to serve its purpose. Therefore, the City Council will adhere to a strict policy of confidentiality for closed sessions.

- 12.3 Breach of Rule of Confidentiality. No person who attends a closed session may disclose any statements, discussions, or documents used in a closed session except where specifically authorized by State law. Any authorized disclosure shall be in strict compliance with these rules and the Ralph M. Brown Act. Violation of this rule shall be considered a breach of this rule of confidentiality.
- 12.4 Agenda. The agenda for a closed session will contain that information required to be disclosed pursuant to the Ralph M. Brown Act.
- 12.5 Permissible Topics. All closed sessions will be held in strict compliance with the Ralph M. Brown Act. The City Attorney, or his/her designee, will advise in advance on topics that may be discussed in a closed session.
- 12.6 Rules of Decorum.
- A. The same high standard of respect and decorum as apply to public meetings shall apply to closed sessions. There shall be courtesy, respect and tolerance for all viewpoints and for the right of Councilmembers to disagree. Councilmembers shall strive to make each other feel comfortable and safe to express their points of view. All Councilmembers have the right to insist upon strict adherence to this rule.
 - B. Prior to a vote, the Mayor shall ensure that the motion is clearly stated and clearly understood by all Councilmembers.
 - C. The Mayor shall keep the discussion moving forward so that debate and a vote can occur in the time allotted for the closed session. The Mayor will determine the order of debate in a fair manner.
- 12.7 Conduct of Meeting.
- A. The Mayor will call the closed session to order promptly at its scheduled time.
 - B. The Mayor will keep discussion focused on the permissible topics.
 - C. The use of handouts and visual aids such as charts is encouraged to focus debate and promote understanding of the topic. All such materials are strictly confidential.
 - D. If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations, whether it be related to property acquisitions or disposal, a proposed or pending claim or litigation, or employee negotiations, all contact with the other party will be through the designated City person(s) representing the City in the handling of the matter. A Councilmember, not so designated by the Council, will not under any circumstances have any contact or discussion with the other party or its representative concerning the ~~matter~~matter, which was discussed in the closed session, and will not communicate any discussions conducted in closed session to such party.
- 12.8 Public Disclosure After Final Action.
- A. The Ralph M. Brown Act requires that, as a body, the City Council make certain public disclosure of closed session decisions when those actions have become final. Accordingly, the ~~City Council~~Mayor or the City Attorney shall publicly report any final action taken in closed session, and the vote, including abstentions, as directed by the Ralph M. Brown Act.
 - B. The report may be oral or written. The report will state any reportable action taken by the Council and how each Councilmember voted, if applicable ~~only the action taken and the~~

~~vote. All other closed session discussions will remain confidential.~~ Unless authorized by the majority of the City Council and if permitted under applicable law, the report will not state the debate or discussion that occurred. ~~Except for the action taken and the vote, all closed session discussions will remain confidential.~~

SECTION 13. DECORUM

- 13.1 Councilmembers. Members of the City Council value and recognize the importance of the trust invested in them by the public to accomplish the business of the City. Councilmembers shall accord the utmost courtesy to each other, City employees, and the public appearing before the City Council. When speaking, a Councilmember's tone should remain neutral and non-verbal communication aspects should be considerate and polite. Formal business attire is required only when Council meetings, workshops, or study sessions are held in Community Meeting Chambers and/or televised.
- 13.2 City Employees. Members of the City staff shall observe the same rules of order and decorum applicable to the City Council. City staff shall act at all times in a business and professional manner towards Councilmembers and members of the public.
- 13.3 Public. Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. City Code Chapter 2.05, *Public Meeting Rules for Conduct*, shall apply to all City Council Meetings.
- ~~13.4 Noise~~13.4 Noise in the Chambers. Noise emanating from the audience, whether expressing opposition or support within the Community Meeting Chambers or lobby area, which disrupts City Council meetings, shall not be permitted. All cellular phones and other consumer electronic devices shall be muted while in the chambers. Refusal is grounds for removal.

SECTION 14. VIOLATIONS OF PROCEDURES

Nothing in these Norms and Procedures shall invalidate a properly noticed and acted upon action of the City Council in accordance with State Law.

This document shall remain in effect until modified by the City Council.

AMENDED AND APPROVED: July 9, 2019.

APPENDIX A

ROSENBERG'S RULES OF ORDER



CITY COUNCIL NORMS AND PROCEDURES



COUNCILMEMBERS

~~Jeannie Bruins~~

Anita Enander

Neysa Fligor

Lynette Lee Eng

~~Jan Pepper~~

Sally Meadows

Jonathan Weinberg

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APPENDIX A: ROSENBERG'S RULES OF ORDER (SIMPLE PARLIAMENTARY PROCEDURES FOR THE 21ST CENTURY)

**CITY OF LOS ALTOS
CITY COUNCIL NORMS AND PROCEDURES*****SECTION 1. GENERAL***

- 1.1 Purpose. The purpose of these Norms and Procedures is to promote communication, understanding, fairness, and trust among the members of the City Council and staff concerning their roles, responsibilities, and expectations for management of the business of the City of Los Altos.
- 1.2 Values. Council members shall represent the best interests of the City and community at large. Councilmembers shall treat fellow Councilmembers, members of the public, Commission and Committee members, and staff and consultants with respect, civility and courtesy. All Councilmembers shall respect each other's individual points of view and right to disagree. When addressing the public in any way, all Councilmembers shall make certain their opinions are expressed solely as their own, and do not necessarily reflect the opinions of any other Councilmember. Councilmembers shall respect the decisions of the majority of the Council at all times.
- 1.3 Review. The City Council shall conduct a review of this document biennially, or whenever a new Councilmember has been seated or Council deems necessary, to assist Councilmembers in being more productive in management of the business of the City. A new Council will consider the document within three months of its first regular meeting.
- 1.4 Ralph M. Brown Act. All conduct of the City Council, Commissions, Committees and Subcommittees shall be in full compliance with State law, including the Ralph M. Brown Act.

SECTION 2. MAYOR AND VICE MAYOR SELECTION PROCESS

- 2.1 Reorganization. The reorganization of the Council shall occur at a special meeting held on the first Tuesday of December. The seating of new Councilmembers shall occur at the same meeting that the Council reorganizes, which will be held on the earliest available Tuesday following the certification of election results. [These two sentences may seem to be contradictory. Either both seating and reorg. Occurs on the first Tuesday both occur at the "earliest available Tuesday." This should be simplified and made consistent.

Seating preferences on the dais shall be made by the Mayor, Vice Mayor and then by seniority of the rest of the members, in that order. If two members have equal seniority based on year elected, then the member with the higher vote count in their most recent election is considered to have higher seniority.

A community reception honoring the incoming and outgoing Mayor and Councilmembers will be held immediately following the reorganization meeting.

- 2.2 Election of Mayor. Only Councilmembers elected by the voters may serve as Mayor. Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Mayor.

The term of office shall be one year. The Councilmember must have served at least 23 months to be eligible for Mayor. A majority vote of the Council is necessary to designate the Mayor. If there is at least one elected Councilmember with a minimum of 23 months of service who has not served as Mayor, he or she shall be designated Mayor before those who have already served as Mayor.

If there are two or more such members who have served more than 23 months and have never served as Mayor, the one having served the longest time on the Council shall be designated as Mayor.

In the event there are two or more members who have never served as Mayor and have served the same length of time, the one who received the greatest number of votes at his/her election or re-election to the Council shall become Mayor.

In the event there are two or more members who have served as Mayor, who have served the same continuous length of time, and who have been re-elected to the Council, the one who received the greatest number of votes at his/her re-election to the Council shall become Mayor.

In the event three new members are elected to the Council, then an exception to Sections 2.2 and 2.3 will apply, allowing the immediate appointment of a Vice Mayor without the normal 11 months of prior service, and the following year such person may be appointed as the Mayor without the normal 23 months of prior service. Any member re-elected to the Council after a break in service will be treated in the normal sequence for appointment as Vice Mayor and Mayor, without regard to such person's service prior to the break in service.

The Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Mayor should be made to the City Manager.

- 2.3 Election of Vice Mayor. Only Councilmembers elected by the voters may serve as Vice Mayor. Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Vice Mayor.

The selection process for determining who shall serve as Vice Mayor will follow that of Mayor, except the Councilmember must have served at least 11 months to be eligible to serve as Vice Mayor.

The Vice Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Vice Mayor should be made to the City Manager.

- 2.4 Councilmembers Serving After a Break in Service. The time of continuous service for any elected member of the Council who previously served on the Council prior to a break in service shall be considered to have started at his/her election after their break in service.
- 2.5 Appointment of Vacancy. In the event of a vacancy of office by the death or resignation of any Councilmember, the Council shall appoint a new Councilmember within sixty (60) days after a vacancy becomes effective in compliance with the California Elections Code, unless the Council, by resolution, decides to instead call a special election. In the event of appointment, the Council shall determine the process for appointment prior to the application process and in accordance with State law.

SECTION 3. COUNCIL SUBCOMMITTEES

- 3.1 Responsibility. The Mayor shall appoint Councilmembers to standing and ad hoc subcommittees as required to accomplish the work of the Council, subject to affirmation by the Council at its next regular meeting. It will be the responsibility of these subcommittees to inform and make recommendations to the Council and submit them to the Council for a vote. Staff shall work with, and support, Council subcommittees as required.
- 3.2 Instructions and Expectations. The Council shall make certain that all Council subcommittees are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the committee's efforts shall be defined in writing and approved by a majority of the City Council.
- 3.3 Reporting. Council subcommittee members are to keep the Council informed of the work and progress of their subcommittee. These reports or minutes shall be made in writing whenever a recommendation is made to the Council.
- 3.4 Standing Subcommittees. Four standing subcommittees of the Council exist: the Council Youth Commission Interview Committee, the City/Los Altos School District Schools Issues Committee, the City/Cupertino Union School District Schools Issues Committee and the Open Government Committee.

The Council Youth Commission Interview Committee consists of two members of the City Council and is responsible for conducting interviews of applicants for the Youth Commission and making recommendations to the City Council regarding the appointments. The Committee meets as needed.

The City/Los Altos School District Schools Issues Committee consists of two members of the City Council and two members of the Board of Trustees of the Los Altos School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern by both legislative bodies, as directed by the City Council and/or School Board. Meetings are open to the public and are generally held at least bi-annually.

The City/Cupertino Union School District Schools Issues Committee consists of two members of the City Council and two members of the Board of Trustees of the Cupertino Union School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern. Meetings are open to the public.

The Open Government Committee consists of two members of the City Council and advises the City Council and provides information to the City Manager on potential ways to implement the Open Government Policy. The Committee develops appropriate goals to ensure practical and timely implementation of the Open Government Policy and proposes any amendments to the Policy.

SECTION 4. COMMISSIONS AND COMMITTEES

- 4.1 Responsibility. The Council will appoint residents of the community to the City's standing commissions and committees. Commission and committee members shall represent the interests of the community at-large when serving on these bodies. These commissions and committees will respect the public and staff and shall take seriously their responsibility for reporting to the Council. Each commission is to keep a rotation schedule for representation at City Council meetings by one of its members. Attendance is required when a commission has an item of interest on the Council agenda, so as to be available to answer Council questions.

- 4.2 Governing. The City's Commissions and Committees are governed by the Commission Handbook as adopted and amended by the City Council.
- 4.3 Commission Liaisons. To facilitate the exchange of information between the Council and its Commissions, the Mayor will at least annually make liaison appointments to the Commissions. These appointments shall be ratified by the Council. Councilmembers shall respect the separation between policy making and advisory Commissions by: A) not attempting to lobby or influence Commissions on any item under their consideration; B) attending meetings of assigned Commissions, as needed [this needs to be defined or removed], but not taking a position on an item before the Commission; C) not voting at the Commission's meeting on any item; and D) assisting the Commission in scheduling recommendations to be heard by the Council.

If an issue arises regarding a member of any Commission, staff may work with the assigned Council Liaison to resolve the issue.

- 4.4 Commissioners serve at the pleasure of the City Council. The City Council may discipline or remove a Commissioner at any time solely at the discretion of the Council. Any proposed removal can be with or without cause. A Councilmember who wishes to discipline or remove a Commissioner shall indicate their desire to place the discipline or removal on a future agenda at the end of a regular Council meeting. If three or more Councilmembers wish to agendize the discipline or removal of a certain Commissioner, the item will be placed on a Council agenda. [Need to clarify who is responsible for identifying any commissioner who does not meet the attendance requirement and what process should be used for bringing the matter forward to remove such commissioner. The Commissioner Handbook indicates Council will review attendance annually, but commissions who miss 3 consecutive meetings may be removed. I suggest staff identify the issue and attempt, with the Chair, to remedy the matter. If unsuccessful, liaison should request the matter be placed on Council agenda.]

SECTION 5. AD HOC COMMITTEES AND TASK FORCES

- 5.1 Instructions and Expectations. The Council shall make certain that all Council-appointed Ad Hoc Committees and Task Forces are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the Committee's or Task Force's efforts shall be defined in writing and formally approved by a majority of the City Council.
- 5.2 Reports. Ad Hoc Committees and Task Forces are responsible for keeping the Council informed about issues being considered, and their progress. This is to be accomplished by meeting minutes distributed in the Council meeting packets or through oral reports to Council. Ad Hoc Committees and Task Forces are responsible for advising the Council of any need for information or more specific instructions.
- 5.3 Redirection. Ad Hoc Committees and Task Forces shall obtain Council concurrence before they proceed in any direction different from the original instructions of the Council.
- 5.4 Noticing. Per Resolution No. 2015-09, Ad Hoc Committees and Task Forces that are created by the City Council and are composed of less than a quorum of the Council and have members of City Commissions and/or members of the public on the committee are subject to the provisions of the Ralph M. Brown Act. [Perhaps it should be stated that ad hoc or task force composed only of two council members may meet without conforming to public notice/meeting provisions.]

SECTION 6. ADMINISTRATIVE MATTERS

- 6.1 Attendance. City Councilmembers acknowledge that attendance at lawful meetings of the City Council is part of their official duty. Councilmembers shall make a good faith effort to attend all such meetings unless unable. Councilmembers will notify the Mayor or the City Clerk if they will be absent from a meeting.
- 6.2 Correspondence. With some exceptions, proposed correspondence (including electronic) from individual Councilmembers/Mayor on City stationery shall be reviewed by the Council in draft form prior to release. On occasion, there are urgent requests from the League of California Cities for correspondence concerning legislation directly affecting municipalities. Assuming there is agreement between the Mayor and City Manager that the League's position corresponds with that of the Council, the Mayor may send a letter without first obtaining Council review.

City letterhead will be made available for routine, discretionary correspondence (i.e., thank you notes, etc.), or such correspondence will be prepared by staff for signature, without prior consent of the Council. E-mails from Councilmembers should be respectful, professional and consistent with the City's Electronic Use Policy.

- 6.3 Regional Boards. The Mayor shall appoint Councilmembers to Regional Committees/Commissions/Boards as required by the governing bodies. These appointments are subject to affirmation by the Council. The role of the Council on regional boards will vary depending on the nature of the appointment. Representing the interests of Los Altos is appropriate on some boards; this is generally the case when other local governments have their own representation.

The positions taken by the appointed representatives are to be in alignment with the positions that the Council has taken on issues that directly impact the City of Los Altos. If an issue should arise that is specific to Los Altos, and the Council has not taken a position, the issue should be discussed by the Council prior to taking a formal position at a regional board meeting, to assure that it is in alignment with the Council's position.

Council representatives to such boards shall keep the Council informed of ongoing business through brief oral or written reports to the Council.

Councilmembers shall make a good faith effort to attend all regional meetings that require a quorum of the appointed members to convene a meeting. If a Councilmember is unable to attend, he/she should notify his/her alternate as far in advance of the meeting as possible so as to allow the alternate to attend.

Appointments to regional boards shall terminate upon the expiration of Councilmember's term unless: 1) the Councilmember is reelected and can serve the full term on the regional board; or 2) action is taken by the Council to reappoint the individual to the regional board and such appointment is consistent with the regional board's policies – this is necessary because some boards require the appointee to be a sitting Council member

- 6.4 Response to Public. It will be the responsibility of the City Manager to ensure a response is provided to all public correspondence for informational requests addressed to the Council. Staff shall respond to all requests for services and provide a copy of such correspondence to the City Council, as appropriate.

- 6.5 Proclamations. Proclamations are discretionary public announcements directing attention to a local resident, organization or event. The Mayor, without formal action of the Council, may issue proclamations. Requests for proclamations should be submitted at least one week in advance. This allows the Mayor to decide if a proclamation should be issued. Alternatively, the Mayor, at his/her discretion, may refer a request to Council.
- 6.6 Reimbursement. City Councilmembers may be reimbursed for personal expenses for travel to and lodging at conferences or meetings related to their role as a Councilmember. Reimbursements shall be subject to the City's Travel and Expense Policy.

Brief reports must be given on any outside meeting attended at the expense of the City at the next regular Council meeting. Reimbursement is conditioned on the submission of this report to the City Council.

6.7 Training.

Ethics: Members of the City Council and commissions shall receive at least two hours of ethics training in general ethics principles and ethics laws relevant to his/her public service every two years. New members must receive this training within their first year of service. Members shall attend training sessions that are offered locally in the immediate vicinity of Santa Clara County or by completing online a state-approved public service ethics education program.

An individual who serves on multiple legislative bodies need only receive two hours of ethics training every two years to satisfy this requirement for all applicable public service positions.

Sexual Harassment: In addition, Councilmembers shall receive two hours of sexual harassment prevention training every two years, per State law. New members must receive this training within their first six months of service.

Brown Act: Members of the City Council and those individuals appointed by the City Council to serve on a commission or advisory committee will receive training on the requirements of the Brown Act at the time they begin their service and again within 60 days of beginning service.

The City Clerk is required to keep training records for five years to document and prove that these continuing education requirements have been satisfied. These documents are public records subject to disclosure under the California Public Records Act.

- 6.8 Use of Electronic Devices during Council Meetings. City Councilmembers shall not use electronic devices to send or receive communications regarding agenda items or to access information which other Councilmembers do not have equal access to during a meeting of the City Council at which he or she is in attendance. This does not apply to receipt of telephone calls or text messages from family members in the event of an urgent family matter. Councilmembers responding to such a message during the meeting shall do so in a manner that does not disrupt the meeting.
- 6.9 City Mission and City Seal. The Mission of the City of Los Altos is a statement that reflects the values of our residents. The City Seal is an important symbol of the City of Los Altos. No change to the City Mission and/or City Seal shall be made without Council approval. Use of the City Seal shall be by permission of the City Clerk.
- 6.10 Use of email. City Councilmembers shall strive to use only their City email account for City business.

SECTION 7. COUNCIL RELATIONSHIP WITH STAFF

- 7.1 City Manager. City Councilmembers are always free to go to the City Manager to discuss any subject. Issues concerning the performance of a Department or any employee must be directed to the City Manager. City Councilmembers shall not meet with groups of management employees for the purpose of discussing terms of employment or establishing employee policy. Direction to City employees, other than the City Manager or City Attorney, is the prerogative of the City Manager. In passing along critical information, the City Manager will be responsible for contacting all Councilmembers. The City Manager may delegate this responsibility to Department Heads.
- 7.2 Agenda Item Questions. The Council shall not abuse staff, nor embarrass staff in public. If a Councilmember has a question on a subject, the Councilmember should contact the City Manager prior to any meeting at which the subject may be discussed. This does not restrict Councilmembers from asking questions during a Council meeting.
- 7.3 Complaints. Councilmembers shall encourage people to file all complaints directly with the appropriate staff member. Staff shall ensure that all people receive a response.
- 7.4 Staff. Councilmembers may ask Department Heads for information. This informal system of direct communication is not to be abused.

SECTION 8. MEETINGS

- 8.1 Open to Public. All meetings of the City Council whether regular, special, or study sessions, shall be open to the public, unless a closed session is held as authorized by law. All meetings shall be noticed as required to allow action to be taken by the Council.
- 8.2 Broadcasting of City Council Meetings. All regular Council meetings and study sessions shall be scheduled in the Community Meeting Chambers to allow for web streaming and simulcast on the City's Government Access Channel, unless the number of participants exceeds room capacity. The final decision shall be the responsibility of the Mayor. All regular City Council meetings and study sessions shall be video-recorded, unless the City is unable to do so due to unforeseen circumstances or circumstances beyond the City's control in which case the meeting shall be audio-recorded.
- 8.3 Regular Meetings. The City Council shall conduct its regular meetings at the time and place established by ordinance. At the first regular meeting in December, the City Council will approve the schedule of meetings for the next calendar year, which in addition to the regular meeting schedule, may include the cancellation of regular meetings and the addition of special meetings and study sessions. This practice does not, however, preclude the Mayor or a majority of the members of the City Council from calling additional meetings pursuant to Section 8.5, if necessary.

It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.

- 8.4 Cancelling Meetings. Any meeting of the City Council may be cancelled in advance by majority vote of the Council. The Mayor may cancel a meeting in the case of an emergency or

when a majority of members have confirmed in writing to the City Manager their unavailability to attend a meeting or agreement to cancel a meeting.

- 8.5 Special Meetings. A special meeting may be called at any time by the Mayor or by a majority of the City Council in accordance with the Brown Act. Written notice of any such meeting must specify the purpose of the meeting and the identities of members making the call. Notice of the meeting must be given in accordance with law. Public comments at special meetings shall be limited to only those items described on the special meeting notice/agenda.

