



STAFF REPORT

MEETING DATE: May 8, 2024

PRESENTER: Hilda Cantú Montoy, City Attorney

SUBJECT: Rules of Procedure for Conducting City Council Meetings (HCM)

RECOMMENDATION: It is recommended that Council adopt resolution establishing Rules of Procedure for Conducting City Council Meeting.

EXECUTIVE SUMMARY:

The proposed rules have been prepared by the City Manager and City Attorney. Government Code Section 36813 authorizes the City Council to establish rules for conducting City Council meetings. The adoption of meeting rules contributes to the efficient and orderly conduct of the City's business and will be convenient for Council, staff, and members of the public. The rules will serve as a guide so that there is a common understanding of how the City Council conducts its meetings.

We have endeavored to provide detailed information to assist the Council in conducting their meetings as well as to provide members of the public with the procedures and reasons for such procedures (e.g., the Brown Act). While attempting not to be overly restrictive, the rules are articulated in a manner to guide Council Members in their actions and to explain the procedures to members of the public.

DISCUSSION:

The Rules provide a summary of important aspects of City Council meetings consistent with applicable laws.

- Rule 1. General. This Rule addresses the authority and purpose of the rules as well as applicable laws and reference to the Code of Conduct.
- Rule 2. Meetings. This Rule addresses the Brown Act, types of meetings, quorums, closed sessions and the role of the City Manager, City Attorney, City Clerk and employees.
- Rule 3. Duties. This Rule provides the duties of the Mayor, Mayor Pro-Tem and Presiding Officer.
- Rule 4. Agendas. This Rule includes the various requirements for agendas for regular and special meetings, the agenda order, how items are placed on the agenda, posting, availability of

documents for members of the public, adding items to the agenda, minutes, public hearings, and consent calendar.

- Rule 5. Public Participation. This Rule provides detailed language concerning public participation at meetings such as public comments at meetings, manner of addressing the Council, time limits, rules of order and decorum. The rules of decorum mirror the text of the ordinance.
- Rule 6. Conflicts of Interest and Campaign Contributions. This Rule addresses disclosure of conflicts of interest.
- Rule 7. Ordinances, Resolutions, and Contracts. This Rule explains the process for document approval including resolutions and ordinances, the number of votes required.
- Rule 8. Procedures for Public Hearings. This Rule sets forth the procedures for conducting public hearings.
- Rule 9. Boards, Commissions, and Committees. This Rule explains appointments.
- Rule 10. Suspension and Amendment of Rules. This Rule describes process for suspension and amendment.
- Rule 11. Miscellaneous Rules. This Rule includes miscellaneous rules for roll call, silence, abstentions, and continuance of agenda items.
- Rule 12. Rules of Debate.

Upon adoption, the Rules will be distributed to staff and posted on the City's website. The Rules will be maintained by the City Clerk.

FISCAL IMPACT:

None.

ATTACHMENTS:

A. Resolution w/Exhibit

RESOLUTION NO. 24-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN ADOPTING RULES OF
PROCEDURE FOR CONDUCTING CITY COUNCIL MEETINGS**

WHEREAS, Government Code Section 36813 authorizes the City Council to establish rules of procedure for the conduct of City Council meetings; and

WHEREAS, the adoption of rules of procedure will contribute to the orderly conduct of the City's business and will be convenient for members of the public.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Kerman as follows:

Section 1. The foregoing recitals are incorporated by reference as if fully set forth.

Section 2. The City Council adopts the City of Kerman Rules of Procedure for the Conduct of City Council Meetings ("Council Meeting Rules of Procedure") attached as Exhibit A to this Resolution. These Rules supersede any prior rules and procedures regarding City Council Meetings adopted by resolution, minute order, or past.

Section 3. This Resolution shall take effect upon adoption.

The foregoing resolution was adopted by the City Council for the City of Kerman at a regularly scheduled meeting held on the 8th day of May, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
Interim City Clerk