

RESOLUTION NO. 2013-019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING THE CITY COUNCIL RULES AND PROCEDURES TO ESTABLISH PROCEDURES FOR CALLING SPECIAL MEETINGS, ALTERING THE AGENDA FORMAT TO PROVIDE FOR COUNCIL REPORTS, CHANGING THE DAY OF REGULAR COUNCIL MEETINGS, AND REPEALING RESOLUTION NO. 2012-025.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines and declares as follows:

- A. Section 409 of the City Charter and Sections 2-100 et seq. of Santa Ana Municipal Code call for the City Council to adopt rules and procedures for the scheduling and conducting of meetings of the City Council.
- B. The Ralph M. Brown Act found at Chapter 9, Part 1 of Division 2 of Title 5 of the California Government Code beginning with Section 54950 (the "Brown Act") sets forth statewide standards for meetings of local agencies including the Santa Ana City Council.
- C. The City Council desires to change the day of regular City Council meetings in conformance with the Brown Act and in furtherance of the need for well-managed, efficient and accessible meetings; to establish procedures for calling special meetings and to alter the agenda format.

Section 2. City Council meetings, time and place.

(a) Regular meetings of the City Council shall be on the first and third Tuesdays of each month beginning on January 1, 2014. The meeting shall begin no sooner than the hour of 5:00 p.m. for Closed Session followed by the Regular Open Meeting at 5:45 p.m. The City Council shall publicly convene the meeting and then recess to conduct closed or executive sessions.

(b) Regular meetings of the City Council shall be convened in the Council Chamber or as noted on the Agenda and time as specified on the agenda. After being convened, all meetings may be adjourned to such other place or places as the City Council may order.

(c) Special meetings of the City Council may be held at such locations as stated in the action calling such meetings and otherwise in conformance with the Brown Act. A special meeting may be called by the Mayor or the Mayor Pro Tem by either of them contacting the Clerk of the Council and requesting orally or in writing the call of a special meeting. A majority of the members of the City Council can also call a special meeting by delivering a written notice to the Clerk of the Council of a request for a special meeting. Upon receiving a request from the Mayor, Mayor Pro Tem or a majority of the City Council, the Clerk of the Council shall notice the special meeting.

Section 3. Agenda.

The Clerk of the Council shall prepare an agenda for each regular and special meeting of the City Council containing all items known by such officer to be considered. The order of placing items on the agenda shall be approved from time to time by the City Council. The agenda shall contain such information as required by the Brown Act. In addition, the agenda shall contain the following sections to provide for reporting by the City Council: AB1234 reports, Council Committee reports, and Regional Agency reports.

Section 4. Rules of Procedure.

Procedures before the City Council shall be governed by the most current edition of Robert's Rules of Order, Newly Revised. Application of such procedures shall be vested in the sound discretion of the presiding officer.

Section 5. Decorum; Time limits and other regulations for speaking.

(a) The City Council shall preserve decorum and an orderly procedure during debate. Councilmembers desiring to speak shall seek recognition from the presiding officer. Upon being recognized, a Councilmember shall confine his or her comments to the questions under debate. A Councilmember, once recognized, should not be interrupted unless a point of order is raised by another member. The presiding officer should not recognize a Councilmember to speak who has already spoken on a matter under debate until all other Councilmembers who wish to be heard have spoken. A Councilmember should limit himself or herself to three (3) minutes at any one time without permission of the presiding officer. At the end of each meeting, the presiding officer shall recognize each Councilmember who may speak up to three (3) minutes on matters of public or community interest.

(b) The agenda for all regular meetings of the City Council shall provide members of the public the opportunity to address the City Council on agendized matters and non-agendized matters as required by the Brown Act. All requests to speak shall be submitted in writing and submitted to the Clerk of the Council. No such requests shall be accepted after the public comment session begins without permission of the

presiding officer. The agendas for adjourned, special and emergency meetings of the City Council shall provide for public comment as provided in the Brown Act.