The City Council may hold study sessions or joint meetings with other boards, commissions, committees, or agencies as deemed necessary to attend to City business. These meetings will be coordinated by the City Clerk. Study sessions are scheduled to provide Councilmembers the opportunity to better understand a particular item. While Council may legally take action at any noticed meeting, generally no formal action is taken at study sessions. If action is to be taken at a study session, then the agenda will state that action may be taken.

- 8.6 Closed Sessions. The City Council may hold closed sessions at any time authorized by law (and in consultation with the City Attorney), to consider or hear any matter, which is authorized by law. The Mayor or a majority of the City Council may call closed session meetings at any time. Requests for a closed session should be made to the City Manager.

- 8.7 Annual Retreat. The City Council shall hold an annual retreat following the reorganization of the Council (typically in December or January). The purpose of the retreat shall be to review accomplishments for the past calendar year and to discuss and set priorities for the City Council for the following calendar year.

- 8.8 Quorum. Three (3) members of the City Council shall constitute a quorum and shall be sufficient to transact business. If less than three Councilmembers appear at a regular meeting, the Mayor, Vice Mayor in the absence of the Mayor, any Councilmember in the absence of the Mayor and Vice Mayor, or in the absence of all Councilmembers, the City Clerk or Deputy City Clerk, shall adjourn the meeting to a stated day and hour.

Business of the City Council may be conducted with a minimum of three members being present; however, pursuant to the California Government Code, matters requiring the expenditure of City funds and all resolutions and non-urgency ordinances must receive three affirmative votes for approval.

- 8.9 Minutes. Staff shall prepare minutes of all public meetings of the City Council. Copies shall be distributed to each Councilmember. Closed session minutes, if any, shall be approved by all Councilmembers and kept in strict confidence.
- 8.10 Adjourned Meetings. The City Council may adjourn any regular, adjourned regular, special or closed session meeting to a time and place specified in the order of adjournment and permitted by law.

Probably should add something general about changing meeting requirements in conformance with State or County emergency orders.

SECTION 9. POSTING NOTICE AND AGENDA

- 9.1 Posting of Notice and Agenda. For every regular, special, or study session meeting, the City Clerk or other authorized person shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all

items of business to be discussed at the meeting. This notice and agenda may be combined in a single document. Posting is to be according to the City's Open Government Policy and State law.

- 9.2 Location of Posting. The notice and agenda shall be posted at City Hall and at the meeting location, if located away from City Hall, in a place to which the public has unrestricted access and where the notice and agenda are not likely to be removed or obscured by other posted material, and to the City website.

Should add a section regarding electronic posting of meeting notice and agenda.

SECTION 10. AGENDA CONTENTS

- 10.1 Mayor's Responsibility. The Mayor is responsible for running a timely and orderly meeting. If the Mayor is unavailable to run a Council meeting, the Vice Mayor shall run the meeting. The Mayor, in consultation with the City Manager or his/her designee, and the City Clerk shall organize the agenda.
- 10.2 Description of Matters. All items of business to be discussed at a meeting of the City Council shall be briefly described on the agenda. The description should set forth the proposed action to be considered so that members of the public will know the nature of the action under review and consideration.
- 10.3 Availability to the Public. The agenda for any regular, special, or study session meeting, shall be made available to the general public as required by law.
- 10.4 Limitation to Act Only on Items on the Agenda. No action shall be taken by the City Council on any item not on the posted agenda, subject only to the exceptions listed below:
- A. Upon a majority determination that an "emergency situation" (as defined by State Law) exists; or
 - B. Upon determination by a 4/5 vote of the full City Council, or a unanimous vote if less than a full Council, that there is a need to take immediate action and that the need to take the action came to the attention of the City Council subsequent to posting of the agenda.
- 10.5 "Timing" of Agenda. Staff and/or the Mayor will "time" the agenda as a way for the Council to maintain a sense of how much time can be committed to any one item without going past an established ending time for the meeting. [Delete. This practice has not been followed for a long time, and it is unlikely to be something that can be successfully implemented.]
- 10.6 Order of Agenda. The prescribed order of the agenda for Regular Meetings of the Council will be as follows: Establish Quorum, Pledge of Allegiance, Closed Session Announcement (if needed), Changes to the Order of the Agenda, Special Items, Public Comments on Items not on the Agenda, Consent Calendar, Public Hearings, Discussion Items, Informational Items, City Council Reports (limited to one minute per Councilmember), Future Agenda Items (limited to one minute per Councilmember), and Adjournment.
- 10.7 Changes to the Order of the Agenda. At the beginning of a Council meeting, the Mayor, Councilmembers and/or City staff may request a change to the order in which agenda items are to be considered. The Mayor will ask if there are any changes to the order of the agenda. Any requested changes will be made in the form of a motion and a vote will be taken. If there are no requests for changes, the agenda will be taken in the prescribed order.

10.8 Consent Calendar. A Councilmember or any member of the public may request an item be removed from the Consent Calendar. At the Mayor's discretion, items removed from the Consent Calendar may be considered immediately after approval of the balance of the Consent Calendar or elsewhere in the agenda. Councilmembers shall be given the opportunity to ask a clarifying question about a consent item or make a brief comment about an item without having to remove the item from the Consent Calendar.

10.9 Tentative Council Calendar. The Tentative Council Calendar shall list items pending to come before Council within the next 12 months period.

Quarterly (first meeting in January, April, July and October), Council shall review the Tentative Council Calendar. At this time, Councilmembers may request new items be added. The Councilmember requesting the item shall state the topic and which Council priority the request aligns to. Council and staff shall agree as to where the new item shall be placed on the Tentative Council Calendar.

10.10 Placing items on a future agenda. Members of the City Council may have any matter that can be legally agendaized placed on the agenda of the City Council by indicating their desire to do so under that portion of the City Council agenda designated, "Future City Council Agenda Items." Placing an item on a future agenda requires two Councilmembers to support the item if no staff work is required and three Councilmembers if staff work is required.

Need to add a provision that allows a Council member to have an urgent matter added to the next agenda that may arise after the most recent meeting. Would require another Councilmember to support such item and would be without staff support.

10.11 Council questions. Councilmembers shall strive to provide questions to city staff on agenda items as early as possible before a council meeting to allow adequate time to respond to the questions. Staff will provide all questions and answers to Council questions to all Councilmembers and, excepting attorney-client communications, to the public. Councilmembers shall notify staff if they plan to raise a specific question at the Council meeting. If a Councilmember feels they need additional information to make a decision on an item, and the item is not time sensitive, the Councilmember may request the item be continued during Changes to the Order of the Agenda. [Sometimes, questions only arise after staff presentations, which are not always available prior to the meeting. This prevents asking all questions prior to the meeting.]

SECTION 11. PROCEDURES FOR THE CONDUCT OF PUBLIC MEETINGS

11.1 Role of Mayor.

- A. The Mayor shall be responsible for maintaining the order and decorum of meetings. It shall be the duty and responsibility of the Mayor to ensure that the rules of operation and decorum contained herein are observed. The Mayor shall maintain control of communication between Councilmembers and among Council, staff and public.
- B. Communication with Councilmembers
 1. Councilmembers shall request the floor from the Mayor before speaking.
 2. When one member of the Council has the floor and is speaking, other Councilmembers shall not interrupt or otherwise disturb the speaker.
- C. Communication with Members of the Public Addressing the Council

1. The Mayor shall open the floor for public comment as appropriate.
2. Councilmembers may question a person addressing the Council at the conclusion of the person's comments or upon expiration of the person's time to speak.
3. Any staff member with an item on the agenda will be available to the City Council to answer questions arising during discussions between Councilmembers and among Councilmembers and members of the public.
4. Members of the public shall direct their questions and comments to the Council.

It might be useful to indicate that Council does not answer questions posed by the public for items not on the agenda.

11.2 Rules of Order. The City Council adopts no specific rules of order except those listed herein. The City Council shall refer to *Rosenberg's Rules of Order*, as a guide for the conduct of meetings, with the following modifications:

- A. A motion is not required prior to a general discussion on an agenda item. A pre-motion discussion allows the members to share their thoughts on the agenda item so that a motion can more easily be made that takes into account what appears to be the majority position.
- B. All motions, except nominations, require a second.
- C. A motion may be amended at the request of the maker and the consent of the person who seconded the motion. Such a procedure is often used to accommodate concerns expressed by other members.
- D. A motion to amend may still be used.

The Mayor has the discretion to impose reasonable rules at any particular meeting based upon facts and circumstances found at any particular meeting. These latter rules will be followed unless objected to by a majority of the City Councilmembers present.

11.3 Appeal Procedures. Appellants shall be given the opportunity to speak first. Appellants and applicants responding to appeals may be given a total of up to 10 minutes each to present their positions to the City Council prior to hearing public comments. Appellants shall be given up to 5 minutes of rebuttal time after public comments are heard.

11.4 Public Hearing Procedures. All land use public hearing items shall follow the following procedures:

- A. Staff presentation and/or report followed by clarifying questions from the Council
- B. Disclosure of communications: Councilmembers shall disclose all personal communications with any individual, including, but not limited to, the project applicant, prospective project applicants, neighboring property owners, residents or any other party regarding development projects. These disclosures shall include a full description of the nature of the discussion, and in particular, any information not presented as part of the public record
- C. The Mayor shall open the public hearing
 - a. Applicant presentation; the applicant shall be given a total of up to 10 minutes to present to the City Council
 - b. The Council shall take public comments
 - c. Applicant rebuttal period; the applicant shall be given a total of up to 5 minutes rebuttal time. If there are no public comments, the applicant shall not be given time for rebuttal

- D. The Mayor shall close the public hearing
- E. Council discussion, consideration and decision

11.5 Staff and Consultant Reports. Staff and consultant reports will be given a limit of up to 10 minutes. Staff is to assume that the Council has read all materials submitted. Council shall be given an opportunity to ask questions of staff prior to hearing public comments.

11.6 Public Comment.

- A. Persons present at meetings of the City Council may comment on individual items on the agenda. During Regular City Council meetings, comments may be offered on items not on the agenda under that portion of the agenda identified for Public Comment.
- B. The limit for speakers will be 1 to 3 minutes, depending on the number of speakers. If there are 10 or fewer requests to speak on any agenda item, the limit for each speaker will be 3 minutes. The Mayor may limit the time to be spent on an item and may continue the item, with the approval of the majority of the Council, to a future meeting at his/her discretion.

A group of speakers may designate a single speaker to represent the group. The designated speaker would be given the time which would have been allocated to others (to a maximum of 10 minutes) to speak. Individuals wanting to delegate time to another must be present at the meeting and must indicate their desire to cede time to a single individual by noting on a speaker card or by whatever method is established by the City Clerk they are doing so. Persons who have ceded their time will not be permitted to speak on the topic at that meeting. Ceding of time will not be allowed during land-use hearings. Is there a legal reason for the latter? Does this apply to individual development proposals or, more broadly, to things like amendments to the land-use portion of the General Plan (for example).

- C. In order to facilitate an orderly meeting, anyone wishing to address the City Council is asked to fill out a Request to Speak card, indicating their name, address and agenda item number/topic. A separate card is requested for each item. The request to speak cards shall be turned into the City Clerk before the item is heard by the City Council. If we are going to adhere to this, then it should be announced that all requests to speak must be submitted before the staff presentation (or other first action) begins. This should be required also for items not on the agenda. The purpose is to identify the number of speakers, so the Mayor can sensibly apply 11.16.B above.
- D. Upon addressing the Council, each speaker is requested, but not required, to first state his/her name, whom they represent and/or city of residence.
- E. After the speaker has completed their remarks, Councilmembers may ask questions of the speaker after being acknowledged by the Mayor. Councilmembers shall be respectful of the speakers and shall not enter into a debate with any member of the public.
- F. Upon conclusion of the Public Comment section for any item, the Mayor may provide Councilmembers and/or staff with an opportunity to respond to statements made by the public.
- G. All Councilmembers shall listen to all public discussion as part of the Council's community responsibility. Individual Councilmembers should remain open-minded to comments made by the public.
- H. The Mayor has the right to ask a member of the public to step down if over the allotted time or if comments are not germane.

11.7 Motions. It will be the practice of the City Council for the Mayor to provide Councilmembers an opportunity to ask questions of staff, comment on, and discuss any agenda item in order to help form a consensus before a motion is offered. After such discussion, the Mayor or any Councilmember may make a motion. Before the motion can be considered or discussed, it must be seconded. Once a motion has been properly made and seconded, the Mayor shall open the matter to full discussion offering the first opportunity to speak to the moving party, and thereafter, to any Councilmember recognized by the Mayor. Customarily, the Mayor will take the floor after all other Councilmembers have been given the opportunity to speak.

If a motion clearly contains divisible parts, any Councilmember may request the Mayor or moving party divide the motion into separate motions to provide Councilmembers an opportunity for more specific consideration.

Tie Votes: Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter.

If a tie vote results at a time when less than all members of the Council, who may legally participate in the matter, are present, the matter shall be automatically continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

11.8 Reconsideration.

A. Request for Reconsideration.

1. Request by a member of the public.

Any member of the public may request that a member of the City Council that voted in the majority request reconsideration. In order for that member of Council to take action, such request must be received no later than 5:00 p.m. on the third day following the decision. The requestor should specify in writing the reason for the request to reconsider.

2. Request by a member of the City Council.

Only a member of the City Council who voted on the prevailing side may request reconsideration. The request may be made at the same meeting or 24 hours in advance of the posting of the agenda for the next regular meeting. Meeting agenda postings are governed by the Open Government Policy or Brown Act, whichever requires the most notice.

3. The City Councilmember making the request should state orally or in writing the reason for the request, without dwelling on the specific details or setting forth various arguments.

B. Motion to Reconsider Any Council Action.

1. Reconsideration at the same meeting.

A motion to reconsider an action taken by the City Council may be made at the same meeting at which the action was taken (including an adjourned or continued

meeting). A motion to reconsider an action may be made only by a Councilmember who voted on the prevailing side, but may be seconded by any Councilmember and is debatable.

The motion must be approved by a majority of the entire City Council.

2. Reconsideration at a subsequent meeting.

Requests for reconsideration not made at the same meeting must be made by a member of the prevailing party 24 hours to the City Manager prior to the posting of the next regular meeting agenda. If the request is supported by any two (2) other Councilmembers, then it shall be added to the agenda. A request added to an agenda shall be structured in a manner that the reconsideration may take place immediately following approval of the request for reconsideration.

At the time such motion for reconsideration is heard, testimony shall be limited to the facts giving rise to the motion.

C. Effect of Approval of Motion.

Upon approval of a motion to reconsider, and at such time as the matter is heard, the City Council shall only consider any new evidence or facts not presented previously with regard to the item or a claim of error in applying the facts.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken and all interested persons (including applicants, owners, supporters and opponents) are still present, the matter may be reconsidered at that meeting or at the next regular meeting or intervening special meeting (subject to the discretion of the maker of the motion) and no further public notice is required.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken but all interested persons are not still present, or if the motion is made and approved at the next regular meeting or intervening special meeting, the item shall be scheduled for consideration at the earliest feasible City Council meeting and shall be re-noticed in accordance with the Government Code, the City Municipal Code and the *Council Norms and Procedures*. The Clerk shall provide notice to all interested parties as soon as possible when a matter becomes the subject of a motion to reconsider.

11.9 Discussion.

- A. The discussion and deliberations at meetings of the City Council are to secure the mature judgment of Councilmembers on proposals submitted for decision. This purpose is best served by the exchange of thought through discussion and debate.

To the extent possible, Councilmembers should disclose any ex parte communication prior to discussion on an item.

Discussion and deliberation are regulated by these rules in order to assure every member a reasonable and equal opportunity to be heard.

- B. Obtaining the Floor for Discussion.

After the Council has commented on an issue, and a motion has been stated to the Council and seconded, any member of the Council has a right to discuss it after obtaining the floor. The member obtains the floor by seeking recognition from the Mayor. A member who has been recognized should limit his/her time to 3 minutes.

C. Speaking More Than Once.

To encourage the full participation of all members of the Council, no member or members shall be permitted to monopolize the discussion of the question. If a Councilmember has already spoken, other Councilmembers wishing to speak shall then be recognized. No Councilmember shall be allowed to speak a second time until after all other Councilmembers have had an opportunity to speak.

D. Relevancy of Discussion.

All discussion must be relevant to the issue before the City Council. A Councilmember is given the floor only for the purpose of discussing the pending question; discussion which departs is out of order. Councilmembers shall avoid repetition and strive to move the discussion along. Arguments, for or against a measure, should be stated as concisely as possible.

A motion, its nature, or consequences, may be debated vigorously. It is never permissible to attack the motives, character, or personality of a member either directly or by innuendo or implication. It is the duty of the Mayor to instantly rule out of order any Councilmember who engages in personal attacks. It is the motion, not its proposer, that is subject to debate.

It is the responsibility of each Councilmember to maintain an open mind on all issues during discussion and deliberation. It is not necessary for all City Councilmembers to speak or give their viewpoints if another Councilmember has already addressed their concerns.

E. Mayor's Duties During Discussion.

The Mayor has the responsibility of controlling and expediting the discussion. A Councilmember who has been recognized to speak on a question has a right to the undivided attention of the Council.

It is the duty of the Mayor to keep the subject clearly before the members, to rule out irrelevant discussion, and to restate the question whenever necessary.

F. After the Vote.

Once a majority of the Council has approved a motion, no further discussion shall be made unless the item is brought for reconsideration as described previously. [Why would this apply only for motions approved? It seems it would be more correct for this to read "Once all members of the Council have votes, no...."]

11.10 Councilmember Respect. Councilmembers shall abide by the majority decision of the Council, even if in the minority. Councilmembers appointed to serve on regional boards and committees shall maintain the Council's position on an item, even if the Councilmember disagrees with that position.

11.11 Council and Staff Reports and Directions on Future Agenda Items. Council and staff reports at the end of Council meetings shall be limited to announcing Council, Regional Board activities on which Councilmembers serve, City and City-sponsored activities. Community groups may announce their activities during Public Comments at the beginning of Council meetings.

SECTION 12. CLOSED SESSIONS

12.1 Purpose. It is the policy of the City Council to conduct its business in public to the greatest extent possible. However, state law recognizes that, in certain circumstances, public discussion could potentially jeopardize the public interest, compromise the City's position, and could cost the taxpayers of Los Altos financially. Therefore, closed sessions shall be held from time to time as allowed by law. The procedures for the conduct of these meetings shall be the same as for public meetings, except that the public will be excluded.

Prior to convening the closed session meeting, the City Clerk shall publicly announce the closed session items and ask for public input regarding any items on the closed session agenda.

City Councilmembers shall keep all written materials and verbal information provided to them in closed session in complete confidence to insure that the City's position is not compromised. No mention of information in these materials shall be made to anyone other than Councilmembers, the City Attorney or City Manager, except where authorized by a majority of the City Council.

12.2 Rule of Confidentiality. The City Council recognizes that breaches in confidentiality can severely prejudice the City's position in litigation, labor relations and real estate negotiations. Further, breaches of confidentiality can create a climate of distrust among Councilmembers and can harm the Council's ability to communicate openly in closed sessions, thereby impairing the Council's ability to perform its official duties.

The City Council further recognizes that confidentiality of discussions and documents are at the core of a closed session. Confidentiality is essential if the closed session is to serve its purpose. Therefore, the City Council will adhere to a strict policy of confidentiality for closed sessions.

- 12.3 Breach of Rule of Confidentiality. No person who attends a closed session may disclose any statements, discussions, or documents used in a closed session except where specifically authorized by State law. Any authorized disclosure shall be in strict compliance with these rules and the Ralph M. Brown Act. Violation of this rule shall be considered a breach of this rule of confidentiality.
- 12.4 Agenda. The agenda for a closed session will contain that information required to be disclosed pursuant to the Ralph M. Brown Act.
- 12.5 Permissible Topics. All closed sessions will be held in strict compliance with the Ralph M. Brown Act. The City Attorney, or his/her designee, will advise in advance on topics that may be discussed in a closed session.
- 12.6 Rules of Decorum.
- A. The same high standard of respect and decorum as apply to public meetings shall apply to closed sessions. There shall be courtesy, respect and tolerance for all viewpoints and for the right of Councilmembers to disagree. Councilmembers shall strive to make each other feel comfortable and safe to express their points of view. All Councilmembers have the right to insist upon strict adherence to this rule.
 - B. Prior to a vote, the Mayor shall ensure that the motion is clearly stated and clearly understood by all Councilmembers.
 - C. The Mayor shall keep the discussion moving forward so that debate and a vote can occur in the time allotted for the closed session. The Mayor will determine the order of debate in a fair manner.
- 12.7 Conduct of Meeting.
- A. The Mayor will call the closed session to order promptly at its scheduled time.
 - B. The Mayor will keep discussion focused on the permissible topics.
 - C. The use of handouts and visual aids such as charts is encouraged to focus debate and promote understanding of the topic. All such materials are strictly confidential.
 - D. If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations, whether it be related to property acquisitions or disposal, a proposed or pending claim or litigation, or employee negotiations, all contact with the other party will be through the designated City person(s) representing the City in the handling of the matter. A Councilmember, not so designated by the Council, will not under any circumstances have any contact or discussion with the other party or its representative concerning the matter which was discussed in the closed session, and will not communicate any discussions conducted in closed session to such party.
- 12.8 Public Disclosure After Final Action.
- A. The Ralph M. Brown Act requires that, as a body, the City Council make certain public disclosure of closed session decisions when those actions have become final. Accordingly, the City Council shall publicly report any final action taken in closed session, and the vote, including abstentions, as directed by the Ralph M. Brown Act.

