

# City of Avalon



# Council Policy Manual



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		<b>Revision Date 8/5/2014</b>
<b>PURPOSE OF COUNCIL POLICIES</b>		


**1.1 Intent**

**1.1.1** It is the intent of the City Council of the City of Avalon to maintain a Policies Manual. Contained therein shall be a comprehensive listing of the Council’s current policies, being the rules and regulations enacted by the Council from time to time. The Policies Manual will serve as a resource for Council, staff and members of the public in determining the manner in which matters of City business are to be conducted.

**1.1.2** This Policies Manual constitutes a compilation of current policies of the City and shall not be deemed to alter the effective date or application of such policies. Any policies newly adopted as a result of adoption of this Policies Manual shall be specifically identified as such by separate Council action prior to adoption of this Policies Manual.

**1.2 Authority**

**1.2.1** If any policy or portion of a policy contained within the Policies Manual is in conflict with State or Federal law, rules or regulations having authority over the City of Avalon, said State or Federal law, rules or regulations shall prevail.

	<b>CITY OF AVALON COUNCIL POLICIES MANUAL</b>	Section <b>2.0</b>
		Revision Date <b>8/5/2014</b>
<b>BASIS OF AUTHORITY</b>		

## **2.1 Basis of Authority**

**2.1.1** The City Council is the unit of authority for establishing policy within the City. Apart from their normal function as a part of this unit, Council Members have no individual authority. As individuals, Council Members may not commit the City to any policy, act or expenditure.

**2.1.2** Council Members do not represent any fractional segment of the community within which the City is located, but are, rather, a part of the body, which represents and acts for the community as a whole. Council Members act for the good of the entire community and not for their personal interests or agendas.

## **2.2 Attendance at Meetings**

**2.2.1** Members of the City Council shall make every effort to attend all regular and special meetings of the Council unless there is good cause for absence.

**2.2.2** A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three (3) consecutive months except as authorized by the City Council and except as otherwise provided by California law.

## **2.3 Mayor**

**2.3.1** The Mayor shall serve as Presiding Officer at all Council meetings only. Other than the ability to appoint members to the Planning Commission, which appointments are subject to City Council approval, he/she shall have the same rights as the other members of the Council with voting, introducing motions, resolutions and

ordinances, and any discussion of questions that follow said actions.

- 2.3.2** In the absence of the Mayor, the Mayor Pro Tem shall serve as Presiding Officer over all meetings of the Council. If the Mayor and Mayor Pro Tem are both absent, the remaining members present shall select one of themselves to act as the presiding officer for that particular meeting.

## **2.4 Members of the City Council**

- 2.4.1** Council Members shall thoroughly prepare themselves to discuss agenda items at meetings of the City Council. Information may be requested from staff or exchanged between Council Members before meetings, except as may otherwise be limited or prohibited by California law including, but not limited to, the requirements of the Ralph M. Brown Act/Open Meeting law.
- 2.4.2** Information that is exchanged before meetings shall be distributed through the City Manager, and all Council Members will receive all information being distributed. Distribution of information may be limited by time and notice restrictions under the Ralph M. Brown Act/Open Meeting law.
- 2.4.3** Council Members shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Council meetings.
- 2.4.4** Council Members shall defer to the Mayor for conduct of meetings of the Council, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Council.
- 2.4.5** Council Members shall abstain from participating in consideration on any item involving a conflict of interest as set forth in the applicable provisions of California law. Unless such a conflict of interest exists, however, Council Members should not abstain from the Council's decision-making responsibilities.
- 2.4.6** Requests by individual Council Members for substantive information and/or research from City staff will be channeled through the City Manager.

## **2.5 Election of Mayor Pro Tem**

At the first regularly scheduled City Council meeting in April following the regular election, the City Council shall elect a Mayor Pro Tem who shall serve a two year term.


## **2.6 Oath of Office**

Council Members who are elected at a regular election shall take office at the first regularly scheduled City Council meeting in April following their regular election upon administering of the oath of office. Council Members not elected at a regular election shall be administered the oath of office in accordance with the provisions of the law. Generally the oath of office will be administered at the next regular Council meeting.