(c) Subject to (d) below, members of the public shall be given a total of three (3) minutes to: (i) address the City Council on any and all matters contained on the City Council agenda as well as the agendas of any of the City's related entities, such as the Successor Agency (formerly the Community Redevelopment Agency) or the Housing Authority, if those entities have meetings scheduled at the same time, and/or (ii) address any matters of public interest provided that they are within the jurisdiction or official business of the City of Santa Ana.

(d) For public hearings, members of the public shall be given three (3) minutes to address the City Council for each duly noticed hearing, unless continued prior to taking testimony. This time limitation shall not apply to the applicant/appellant and/or their representative(s) whose matter is the subject of the public hearing. Applicants shall limit their presentations to a reasonable period of time, subject to the discretion of the presiding officer.

(e) Upon being recognized by the presiding officer, a speaker should step to the designated speaker location, state name and address for the record, and identify the matter by agenda designation (if applicable), and direct remarks to the City Council as a body and not to any individual member thereof. A speaker shall not be denied an opportunity to speak if they do not wish to state their name and address for the record. No person other than members of the City Council and the person having the floor may be permitted to enter into the discussion without permission of the presiding officer.

(f) It shall be within the sound discretion of the presiding officer to set a maximum time for public comment. In setting any limit, the presiding officer shall take into consideration the level of public interest in the matters in question, the length of the meeting and the need to provide for an orderly and effective meeting. As a means of limiting time while maximizing the public's opportunity to address the City Council, if a group of people seeks to address the City Council on the same matter or topic, the presiding officer may direct the group to designate a spokesperson or limited number of speakers to address the City Council.

(g) The following rules shall apply to all persons addressing the City Council. All speakers are requested to:

- direct all testimony to the City Council or the presiding officer and not individual Councilmembers,
- when speaking on agenda matters, limit comments to the agenda item(s),
- when speaking on non-agenda matters, limit comments to matters within the jurisdiction or official business of the City of Santa Ana, and,
- refrain from profane language, racial epithets, libelous or slanderous statements that disturb the decorum of the meeting.

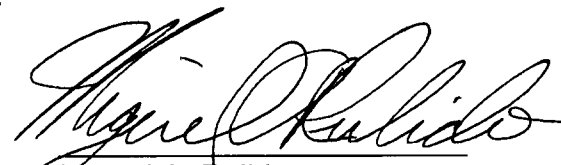
(h) The presiding officer shall have the power and responsibility to enforce decorum and order of the meeting as set forth in Section 2-104(c). Among the other means of enforcement, the presiding officer may order the podium microphone turned off and/or video broadcast interrupted when the presiding officer has determined that an individual or group has disrupted the meeting, or the individual or group has exceeded their allotted time to speak without permission of the presiding officer.

(i) All cell phones, pagers, or electronic devices belonging to the public, press, or personnel that may be disruptive must be placed on vibrate mode/quiet or be turned off while a meeting is in session.

Section 6. The provisions of Section 4 and Section 5 of this resolution shall apply to meetings of committees of the City Council, as may be modified from time to time by such committees.

Section 7. This Resolution shall supersede Resolution No. 2012-025 and shall take effect immediately upon its adoption by the City Council. The Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this 6th day of May 2013.


Miguel A. Pulido
Mayor

APPROVED AS TO FORM:
SONIA R. CARVALHO, City Attorney

By: 
SONIA R. CARVALHO, City Attorney

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| YES: | Councilmembers: | <u>Amezcuca, Benavides, Martinez, Reyna, Pulido,</u> <u>Sarmiento, Tinajero (7)</u> |
| NOES: | Councilmembers: | <u>None (0)</u> |
| ABSTAIN: | Councilmembers: | <u>None (0)</u> |
| NOT PRESENT: | Councilmembers: | <u>None (0)</u> |

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, MARIA D. HUIZAR, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2013-019 to be the original resolution adopted by the City Council of the City of Santa Ana on May 6, 2013.

Date: 5/14/2013

Maria D. Huizar
Maria D. Huizar,
Clerk of the Council