- B. The report may be oral or written. The report will state only the action taken and the vote. Unless authorized by the majority of the City Council, the report will not state the debate or discussion that occurred. Except for the action taken and the vote, all closed session discussions will remain confidential. [Do we need to add something about the timing of such report/disclosure?]

SECTION 13. DECORUM

- 13.1 Councilmembers. Members of the City Council value and recognize the importance of the trust invested in them by the public to accomplish the business of the City. Councilmembers shall accord the utmost courtesy to each other, City employees, and the public appearing before the City Council. When speaking, a Councilmember's tone should remain neutral and non-verbal communication aspects should be considerate and polite. Formal business attire is required only when Council meetings, workshops, or study sessions are held in Community Meeting Chambers and/or televised.
- 13.2 City Employees. Members of the City staff shall observe the same rules of order and decorum applicable to the City Council. City staff shall act at all times in a business and professional manner towards Councilmembers and members of the public.
- 13.3 Public. Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. City Code Chapter 2.05, *Public Meeting Rules for Conduct*, shall apply to all City Council Meetings.
- 13.4 Noise in the Chambers. Noise emanating from the audience, whether expressing opposition or support within the Community Meeting Chambers or lobby area, which disrupts City Council meetings, shall not be permitted. All cellular phones and other consumer electronic devices shall be muted while in the chambers. Refusal is grounds for removal.

SECTION 14. VIOLATIONS OF PROCEDURES

Nothing in these Norms and Procedures shall invalidate a properly noticed and acted upon action of the City Council in accordance with State Law.

This document shall remain in effect until modified by the City Council.

AMENDED AND APPROVED: July 9, 2019.

APPENDIX A

ROSENBERG'S RULES OF ORDER



CITY COUNCIL NORMS AND PROCEDURES



COUNCILMEMBERS

Jeannie Bruins
Anita Enander
Neysa Fligor
Lynette Lee Eng
Jan Pepper

**COUNCIL NORMS AND PROCEDURES
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**CITY OF LOS ALTOS
CITY COUNCIL NORMS AND PROCEDURES*****SECTION 1. GENERAL***

- 1.1 Purpose. The purpose of these Norms and Procedures is to promote communication, understanding, fairness, and trust among the members of the City Council, ~~and~~ staff and the residents concerning their roles, responsibilities, and expectations for management of the business of the City of Los Altos.
- 1.2 Values. Council members shall represent the best interests of the City and community at large. Councilmembers shall treat fellow Councilmembers, members of the public, Commission and Committee members, and staff and consultants with respect, civility and courtesy. All Councilmembers shall respect each other's individual points of view and right to disagree. When addressing the public in any way, all Councilmembers shall make certain their opinions are expressed solely as their own, and do not necessarily reflect the opinions of any other Councilmember. Councilmembers shall respect the decisions of the majority of the Council at all times.
- 1.3 Review. The City Council shall conduct a review of this document biennially, or whenever a new Councilmember has been seated or Council deems necessary, to assist Councilmembers in being more productive in management of the business of the City. A new Council will consider the document within three months of its first regular meeting.
- 1.4 ~~Ralph M. Brown Act~~Applicable Laws. These Norms and Procedures are subject to any applicable laws and aAll conduct of the City Council, Commissions, Committees and Subcommittees shall be in full compliance with State~~these~~ laws, including the Ralph M. Brown Act.
- 1.5 Compliance with Norms and Procedures. Unless otherwise approved by at least a majority of the Members of Council or prohibited from occurring due to circumstances beyond the City's control, for example, a state of emergency declaration, all Members of the City Council are required to comply with these Norms and Procedures.

SECTION 2. MAYOR AND VICE MAYOR SELECTION PROCESS

- 2.1 Reorganization. The reorganization of the Council ~~and shall occur at a special meeting held on the first Tuesday of December. The~~the seating of new Councilmembers shall occur at ~~the a special same meeting that the Council reorganizes, which will be~~ held on the earliest available Tuesday following the certification of election results, which is typically on the first Tuesday of December.

Seating preferences on the dais shall be made by the Mayor, Vice Mayor and then by seniority of the rest of the members, in that order. If two members have equal seniority based on year elected, then the member with the higher vote count in their most recent election is considered to have higher seniority.

A community reception honoring the incoming and outgoing Mayor and Councilmembers will be held immediately following the reorganization meeting.

- 2.2 Election of Mayor. Only Councilmembers elected by the voters or appointed to the City Council due to the cancellation of an election may serve as Mayor. ~~Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Mayor.~~

The term of office shall be one year. The Councilmember must have served at least 23 months to be eligible for Mayor. A majority vote of the Council is necessary to designate the Mayor. If there is at least one elected Councilmember with a minimum of 23 months of service who has not served as Mayor, he or she shall be designated Mayor before those who have already served as Mayor.

If there are two or more such members who have served more than 23 months and have never served as Mayor, the one having served the longest time on the Council shall be designated as Mayor.

In the event there are two or more members who have never served as Mayor and have served the same length of time, the one who received the greatest number of votes at his/her election or re-election to the Council shall become Mayor.

In the event there are two or more members who have served as Mayor, who have served the same continuous length of time, and who have been re-elected to the Council, the one who received the greatest number of votes at his/her re-election to the Council shall become Mayor.

In the event three new members are elected to the Council, then an exception to Sections 2.2 and 2.3 will apply, allowing the immediate appointment of a Vice Mayor without the normal 11 months of prior service, and the following year such person may be appointed as the Mayor without the normal 23 months of prior service. Any member re-elected to the Council after a break in service will be treated in the normal sequence for appointment as Vice Mayor and Mayor, without regard to such person's service prior to the break in service.

The Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Mayor should be made to the City Manager.

- 2.3 Election of Vice Mayor. Only Councilmembers elected by the voters [or appointed to the City Council due to the cancellation of an election](#) may serve as Vice Mayor. ~~Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Vice Mayor.~~

The selection process for determining who shall serve as Vice Mayor will follow that of Mayor, except the Councilmember must have served at least 11 months to be eligible to serve as Vice Mayor.

The Vice Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Vice Mayor should be made to the City Manager.

- 2.4 Councilmembers Serving After a Break in Service. The time of continuous service for any elected member of the Council who previously served on the Council prior to a break in service shall be considered to have started at his/her election after their break in service.

- 2.5 Appointment of Vacancy. In the event of a vacancy of office by the death or resignation of any Councilmember, the Council shall appoint a new Councilmember within sixty (60) days after a vacancy becomes effective in compliance with the California Elections Code, unless the Council, by resolution, decides to instead call a special election. In the event of appointment,

the Council shall determine the process for appointment prior to the application process and in accordance with State law.

SECTION 3. COUNCIL SUBCOMMITTEES

- 3.1 Responsibility. The Mayor shall appoint Councilmembers to standing and ad hoc subcommittees as required to accomplish the work of the Council, subject to affirmation by the Council at its next regular meeting. It will be the responsibility of these subcommittees to inform and make recommendations to the Council and submit them to the Council for a vote. Staff shall work with, and support, Council subcommittees as required.
- 3.2 Instructions and Expectations. The Council shall make certain that all Council subcommittees are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the committee's efforts shall be defined in writing and approved by a majority of the City Council.
- 3.3 Reporting. Council subcommittee members are to keep the Council informed of the work and progress of their subcommittee. These reports or minutes shall be made in writing whenever a recommendation is made to the Council.
- 3.4 Standing Subcommittees. ~~From time to time, the City Council may vote to establish our~~ standing subcommittees. ~~These include -of the Council exist-~~ the Council Youth Commission Interview Committee, the Open Government Committee, Legislative Subcommittee, and joint committees with the different school district boards that serve Los Altos residents. City/Los Altos School District Schools Issues Committee, the City/Cupertino Union School District Schools Issues Committee and the Open Government Committee.

The Council Youth Commission Interview Committee consists of two members of the City Council and is responsible for conducting interviews of applicants for the Youth Commission and making recommendations to the City Council regarding the appointments. The Committee meets as needed.

The City/~~Los Altos~~ School District ~~Schools Issues~~ Committees consists of two members of the City Council and two members of the Board of Trustees of the ~~Los Altos School~~applicable School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern by both legislative bodies, as directed by the City Council and/or School Board. Meetings are open to the public and are generally held at least bi-annually.

~~The City/Cupertino Union School District Schools Issues Committee consists of two members of the City Council and two members of the Board of Trustees of the Cupertino Union School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern. Meetings are open to the public.~~

The Open Government Committee consists of two members of the City Council and advises the City Council and provides information to the City Manager on potential ways to implement the Open Government Policy. The Committee develops appropriate goals to ensure practical and timely implementation of the Open Government Policy and proposes any amendments to the Policy.

The Legislative Subcommittee consists of two members of the City Council. The role of the Subcommittee is to review legislation that will have an impact or is relevant to the City

business, provide information on the legislation to the City Council and/or recommend to the full City Council whether to take a position on such legislation. The Legislative Subcommittee can identify legislation it believes the Council should consider or a Council Member can request that the Subcommittee review certain legislation.

SECTION 4. COMMISSIONS AND COMMITTEES

- 4.1 Responsibility. The Council will appoint residents of the community to the City's standing commissions and committees. Commission and committee members shall represent the interests of the community at-large when serving on these bodies. These commissions and committees will respect the public and staff and shall take seriously their responsibility for reporting to the Council. Each commission is to keep a rotation schedule for representation at City Council meetings by one of its members. Attendance is required when a commission has an item of interest on the Council agenda, so as to be available to answer Council questions.
- 4.2 Governing. The City's Commissions and Committees are governed by the Commission Handbook as adopted and amended by the City Council.
- 4.3 Commission Liaisons. To facilitate the exchange of information between the Council and its Commissions, the Mayor will at least annually make liaison appointments to the Commissions. These appointments shall be ratified by the Council. Councilmembers shall respect the separation between policy making and advisory Commissions by: A) not attempting to lobby or influence Commissions on any item under their consideration; B) attending meetings of assigned Commissions, as needed, but not taking a position on an item before the Commission; C) not voting at the Commission's meeting on any item; and D) assisting the Commission in scheduling recommendations to be heard by the Council.

If an issue arises regarding a member of any Commission, staff may work with the assigned Council Liaison to resolve the issue.

- 4.4 Commissioners serve at the pleasure of the City Council. The City Council may discipline or remove a Commissioner at any time solely at the discretion of the Council. Any proposed removal can be with or without cause. A Councilmember who wishes to discipline or remove a Commissioner shall indicate their desire to place the discipline or removal on a future agenda at the end of a regular Council meeting. If three or more Councilmembers wish to agendaize the discipline or removal of a certain Commissioner, the item will be placed on a Council agenda.

SECTION 5. AD HOC COMMITTEES AND TASK FORCES

- 5.1 Instructions and Expectations. The Council shall make certain that all Council-appointed Ad Hoc Committees and Task Forces are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the Committee's or Task Force's efforts shall be defined in writing and formally approved by a majority of the City Council.
- 5.2 Reports. Ad Hoc Committees and Task Forces are responsible for keeping the Council informed about issues being considered, and their progress. This is to be accomplished by meeting minutes distributed in the Council meeting packets or through oral reports to Council. Ad Hoc Committees and Task Forces are responsible for advising the Council of any need for information or more specific instructions.
- 5.3 Redirection. Ad Hoc Committees and Task Forces shall obtain Council concurrence before they proceed in any direction different from the original instructions of the Council.

- 5.4 Noticing. Per Resolution No. 2015-09, Ad Hoc Committees and Task Forces that are created by the City Council and are composed of less than a quorum of the Council and have members of City Commissions and/or members of the public on the committee are subject to the provisions of the Ralph M. Brown Act.

SECTION 6. ADMINISTRATIVE MATTERS

- 6.1 Attendance. City Councilmembers acknowledge that attendance at lawful meetings of the City Council is part of their official duty. Councilmembers shall make a good faith effort to attend all such meetings unless unable. Councilmembers will notify the Mayor or the City Clerk if they will be absent from a meeting.
- 6.2 Correspondence. With some exceptions, proposed correspondence (including electronic) from individual Councilmembers/Mayor on City stationery shall be reviewed by the Council in draft form prior to release. On occasion, there are urgent requests from ~~the League of California Cities~~ for correspondence concerning legislation directly affecting municipalities. Assuming ~~the Mayor's position corresponds with the Council's position, there is agreement between the Mayor and City Manager that the League's position corresponds with that of the Council,~~ the Mayor may send a letter without first obtaining Council review.

City letterhead will be made available for routine, discretionary correspondence (i.e., thank you notes, etc.), or such correspondence will be prepared by staff for signature, without prior consent of the Council. E-mails from Councilmembers should be respectful, professional and consistent with the City's Electronic Use Policy.

- 6.3 Regional Boards. The Mayor shall appoint Councilmembers to Regional Committees/Commissions/Boards as required by the governing bodies. These appointments are subject to affirmation by the Council. The role of the Council on regional boards will vary depending on the nature of the appointment. Representing the interests of Los Altos is appropriate on some boards; this is generally the case when other local governments have their own representation.

The positions taken by the appointed representatives are to be in alignment with the positions that the Council has taken on issues that directly impact the City of Los Altos. If an issue should arise that is specific to Los Altos, and the Council has not taken a position, the issue should be discussed by the Council prior to taking a formal position at a regional board meeting, to assure that it is in alignment with the Council's position.

Council representatives to such boards shall keep the Council informed of ongoing business through brief oral or written reports to the Council.

Councilmembers shall make a good faith effort to attend all regional meetings that require a quorum of the appointed members to convene a meeting. If a Councilmember is unable to attend, he/she should notify his/her alternate as far in advance of the meeting as possible so as to allow the alternate to attend.

Appointments to regional boards shall terminate upon the expiration of Councilmember's term unless: 1) the Councilmember is reelected and can serve the full term on the regional board; or 2) action is taken by the Council to reappoint the individual to the regional board

- 6.4 Response to Public. It will be the responsibility of the City Manager to ensure a response is provided to all public correspondence for informational requests addressed to the Council. Staff shall respond to all requests for services and provide a copy of such correspondence to the City Council, as appropriate.
- 6.5 Proclamations. Proclamations are discretionary public announcements directing attention to a local resident, organization or event. The Mayor, without formal action of the Council, may issue proclamations. Requests for proclamations should be submitted at least one week in advance. This allows the Mayor to decide if a proclamation should be issued. Alternatively, the Mayor, at his/her discretion, may refer a request to Council.
- 6.6 Reimbursement. City Councilmembers may be reimbursed for personal expenses for travel to and lodging at conferences or meetings related to their role as a Councilmember. Reimbursements shall be subject to the City's Travel and Expense Policy.

Brief reports must be given on any outside meeting attended at the expense of the City at the next regular Council meeting. Reimbursement is conditioned on the submission of this report to the City Council.

- 6.7 Training.
Ethics: Members of the City Council and commissions shall receive at least two hours of ethics training in general ethics principles and ethics laws relevant to his/her public service every two years. New members must receive this training within their first year of service. Members shall attend training sessions that are offered locally in the immediate vicinity of Santa Clara County or by completing online a state-approved public service ethics education program.

An individual who serves on multiple legislative bodies need only receive two hours of ethics training every two years to satisfy this requirement for all applicable public service positions.

Sexual Harassment: In addition, Councilmembers shall receive two hours of sexual harassment prevention training every two years, per State law. New members must receive this training within their first six months of service.

Brown Act: Members of the City Council and those individuals appointed by the City Council to serve on a commission or advisory committee will receive training on the requirements of the Brown Act at the time they begin their service and again within 60 days of beginning service.

[Other Training.](#) [From time to time, the City Council may direct that Members of the City Council and Commissions receive other training, such as Anti-Bias Training.](#)

The City Clerk is required to keep training records for five years to document and prove that these continuing education requirements have been satisfied. These documents are public records subject to disclosure under the California Public Records Act.

- 6.8 Use of Electronic Devices during Council Meetings. City Councilmembers shall not use electronic devices to send or receive communications regarding agenda items or to access information which other Councilmembers do not have equal access to during a meeting of the City Council at which he or she is in attendance. This does not apply to receipt of telephone calls or text messages from family members in the event of an urgent family matter. Councilmembers responding to such a message during the meeting shall do so in a manner that does not disrupt the meeting.

- 6.9 City Mission and City Seal. The Mission of the City of Los Altos is a statement that reflects the values of our residents. The City Seal is an important symbol of the City of Los Altos. No change to the City Mission and/or City Seal shall be made without Council approval. Use of the City Seal shall be by permission of the City Clerk.

~~6.10~~ ~~6.10~~—Use of email. City Councilmembers shall strive to use only their City email account for City business.

6.11 Office Hours. Members of the City Council will hold Office Hours throughout the year. This is an opportunity for residents to meet one on one with a Council Member. Council Members shall provide a summary report of the Office Hours either verbally at a City Council Meeting during Council Member reports or in writing.

SECTION 7. COUNCIL RELATIONSHIP WITH STAFF

- 7.1 City Manager. City Councilmembers are always free to go to the City Manager to discuss any subject. Issues concerning the performance of a Department or any employee must be directed to the City Manager. City Councilmembers shall not meet with groups of management employees for the purpose of discussing terms of employment or establishing employee policy. Direction to City employees, other than the City Manager or City Attorney, is the prerogative of the City Manager. In passing along critical information, the City Manager will be responsible for contacting all Councilmembers. The City Manager may delegate this responsibility to Department Heads.
- 7.2 Agenda Item Questions. The Council shall not abuse staff, nor embarrass staff in public. If a Councilmember has a question on a subject, the Councilmember should contact the City Manager prior to any meeting at which the subject may be discussed. This does not restrict Councilmembers from asking questions during a Council meeting.
- 7.3 Complaints. Councilmembers shall encourage people to file all complaints directly with the appropriate staff member. Staff shall ensure that all people receive a response.
- 7.4 Staff. Councilmembers may ask Department Heads for information. This informal system of direct communication is not to be abused.

SECTION 8. MEETINGS

- 8.1 Open to Public. All meetings of the City Council whether regular, special, or study sessions, shall be open to the public, unless a closed session is held as authorized by law. All meetings shall be noticed as required to allow action to be taken by the Council.
- 8.2 Broadcasting of City Council Meetings. All regular Council meetings and study sessions shall be scheduled in the Community Meeting Chambers to allow for web streaming and simulcast on the City's Government Access Channel, unless the number of participants exceeds room capacity. The final decision shall be the responsibility of the Mayor. All regular City Council meetings and study sessions shall be video-recorded, unless the City is unable to do so due to unforeseen circumstances or circumstances beyond the City's control in which case the meeting shall be audio-recorded.
- 8.3 Regular Meetings. The City Council shall conduct its regular meetings at the time and place established by ordinance. At the first regular meeting in December, the City Council will approve the schedule of meetings for the next calendar year, which in addition to the regular

meeting schedule, may include the cancellation of regular meetings and the addition of special meetings and study sessions. This practice does not, however, preclude the Mayor or a majority of the members of the City Council from calling additional meetings pursuant to Section 8.5, if necessary.

It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.

- 8.4 Canceling Meetings. Any meeting of the City Council may be cancelled in advance by majority vote of the Council. The Mayor may cancel a meeting in the case of an emergency or when a majority of members have confirmed in writing to the City Manager their unavailability to attend a meeting or agreement to cancel a meeting.
- 8.5 Special Meetings. A special meeting may be called at any time by the Mayor or by a majority of the City Council in accordance with the Brown Act. Written notice of any such meeting must specify the purpose of the meeting and the identities of members making the call. Notice of the meeting must be given in accordance with law. Public comments at special meetings shall be limited to only those items described on the special meeting notice/agenda.

The City Council may hold study sessions or joint meetings with other boards, commissions, committees, or agencies as deemed necessary to attend to City business. These meetings will be coordinated by the City Clerk. Study sessions are scheduled to provide Councilmembers the opportunity to better understand a particular item. While Council may legally take action at any noticed meeting, generally no formal action is taken at study sessions. If action is to be taken at a study session, then the agenda will state that action may be taken.

- 8.6 Closed Sessions. The City Council may hold closed sessions at any time authorized by law (and in consultation with the City Attorney), to consider or hear any matter, which is authorized by law. The Mayor or a majority of the City Council may call closed session meetings at any time. Requests for a closed session should be made to the City Manager.
- 8.7 Annual Retreat. The City Council shall hold an annual retreat following the reorganization of the Council (typically in December or January). The purpose of the retreat shall be to review accomplishments for the past year and to discuss and set priorities for the City Council for the following year.
- 8.8 Quorum. Three (3) members of the City Council shall constitute a quorum and shall be sufficient to transact business. If less than three Councilmembers appear at a regular meeting, the Mayor, Vice Mayor in the absence of the Mayor, any Councilmember in the absence of the Mayor and Vice Mayor, or in the absence of all Councilmembers, the City Clerk or Deputy City Clerk, shall adjourn the meeting to a stated day and hour.

Business of the City Council may be conducted with a minimum of three members being present; however, pursuant to the California Government Code, matters requiring the expenditure of City funds and all resolutions and non-urgency ordinances must receive three affirmative votes for approval.