## **2.7 Membership in Associations**

The Council Members are encouraged to ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the City, and shall look upon such memberships as an opportunity for in-service training.



	<p style="text-align: center;"><b>CITY OF AVALON COUNCIL POLICIES MANUAL</b></p>	<p style="text-align: center;">Section <b>3.0</b></p>
		<p style="text-align: center;">Revision Date <b>8/5/2014</b></p>
<p><b>CITY COUNCIL MEETING POLICIES CITY COUNCIL COMMITTEE, WORKSHOP AND REGULAR MEETINGS, MEETING AGENDAS AND MINUTES</b></p>		

### **3.1 City Council Meeting Place**

**3.1.1** All City Council meetings will be held at the Avalon City Hall Council Chambers located at 410 Avalon Canyon Road, Avalon California, unless otherwise noticed.

### **3.2 Regular City Council Meetings**

**3.2.1** Regular City Council meetings will be held on the first and third Tuesday of each calendar month, with open session beginning at 6:00 p.m. If a closed session is to be held at the meeting, it will be generally held at the beginning or the end of the regular meeting. However, with consideration for parties critical to be in attendance at the closed session, the closed session may be scheduled at any time during the regular meeting as noticed pursuant to the Ralph M. Brown Act and Resolution No. 2012-12. All discussions, actions and information provided in closed sessions are confidential, and shall remain so unless the City Council votes to disclose closed session matters or if disclosure of actions is required by The Ralph M. Brown Act.

**3.2.2** Regular City Council meetings will be held to conduct regular Council business. Items requiring Council action will be considered at these meetings. The City Manager and Department Heads may present reports as needed and/or as requested by the City Council.

### **3.3 Council Workshops**

- 3.3.1** Council workshops will be held on an as needed basis and shall be noticed pursuant to the requirements of The Ralph M. Brown Act.

### **3.4 Non-Emergency Special Council Meetings**

- 3.4.1** Non-emergency Special Council meetings may be called by the City Manager or by a majority of the Council in accordance with the Ralph M. Brown Act.
- 3.4.2** All Council Members, the City Manager, pertinent Department Heads, the City Attorney and the City Clerk will be notified of the Special Council Meeting and the purpose for which it is called. Notification shall be in writing, at least twenty-four (24) hours prior to the meeting and shall be noticed and conducted in accordance with the Ralph M. Brown Act.
- 3.4.3** Newspapers of general circulation in the City, organizations, and property owners who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall receive written notice in accordance with the Ralph M. Brown Act. The City Clerk will attempt to provide electronic notification to entities requesting such notification but such notification is not guaranteed nor will it replace written notification.
- 3.4.4** An agenda shall be prepared as specified for regular Council meetings in Section 3.8 herein, and shall be delivered with the notice of the special meeting to those specified above.
- 3.4.5** Only those items of business listed in the call for the special meeting shall be considered by the Council at any special meeting.

### **3.5 Emergency Special Meetings**

- 3.5.1** In the event of an emergency involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the City Council may hold an emergency special meeting without complying with the twenty-four (24) hour notice required in Section 3.4.2, above. An emergency means a crippling

disaster, which severely impairs public health, safety, or both, as determined by a majority of the members of the Council or work stoppage or other activity, which severely impairs public health, safety, or both, as determined by a majority of the members of the Council.

**3.5.2** Newspapers of general circulation in the City, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by at least one (1) hour prior to the emergency special meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the City Manager, or his/her designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Council, as soon after the meeting as possible.

**3.5.3** No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the twenty-four (24) hour notice. The minutes of the emergency special meeting, a list of persons the City Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in a public place at City Hall as soon after the meeting as possible.

### **3.6 Adjourned Meetings**

A majority vote by the City Council may terminate any Council meeting at any place in the agenda to any time and place specified in the order of adjournment and less than a quorum may so adjourn a meeting for lack of a quorum, except that if no Council Members are present at any regular or adjourned regular meeting, the City Manager may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given as required by The Ralph M. Brown Act.