- 8.9 Minutes. Staff shall prepare minutes of all public meetings of the City Council. Copies shall be distributed to each Councilmember. Closed session minutes, if any, shall be approved by all Councilmembers and kept in strict confidence.

- 8.10 Adjourned Meetings. The City Council may adjourn any regular, adjourned regular, special or closed session meeting to a time and place specified in the order of adjournment and permitted by law.

SECTION 9. POSTING NOTICE AND AGENDA

- 9.1 Posting of Notice and Agenda. For every regular, special, or study session meeting, the City Clerk or other authorized person shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all items of business to be discussed at the meeting. This notice and agenda may be combined in a single document. Posting is to be according to the City's Open Government Policy and State law.
- 9.2 Location of Posting. The notice and agenda shall be posted at City Hall and at the meeting location, if located away from City Hall, in a place to which the public has unrestricted access and where the notice and agenda are not likely to be removed or obscured by other posted material, and to the City website.

SECTION 10. AGENDA CONTENTS

- 10.1 Mayor's Responsibility. The Mayor is responsible for running a timely and orderly meeting. If the Mayor is unavailable to run a Council meeting, the Vice Mayor shall run the meeting. The Mayor, in consultation with the City Manager or his/her designee, and the City Clerk shall organize the agenda.
- 10.2 Description of Matters. All items of business to be discussed at a meeting of the City Council shall be briefly described on the agenda. The description should set forth the proposed action to be considered so that members of the public will know the nature of the action under review and consideration.
- 10.3 Availability to the Public. The agenda for any regular, special, or study session meeting, shall be made available to the general public as required by law.
- 10.4 Limitation to Act Only on Items on the Agenda. No action shall be taken by the City Council on any item not on the posted agenda, subject only to the exceptions listed below:
- A. Upon a majority determination that an "emergency situation" (as defined by State Law) exists; or
 - B. Upon determination by a 4/5 vote of the full City Council, or a unanimous vote if less than a full Council, that there is a need to take immediate action and that the need to take the action came to the attention of the City Council subsequent to posting of the agenda.
- 10.5 "Timing" of Agenda. Staff and/or the Mayor will "time" the agenda as a way for the Council to maintain a sense of how much time can be committed to any one item without going past an established ending time for the meeting.
- 10.6 Order of Agenda. The prescribed order of the agenda for Regular Meetings of the Council will be as follows: Establish Quorum, Pledge of Allegiance, Closed Session Announcement (if needed), Changes to the Order of the Agenda, Special Items, Public Comments on Items not on the Agenda, Consent Calendar, Public Hearings, Discussion Items, Informational Items, City Council Reports (limited to one minute per Councilmember), Future Agenda Items (limited to one minute per Councilmember), and Adjournment.

- 10.7 Changes to the Order of the Agenda. At the beginning of a Council meeting, the Mayor, Councilmembers and/or City staff may request a change to the order in which agenda items are to be considered. The Mayor will ask if there are any changes to the order of the agenda. Any requested changes will be made in the form of a motion and a vote will be taken. If there are no requests for changes, the agenda will be taken in the prescribed order.
- 10.8 Consent Calendar. A Councilmember or any member of the public may request an item be removed from the Consent Calendar. At the Mayor's discretion, items removed from the Consent Calendar may be considered immediately after approval of the balance of the Consent Calendar or elsewhere in the agenda. Councilmembers shall be given the opportunity to ask a clarifying question about a consent item or make a brief comment about an item without having to remove the item from the Consent Calendar.
- 10.9 Tentative Council Calendar. The Tentative Council Calendar shall list items pending to come before Council within the next 12 months period.
- Quarterly (first meeting in January, April, July and October), Council shall review the Tentative Council Calendar. At this time, Councilmembers may request new items be added. The Councilmember requesting the item shall state the topic and which Council priority the request aligns to. Council and staff shall agree as to where the new item shall be placed on the Tentative Council Calendar.
- 10.10 Placing items on a future agenda. Members of the City Council may have any matter that can be legally agendized placed on the agenda of the City Council by indicating their desire to do so under that portion of the City Council agenda designated, "Future City Council Agenda Items." Placing an item on a future agenda requires two Councilmembers to support the item if no staff work is required and three Councilmembers if staff work is required.
- 10.11 Council questions. Councilmembers shall strive to provide questions to city staff on agenda items as early as possible before a council meeting to allow adequate time to respond to the questions. Staff will provide all questions and answers to Council questions to all Councilmembers and, excepting attorney-client communications, to the public. Councilmembers shall notify staff if they plan to raise a specific question at the Council meeting. If a Councilmember feels they need additional information to make a decision on an item, and the item is not time sensitive, the Councilmember may request the item be continued during Changes to the Order of the Agenda.

SECTION 11. PROCEDURES FOR THE CONDUCT OF PUBLIC MEETINGS

11.1 Role of Mayor.

- A. The Mayor shall be responsible for maintaining the order and decorum of meetings. It shall be the duty and responsibility of the Mayor to ensure that the rules of operation and decorum contained herein are observed. The Mayor shall maintain control of communication between Councilmembers and among Council, staff and public.
- B. Communication with Councilmembers
1. Councilmembers shall request the floor from the Mayor before speaking.
 2. When one member of the Council has the floor and is speaking, other Councilmembers shall not interrupt or otherwise disturb the speaker.
- C. Communication with Members of the Public Addressing the Council

1. The Mayor shall open the floor for public comment as appropriate.
2. Councilmembers may question a person addressing the Council at the conclusion of the person's comments or upon expiration of the person's time to speak.
3. Any staff member with an item on the agenda will be available to the City Council to answer questions arising during discussions between Councilmembers and among Councilmembers and members of the public.
4. Members of the public shall direct their questions and comments to the Council.

11.2 Rules of Order. The City Council adopts no specific rules of order except those listed herein. The City Council shall refer to *Rosenberg's Rules of Order*, as a guide for the conduct of meetings, with the following modifications:

- A. A motion is not required prior to a general discussion on an agenda item. A pre-motion discussion allows the members to share their thoughts on the agenda item so that a motion can more easily be made that takes into account what appears to be the majority position.
- B. All motions, except nominations, require a second.
- C. A motion may be amended at the request of the maker and the consent of the person who seconded the motion. Such a procedure is often used to accommodate concerns expressed by other members.
- D. A motion to amend may still be used.

The Mayor has the discretion to impose reasonable rules at any particular meeting based upon facts and circumstances found at any particular meeting. These latter rules will be followed unless objected to by a majority of the City Councilmembers present.

11.3 Appeal Procedures. Appellants shall be given the opportunity to speak first. Appellants and applicants responding to appeals may be given a total of up to 10 minutes each to present their positions to the City Council prior to hearing public comments. Appellants shall be given up to 5 minutes of rebuttal time after public comments are heard.

11.4 Public Hearing Procedures. All land use public hearing items shall follow the following procedures:

- A. Staff presentation and/or report followed by clarifying questions from the Council
- B. Disclosure of communications: Councilmembers shall disclose all personal communications with any individual, including, but not limited to, the project applicant, prospective project applicants, neighboring property owners, residents or any other party regarding development projects. These disclosures shall include a full description of the nature of the discussion, and in particular, any information not presented as part of the public record
- C. The Mayor shall open the public hearing
 - a. Applicant presentation; the applicant shall be given a total of up to 10 minutes to present to the City Council
 - b. The Council shall take public comments
 - c. Applicant rebuttal period; the applicant shall be given a total of up to 5 minutes rebuttal time. If there are no public comments, the applicant shall not be given time for rebuttal
- D. The Mayor shall close the public hearing
- E. Council discussion, consideration and decision

11.5 Staff and Consultant Reports. Staff and consultant reports will be given a limit of up to 10 minutes. Staff is to assume that the Council has read all materials submitted. Council shall be given an opportunity to ask questions of staff prior to hearing public comments.

11.6 Public Comment.

- A. Persons present at meetings of the City Council may comment on individual items on the agenda. During Regular City Council meetings, comments may be offered on items not on the agenda under that portion of the agenda identified for Public Comment.
- B. The limit for speakers will be 1 to 3 minutes, depending on the number of speakers and the number of items the Council needs to discuss. ~~If there are 10 or fewer requests to speak on any agenda item, the limit for each speaker will be 3 minutes.~~ The Mayor may limit the time to be spent on an item and may continue the item, with the approval of the majority of the Council, to a future meeting at his/her discretion.

A group of speakers may designate a single speaker to represent the group. The designated speaker would be given the time which would have been allocated to others (to a maximum of 10 minutes) to speak. Individuals wanting to delegate time to another must be present at the meeting and must indicate their desire to cede time to a single individual by noting on a speaker card they are doing so. Persons who have ceded their time will not be permitted to speak on the topic at that meeting. Ceding of time will not be allowed during land-use hearings.

- C. In order to facilitate an orderly meeting, anyone wishing to address the City Council is asked to fill out a Request to Speak card, indicating their name, address and agenda item number/topic. A separate card is requested for each item. The request to speak cards shall be turned into the City Clerk before the item is heard by the City Council.
- D. Upon addressing the Council, each speaker is requested, but not required, to first state his/her name, whom they represent and/or city of residence.
- E. After the speaker has completed their remarks, Councilmembers may ask questions of the speaker after being acknowledged by the Mayor. Councilmembers shall be respectful of the speakers and shall not enter into a debate with any member of the public.
- F. Upon conclusion of the Public Comment section for any item, the Mayor may provide Councilmembers and/or staff with an opportunity to respond to statements made by the public.
- G. All Councilmembers shall listen to all public discussion as part of the Council's community responsibility. Individual Councilmembers should remain open-minded to comments made by the public.
- H. The Mayor has the right to ask a member of the public to step down if over the allotted time or if comments are not germane.

11.7 Motions. It will be the practice of the City Council for the Mayor to provide Councilmembers an opportunity to ask questions of staff, comment on, and discuss any agenda item in order to help form a consensus before a motion is offered. After such discussion, the Mayor or any Councilmember may make a motion. Before the motion can be considered or discussed, it must be seconded. Once a motion has been properly made and seconded, the Mayor shall open the matter to full discussion offering the first opportunity to speak to the moving party, and thereafter, to any Councilmember recognized by the Mayor. Customarily, the Mayor will take the floor after all other Councilmembers have been given the opportunity to speak.

If a motion clearly contains divisible parts, any Councilmember may request the Mayor or moving party divide the motion into separate motions to provide Councilmembers an opportunity for more specific consideration.

Tie Votes: Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter.

If a tie vote results at a time when less than all members of the Council, who may legally participate in the matter, are present, the matter shall be automatically continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

11.8 Reconsideration.

A. Request for Reconsideration.

1. Request by a member of the public.

Any member of the public may request that a member of the City Council that voted in the majority request reconsideration. In order for that member of Council to take action, such request must be received no later than 5:00 p.m. on the third day following the decision. The requestor should specify in writing the reason for the request to reconsider.

2. Request by a member of the City Council.

Only a member of the City Council who voted on the prevailing side may request reconsideration. The request may be made at the same meeting or 24 hours in advance of the posting of the agenda for the next regular meeting. Meeting agenda postings are governed by the Open Government Policy or Brown Act, whichever requires the most notice.

3. The City Councilmember making the request should state orally or in writing the reason for the request, without dwelling on the specific details or setting forth various arguments.

B. Motion to Reconsider Any Council Action.

1. Reconsideration at the same meeting.

A motion to reconsider an action taken by the City Council may be made at the same meeting at which the action was taken (including an adjourned or continued meeting). A motion to reconsider an action may be made only by a Councilmember who voted on the prevailing side, but may be seconded by any Councilmember and is debatable.

The motion must be approved by a majority of the entire City Council.

2. Reconsideration at a subsequent meeting.

Requests for reconsideration not made at the same meeting must be made by a member of the prevailing party 24 hours to the City Manager prior to the posting of the next regular meeting agenda. If the request is supported by any two (2) other Councilmembers, then it shall be added to the agenda. A request added to an agenda shall be structured in a manner that the reconsideration may take place immediately following approval of the request for reconsideration.

At the time such motion for reconsideration is heard, testimony shall be limited to the facts giving rise to the motion.

C. Effect of Approval of Motion.

Upon approval of a motion to reconsider, and at such time as the matter is heard, the City Council shall only consider any new evidence or facts not presented previously with regard to the item or a claim of error in applying the facts.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken and all interested persons (including applicants, owners, supporters and opponents) are still present, the matter may be reconsidered at that meeting or at the next regular meeting or intervening special meeting (subject to the discretion of the maker of the motion) and no further public notice is required.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken but all interested persons are not still present, or if the motion is made and approved at the next regular meeting or intervening special meeting, the item shall be scheduled for consideration at the earliest feasible City Council meeting and shall be re-noticed in accordance with the Government Code, the City Municipal Code and the *Council Norms and Procedures*. The Clerk shall provide notice to all interested parties as soon as possible when a matter becomes the subject of a motion to reconsider.

11.9 Discussion.

- A. The discussion and deliberations at meetings of the City Council are to secure the mature judgment of Councilmembers on proposals submitted for decision. This purpose is best served by the exchange of thought through discussion and debate.

To the extent possible, Councilmembers should disclose any ex parte communication prior to discussion on an item.

Discussion and deliberation are regulated by these rules in order to assure every member a reasonable and equal opportunity to be heard.

B. Obtaining the Floor for Discussion.

After the Council has commented on an issue, and a motion has been stated to the Council and seconded, any member of the Council has a right to discuss it after obtaining the floor. The member obtains the floor by seeking recognition from the Mayor. A member who has been recognized should limit his/her time to 3 minutes.

C. Speaking More Than Once.

To encourage the full participation of all members of the Council, no member or members shall be permitted to monopolize the discussion of the question. If a

Councilmember has already spoken, other Councilmembers wishing to speak shall then be recognized. No Councilmember shall be allowed to speak a second time until after all other Councilmembers have had an opportunity to speak.

D. Relevancy of Discussion.

All discussion must be relevant to the issue before the City Council. A Councilmember is given the floor only for the purpose of discussing the pending question; discussion which departs is out of order. Councilmembers shall avoid repetition and strive to move the discussion along. Arguments, for or against a measure, should be stated as concisely as possible.

A motion, its nature, or consequences, may be debated vigorously. It is never permissible to attack the motives, character, or personality of a member either directly or by innuendo or implication. It is the duty of the Mayor to instantly rule out of order any Councilmember who engages in personal attacks. It is the motion, not its proposer, that is subject to debate.

It is the responsibility of each Councilmember to maintain an open mind on all issues during discussion and deliberation. It is not necessary for all City Councilmembers to speak or give their viewpoints if another Councilmember has already addressed their concerns.

E. Mayor's Duties During Discussion.

The Mayor has the responsibility of controlling and expediting the discussion. A Councilmember who has been recognized to speak on a question has a right to the undivided attention of the Council.

It is the duty of the Mayor to keep the subject clearly before the members, to rule out irrelevant discussion, and to restate the question whenever necessary.

F. After the Vote.

Once a majority of the Council has approved a motion, no further discussion shall be made unless the item is brought for reconsideration as described previously.

11.10 Councilmember Respect. Councilmembers shall abide by the majority decision of the Council, even if in the minority. Councilmembers appointed to serve on regional boards and committees shall maintain the Council's position on an item, even if the Councilmember disagrees with that position.

11.11 Council and Staff Reports and Directions on Future Agenda Items. Council and staff reports at the end of Council meetings shall be limited to announcing Council, Regional Board activities on which Councilmembers serve, City and City-sponsored activities. Community groups may announce their activities during Public Comments at the beginning of Council meetings.

SECTION 12. CLOSED SESSIONS

12.1 Purpose. It is the policy of the City Council to conduct its business in public to the greatest extent possible. However, state law recognizes that, in certain circumstances, public discussion could potentially jeopardize the public interest, compromise the City's position, and could cost the taxpayers of Los Altos financially. Therefore, closed sessions shall be held from time to time as allowed by law. The procedures for the conduct of these meetings shall be the same as for public meetings, except that the public will be excluded.

Prior to convening the closed session meeting, the City Clerk shall publicly announce the closed session items and ask for public input regarding any items on the closed session agenda.

City Councilmembers shall keep all written materials and verbal information provided to them in closed session in complete confidence to insure that the City's position is not compromised. No mention of information in these materials shall be made to anyone other than Councilmembers, the City Attorney or City Manager, except where authorized by a majority of the City Council.

12.2 Rule of Confidentiality. The City Council recognizes that breaches in confidentiality can severely prejudice the City's position in litigation, labor relations and real estate negotiations. Further, breaches of confidentiality can create a climate of distrust among Councilmembers and can harm the Council's ability to communicate openly in closed sessions, thereby impairing the Council's ability to perform its official duties.

The City Council further recognizes that confidentiality of discussions and documents are at the core of a closed session. Confidentiality is essential if the closed session is to serve its

purpose. Therefore, the City Council will adhere to a strict policy of confidentiality for closed sessions.

- 12.3 Breach of Rule of Confidentiality. No person who attends a closed session may disclose any statements, discussions, or documents used in a closed session except where specifically authorized by State law. Any authorized disclosure shall be in strict compliance with these rules and the Ralph M. Brown Act. Violation of this rule shall be considered a breach of this rule of confidentiality.
- 12.4 Agenda. The agenda for a closed session will contain that information required to be disclosed pursuant to the Ralph M. Brown Act.
- 12.5 Permissible Topics. All closed sessions will be held in strict compliance with the Ralph M. Brown Act. The City Attorney, or his/her designee, will advise in advance on topics that may be discussed in a closed session.
- 12.6 Rules of Decorum.
- A. The same high standard of respect and decorum as apply to public meetings shall apply to closed sessions. There shall be courtesy, respect and tolerance for all viewpoints and for the right of Councilmembers to disagree. Councilmembers shall strive to make each other feel comfortable and safe to express their points of view. All Councilmembers have the right to insist upon strict adherence to this rule.
 - B. Prior to a vote, the Mayor shall ensure that the motion is clearly stated and clearly understood by all Councilmembers.
 - C. The Mayor shall keep the discussion moving forward so that debate and a vote can occur in the time allotted for the closed session. The Mayor will determine the order of debate in a fair manner.
- 12.7 Conduct of Meeting.
- A. The Mayor will call the closed session to order promptly at its scheduled time.
 - B. The Mayor will keep discussion focused on the permissible topics.
 - C. The use of handouts and visual aids such as charts is encouraged to focus debate and promote understanding of the topic. All such materials are strictly confidential.
 - D. If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations, whether it be related to property acquisitions or disposal, a proposed or pending claim or litigation, or employee negotiations, all contact with the other party will be through the designated City person(s) representing the City in the handling of the matter. A Councilmember, not so designated by the Council, will not under any circumstances have any contact or discussion with the other party or its representative concerning the matter which was discussed in the closed session, and will not communicate any discussions conducted in closed session to such party.
- 12.8 Public Disclosure After Final Action.
- A. The Ralph M. Brown Act requires that, as a body, the City Council make certain public disclosure of closed session decisions when those actions have become final. Accordingly, the City Council shall publicly report any final action taken in closed session, and the vote, including abstentions, as directed by the Ralph M. Brown Act.
 - B. The report may be oral or written. The report will state only the action taken and the vote. Unless authorized by the majority of the City Council, the report will not state the

debate or discussion that occurred. Except for the action taken and the vote, all closed session discussions will remain confidential.

SECTION 13. DECORUM

- 13.1 Councilmembers. Members of the City Council value and recognize the importance of the trust invested in them by the public to accomplish the business of the City. Councilmembers shall accord the utmost courtesy to each other, City employees, and the public appearing before the City Council. When speaking, a Councilmember's tone should remain neutral and non-verbal communication aspects should be considerate and polite. Formal business attire is required only when Council meetings, workshops, or study sessions are held in Community Meeting Chambers and/or televised.
- 13.2 City Employees. Members of the City staff shall observe the same rules of order and decorum applicable to the City Council. City staff shall act at all times in a business and professional manner towards Councilmembers and members of the public.
- 13.3 Public. Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. City Code Chapter 2.05, *Public Meeting Rules for Conduct*, shall apply to all City Council Meetings.
- 13.4 Noise in the Chambers. Noise emanating from the audience, whether expressing opposition or support within the Community Meeting Chambers or lobby area, which disrupts City Council meetings, shall not be permitted. All cellular phones and other consumer electronic devices shall be muted while in the chambers. Refusal is grounds for removal.

SECTION 14. VIOLATIONS OF PROCEDURES

Nothing in these Norms and Procedures shall invalidate a properly noticed and acted upon action of the City Council in accordance with State Law.

This document shall remain in effect until modified by the City Council.

AMENDED AND APPROVED: July 9, 2019.

APPENDIX A

ROSENBERG'S RULES OF ORDER



From: [Lynette Lee Eng](#)
To: [Andrea Chelemengos](#)
Subject: Edits to Council norms
Date: Thursday, April 15, 2021 12:41:32 AM

Edits for Council Norms:

In section 4.4 of Commission and Committees

The first sentence should have the words - and Committees added.

E.g. Commissioners and Committees...

A Commissioner can removed for the following:

- Unprofessional, including lack of productivity or poor quality of work.
 - Insubordination and related issues such as dishonesty or breaking rules.
 - Attendance issues, such as **frequent** absences or chronic tardiness.
 - Criminal behavior
-
- 6.4 Response to Public. - I would like to discuss who will acknowledge or respond to constituent correspondence. E.g. - a response acknowledging receipt should be given.
 -
 - 6.11 - Zoom meeting protocols - We need guidelines to clarify when the use of chats are appropriate during a meeting. Conversations should not be going on in chats unless they are having problems or unless directed by staff. E.g. a chat should not be used when there is a motion on the floor or between Councilmembers.
 -
 - 10.2 - The agenda package should provide Pros and Cons of issues. Previous Councils had this practice.
 -
 - 10.10 - Questions regarding this wording.
 -
 - 10.11 - Council questions and responses will be posted on the city website before the meeting of that agenda it is related to.
 -
 - 11.8 - This entire section should be written because A & B are much the same.
 -
 - 1. third should be changed to the 5th working day.
 -
 - 11.12 - Communication with residents - Council, Commissions and Committees shall have standardized outreach practices. Staff will assist in ensuring consistency to ensure broader

outreach. E.g. - The use of sandwich boards.

CITY COUNCIL
NORMS AND PROCEDURES



COUNCILMEMBERS

Jeannie Bruins
Anita Enander
Neysa Fligor
Lynette Lee Eng
Jan Pepper

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**CITY OF LOS ALTOS
CITY COUNCIL NORMS AND PROCEDURES**

SECTION 1. GENERAL

- 1.1 Purpose. The purpose of these Norms and Procedures is to promote communication, understanding, fairness, and trust among the members of the City Council and staff concerning their roles, responsibilities, and expectations for management of the business of the City of Los Altos.
- 1.2 Values. Council members shall represent the best interests of the City and community at large. Councilmembers shall treat fellow Councilmembers, members of the public, Commission and Committee members, and staff and consultants with respect, civility and courtesy. All Councilmembers shall respect each other's individual points of view and right to disagree. When addressing the public in any way, all Councilmembers shall make certain their opinions are expressed solely as their own, and do not necessarily reflect the opinions of any other Councilmember. Councilmembers shall respect the decisions of the majority of the Council at all times.
- 1.3 Review. The City Council shall conduct a review of this document biennially, or whenever a new Councilmember has been seated or Council deems necessary, to assist Councilmembers in being more productive in management of the business of the City. A new Council will consider the document within three months of its first regular meeting.
- 1.4 Ralph M. Brown Act. All conduct of the City Council, Commissions, Committees and Subcommittees shall be in full compliance with State law, including the Ralph M. Brown Act.

SECTION 2. MAYOR AND VICE MAYOR SELECTION PROCESS

- 2.1 Reorganization. The reorganization of the Council shall occur at a special meeting held on the first Tuesday of December. The seating of new Councilmembers shall occur at the same meeting that the Council reorganizes, which will be held on the earliest available Tuesday following the certification of election results.

Seating preferences on the dais shall be made by the Mayor, Vice Mayor and then by seniority of the rest of the members, in that order. If two members have equal seniority based on year elected, then the member with the higher vote count in their most recent election is considered to have higher seniority.

A community reception honoring the incoming and outgoing Mayor and Councilmembers will be held immediately following the reorganization meeting.

- 2.2 Election of Mayor. Only Councilmembers elected by the voters may serve as Mayor. Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Mayor.

The term of office shall be one year. The Councilmember must have served at least 23 months to be eligible for Mayor. A majority vote of the Council is necessary to designate the Mayor. If there is at least one elected Councilmember with a minimum of 23 months of service who has not served as Mayor, he or she shall be designated Mayor before those who have already served as Mayor.

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If there are two or more such members who have served more than 23 months and have never served as Mayor, the one having served the longest time on the Council shall be designated as Mayor.

In the event there are two or more members who have never served as Mayor and have served the same length of time, the one who received the greatest number of votes at his/her election or re-election to the Council shall become Mayor.

In the event there are two or more members who have served as Mayor, who have served the same continuous length of time, and who have been re-elected to the Council, the one who received the greatest number of votes at his/her re-election to the Council shall become Mayor.

In the event three new members are elected to the Council, then an exception to Sections 2.2 and 2.3 will apply, allowing the immediate appointment of a Vice Mayor without the normal 11 months of prior service, and the following year such person may be appointed as the Mayor without the normal 23 months of prior service. Any member re-elected to the Council after a break in service will be treated in the normal sequence for appointment as Vice Mayor and Mayor, without regard to such person's service prior to the break in service.

The Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Mayor should be made to the City Manager.

- 2.3 Election of Vice Mayor. Only Councilmembers elected by the voters may serve as Vice Mayor. Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Vice Mayor.

The selection process for determining who shall serve as Vice Mayor will follow that of Mayor, except the Councilmember must have served at least 11 months to be eligible to serve as Vice Mayor.

The Vice Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Vice Mayor should be made to the City Manager.

- 2.4 Councilmembers Serving After a Break in Service. The time of continuous service for any elected member of the Council who previously served on the Council prior to a break in service shall be considered to have started at his/her election after their break in service.

- 2.5 Appointment of Vacancy. In the event of a vacancy of office by the death or resignation of any Councilmember, the Council shall appoint a new Councilmember within sixty (60) days after a vacancy becomes effective in compliance with the California Elections Code, unless the Council, by resolution, decides to instead call a special election. In the event of appointment, the Council shall determine the process for appointment prior to the application process and in accordance with State law.

SECTION 3. COUNCIL SUBCOMMITTEES

- 3.1 Responsibility. The Mayor shall appoint Councilmembers to standing and ad hoc subcommittees as required to accomplish the work of the Council, subject to affirmation by

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the Council at its next regular meeting. It will be the responsibility of these subcommittees to inform and make recommendations to the Council and submit them to the Council for a vote. Staff shall work with, and support, Council subcommittees as required.

- 3.2 Instructions and Expectations. The Council shall make certain that all Council subcommittees are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the committee's efforts shall be defined in writing and approved by a majority of the City Council.
- 3.3 Reporting. Council subcommittee members are to keep the Council informed of the work and progress of their subcommittee. These reports or minutes shall be made in writing whenever a recommendation is made to the Council.
- 3.4 Standing Subcommittees. Four standing subcommittees of the Council exist: the Council Youth Commission Interview Committee, the City/Los Altos School District Schools Issues Committee, the City/Cupertino Union School District Schools Issues Committee and the Open Government Committee.

The Council Youth Commission Interview Committee consists of two members of the City Council and is responsible for conducting interviews of applicants for the Youth Commission and making recommendations to the City Council regarding the appointments. The Committee meets as needed. (I recommend that the Council Liaison to the Youth Commission be a required member of this subcommittee.)

The City/Los Altos School District Schools Issues Committee consists of two members of the City Council and two members of the Board of Trustees of the Los Altos School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern by both legislative bodies, as directed by the City Council and/or School Board. Meetings are open to the public and are generally held at least bi-annually.

The City/Cupertino Union School District Schools Issues Committee consists of two members of the City Council and two members of the Board of Trustees of the Cupertino Union School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern. Meetings are open to the public.

The Open Government Committee consists of two members of the City Council and advises the City Council and provides information to the City Manager on potential ways to implement the Open Government Policy. The Committee develops appropriate goals to ensure practical and timely implementation of the Open Government Policy and proposes any amendments to the Policy.

SECTION 4. COMMISSIONS AND COMMITTEES

- 4.1 Responsibility. The Council will appoint residents of the community to the City's standing commissions and committees. Commission and committee members shall represent the interests of the community at-large when serving on these bodies. These commissions and committees will respect the public and staff and shall take seriously their responsibility for reporting to the Council. Each commission is to keep a rotation schedule for representation at City Council meetings by one of its members. Attendance is required when a commission has an item of interest on the Council agenda, so as to be available to answer Council questions.
- 4.2 Governing. The City's Commissions and Committees are governed by the Commission Handbook as adopted and amended by the City Council.

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- 4.3 Commission Liaisons. To facilitate the exchange of information between the Council and its Commissions, the Mayor will at least annually make liaison appointments to the Commissions. These appointments shall be ratified by the Council. Councilmembers shall respect the separation between policy making and advisory Commissions by: A) not attempting to lobby or influence Commissions on any item under their consideration; B) attending meetings of assigned Commissions, as needed, but not taking a position on an item before the Commission; C) not voting at the Commission's meeting on any item; and D) assisting the Commission in scheduling recommendations to be heard by the Council.

If an issue arises regarding a member of any Commission, staff may work with the assigned Council Liaison to resolve the issue

I question the practicality or value of the Council Liaison role (except perhaps in the case of the Youth Commission). The goal for Commission Liaisons is defined solely "to facilitate the exchange of information between the Council and its Commissions." This is redundant to existing processes which already promote information exchange:

- We have annual meetings between the Council and each Commission
- Commissions have a representative at each CC meeting where there is a relevant agenda item. That Commissioner represents the majority decision of the Commission (regardless of their individual vote) and is available to answer any Council questions. That Commissioner is also responsible to report back to the whole Commission on Council direction, decisions and policy.
- Similarly (and as defined in the Commission Handbook, pg 2), the Staff Liaison is at each Commission meeting and reports information from the Commission to Council through the staff report and in Council discussion. They also communicate direction from the Council back to the Commission.

Additionally, just by attending a Councilmember can influence, indirectly or directly, the considerations of the Commission, jeopardizing the neutrality of the Commission's decision and giving undue weight to the views of that Councilmember.

If the Liaison role is to continue, then we should consider whether it is more appropriate that a Council Liaison meets with the Commission Chair, with or without the Staff Liaison, as needed or perhaps ahead a Commission meeting, but that the Liaison doesn't actually attend Commission meetings. Without a Council Liaison attending Commission meetings, we empower Commissions and Staff to independently develop and bring forward recommendations based on their expertise.

- 4.4 Commissioners serve at the pleasure of the City Council. The City Council may discipline or remove a Commissioner at any time solely at the discretion of the Council. Any proposed removal can be with or without cause. A Councilmember who wishes to discipline or remove a Commissioner shall indicate their desire to place the discipline or removal on a future agenda at the end of a regular Council meeting. If three or more Councilmembers wish to agendize the discipline or removal of a certain Commissioner, the item will be placed on a Council agenda.

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SECTION 5. AD HOC COMMITTEES AND TASK FORCES

- 5.1 Instructions and Expectations. The Council shall make certain that all Council-appointed Ad Hoc Committees and Task Forces are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the Committee's or Task Force's efforts shall be defined in writing and formally approved by a majority of the City Council.
- 5.2 Reports. Ad Hoc Committees and Task Forces are responsible for keeping the Council informed about issues being considered, and their progress. This is to be accomplished by meeting minutes distributed in the Council meeting packets or through oral reports to Council. Ad Hoc Committees and Task Forces are responsible for advising the Council of any need for information or more specific instructions.
- 5.3 Redirection. Ad Hoc Committees and Task Forces shall obtain Council concurrence before they proceed in any direction different from the original instructions of the Council.
- 5.4 Noticing. Per Resolution No. 2015-09, Ad Hoc Committees and Task Forces that are created by the City Council and are composed of less than a quorum of the Council and have members of City Commissions and/or members of the public on the committee are subject to the provisions of the Ralph M. Brown Act.

SECTION 6. ADMINISTRATIVE MATTERS

- 6.1 Attendance. City Councilmembers acknowledge that attendance at lawful meetings of the City Council is part of their official duty. Councilmembers shall make a good faith effort to attend all such meetings unless unable. Councilmembers will notify the Mayor or the City Clerk if they will be absent from a meeting.
- 6.2 Correspondence. With some exceptions, proposed correspondence (including electronic) from individual Councilmembers/Mayor on City stationery shall be reviewed by the Council in draft form prior to release. On occasion, there are urgent requests from the League of California Cities for correspondence concerning legislation directly affecting municipalities. Assuming there is agreement between the Mayor and City Manager that the League's position corresponds with that of the Council, the Mayor may send a letter without first obtaining Council review.

City letterhead will be made available for routine, discretionary correspondence (i.e., thank you notes, etc.), or such correspondence will be prepared by staff for signature, without prior consent of the Council. E-mails from Councilmembers should be respectful, professional and consistent with the City's Electronic Use Policy.

- 6.3 Regional Boards. The Mayor shall appoint Councilmembers to Regional Committees/Commissions/Boards as required by the governing bodies. These appointments are subject to affirmation by the Council. The role of the Council on regional boards will vary depending on the nature of the appointment. Representing the interests of Los Altos is appropriate on some boards; this is generally the case when other local governments have their own representation.

The positions taken by the appointed representatives are to be in alignment with the positions that the Council has taken on issues that directly impact the City of Los Altos. If an issue should arise that is specific to Los Altos, and the Council has not taken a position, the issue

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should be discussed by the Council prior to taking a formal position at a regional board meeting, to assure that it is in alignment with the Council's position.

Council representatives to such boards shall keep the Council informed of ongoing business through brief oral or written reports to the Council.

Councilmembers shall make a good faith effort to attend all regional meetings that require a quorum of the appointed members to convene a meeting. If a Councilmember is unable to attend, he/she should notify his/her alternate as far in advance of the meeting as possible so as to allow the alternate to attend.

Appointments to regional boards shall terminate upon the expiration of Councilmember's term unless: 1) the Councilmember is reelected and can serve the full term on the regional board; or 2) action is taken by the Council to reappoint the individual to the regional board

- 6.4 Response to Public. It will be the responsibility of the City Manager to ensure a response is provided to all public correspondence for informational requests addressed to the Council. Staff shall respond to all requests for services and provide a copy of such correspondence to the City Council, as appropriate.
- 6.5 Proclamations. Proclamations are discretionary public announcements directing attention to a local resident, organization or event. The Mayor, without formal action of the Council, may issue proclamations. Requests for proclamations should be submitted at least one week in advance. This allows the Mayor to decide if a proclamation should be issued. Alternatively, the Mayor, at his/her discretion, may refer a request to Council.
- 6.6 Reimbursement. City Councilmembers may be reimbursed for personal expenses for travel to and lodging at conferences or meetings related to their role as a Councilmember. Reimbursements shall be subject to the City's Travel and Expense Policy.

Brief reports must be given on any outside meeting attended at the expense of the City at the next regular Council meeting. Reimbursement is conditioned on the submission of this report to the City Council.

- 6.7 Training.
Ethics: Members of the City Council and commissions shall receive at least two hours of ethics training in general ethics principles and ethics laws relevant to his/her public service every two years. New members must receive this training within their first year of service. Members shall attend training sessions that are offered locally in the immediate vicinity of Santa Clara County or by completing online a state-approved public service ethics education program.

An individual who serves on multiple legislative bodies need only receive two hours of ethics training every two years to satisfy this requirement for all applicable public service positions.

Sexual Harassment: In addition, Councilmembers shall receive two hours of sexual harassment prevention training every two years, per State law. New members must receive this training within their first six months of service.

Brown Act: Members of the City Council and those individuals appointed by the City Council to serve on a commission or advisory committee will receive training on the requirements of the Brown Act at the time they begin their service and again within 60 days of beginning service.

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The City Clerk is required to keep training records for five years to document and prove that these continuing education requirements have been satisfied. These documents are public records subject to disclosure under the California Public Records Act.

- 6.8. Use of Electronic Devices during Council Meetings. City Councilmembers shall not use electronic devices to send or receive communications regarding agenda items or to access information which other Councilmembers do not have equal access to during a meeting of the City Council at which he or she is in attendance. This does not apply to receipt of telephone calls or text messages from family members in the event of an urgent family matter. Councilmembers responding to such a message during the meeting shall do so in a manner that does not disrupt the meeting.
- 6.9 City Mission and City Seal. The Mission of the City of Los Altos is a statement that reflects the values of our residents. The City Seal is an important symbol of the City of Los Altos. No change to the City Mission and/or City Seal shall be made without Council approval. Use of the City Seal shall be by permission of the City Clerk.
- 6.10 Use of email. City Councilmembers shall strive to use only their City email account for City business.

SECTION 7. COUNCIL RELATIONSHIP WITH STAFF

- 7.1 City Manager. City Councilmembers are always free to go to the City Manager to discuss any subject. Issues concerning the performance of a Department or any employee must be directed to the City Manager. City Councilmembers shall not meet with groups of management employees for the purpose of discussing terms of employment or establishing employee policy. Direction to City employees, other than the City Manager or City Attorney, is the prerogative of the City Manager. In passing along critical information, the City Manager will be responsible for contacting all Councilmembers. The City Manager may delegate this responsibility to Department Heads.
- 7.2 Agenda Item Questions. The Council shall not abuse staff, nor embarrass staff in public. If a Councilmember has a question on a subject, the Councilmember should contact the City Manager prior to any meeting at which the subject may be discussed. This does not restrict Councilmembers from asking questions during a Council meeting.
- 7.3 Complaints. Councilmembers shall encourage people to file all complaints directly with the appropriate staff member. Staff shall ensure that all people receive a response.
- 7.4 Staff. Councilmembers may ask Department Heads for information. This informal system of direct communication is not to be abused.

SECTION 8. MEETINGS

- 8.1 Open to Public. All meetings of the City Council whether regular, special, or study sessions, shall be open to the public, unless a closed session is held as authorized by law. All meetings shall be noticed as required to allow action to be taken by the Council.
- 8.2 Broadcasting of City Council Meetings. All regular Council meetings and study sessions shall be scheduled in the Community Meeting Chambers to allow for web streaming and simulcast on the City's Government Access Channel, unless the number of participants exceeds room capacity. The final decision shall be the responsibility of the Mayor. All regular City Council meetings and study sessions shall be video-recorded, unless the City is unable to do so due to

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unforeseen circumstances or circumstances beyond the City's control in which case the meeting shall be audio-recorded.

- 8.3 Regular Meetings. The City Council shall conduct its regular meetings at the time and place established by ordinance. At the first regular meeting in December, the City Council will approve the schedule of meetings for the next calendar year, which in addition to the regular meeting schedule, may include the cancellation of regular meetings and the addition of special meetings and study sessions. Meetings that are not on the agreed schedule of meetings for the year should be confirmed with Council members before scheduling, especially trying to respect longer breaks in the every other week regular meeting schedule (such as summer, holiday, or other longer stretches between Council meetings). This practice does not, however, preclude the Mayor or a majority of the members of the City Council from calling additional meetings pursuant to Section 8.5, if necessary.

It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.

- 8.4 Cancelling Meetings. Any meeting of the City Council may be cancelled in advance by majority vote of the Council. The Mayor may cancel a meeting in the case of an emergency or when a majority of members have confirmed in writing to the City Manager their unavailability to attend a meeting or agreement to cancel a meeting.
- 8.5 Special Meetings. A special meeting may be called at any time by the Mayor or by a majority of the City Council in accordance with the Brown Act. Written notice of any such meeting must specify the purpose of the meeting and the identities of members making the call. Notice of the meeting must be given in accordance with law. Public comments at special meetings shall be limited to only those items described on the special meeting notice/agenda.

The City Council may hold study sessions or joint meetings with other boards, commissions, committees, or agencies as deemed necessary to attend to City business. These meetings will be coordinated by the City Clerk. Study sessions are scheduled to provide Councilmembers the opportunity to better understand a particular item. While Council may legally take action at any noticed meeting, generally no formal action is taken at study sessions. If action is to be taken at a study session, then the agenda will state that action may be taken.

- 8.6 Closed Sessions. The City Council may hold closed sessions at any time authorized by law (and in consultation with the City Attorney), to consider or hear any matter, which is authorized by law. The Mayor or a majority of the City Council may call closed session meetings at any time. Requests for a closed session should be made to the City Manager.
- 8.7 Annual Retreat. The City Council shall hold an annual retreat following the reorganization of the Council (typically in December or January). The purpose of the retreat shall be to review accomplishments for the past year and to discuss and set priorities for the City Council for the following year.
- 8.8 Quorum. Three (3) members of the City Council shall constitute a quorum and shall be sufficient to transact business. If less than three Councilmembers appear at a regular meeting, the Mayor, Vice Mayor in the absence of the Mayor, any Councilmember in the absence of the Mayor and Vice Mayor, or in the absence of all Councilmembers, the City Clerk or Deputy City Clerk, shall adjourn the meeting to a stated day and hour.

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Business of the City Council may be conducted with a minimum of three members being present; however, pursuant to the California Government Code, matters requiring the expenditure of City funds and all resolutions and non-urgency ordinances must receive three affirmative votes for approval.

- 8.9 Minutes. Staff shall prepare minutes of all public meetings of the City Council. Copies shall be distributed to each Councilmember. Closed session minutes, if any, shall be approved by all Councilmembers and kept in strict confidence.
- 8.10 Adjourned Meetings. The City Council may adjourn any regular, adjourned regular, special or closed session meeting to a time and place specified in the order of adjournment and permitted by law.

SECTION 9. POSTING NOTICE AND AGENDA

- 9.1 Posting of Notice and Agenda. For every regular, special, or study session meeting, the City Clerk or other authorized person shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all items of business to be discussed at the meeting. This notice and agenda may be combined in a single document. Posting is to be according to the City's Open Government Policy and State law.
- 9.2 Location of Posting. The notice and agenda shall be posted at City Hall and at the meeting location, if located away from City Hall, in a place to which the public has unrestricted access and where the notice and agenda are not likely to be removed or obscured by other posted material, and to the City website.