### **3.7 Public Notification of Meetings**

**3.7.1** Agendas for upcoming City Council Meetings shall be posted in accordance with the provisions of Section 3.8.4 and 3.8.4 below and 3.5.1 above.

- 3.7.2** Notice of upcoming meetings may appear in such other places as the local paper, in newsletters sent out with bills and in other places available to the City.

### **3.8 Council Meeting Agendas**

- 3.8.1** The City Manager, in cooperation with the City Clerk and City Attorney, shall prepare an agenda for each regular meeting of the City Council. Any Council Member may place an item on the regular meeting agenda at a regular Council meeting or workshop by making a written request to the City Manager.
  
- 3.8.2** This policy does not prevent the Council from taking testimony at regular and special meetings of the Council, during the public comment portion of the Council meeting, on matters that are not on the agenda, which a member of the public may wish to bring before the Council. However, the Council shall not discuss or take action on such matters at that meeting. However, Council Members may briefly respond to statements made or questions posed during public comment portions of a meeting. In addition, on their own initiative, or in response to questions raised by the public, Council Members may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Council Members may also provide a reference to City staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.
  
- 3.8.3** At least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Council, shall be posted on the City Website and conspicuously for public review at City Hall.
  
- 3.8.4** The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same locations noted in Section 3.8.3.
  
- 3.8.5** In addition to the City Website and City Hall, Council meeting agendas or, if requested, the entire agenda packet shall be

provided to any person who has filed a written request for such materials per the Ralph M. Brown Act. Such request shall be valid for one year.

### **3.9 Council Meeting Minutes**

- 3.9.1** Council Meeting Minutes must be recorded for all Standing City Committee meetings, Workshops and Council meetings. Such minutes should be concise, identifying the items considered, and any action taken.
- 3.9.2** If a written report is submitted for the item, then reference should be made to the written report rather than restating the report contents. General reference should be made to discussion of an item, rather than a detailed description. Action taken should be clearly identified in terms of motions made, who made the motion and second, and the results of the voting.
- 3.9.3** Copies of minutes shall be made for distribution to and for approval by Council Members with the agenda at regular Council meetings.
- 3.9.4** An audio tape recording of regular and workshop meetings of the City Council shall generally be made.
- 3.9.5** Motions, resolutions or ordinances shall be recorded as having passed or failed and individual votes will be recorded unless the action was unanimous.
- 3.9.6** All resolutions adopted by the Council shall be numbered consecutively starting new at the beginning of each chronological year.
- 3.9.7** The minutes of Council meetings shall be maintained as hereinafter outlined.
- 3.9.8** Procedure:
- Date, place and type of each meeting;
  - Council Members present and absent by name;
  - Call to order;
  - Pre-adjourment departure of Council Members by name, or if absence takes place when any agenda items are acted upon;
  - Adjournment of the meeting;
  - Record of written notice of special meetings;

- and,
- Record of items to be considered at special meetings.

### **3.9.9 Council Actions:**

- Approval or amended approval of the minutes of preceding meetings;
- Complete information as to each subject of the Council's deliberation;
- Complete information as to each subject including the roll call record of the vote on a motion if not unanimous;
- All Council resolutions and ordinances in complete context, numbered serially for each chronological year;
- A record of all contracts entered into;
- A record of all bid procedures, including calls for bids authorized, bids received, and other action taken;
- Adoption of the annual budget;
- A record of the City Manager's report to the Council;
- Approval of all policies and Council-adopted regulations; and, a record of all visitors and delegations appearing before the Council. However, in accordance with the Ralph M. Brown Act, a member of the public shall not be required, as a condition to attendance, to register his or her name or to provide any other information.

## **3.10 Council Meeting Conduct**

**3.10.1** Meetings of the City Council shall be conducted by the Mayor (or Mayor Pro Tem in the Mayor's absence, or in the absence of the Mayor Pro Tem, by the Council Member selected to be the presiding officer by the remaining Council Member) in a manner consistent with the policies set forth herein.