SECTION 10. AGENDA CONTENTS

- 10.1 Mayor's Responsibility. The Mayor is responsible for running a timely and orderly meeting. If the Mayor is unavailable to run a Council meeting, the Vice Mayor shall run the meeting. The Mayor, in consultation with the City Manager or his/her designee, and the City Clerk shall organize the agenda.
- 10.2 Description of Matters. All items of business to be discussed at a meeting of the City Council shall be briefly described on the agenda. The description should set forth the proposed action to be considered so that members of the public will know the nature of the action under review and consideration.
- 10.3 Availability to the Public. The agenda for any regular, special, or study session meeting, shall be made available to the general public as required by law.
- 10.4 Limitation to Act Only on Items on the Agenda. No action shall be taken by the City Council on any item not on the posted agenda, subject only to the exceptions listed below:
- A. Upon a majority determination that an "emergency situation" (as defined by State Law) exists; or
 - B. Upon determination by a 4/5 vote of the full City Council, or a unanimous vote if less than a full Council, that there is a need to take immediate action and that the need to take the action came to the attention of the City Council subsequent to posting of the agenda.

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- 10.5 "Timing" of Agenda. Staff and/or the Mayor will "time" the agenda as a way for the Council to maintain a sense of how much time can be committed to any one item without going past an established ending time for the meeting.
- 10.6 Order of Agenda. The prescribed order of the agenda for Regular Meetings of the Council will be as follows: Establish Quorum, Pledge of Allegiance, Closed Session Announcement (if needed), Changes to the Order of the Agenda, Special Items, Public Comments on Items not on the Agenda, Consent Calendar, Public Hearings, Discussion Items, Informational Items, City Council Reports (limited to one minute per Councilmember), Future Agenda Items (limited to one minute per Councilmember), and Adjournment.
- 10.7 Changes to the Order of the Agenda. At the beginning of a Council meeting, the Mayor, Councilmembers and/or City staff may request a change to the order in which agenda items are to be considered. The Mayor will ask if there are any changes to the order of the agenda. Any requested changes will be made in the form of a motion and a vote will be taken. If there are no requests for changes, the agenda will be taken in the prescribed order.
- 10.8 Consent Calendar. A Councilmember or any member of the public may request an item be removed from the Consent Calendar. At the Mayor's discretion, items removed from the Consent Calendar may be considered immediately after approval of the balance of the Consent Calendar or elsewhere in the agenda. Councilmembers shall be given the opportunity to ask a clarifying question about a consent item or make a brief comment about an item without having to remove the item from the Consent Calendar.
- 10.9 Tentative Council Calendar. The Tentative Council Calendar shall list items pending to come before Council within the next 12 months period.

Quarterly (first meeting in January, April, July and October), Council shall review the Tentative Council Calendar. At this time, Councilmembers may request new items be added. The Councilmember requesting the item shall state the topic and which Council priority the request aligns to. Council and staff shall agree as to where the new item shall be placed on the Tentative Council Calendar.

- 10.10 Placing items on a future agenda. Members of the City Council may have any matter that can be legally agendaized placed on the agenda of the City Council by indicating their desire to do so under that portion of the City Council agenda designated, "Future City Council Agenda Items." Placing an item on a future agenda requires two Councilmembers to support the item if no staff work is required and three Councilmembers if staff work is required.
- 10.11 Council questions. Councilmembers shall strive to provide questions to city staff on agenda items as early as possible before a council meeting to allow adequate time to respond to the questions. Staff will provide all questions and answers to Council questions to all Councilmembers and, excepting attorney-client communications, to the public. Councilmembers shall notify staff if they plan to raise a specific question at the Council meeting. If a Councilmember feels they need additional information to make a decision on an item, and the item is not time sensitive, the Councilmember may request the item be continued during Changes to the Order of the Agenda.

SECTION 11. PROCEDURES FOR THE CONDUCT OF PUBLIC MEETINGS

- 11.1 Role of Mayor.

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- A. The Mayor shall be responsible for maintaining the order and decorum of meetings. It shall be the duty and responsibility of the Mayor to ensure that the rules of operation and decorum contained herein are observed. The Mayor shall maintain control of communication between Councilmembers and among Council, staff and public.
 - B. Communication with Councilmembers
 1. Councilmembers shall request the floor from the Mayor before speaking.
 2. When one member of the Council has the floor and is speaking, other Councilmembers shall not interrupt or otherwise disturb the speaker.
 - C. Communication with Members of the Public Addressing the Council
 1. The Mayor shall open the floor for public comment as appropriate.
 2. Councilmembers may question a person addressing the Council at the conclusion of the person's comments or upon expiration of the person's time to speak.
 3. Any staff member with an item on the agenda will be available to the City Council to answer questions arising during discussions between Councilmembers and among Councilmembers and members of the public.
 4. Members of the public shall direct their questions and comments to the Council.
- 11.2 Rules of Order. The City Council adopts no specific rules of order except those listed herein. The City Council shall refer to *Rosenberg's Rules of Order*, as a guide for the conduct of meetings, with the following modifications:
- A. A motion is not required prior to a general discussion on an agenda item. A pre-motion discussion allows the members to share their thoughts on the agendized item so that a motion can more easily be made that takes into account what appears to be the majority position.
 - B. All motions, except nominations, require a second.
 - C. A motion may be amended at the request of the maker and the consent of the person who seconded the motion. Such a procedure is often used to accommodate concerns expressed by other members.
 - D. A motion to amend may still be used.
- The Mayor has the discretion to impose reasonable rules at any particular meeting based upon facts and circumstances found at any particular meeting. These latter rules will be followed unless objected to by a majority of the City Councilmembers present.
- 11.3 Appeal Procedures. Appellants shall be given the opportunity to speak first. Appellants and applicants responding to appeals may be given a total of up to 10 minutes each to present their positions to the City Council prior to hearing public comments. Appellants shall be given up to 5 minutes of rebuttal time after public comments are heard.
- 11.4 Public Hearing Procedures. All land use public hearing items shall follow the following procedures:
- A. Staff presentation and/or report followed by clarifying questions from the Council
 - B. Disclosure of communications: Councilmembers shall disclose all personal communications with any individual, including, but not limited to, the project applicant, prospective project applicants, neighboring property owners, residents or any other party regarding development projects. These disclosures shall include a full description of the

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nature of the discussion, and in particular, any information not presented as part of the public record

- C. The Mayor shall open the public hearing
 - a. Applicant presentation; the applicant shall be given a total of up to 10 minutes to present to the City Council
 - b. The Council shall take public comments
 - c. Applicant rebuttal period; the applicant shall be given a total of up to 5 minutes rebuttal time. If there are no public comments, the applicant shall not be given time for rebuttal
- D. The Mayor shall close the public hearing
- E. Council discussion, consideration and decision

11.5 Staff and Consultant Reports. Staff and consultant reports will be given a limit of up to 10 minutes. Staff is to assume that the Council has read all materials submitted. Council shall be given an opportunity to ask questions of staff prior to hearing public comments.

11.6 Public Comment.

- A. Persons present at meetings of the City Council may comment on individual items on the agenda. During Regular City Council meetings, comments may be offered on items not on the agenda under that portion of the agenda identified for Public Comment.
- B. The limit for speakers will be 1 to 3 minutes, depending on the number of speakers. If there are 10 or fewer requests to speak on any agenda item, the limit for each speaker will be 3 minutes. The Mayor may limit the time to be spent on an item and may continue the item, with the approval of the majority of the Council, to a future meeting at his/her discretion.

A group of speakers may designate a single speaker to represent the group. The designated speaker would be given the time which would have been allocated to others (to a maximum of 10 minutes) to speak. Individuals wanting to delegate time to another must be present at the meeting and must indicate their desire to cede time to a single individual by noting on a speaker card they are doing so. Persons who have ceded their time will not be permitted to speak on the topic at that meeting. Ceding of time will not be allowed during land-use hearings.

- C. In order to facilitate an orderly meeting, anyone wishing to address the City Council is asked to fill out a Request to Speak card, indicating their name, address and agenda item number/topic. A separate card is requested for each item. The request to speak cards shall be turned into the City Clerk before the item is heard by the City Council.
- D. Upon addressing the Council, each speaker is requested, but not required, to first state his/her name, whom they represent and/or city of residence.
- E. After the speaker has completed their remarks, Councilmembers may ask questions of the speaker after being acknowledged by the Mayor. Councilmembers shall be respectful of the speakers and shall not enter into a debate with any member of the public.
- F. Upon conclusion of the Public Comment section for any item, the Mayor may provide Councilmembers and/or staff with an opportunity to respond to statements made by the public.
- G. All Councilmembers shall listen to all public discussion as part of the Council's community responsibility. Individual Councilmembers should remain open-minded to comments made by the public.
- H. The Mayor has the right to ask a member of the public to step down if over the allotted time or if comments are not germane.

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- 11.7 Motions. It will be the practice of the City Council for the Mayor to provide Councilmembers an opportunity to ask questions of staff, comment on, and discuss any agenda item in order to help form a consensus before a motion is offered. After such discussion, the Mayor or any Councilmember may make a motion. Before the motion can be considered or discussed, it must be seconded. Once a motion has been properly made and seconded, the Mayor shall open the matter to full discussion offering the first opportunity to speak to the moving party, and thereafter, to any Councilmember recognized by the Mayor. Customarily, the Mayor will take the floor after all other Councilmembers have been given the opportunity to speak.

If a motion clearly contains divisible parts, any Councilmember may request the Mayor or moving party divide the motion into separate motions to provide Councilmembers an opportunity for more specific consideration.

Tie Votes: Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter. (How can there be a tie vote when all 5 Councilmembers are present and may legally participate?)

If a tie vote results at a time when less than all members of the Council, who may legally participate in the matter, are present, the matter shall be automatically continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

11.8 Reconsideration.

A. Request for Reconsideration.

1. Request by a member of the public.

Any member of the public may request that a member of the City Council that voted in the majority request reconsideration. In order for that member of Council to take action, such request must be received no later than 5:00 p.m. on the third day following the decision. The requestor should specify in writing the reason for the request to reconsider.

2. Request by a member of the City Council.

Only a member of the City Council who voted on the prevailing side may request reconsideration. The request may be made at the same meeting or 24 hours in advance of the posting of the agenda for the next regular meeting. Meeting agenda postings are governed by the Open Government Policy or Brown Act, whichever requires the most notice.

3. The City Councilmember making the request should state orally or in writing the reason for the request, without dwelling on the specific details or setting forth various arguments.

B. Motion to Reconsider Any Council Action.

1. Reconsideration at the same meeting.

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A motion to reconsider an action taken by the City Council may be made at the same meeting at which the action was taken (including an adjourned or continued meeting). A motion to reconsider an action may be made only by a Councilmember who voted on the prevailing side, but may be seconded by any Councilmember and is debatable.

The motion must be approved by a majority of the entire City Council.

2. Reconsideration at a subsequent meeting.

Requests for reconsideration not made at the same meeting must be made by a member of the prevailing party 24 hours to the City Manager prior to the posting of the next regular meeting agenda. If the request is supported by any two (2) other Councilmembers, then it shall be added to the agenda. A request added to an agenda shall be structured in a manner that the reconsideration may take place immediately following approval of the request for reconsideration.

At the time such motion for reconsideration is heard, testimony shall be limited to the facts giving rise to the motion.

C. Effect of Approval of Motion.

Upon approval of a motion to reconsider, and at such time as the matter is heard, the City Council shall only consider any new evidence or facts not presented previously with regard to the item or a claim of error in applying the facts.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken and all interested persons (including applicants, owners, supporters and opponents) are still present, the matter may be reconsidered at that meeting or at the next regular meeting or intervening special meeting (subject to the discretion of the maker of the motion) and no further public notice is required.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken but all interested persons are not still present, or if the motion is made and approved at the next regular meeting or intervening special meeting, the item shall be scheduled for consideration at the earliest feasible City Council meeting and shall be re-noticed in accordance with the Government Code, the City Municipal Code and the *Council Norms and Procedures*. The Clerk shall provide notice to all interested parties as soon as possible when a matter becomes the subject of a motion to reconsider.

11.9 Discussion.

- A. The discussion and deliberations at meetings of the City Council are to secure the mature judgment of Councilmembers on proposals submitted for decision. This purpose is best served by the exchange of thought through discussion and debate.

To the extent possible, Councilmembers should disclose any ex parte communication prior to discussion on an item.

Discussion and deliberation are regulated by these rules in order to assure every member a reasonable and equal opportunity to be heard.

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B. Obtaining the Floor for Discussion.

After the Council has commented on an issue, and a motion has been stated to the Council and seconded, any member of the Council has a right to discuss it after obtaining the floor. The member obtains the floor by seeking recognition from the Mayor. A member who has been recognized should limit his/her time to 3 minutes.

C. Speaking More Than Once.

To encourage the full participation of all members of the Council, no member or members shall be permitted to monopolize the discussion of the question. If a Councilmember has already spoken, other Councilmembers wishing to speak shall then be recognized. No Councilmember shall be allowed to speak a second time until after all other Councilmembers have had an opportunity to speak.

D. Relevancy of Discussion.

All discussion **and questions** must be relevant to the issue before the City Council. A Councilmember is given the floor only for the purpose of discussing the pending question; discussion which departs is out of order. Councilmembers shall avoid repetition and strive to move the discussion along. Arguments, for or against a measure, should be stated as concisely as possible.

A motion, its nature, or consequences, may be debated vigorously. It is never permissible to attack the motives, character, or personality of a member either directly or by innuendo or implication. It is the duty of the Mayor to instantly rule out of order any Councilmember who engages in personal attacks. It is the motion, not its proposer, that is subject to debate.

It is the responsibility of each Councilmember to maintain an open mind on all issues during discussion and deliberation. It is not necessary for all City Councilmembers to speak or give their viewpoints if another Councilmember has already addressed their concerns.

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E. Mayor's Duties During Discussion.

The Mayor has the responsibility of controlling and expediting the discussion. A Councilmember who has been recognized to speak on a question has a right to the undivided attention of the Council.

It is the duty of the Mayor to keep the subject clearly before the members, to rule out irrelevant discussion, and to restate the question whenever necessary.

F. After the Vote.

Once a majority of the Council has approved a motion, no further discussion shall be made unless the item is brought for reconsideration as described previously.

11.10 Councilmember Respect. Councilmembers shall abide by the majority decision of the Council, even if in the minority. Councilmembers appointed to serve on regional boards and committees shall maintain the Council's position on an item, even if the Councilmember disagrees with that position.

11.11 Council and Staff Reports and Directions on Future Agenda Items. Council and staff reports at the end of Council meetings shall be limited to announcing Council, Regional Board activities on which Councilmembers serve, City and City-sponsored activities. Community groups may announce their activities during Public Comments at the beginning of Council meetings.

SECTION 12. CLOSED SESSIONS

12.1 Purpose. It is the policy of the City Council to conduct its business in public to the greatest extent possible. However, state law recognizes that, in certain circumstances, public discussion could potentially jeopardize the public interest, compromise the City's position, and could cost the taxpayers of Los Altos financially. Therefore, closed sessions shall be held from time to time as allowed by law. The procedures for the conduct of these meetings shall be the same as for public meetings, except that the public will be excluded.

Prior to convening the closed session meeting, the City Clerk shall publicly announce the closed session items and ask for public input regarding any items on the closed session agenda.

City Councilmembers shall keep all written materials and verbal information provided to them in closed session in complete confidence to insure that the City's position is not compromised. No mention of information in these materials shall be made to anyone other than Councilmembers, the City Attorney or City Manager, except where authorized by a majority of the City Council.

12.2 Rule of Confidentiality. The City Council recognizes that breaches in confidentiality can severely prejudice the City's position in litigation, labor relations and real estate negotiations. Further, breaches of confidentiality can create a climate of distrust among Councilmembers and can harm the Council's ability to communicate openly in closed sessions, thereby impairing the Council's ability to perform its official duties.

The City Council further recognizes that confidentiality of discussions and documents are at the core of a closed session. Confidentiality is essential if the closed session is to serve its

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purpose. Therefore, the City Council will adhere to a strict policy of confidentiality for closed sessions.

- 12.3 Breach of Rule of Confidentiality. No person who attends a closed session may disclose any statements, discussions, or documents used in a closed session except where specifically authorized by State law. Any authorized disclosure shall be in strict compliance with these rules and the Ralph M. Brown Act. Violation of this rule shall be considered a breach of this rule of confidentiality.
- 12.4 Agenda. The agenda for a closed session will contain that information required to be disclosed pursuant to the Ralph M. Brown Act.
- 12.5 Permissible Topics. All closed sessions will be held in strict compliance with the Ralph M. Brown Act. The City Attorney, or his/her designee, will advise in advance on topics that may be discussed in a closed session.
- 12.6 Rules of Decorum.
- A. The same high standard of respect and decorum as apply to public meetings shall apply to closed sessions. There shall be courtesy, respect and tolerance for all viewpoints and for the right of Councilmembers to disagree. Councilmembers shall strive to make each other feel comfortable and safe to express their points of view. All Councilmembers have the right to insist upon strict adherence to this rule.
 - B. Prior to a vote, the Mayor shall ensure that the motion is clearly stated and clearly understood by all Councilmembers.
 - C. The Mayor shall keep the discussion moving forward so that debate and a vote can occur in the time allotted for the closed session. The Mayor will determine the order of debate in a fair manner.
- 12.7 Conduct of Meeting.
- A. The Mayor will call the closed session to order promptly at its scheduled time.
 - B. The Mayor will keep discussion focused on the permissible topics.
 - C. The use of handouts and visual aids such as charts is encouraged to focus debate and promote understanding of the topic. All such materials are strictly confidential.
 - D. If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations, whether it be related to property acquisitions or disposal, a proposed or pending claim or litigation, or employee negotiations, all contact with the other party will be through the designated City person(s) representing the City in the handling of the matter. A Councilmember, not so designated by the Council, will not under any circumstances have any contact or discussion with the other party or its representative concerning the matter which was discussed in the closed session, and will not communicate any discussions conducted in closed session to such party.
- 12.8 Public Disclosure After Final Action.
- A. The Ralph M. Brown Act requires that, as a body, the City Council make certain public disclosure of closed session decisions when those actions have become final. Accordingly, the City Council shall publicly report any final action taken in closed session, and the vote, including abstentions, as directed by the Ralph M. Brown Act.
 - B. The report may be oral or written. The report will state only the action taken and the vote. Unless authorized by the majority of the City Council, the report will not state the

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debate or discussion that occurred. Except for the action taken and the vote, all closed session discussions will remain confidential.

SECTION 13. DECORUM

- 13.1 Councilmembers. Members of the City Council value and recognize the importance of the trust invested in them by the public to accomplish the business of the City. Councilmembers shall accord the utmost courtesy to each other, City employees, and the public appearing before the City Council. When speaking, a Councilmember's tone should remain neutral and non-verbal communication aspects should be considerate and polite. Formal business attire is required only when Council meetings, workshops, or study sessions are held in Community Meeting Chambers and/or televised.
- 13.2 City Employees. Members of the City staff shall observe the same rules of order and decorum applicable to the City Council. City staff shall act at all times in a business and professional manner towards Councilmembers and members of the public.
- 13.3 Public. Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. City Code Chapter 2.05, *Public Meeting Rules for Conduct*, shall apply to all City Council Meetings.
- 13.4 Noise in the Chambers. Noise emanating from the audience, whether expressing opposition or support within the Community Meeting Chambers or lobby area, which disrupts City Council meetings, shall not be permitted. All cellular phones and other consumer electronic devices shall be muted while in the chambers. Refusal is grounds for removal.

SECTION 14. VIOLATIONS OF PROCEDURES

Nothing in these Norms and Procedures shall invalidate a properly noticed and acted upon action of the City Council in accordance with State Law.

This document shall remain in effect until modified by the City Council.

AMENDED AND APPROVED: July 9, 2019.

APPENDIX A

ROSENBERG'S RULES OF ORDER



CITY COUNCIL NORMS AND PROCEDURES



COUNCILMEMBERS

~~Jeannie Bruins~~

Anita Enander

Neysa Fligor

~~Sally Meadows~~

Lynette Lee Eng

~~Jonathan D. Weinberg~~ Jan Pepper

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**CITY OF LOS ALTOS
CITY COUNCIL NORMS AND PROCEDURES**

SECTION 1. GENERAL

- 1.1 Purpose. The purpose of these Norms and Procedures is to promote communication, understanding, fairness, and trust among the members of the City Council and staff concerning their roles, responsibilities, and expectations for management of the business of the City of Los Altos. The norms also inform the public about what to expect from their elected representatives while performing their duties.
- 1.2 Values. ~~Council member~~Councilmembers shall represent the best interests of the City and community at large. Councilmembers shall treat fellow Councilmembers, members of the public, Commission and Committee members, other elected officials, and staff and consultants with respect, civility and courtesy. All Councilmembers shall respect each other's individual points of view and right to disagree. When addressing the public in any way, all Councilmembers shall make certain their opinions are expressed solely as their own, and do not necessarily reflect the opinions of any other Councilmember unless otherwise authorized by the Council. Councilmembers shall respect and abide by the decisions of the majority of the Council at all times.
- 1.3 Review. The City Council shall conduct a review of this document biennially, or whenever a new Councilmember has been seated or Council deems necessary, to assist Councilmembers in being more productive in management of the business of the City. A new Council will consider the document within three months of its first regular meeting.
- 1.4 Ralph M. Brown Act. All conduct of the City Council, Commissions, Committees and Subcommittees shall be in full compliance with State law, including but not limited to, the Ralph M. Brown Act.

SECTION 2. MAYOR AND VICE MAYOR SELECTION PROCESS

- 2.1 Reorganization. The reorganization of the Council shall occur at a special meeting held on the first Tuesday of December or as soon thereafter as is practical if the County Registrar of Voters has not certified a victor by the first Tuesday of December. If new members have been elected to the Council, ~~the~~ seating of new Councilmembers shall occur at the same meeting that the Council reorganizes, which will be held on the earliest available Tuesday following the certification of election results.

Seating preferences on the dais shall be made by the Mayor, Vice Mayor and then by seniority of the rest of the members, in that order. If two members have equal seniority based on year elected, then the member with the higher vote count in their most recent election is considered to have higher seniority.

A community reception honoring the incoming and outgoing Mayor and Councilmembers will be held immediately following the reorganization meeting.

- 2.2 Election of Mayor. Only Councilmembers elected by the voters may serve as Mayor. Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Mayor.

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The Mayor's term of office shall be one year. The Councilmember must have served at least 23 months to be eligible for Mayor. A majority vote of the Council is necessary to designate the Mayor. If there is at least one elected Councilmember with a minimum of 23 months of service who has not served as Mayor, he or she shall be designated Mayor before those who have already served as Mayor.

If there are two or more such members who have served more than 23 months and have never served as Mayor, the one having served the longest time on the Council shall be designated as Mayor.

In the event there are two or more members who have never served as Mayor and have served the same length of time, the one who received the greatest number of votes at his/her election or re-election to the Council shall become Mayor.

In the event there are two or more members who have served as Mayor, who have served the same continuous length of time, and who have been re-elected to the Council, the one who received the greatest number of votes at his/her re-election to the Council shall become Mayor.

In the event three new members are elected to the Council, then an exception to Sections 2.2 and 2.3 will apply, allowing the immediate appointment of a Vice Mayor without the normal 11 months of prior service, and the following year such person may be appointed as the Mayor without the normal 23 months of prior service. Any member re-elected to the Council after a break in service will be treated in the normal sequence for appointment as Vice Mayor and Mayor, without regard to such person's service prior to the break in service.

The Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Mayor should be made to the City Manager. If the Mayor is removed from office for cause, a new Mayor shall be elected by the members of the Council in accordance with this Section 2.2.

- 2.3 Election of Vice Mayor. Only Councilmembers elected by the voters may serve as Vice Mayor. ~~Those persons who are appointed to the City Council due to the cancellation of an election may also serve as Vice Mayor.~~

The selection process for determining who shall serve as Vice Mayor will follow that of Mayor, except the Councilmember must have served at least 11 months to be eligible to serve as Vice Mayor.

The Vice Mayor may be removed from office, for cause, by a 4/5ths affirmative vote of the members. The person is to be advised of the proposed cause for removal at least 72 hours before the action is taken. Requests for an agenda item to consider removal of the Vice Mayor should be made to the City Manager. If the Vice Mayor is removed from office for cause, a new Vice Mayor shall be elected by the members of the Council in accordance with this Section 2.3.

- 2.4 Councilmembers Serving After a Break in Service. The time of continuous service for any elected member of the Council who previously served on the Council prior to a break in service shall be considered to have started at his/her election after their break in service.

- 2.5 Appointment of Vacancy. In the event of a vacancy of office by the death or resignation of any Councilmember, the Council shall appoint a new Councilmember within sixty (60) days after a vacancy becomes effective in compliance with the California Elections Code, unless the Council,

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by resolution, decides to instead call a special election. In the event of appointment, the Council shall determine the process for appointment prior to the application process and in accordance with State law.

SECTION 3. COUNCIL SUBCOMMITTEES

- 3.1 Responsibility. The Mayor shall appoint Councilmembers to standing and ad hoc subcommittees as required to accomplish the work of the Council, subject to affirmation by the Council at its next regular meeting. It will be the responsibility of these subcommittees to inform and make recommendations to the Council and submit them to the Council for a vote. Staff shall work with, and support, Council subcommittees as required.
- 3.2 Instructions and Expectations. The Council shall make certain that all Council subcommittees are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the committee's efforts shall be defined in writing and approved by a majority of the City Council. No Council subcommittee may take any executive action without the express, prior consent of the full Council.
- 3.3 Reporting. Council subcommittee members are to keep the Council informed of the work and progress of their subcommittee. These reports or minutes shall be made in writing whenever a recommendation is made to the Council.
- 3.4 Standing Subcommittees. Four standing subcommittees of the Council exist: the Council Youth Commission Interview Committee, the City/Los Altos School District Schools Issues Committee, the City/Cupertino Union School District Schools/Fremont Union High School District Schools Issues Committee and the Open Government Committee.

The Council Youth Commission Interview Committee consists of two members of the City Council and is responsible for conducting interviews of applicants for the Youth Commission and making recommendations to the City Council regarding the appointments. The Committee meets as needed]JW1].

The City/Los Altos School District Schools Issues Committee consists of two members of the City Council and two members of the Board of Trustees of the Los Altos School District. The purpose of the subcommittee is to facilitate communication between the two bodies on issues of mutual concern by both legislative bodies, as directed by the City Council and/or School Board. Meetings are open to the public and are generally held at least bi-annually.

The City/Cupertino Union School District/Fremont Union High School District Schools Issues Committee consists of two members of the City Council, ~~and~~ two members of the Board of Trustees of the Cupertino Union School District, ~~and two members of the Fremont Union High School District.~~ The purpose of the subcommittee is to facilitate communication between the ~~two-three~~ bodies on issues of mutual concern. Meetings are open to the public and are generally held at least bi-annually.

The Open Government Committee consists of two members of the City Council and advises the City Council and provides information to the City Manager on potential ways to implement the Open Government Policy. The Committee develops appropriate goals to ensure practical and timely implementation of the Open Government Policy and proposes any amendments to the Policy.

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SECTION 4. COMMISSIONS AND COMMITTEES

- 4.1 Responsibility. The Council ~~will~~may appoint residents of the community to the City's standing commissions and committees. Commission and committee members shall represent the interests of the community at-large when serving on these bodies. These commissions and committees will respect the public and staff and shall take seriously their responsibility for reporting to the Council. Each commission is to keep a rotation schedule for representation at City Council meetings by one of its members. Attendance is required when a commission has an item of interest on the Council agenda, so as to be available to answer Council questions.
- 4.2 Governing. The City's Commissions and Committees are governed by the Commission Handbook as adopted and amended by the City Council. In the event that any provision of the Commission Handbook conflicts with these Norms and Procedures, then these Norms and Procedures shall be supreme.
- 4.3 ~~Commission Liaisons. To facilitate the exchange of information between the Council and its Commissions, the Mayor will at least annually make liaison appointments to the Commissions. These appointments shall be ratified by the Council. Councilmembers shall respect the separation between policy making and advisory Commissions by: A) not attempting to lobby or influence Commissions on any item under their consideration; B) attending meetings of assigned Commissions, as needed, but not taking a position on an item before the Commission; C) not voting at the Commission's meeting on any item; and D) assisting the Commission in scheduling recommendations to be heard by the Council.~~
- ~~— If an issue arises regarding a member of any Commission, staff may work with the assigned Council Liaison to resolve the issue.~~
- 4.4 Commissioners serve at the pleasure of the City Council. The City Council may discipline or remove a Commissioner at any time solely at the discretion of the Council. Any proposed removal can be with or without cause. A Councilmember who wishes to discipline or remove a Commissioner shall indicate their desire to place the discipline or removal on a future agenda at the end of a regular Council meeting. ~~If~~three-two or more Councilmembers wish to agendize the discipline or removal of a certain Commissioner, the item will be placed on a Council agenda.

SECTION 5. AD HOC COMMITTEES AND TASK FORCES

- 5.1 Instructions and Expectations. The Council shall make certain that all Council-appointed Ad Hoc Committees and Task Forces are properly instructed in their assigned scope of work and responsibilities. The expected outcome of the Committee's or Task Force's efforts shall be defined in writing and formally approved by a majority of the City Council.
- 5.2 Reports. Ad Hoc Committees and Task Forces are responsible for keeping the Council informed about issues being considered, and their progress. This is to be accomplished by meeting minutes distributed in the Council meeting packets or through oral reports to Council. Ad Hoc Committees and Task Forces are responsible for advising the Council of any need for information or more specific instructions.
- 5.3 Redirection. Ad Hoc Committees and Task Forces shall obtain Council concurrence before they proceed in any direction different from the original instructions of the Council.
- ~~5.4 Noticing. Per Resolution No. 2015-09, Ad Hoc Committees and Task Forces that are created by the City Council and are composed of less than a quorum of the Council and have~~

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~~members of City Commissions and/or members of the public on the committee are subject to the provisions of the Ralph M. Brown Act.~~

SECTION 6. ADMINISTRATIVE MATTERS

6.1 Attendance. City Councilmembers acknowledge that attendance at lawful meetings of the City Council is part of their official duty. Councilmembers shall make a good faith effort to attend all such meetings unless unable. Councilmembers will notify the Mayor or the City Clerk if they will be absent from a meeting.

6.2 Correspondence. With some exceptions, proposed correspondence (including electronic) from individual Councilmembers/Mayor on City stationery shall be reviewed by the Council in draft form prior to release. ~~On occasion, there are urgent requests from the League of California Cities for correspondence concerning legislation directly affecting municipalities. Assuming there is agreement between the Mayor and City Manager that the League's position corresponds with that of the Council, the Mayor may send a letter without first obtaining Council review.~~

City letterhead will be made available for routine, discretionary correspondence (i.e., thank you notes, etc.), or such correspondence will be prepared by staff for signature, without prior consent of the Council. E-mails from Councilmembers should be respectful, professional and consistent with the City's Electronic Use Policy.

When writing a correspondence on City letterhead, a Councilmember shall represent to the letter's audience the position of the Council irrespective of whether the member might disagree with any part of the Council's position.

6.3 Regional Boards. The Mayor shall appoint Councilmembers to Regional Committees/Commissions/Boards as required by the governing bodies. These appointments are subject to affirmation by the Council. The role of the Council on regional boards will vary depending on the nature of the appointment. Representing the interests of Los Altos is appropriate on some boards; this is generally the case when other local governments have their own representation.

The positions taken by the appointed representatives are to be in alignment with the positions that the Council has taken on issues that directly impact the City of Los Altos. If an issue should arise that is specific to Los Altos, and the Council has not taken a position, the issue should be discussed by the Council prior to taking a formal position at a regional board meeting, to assure that it is in alignment with the Council's position. A member shall not substitute their own position in place of that of the Council.

Council representatives to such boards shall keep the Council informed of ongoing business through brief oral or written reports to the Council.

Councilmembers shall make a good faith effort to attend all regional meetings that require a quorum of the appointed members to convene a meeting. If a Councilmember is unable to attend, he/she should notify his/her alternate as far in advance of the meeting as possible so as to allow the alternate to attend.

Appointments to regional boards shall terminate upon the expiration of Councilmember's term unless: 1) the Councilmember is reelected and can serve the full term on the regional board; or 2) action is taken by the Council to reappoint the individual to the regional board.

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- 6.4 Response to Public. It will be the responsibility of the City Manager to ensure a response is provided to all public correspondence for informational requests addressed to the Council. Staff shall respond to all requests for services and provide a copy of such correspondence to the City Council, as appropriate.
- 6.5 Proclamations. Proclamations are discretionary public announcements directing attention to a local resident, organization or event. The Mayor, without formal action of the Council, may issue proclamations. Requests for proclamations should be submitted at least one week in advance. This allows the Mayor to decide if a proclamation should be issued. Alternatively, the Mayor, at his/her discretion, may refer a request to Council.
- 6.6 Reimbursement. City Councilmembers may be reimbursed for personal expenses for travel to and lodging at conferences or meetings related to their role as a Councilmember. Reimbursements shall be subject to the City's Travel and Expense Policy.

Brief reports must be given on any outside meeting attended at the expense of the City at the next regular Council meeting. Reimbursement is conditioned on the submission of this report to the City Council.

- 6.7 Training.
Ethics: Members of the City Council and commissions shall receive at least two hours of ethics training in general ethics principles and ethics laws relevant to his/her public service every two years. New members must receive this training within their first year of service. Members shall attend training sessions that are offered locally in the immediate vicinity of Santa Clara County or by completing online a state-approved public service ethics education program.

An individual who serves on multiple legislative bodies need only receive two hours of ethics training every two years to satisfy this requirement for all applicable public service positions.

Sexual Harassment: In addition, Councilmembers shall receive two hours of sexual harassment prevention training every two years, per State law. New members must receive this training within their first six months of service.

Brown Act: Members of the City Council and those individuals appointed by the City Council to serve on a commission or advisory committee will receive training on the requirements of the Brown Act at the time they begin their service and again within 60 days of beginning service.

Anti-Bias: Members of the City Council and commissions shall receive at least two hours of anti-bias training every year.

The City Clerk is required to keep training records for five years to document and prove that these continuing education requirements have been satisfied. These documents are public records subject to disclosure under the California Public Records Act.

- 6.8. Use of Electronic Devices during Council Meetings. City Councilmembers shall not use electronic devices to send or receive communications regarding agenda items or to access information which other Councilmembers do not have equal access to during a meeting of the City Council at which he or she is in attendance. ~~This does not apply to receipt of telephone calls or text messages from family members in the event of an urgent family matter. Councilmembers responding to such a message during the meeting shall do so in a manner that does not disrupt the meeting.~~ Councilmembers shall not take telephone calls, read or respond

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to Emails, or read or respond to text messages during a meeting of the City Council. During a meeting subject to the Brown Act, Councilmembers shall not communicate in any way with members of the public unless all members of the Council and all members of the public can observe the interaction.

6.9 City Mission and City Seal. The Mission of the City of Los Altos is a statement that reflects the values of our residents. The City Seal is an important symbol of the City of Los Altos. No change to the City Mission and/or City Seal shall be made without Council approval. Use of the City Seal shall be by permission of the City Clerk.

6.10 Use of email. City Councilmembers shall strive to use only their City email account for City business.

Councilmembers shall bear in mind that their electronic correspondence sent from their City Email accounts are official correspondence. Members shall draft such Emails in a manner that is courteous respectful, and otherwise in accordance with the spirit of these Norms and Procedures.

SECTION 7. COUNCIL RELATIONSHIP WITH STAFF

7.1 City Manager. City Councilmembers are always free to ~~go to~~discuss with the City Manager ~~to discuss~~ any subject. Issues concerning the performance of a Department or any employee must be directed to the City Manager. City Councilmembers shall not meet with groups of management employees for the purpose of discussing terms of employment or establishing employee policy. Direction to City employees, other than the City Manager or City Attorney, is the prerogative of the City Manager. In passing along critical information, the City Manager will be responsible for contacting all Councilmembers. The City Manager may delegate this responsibility to Department Heads.

7.2 ~~Agenda Item Questions~~Decorum. The Council shall not abuse staff, nor embarrass, harass, or otherwise abuse staff ~~in public.~~ ~~If a Councilmember has a question on a subject, the Councilmember should contact the City Manager prior to any meeting at which the subject may be discussed. This does not restrict Councilmembers from asking questions during a Council meeting.~~

7.3 Complaints. Councilmembers shall encourage people to file all complaints directly with the appropriate staff member. Staff shall ensure that all ~~people~~complaints receive a response.

7.4 Staff. Councilmembers may ask Department Heads for information. This informal system of direct communication is not to be abused. When contacting department heads, members shall "cc" the City Manager. When contacting staff at a level below the department head, members shall "cc" the department head and, if appropriate, the City Manager.

SECTION 8. MEETINGS

8.1 Open to Public. All meetings of the City Council except for closed sessions as authorized by law whether regular, special, or study sessions, shall be open to the public, ~~unless a closed session is held as authorized by law. All meetings shall be noticed as required to allow action to be taken by the Council.~~

8.2 Broadcasting of City Council Meetings. ~~All regular Council meetings and study sessions shall be scheduled in the Community Meeting Chambers to allow for web streaming and simulcast~~

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~~on the City's Government Access Channel, unless the number of participants exceeds room capacity. The final decision shall be the responsibility of the Mayor.~~ All regular City Council meetings and study sessions shall be video-recorded, unless the City is unable to do so due to unforeseen circumstances or circumstances beyond the City's control in which case the meeting shall be audio-recorded.

- 8.3 Regular Meetings. The City Council shall conduct its regular meetings at the time and place established by ordinance. At the first regular meeting in December, the City Council will approve the schedule of meetings for the next calendar year, which in addition to the regular meeting schedule, may include the cancellation of regular meetings and the addition of special meetings and study sessions. This practice does not, however, preclude the Mayor or a majority of the members of the City Council from calling additional meetings pursuant to Section 8.5, if necessary.

It will be the custom to start Regular Meetings at 7:00 p.m. and to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.

- 8.4 Cancelling Meetings. Any meeting of the City Council may be cancelled in advance by majority vote of the Council. The Mayor may cancel a meeting in the case of an emergency or when a majority of members have confirmed in writing to the City Manager their unavailability to attend a meeting or agreement to cancel a meeting.

- 8.5 Special Meetings. A special meeting may be called at any time by the Mayor or by a majority of the City Council in accordance with the Brown Act. Written notice of any such meeting must specify the purpose of the meeting and the identities of members making the call. Notice of the meeting must be given in accordance with law. Public comments at special meetings shall be limited to only those items described on the special meeting notice/agenda.

The City Council may hold study sessions or joint meetings with other boards, commissions, committees, or agencies as deemed necessary to attend to City business. These meetings will be coordinated by the City Clerk. Study sessions are scheduled to provide Councilmembers the opportunity to better understand a particular item. While Council may legally take action at any noticed meeting, generally no formal action is taken at study sessions. If action is to be taken at a study session, then the agenda will state that action may be taken.

- 8.6 Closed Sessions. The City Council may hold closed sessions at any time authorized by law (and in consultation with the City Attorney), to consider or hear any matter, which is authorized by law. The Mayor or a majority of the City Council may call closed session meetings at any time. Requests for a closed session should be made to the City Manager.

- 8.7 Annual Retreat. The City Council shall hold an annual retreat following the reorganization of the Council (typically in December or January). The purpose of the retreat shall be to review accomplishments for the past year and to discuss and set priorities for the City Council for the following year.

- 8.8 Quorum. Three (3) members of the City Council shall constitute a quorum and shall be sufficient to transact business. If less than three Councilmembers appear at a regular meeting, ~~the Mayor, Vice Mayor in the absence of the Mayor, any Councilmember in the absence of the Mayor and Vice Mayor, or in the absence of all Councilmembers, the City Clerk or Deputy City Clerk, then the meeting shall be adjourned the meeting~~ to a stated day and hour.

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Business of the City Council may be conducted with a minimum of three members being present; however, pursuant to the California Government Code, matters requiring the expenditure of City funds and all resolutions and non-urgency ordinances must receive three affirmative votes for approval.

Regardless of the number of Councilmembers at a meeting, any motion shall require three (3) votes to pass.

- 8.9 Minutes. Staff shall prepare minutes of all public meetings of the City Council. Copies shall be distributed to each Councilmember. Closed session minutes, if any, shall be approved by all Councilmembers and kept in strict confidence.
- 8.10 Adjourned Meetings. The City Council may adjourn any regular, adjourned regular, special or closed session meeting to a time and place specified in the order of adjournment and permitted by law.