**3.10.2** In accordance with the Ralph M. Brown Act and Resolution No. 2012-12, all Council meetings should commence at the time stated on the agenda and should be guided by the same. The purpose of City Council meetings is to enable the Council to conduct the business of the City. As such, the following guidelines should be substantially followed, to the extent practicable, depending on the circumstances surrounding each meeting:

**3.10.2.1** After the "Call to Order, Pledge of Allegiance, Roll Call, and Approval of Agenda", the Council will act on the "Consent Agenda"; approving these items with one motion unless any are requested to be pulled from

Consent by a Council Member or a member of the public. In this case, each item pulled will be discussed and voted upon separately. The City Manager shall have discretion to place an item on the consent calendar. Such consent calendar items should be those that are routine and where no controversy is reasonably anticipated.

**3.10.2.2** Each regular agenda item shall then be taken in agenda order unless the order is altered by the Mayor. A brief report from the City Manager or other designated staff will be given.

**3.10.2.3** After hearing the staff report, the Council may ask questions of staff, discuss the issues involved, and comment on the issues. These deliberations shall be guided by the Mayor.

**3.10.2.4** After Council deliberations are concluded or prior to Council deliberations, the Mayor shall ask the audience for public comment prior to calling for a vote.

**3.10.2.5** After public comment, the Council shall vote on the matter before them and proceed to the next agenda item.

**3.10.3** The conduct of meetings shall, to the fullest possible extent, enable Council Members to:

**3.10.3.1** Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

**3.10.3.2** Receive, consider, and take any needed action with respect to reports of accomplishment of City operations.

**3.10.4** Provisions for permitting any individual or group to address the Council concerning any item on the agenda of a special meeting, or to address the Council at a regular meeting, or to otherwise address the Council on any subject that lies within the jurisdiction of the City Council, shall be as follows:

**3.10.4.1** If a member of the public desires to speak on a matter appearing on the agenda, the member should be allowed to speak when the agenda item is being considered. If a member of the public desires to speak

on a matter not appearing on the agenda, the member should speak during the period for public comments. Speakers are requested to give their name and may give their address. The Council cannot take action on any item brought up at a public comment time except to refer the matter to staff and/or place it on a future agenda.

**3.10.4.2** Five (5) minutes may be allotted to each speaker to each subject matter;

**3.10.4.3** No boisterous conduct shall be permitted at any City Council meeting. Persistence in boisterous or disruptive conduct shall be grounds for summary termination, by the Mayor, of that person's privilege of address to the Council and the Mayor may take such action in accordance with the Ralph M. Brown Act.

**3.10.5** The City is required to follow certain legal requirements in connection with disclosure of information regarding City employees and personnel matters. Therefore, the Council will conduct any discussion of personnel matters in compliance with such laws. As a result, it will be the policy of the Council that no oral presentation shall include charges or complaints against any City employee, regardless of whether or not the employee is identified in the presentation by name or by another reference, which tends to identify. All charges or complaints against employees shall be submitted to the City Manager for investigation in writing via email or hard copy.


**3.10.6** Willful disruption of any of the meetings of City Council shall not be permitted. In accordance with the Ralph M. Brown Act, if the City Council finds that there is in fact willful disruption of any meeting of the Council, they may order the room cleared and subsequently conduct the Council's business without the audience present.

**3.10.7** In such an event, only matters appearing on the agenda may be considered in such a session.

**3.10.8** After clearing the room, the City Council may permit those persons who were not responsible for the willful disruption to reenter the meeting room.

**3.10.9** Duly accredited representatives of the news media, whom the City Council finds not to have participated in the disruption, shall be allowed to attend the remainder of the meeting.



	<b>CITY OF AVALON COUNCIL POLICIES MANUAL</b>	Section <b>4.0</b>
		Revision Date <b>8/5/2014</b>
<b>COUNCIL MEMBER COMPENSATION AND RULES AND REGULATIONS REGARDING PAYMENT OF COMPENSATION AND EXPENSE REIMBURSEMENT</b>		

**4.1 Purpose**

**4.1.1** This section is enacted pursuant to Government Code sections 53232.1 and 36516, to establish rules and regulations regarding payment of compensation and reimbursement for Council Members of the City of Avalon.