SECTION 9. POSTING NOTICE AND AGENDA

- 9.1 Posting of Notice and Agenda. ~~For every regular, special, or study session meeting, the City Clerk or other authorized person shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all items of business to be discussed at the meeting. This notice and agenda may be combined in a single document. Posting is to be according to the City's Open Government Policy and State law.~~ Notice and the agenda for every meeting subject to the Brown Act shall be posted in accordance with law.
- 9.2 Location of Posting. ~~The notice and agenda shall be posted at City Hall and at the meeting location, if located away from City Hall, in a place to which the public has unrestricted access and where the notice and agenda are not likely to be removed or obscured by other posted material, and to the City website.~~

SECTION 10. AGENDA CONTENTS

- 10.1 Mayor's Responsibility. ~~The Mayor-City Council as a whole~~ is responsible for ~~running~~ running a timely and orderly meeting. The Mayor shall have the honor of conducting the meeting. If the Mayor is unavailable to run a Council meeting, the Vice Mayor shall run the meeting. The Mayor, in consultation with the City Manager or his/her designee, and the City Clerk shall organize the agenda. The Mayor has the prerogative of casting the last vote on any motion.
- 10.2 Description of Matters. All items of business to be discussed at a meeting of the City Council shall be briefly described on the agenda. The description should set forth the proposed action to be considered so that members of the public will know the nature of the action under review and consideration.
- 10.3 Availability to the Public. The agenda for any regular, special, or study session meeting, shall be made available to the general public as required by law.
- 10.4 Limitation to Act Only on Items on the Agenda. No action shall be taken by the City Council on any item not on the posted agenda, subject only to the exceptions listed below:
- A. Upon a majority determination that an "emergency situation" (as defined by State Law) exists; or

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- B. Upon determination by a 4/5 vote of the full City Council, or a unanimous vote if less than a full Council, that there is a need to take immediate action and that the need to take the action came to the attention of the City Council subsequent to posting of the agenda.
- ~~10.5 "Timing" of Agenda. Staff and/or the Mayor will "time" the agenda as a way for the Council to maintain a sense of how much time can be committed to any one item without going past an established ending time for the meeting.~~
- 10.6 Order of Agenda. The prescribed order of the agenda for Regular Meetings of the Council will be as follows: Establish Quorum, Pledge of Allegiance, Closed Session Announcement (if needed), Changes to the Order of the Agenda, Special Items, Public Comments on Items not on the Agenda, Consent Calendar, Public Hearings, Discussion Items, Informational Items, City Council Reports ~~(limited to one minute per Councilmember)~~, Future Agenda Items ~~(limited to one minute per Councilmember)~~, and Adjournment.
- 10.7 Changes to the Order of the Agenda. At the beginning of a Council meeting, the Mayor, Councilmembers and/or City staff may request a change to the order in which agenda items are to be considered. The Mayor will ask if there are any changes to the order of the agenda. Any requested changes will be made in the form of a motion and a vote will be taken. If there are no requests for changes, the agenda will be taken in the prescribed order.
- 10.8 Consent Calendar. A Councilmember or any member of the public may request an item be removed from the Consent Calendar. At the Mayor's discretion, items removed from the Consent Calendar may be considered immediately after approval of the balance of the Consent Calendar or elsewhere in the agenda. Councilmembers shall be given the opportunity to ask a clarifying question about a consent item or make a brief comment about an item without having to remove the item from the Consent Calendar.
- 10.9 Tentative Council Calendar. The City Manager shall maintain and post on the City's website a Tentative Council Calendar shall listing items pending to come before Council within the next 12 months period.
- ~~Quarterly (first meeting in January, April, July and October), Council shall review the Tentative Council Calendar. At this time, Councilmembers may request new items be added. The Councilmember requesting the item shall state the topic and which Council priority the request aligns to. Council and staff shall agree as to where the new item shall be placed on the Tentative Council Calendar.~~
- 10.10 Placing items on a future agenda. Members of the City Council may have any matter that can be legally agendaized placed on the agenda of the City Council by indicating their desire to do so under that portion of the City Council agenda designated, "Future City Council Agenda Items." Placing an item on a future agenda requires two Councilmembers to support the item if no staff work is required and three Councilmembers if staff work is required.
- 10.11 Council questions. Councilmembers shall strive to provide questions to city staff on agenda items as early as possible before a council meeting to allow adequate time to respond to the questions. Staff will provide all questions and answers to Council questions to all Councilmembers and, excepting attorney-client communications, to the public. Councilmembers shall notify staff if they plan to raise a specific question at the Council meeting. If a Councilmember feels they need additional information to make a decision on an item, and the item is not time sensitive, the Councilmember may request the item be continued during Changes to the Order of the Agenda.

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SECTION 11. PROCEDURES FOR THE CONDUCT OF PUBLIC MEETINGS

11.1 Role of Mayor.

- A. The Mayor shall be responsible for maintaining the order and decorum of meetings. It shall be the duty and responsibility of the Mayor to ensure that the rules of operation and decorum contained herein are observed. The Mayor shall maintain control of communication between Councilmembers and among Council, staff and public.
- B. Communication with Councilmembers
 1. Councilmembers shall request the floor from the Mayor before speaking.
 2. When one member of the Council has the floor and is speaking, other Councilmembers shall not interrupt or otherwise disturb the speaker.
- C. Communication with Members of the Public Addressing the Council
 1. The Mayor shall open the floor for public comment as appropriate.
 2. Councilmembers may question a person addressing the Council at the conclusion of the person's comments or upon expiration of the person's time to speak.^[JW2]
 3. Any staff member with an item on the agenda will be available to the City Council to answer questions arising during discussions between Councilmembers and among Councilmembers and members of the public.
 4. Members of the public shall direct their questions and comments to the Council~~Mayor~~.

11.2 Rules of Order. The City Council adopts no specific rules of order except those listed herein. The City Council shall refer to *Rosenberg's Rules of Order*, as a guide for the conduct of meetings, with the following modifications:

- A. A motion is ~~not~~ required prior to ~~a general~~ discussion on an agenda item. ~~A pre-motion discussion allows the members to share their thoughts on the agenda item so that a motion can more easily be made that takes into account what appears to be the majority position.~~
- B. All motions, except nominations, require a second.
- C. A motion may be amended at the request of the maker and the consent of the person who seconded the motion. Such a procedure is often used to accommodate concerns expressed by other members.
- D. ~~A motion to amend may still be used.~~ Nothing in Section 11.2.C. of these Norms and Procedures precludes a member from making a motion to amend a motion notwithstanding the moving and/or the seconding member withholding consent.

The Mayor has the discretion to impose reasonable rules at any particular meeting based upon facts and circumstances found at any particular meeting. These latter rules will be followed unless objected to by a majority of the City Councilmembers present.

11.3 Appeal Procedures. Appellants shall be given the opportunity to speak first after staff gives its report. Appellants and applicants responding to appeals may be given a total of up to 10 minutes each to present their positions to the City Council prior to hearing public comments. Appellants shall be given up to 5 minutes of rebuttal time after public comments are heard.

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11.4 Public Hearing Procedures. All land use public hearing items shall follow the following procedures:

- A. Staff presentation and/or report followed by clarifying questions from the Council
- B. Disclosure of communications: Councilmembers shall disclose all personal communications with any individual, including, but not limited to, the project applicant, prospective project applicants, neighboring property owners, residents or any other party regarding development projects. These disclosures shall include a full description of the nature of the discussion, and in particular, any information not presented as part of the public record
- C. The Mayor shall open the public hearing
 - a. Applicant presentation; the applicant shall be given a total of up to 10 minutes to present to the City Council
 - b. The Council shall take public comments
 - c. Applicant rebuttal period; the applicant shall be given a total of up to 5 minutes rebuttal time. If there are no public comments, the applicant shall not be given time for rebuttal
- D. The Mayor shall close the public hearing
- E. Council discussion, consideration and decision

11.5 Staff and Consultant Reports. Staff and consultant reports shall be as comprehensive as necessary to brief the Council and the public with an emphasis on brevity. Staff and consultants may assume that members have read the materials in the meeting packet, will be given a limit of up to 10 minutes. Staff is to assume that the Council has read all materials submitted. Council shall be given an opportunity to ask questions of staff and consultants prior to hearing public comments.

11.6 Public Comment.

A. A. Persons present at meetings of the City Council may comment on individual items on the agenda. During Regular City Council meetings, comments may be offered on items not on the agenda under that portion of the agenda identified for Public Comment.

B. At the Mayor's discretion, the time limit for speakers will be 1 to 3 minutes, depending on the number of speakers. If there are 10 or fewer requests to speak on any agenda item, the limit for each speaker will be 3 minutes. The Mayor may limit the time to be spent on an item and may continue the item, with the approval of the majority of the Council, to a future meeting at his/her discretion. A majority of the Councilmembers may overrule the Mayor's decision to limit public comment.

A group of speakers may designate a single speaker to represent the group. The designated speaker would be given the time which would have been allocated to others (to a maximum of ~~40~~ three (3) minutes) to speak. If each member of the public wishing to speak is allotted three (3) minutes by the Mayor, then no single speaker may be allocated to represent a group. Individuals wanting to delegate time to another must be present at the meeting and must indicate their desire to cede time to a single individual by noting on a speaker card they are doing so. Persons who have ceded their time will not be permitted to speak on the topic at that meeting. Ceding of time will not be allowed during land-use hearings. A member of the public may cede his or her time only to one representative.

C. In order to facilitate an orderly meeting, anyone wishing to address the City Council is asked to fill out a Request to Speak card, indicating their name, address and agenda item

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number/topic. A separate card is requested for each item. The request to speak cards shall be turned into the City Clerk before the item is heard by the City Council.

- D. Upon addressing the Council, each speaker is requested, but not required, to first state his/her name, whom they represent, and/or city of residence.
- E. After the speaker has completed their remarks, Councilmembers may ask questions of the speaker after being acknowledged by the Mayor. Councilmembers shall be respectful of the speakers and shall not enter into a debate with ~~any member of the public~~the speaker.
- F. Upon conclusion of the Public Comment section for any item, the Mayor may provide Councilmembers and/or staff with an opportunity to respond to statements made by the public.
- G. All Councilmembers shall listen to all public discussion as part of the Council's community responsibility. Individual Councilmembers should remain open-minded to comments made by the public.
- H. The Mayor has the right to ask a member of the public to step down if over the allotted time or if comments are not germane.

11.7 Motions. It will be the practice of the City Council for the Mayor to provide Councilmembers an opportunity to ask questions of staff, ~~comment on, and discuss any agenda item in order to help form a consensus~~ before a motion is offered. ~~After such discussion, the Mayor or any Councilmember may make a motion~~ No general discussion on an agenda item may commence until a motion is made by a Councilmember. Before the motion can be considered or discussed, it must be seconded. Once a motion has been properly made and seconded, the Mayor shall open the matter to full discussion offering the first opportunity to speak to the moving party, and thereafter, to any Councilmember recognized by the Mayor. Customarily, the Mayor will take the floor after all other Councilmembers have been given the opportunity to speak.

If a motion clearly contains divisible parts, any Councilmember may request the Mayor or moving party divide the motion into separate motions to provide Councilmembers an opportunity for more specific consideration.

Tie Votes: Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter.

~~If a tie vote results at a time when less than all members of the Council, who may legally participate in the matter, are present, the matter shall be automatically continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.~~

11.8 Reconsideration.

- A. Request for Reconsideration.
 1. Request by a member of the public.

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Any member of the public may request that a member of the City Council that voted in the majority request reconsideration. In order for that member of Council to take action, such request must be received no later than 5:00 p.m. on the third day following the decision. The requestor should specify in writing the reason for the request to reconsider.

2. Request by a member of the City Council.

Only a member of the City Council who voted on the prevailing side may request reconsideration. The request may be made at the same meeting or 24 hours in advance of the posting of the agenda for the next regular meeting. Meeting agenda postings are governed by the Open Government Policy or Brown Act, whichever requires the most notice. JW3

3. The City Councilmember making the request should state orally or in writing the reason for the request, without dwelling on the specific details or setting forth various arguments.

B. Motion to Reconsider Any Council Action.

1. Reconsideration at the same meeting.

A motion to reconsider an action taken by the City Council may be made at the same meeting at which the action was taken (including an adjourned or continued meeting). A motion to reconsider an action may be made only by a Councilmember who voted on the prevailing side with the majority of the action proposed to be reconsidered, but may be seconded by any Councilmember and is debatable.

The motion must be approved by a majority of the entire City Council.

2. Reconsideration at a subsequent meeting.

Requests for reconsideration not made at the same meeting must be made by a Councilmember of the prevailing party who voted with the majority of the action proposed to be reconsidered no more than 24 hours after the meeting to the City Manager and prior to the posting of the next regular meeting agenda. If the request is supported by any two (2) other Councilmembers, then it shall be added to the agenda. A request added to an agenda shall be structured in a manner that the reconsideration may take place immediately following approval of the request for reconsideration.

At the time such motion for reconsideration is heard, testimony shall be limited to the facts giving rise to the motion.

C. Effect of Approval of Motion.

Upon approval of a motion to reconsider, and at such time as the matter is heard, the City Council shall only consider any new evidence or facts not presented previously with regard to the item or a claim of error in applying the facts.

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If the motion to reconsider is made and approved at the same meeting at which the initial action was taken and all interested persons (including applicants, owners, supporters and opponents) are still present, the matter may be reconsidered at that meeting or at the next regular meeting or intervening special meeting (subject to the discretion of the maker of the motion) and no further public notice is required.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken but all interested persons are not still present, or if the motion is made and approved at the next regular meeting or intervening special meeting, the item shall be scheduled for consideration at the earliest feasible City Council meeting and shall be re-noticed in accordance with the Government Code, the City Municipal Code and the *Council Norms and Procedures*. The Clerk shall provide notice to all interested parties as soon as possible when a matter becomes the subject of a motion to reconsider.

11.9 Discussion.

- A. The discussion and deliberations at meetings of the City Council are to secure the mature informed judgment of Councilmembers on proposals submitted for decision. This purpose is best served by the exchange of thought through discussion and debate.

To the extent possible, Councilmembers should disclose any ex parte communication prior to discussion on an item.

If a Councilmember has obtained a letter or other authorization from the FPPC to discuss and vote on an item, then as early as is practical that member shall disclose the existence of the letter or other authorization, briefly describe the circumstances of why the member sought clarification, the basis for the FPPC's conclusion, and the file number or other unique identifier so that members of the public can request a copy from the FPPC. In addition, the member shall provide to the City Clerk a copy of the letter or other authorization no later than 24 hours after the meeting at which the letter or other authorization is disclosed, so that a copy may be forwarded to any member of the public who requests a copy.

Discussion and deliberation are regulated by these rules in order to assure every member a reasonable and equal opportunity to be heard.

- B. Obtaining the Floor for Discussion.

After the Council has commented on an issue, and a motion has been stated to the Council and seconded, any member of the Council has a right to discuss it after obtaining the floor. The member obtains the floor by seeking recognition from the Mayor. A member who has been recognized should limit his/her time to 3 minutes. The Mayor shall ensure that all Councilmembers have had an adequate opportunity to discuss and debate an item.

- C. Speaking More Than Once.

To encourage the full participation of all members of the Council, no member or members shall be permitted to monopolize the discussion of the question. If a Councilmember has already spoken, other Councilmembers wishing to speak shall then be recognized. No Councilmember shall be allowed to speak a second time until after all other Councilmembers have had an opportunity to speak.

- D. Relevancy of Discussion.

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All discussion must be relevant to the issue before the City Council. A Councilmember is given the floor only for the purpose of discussing the pending question; discussion which departs is out of order. Councilmembers shall avoid repetition and strive to move the discussion along. Arguments, for or against a measure, should be stated as concisely as possible.

A motion, its nature, or consequences, may be debated vigorously. It is never permissible to attack the motives, character, or personality of a member either directly or by innuendo or implication. It is the duty of the Mayor to instantly rule out of order any Councilmember who engages in personal attacks. It is the motion, not its ~~proposer,~~ that proposer that is subject to debate.

It is the responsibility of each Councilmember to maintain an open mind on all issues during discussion and deliberation. It is not necessary for all City Councilmembers to speak or give their viewpoints if another Councilmember has already addressed their concerns.

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E. Mayor's Duties During Discussion.

The Mayor has the responsibility of controlling and expediting the discussion. A Councilmember who has been recognized to speak on a question has a right to the undivided attention of the Council.

It is the duty of the Mayor to keep the subject clearly before the members, to rule out irrelevant discussion, and to restate the question whenever necessary.

F. After the Vote.

Once a majority of the Council has approved a motion, no further discussion shall be made unless the item is brought for reconsideration ~~as described previously.~~

11.10 Councilmember Respect. Councilmembers shall abide by the majority decision of the Council, even if in the minority. Councilmembers appointed to serve on regional boards and committees shall maintain the Council's position on an item, even if the Councilmember disagrees with that position.

11.11 Council and Staff Reports and Directions on Future Agenda Items. Council and staff reports at the end of Council meetings shall be limited to announcing Council, Regional Board activities on which Councilmembers serve, City and City-sponsored activities. Community groups may announce their activities during Public Comments at the beginning of Council meetings.

SECTION 12. CLOSED SESSIONS

12.1 Purpose. It is the policy of the City Council to conduct its business in public to the greatest extent possible. However, state law recognizes that, in certain circumstances, public discussion could potentially jeopardize the public interest, compromise the City's position, and could cost the taxpayers of Los Altos financially. Therefore, closed sessions shall be held from time to time as allowed by law. The procedures for the conduct of these meetings shall be the same as for public meetings, except that the public will be excluded.^[JW4]

Closed sessions shall begin publically. Prior to ~~convening~~ retreating to the closed session meeting, the City Clerk shall publicly announce the closed session items and ask for public input regarding any items on the closed session agenda.

City Councilmembers shall keep all written materials and verbal information provided to them in closed session in complete confidence to ~~insure~~ ensure that the City's position is not compromised. No mention of information in these materials shall be made to anyone other than Councilmembers, the City Attorney or City Manager, except where authorized by a majority of the City Council.

12.2 Rule of Confidentiality. The City Council recognizes that breaches in confidentiality can severely prejudice the City's position in litigation, labor relations and real estate negotiations. Further, breaches of confidentiality can create a climate of distrust among Councilmembers and can harm the Council's ability to communicate openly in closed sessions, thereby impairing the Council's ability to perform its official duties.

The City Council further recognizes that confidentiality of discussions and documents are at the core of a closed session. Confidentiality is essential if the closed session is to serve its purpose. Therefore, the City Council will adhere to a strict policy of confidentiality for closed sessions.

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- 12.3 Breach of Rule of Confidentiality. No person who attends a closed session may disclose any statements, discussions, or documents used in a closed session except where specifically authorized by State law. Any authorized disclosure shall be in strict compliance with these rules and the Ralph M. Brown Act. Violation of this rule shall be considered a breach of this rule of confidentiality.
- 12.4 Agenda. The agenda for a closed session will contain that information required to be disclosed pursuant to the Ralph M. Brown Act.
- 12.5 Permissible Topics. All closed sessions will be held in strict compliance with the Ralph M. Brown Act. The City Attorney, or his/her designee, will advise in advance on topics that may be discussed in a closed session.
- 12.6 Rules of Decorum.
- A. The same high standard of respect and decorum as apply to public meetings shall apply to closed sessions. There shall be courtesy, respect and tolerance for all viewpoints and for the right of Councilmembers to disagree. Councilmembers shall strive to make each other feel comfortable and safe to express their points of view. All Councilmembers have the right to insist upon strict adherence to this rule.
 - B. Prior to a vote, the Mayor shall ensure that the motion is clearly stated and clearly understood by all Councilmembers.
 - C. The Mayor shall keep the discussion moving forward so that debate and a vote can occur in the time allotted for the closed session. The Mayor will determine the order of debate in a fair manner.
- 12.7 Conduct of Meeting.
- A. The Mayor will call the closed session to order promptly at its scheduled time.
 - B. The Mayor will keep discussion focused on the permissible topics.
 - C. The use of handouts and visual aids such as charts is encouraged to focus debate and promote understanding of the topic. All such materials are strictly confidential.
 - D. If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations, whether it be related to property acquisitions or disposal, a proposed or pending claim or litigation, or employee negotiations, all contact with the other party will be through the designated City person(s) representing the City in the handling of the matter. A Councilmember, not so designated by the Council, will not under any circumstances have any contact or discussion with the other party or its representative concerning the matter which was discussed in the closed session, and will not communicate any discussions conducted in closed session to such party.
- 12.8 Public Disclosure After Final Action.
- ~~A. The Ralph M. Brown Act requires that, as a body, the City Council make certain public disclosure of closed session decisions when those actions have become final. Accordingly, the City Council shall publicly report any final action taken in closed session, and the vote, including abstentions, as directed by the Ralph M. Brown Act.~~
 - ~~B. A. The report may be oral or written. The report will state only the action taken and the vote. Unless authorized by the majority of the City Council, the report will not state the debate or discussion that occurred. Except for the action taken and the vote, all closed session discussions will remain confidential. The Mayor shall report to the public on the closed session in accordance with the Ralph M. Brown Act.~~

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SECTION 13. DECORUM

- 13.1 Councilmembers. Members of the City Council value and recognize the importance of the trust invested in them by the public to accomplish the business of the City. Councilmembers shall accord the utmost courtesy to each other, City employees, and the public appearing before the City Council. When speaking, a Councilmember's tone should remain neutral and non-verbal communication aspects should be considerate and polite. Formal business attire is required only when Council meetings, workshops, or study sessions are held in Community Meeting Chambers and/or televised.
- 13.2 City Employees. Members of the City staff shall observe the same rules of order and decorum applicable to the City Council. City staff shall act at all times in a business and professional manner towards Councilmembers and members of the public.
- 13.3 Public. Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. City Code Chapter 2.05, *Public Meeting Rules for Conduct*, shall apply to all City Council Meetings.
- 13.4 Noise in the Chambers. Noise emanating from the audience, whether expressing opposition or support within the Community Meeting Chambers or lobby area, which disrupts City Council meetings, shall not be permitted. All cellular phones and other consumer electronic devices shall be muted while in the chambers. Refusal is grounds for removal.
- 13.5 Acknowledgment of Violation of Norms. If a Councilmember violates these Norms and Procedures, the member has an affirmative duty to publically acknowledge the breach and apologize as appropriate.

SECTION 14. VIOLATIONS OF PROCEDURES

Nothing in these Norms and Procedures shall invalidate a properly noticed and acted upon action of the City Council in accordance with State Law.

This document shall remain in effect until modified by the City Council.

AMENDED AND APPROVED: July 9, 2019.

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3.4: "Why is appointment to this commission handled differently than other City commissions?"

11.1 C. 2. "This is inconsistent with our policy this year of not responding to public comment until all comments have been concluded."

11.8 A. 2. "This doesn't seem to make sense. What if a member of the public makes their request to a Councilmember to reconsider after 48 hours? The Councilmember's time to ask for a reconsideration will have already passed. Should we just get rid of section 11.8.A. and give Councilmembers 72 hours to request reconsideration?"

12.1 "Are minutes taken from closed sessions or is that another difference? Video? I think most of our procedures are different in closed session."

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APPENDIX A

ROSENBERG'S RULES OF ORDER