**4.2 Council Member Compensation and Reimbursement of Actual and Necessary Expenses**

**4.2.1** Council Members shall receive compensation of three hundred dollars (\$300) per month. Additionally, Council Members may receive reimbursement for actual and necessary expenses incurred in the performance of their official duties for attendance at certain authorized meetings.

**4.3 Authorized Meetings for Which Reimbursement of Actual and Necessary Expenses is Allowed**

**4.3.1** Attendance at meetings where attendance is in the best interests of the City. Such meetings include:

- a) The League of California Cities’ annual meeting meetings of the League’s Los Angeles County Division and League Policy Committee Meetings;
- b) The Contract Cities Associate Fall and Spring Conferences and monthly meetings;
- c) Meetings of other organizations or groups where Council Members serve as representatives of the City to such meetings, such as the Gateway COG.

d) Such meetings also include meetings that come to the attention of the City Manager or the Council Member with insufficient time to seek Council approval at a regular Council meeting. At the City Manager's discretion, he/she may also determine that attendance by a Council Member at these meetings is in the best interest of the City if City Council approval is not obtained prior to the meeting.

#### **4.4 Authorization for Attendance at Additional Meetings**

The following is the procedure for obtaining approval for attendance at public meetings of other organizations, seminars, conferences, and other public meetings for which a Council Member may seek reimbursement for attendance:

**4.4.1** At each regular Council meeting there will be an agenda item entitled "Council Member Reports/Mayor Reports." This agenda item will allow Council Members to seek from the Council approval for attendance at upcoming meetings of other organizations, seminars, conferences, and other meetings not authorized pursuant to Section 4.3.1. Retroactive approval of non-authorized meetings is not allowed under the Government Code.

#### **4.5 Meeting Attendance Reports.**

**4.5.1** A Council Member who has attended an authorized meeting, seminar, or conference, as provided for in Section 4.3 or 4.4 of this Policy for which the Council Member seeks reimbursement shall make a report regarding the meeting, seminar, or conference at the next regular Council meeting following such attendance and shall make materials obtained at such meetings, seminars and conferences available to other Council Members.


#### **4.6 Meeting and Conference Expense**

**4.6.1** Council Members shall be reimbursed for all actual expenses incurred in attending any meetings or in making any trips on official business of the City when so authorized in accordance with Sections 4.3.3 and as allowed by Government Code Section 53232.2.

**4.6.2** Reimbursement for the cost of the use of a personal vehicle shall be on the basis of total miles driven and at the rate specified in the

Internal Revenue Service Guidelines in effect at the time of the vehicle usage.

- 4.6.3** Reimbursements and costs incurred by Council Members including meeting stipends shall be reported publicly as required by law.

	<b>CITY OF AVALON COUNCIL POLICIES MANUAL</b>	<b>Section 5.0</b>
		<b>Revision Date 8/5/204</b>
<b>COMMUNICATION ROLES OF CITY COUNCIL AND CITY STAFF</b>		

## **5.1 General**

- 5.1.1** The City Council of City of Avalon is committed to providing excellence in legislative leadership that result in the provision of the highest quality of services to its constituents. In order to assist in the government of the behavior between and among members of the City Council, the following rules shall be observed.
- 5.1.2** The specific policies based upon City Council and staff communication are premised on the City's structure as a City Manager/City Council form of government where the City Council can act only as a body and that individual Council Members have no individual authority to commit the City to action.

## **5.2 Priorities and Commitment**

- 5.2.1** The dignity, style, values and opinions of each Council Member shall be respected.
- 5.2.2** Responsiveness and attentive listening in communication is encouraged.
- 5.2.3** The needs of the City's constituents should be the priority of the City Council.
- 5.2.4** The primary responsibility of the City Council is the formulation and evaluation of policy. Routine matters and the day-to-day management and operation of the City are within the purview of the professional staff members of the City and are the primary responsibility of the City Manager.
- 5.2.5** Council Members should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, hearsay, malicious talk, backbiting, and other negative forms of interaction.

- 5.2.6** Council Members should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.
- 5.2.7** Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disrespectful. Once the City Council takes action, Council Members should commit to supporting said action and not to create barriers to the implementation of said action.


### **5.3 Procedures**

- 5.3.1** Council Members should practice the following procedures:
  - 5.3.1.1** In seeking clarification on informational items, Council Members may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
  - 5.3.1.2** In handling complaints from residents and property owners of the City, said complaints should be referred directly to the City Manager.
  - 5.3.1.3** The appropriate handling of issues related to safety, concerns for safety or observed hazards is to report them to the City Manager or to City Hall. Emergency situations should be dealt with immediately by seeking appropriate assistance.
  - 5.3.1.4** In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the City Manager.

### **5.4 Council and Staff Relationships**

- 5.4.1** When approached by City personnel concerning specific City policy, Council Members should direct inquiries to the City Manager. The chain of command should be followed.
- 5.4.2** The work of the City is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the City.

- 5.4.3** When responding to constituent requests and concerns, Council Members should be courteous, responding to individuals in a positive manner and routing constituent questions to the City Manager who will assign any response to responsible personnel.
- 5.4.4** Council Members should develop a working relationship with the City Manager wherein current issues, concerns and City projects can be discussed comfortably and openly.
- 5.4.5** Council Members should function as a part of the whole. Issues should be brought to the attention of the Council as a whole, rather than to individual members selectively.
- 5.4.6** Council Members are responsible for monitoring the City's progress in attaining its goals and objectives, while pursuing its mission.

	<b>CITY OF AVALON COUNCIL POLICIES MANUAL</b>	<b>Section 6.0</b>
		<b>Revision Date 8/5/2014</b>
<b>COUNCIL ACTIONS AND DECISIONS</b>		

## 6.1 Possible Actions

**6.1.1** Actions by the City Council may include but are not limited to the following:

- 6.1.1.1** Adoption, rejection, revision or amendment of certain regulations or policies;
- 6.1.1.2** Adoption, rejection, revision or amendment of a resolution;
- 6.1.1.3** Adoption, rejection, revision or amendment of an ordinance;
- 6.1.1.4** Approval, rejection, revision or amendment of any contract or expenditure;
- 6.1.1.5** Approval, rejection, revision or amendment of any proposal which commits City funds in excess of the amounts set forth in the Purchasing Ordinance or use of City facilities; and,
- 6.1.1.6** Approval, disapproval or alteration of matters, which require or may require the City or its employees to take action and/or provide services.

## 6.2 Methods for Taking Action

**6.2.1** If a Council Member abstains from voting on a matter, the abstention cannot be counted as an affirmative vote.

**6.2.1.1 Example.** If 3 of 5 Council Members are present at a meeting, a quorum exists and business can be conducted. However, if 1 Council Member abstains on a particular action and the other 2 cast "aye" votes, no action is taken because a "majority of the Council" did not vote in favor of the action.

**6.2.1.2 Example.** If an action is proposed requiring a two-thirds vote and 2 Council Members abstain, the proposed action cannot be approved because 4 of the 5 Council Members would have to vote in favor of the action.

**6.2.1.3 Example.** If a vacancy exists on the Council and a vote is taken to appoint an individual to fill said vacancy, 3 Council Members must vote in favor of the appointment for it to be approved. If 2 of the 4 Council Members present abstain, the appointment is not approved.

### **6.3 Informal Action**


**6.3.1** The Council may give directions, which are not formal action. Such directions do not require formal procedural process. Such directions include the Council's directives and instructions to the City Manager.

**6.3.2** The Mayor shall determine by consensus a Council directive and shall state it for clarification. Should any two Council Members challenge the statement of the Mayor, a voice vote may be requested.

**6.3.3** A formal motion may be made to place a disputed directive on a future agenda for Council consideration, or to take some other action (such as refer the matter to the City Manager for review and recommendation, etc.).

**6.3.4** Informal action by the Council is still Council action and shall only occur regarding matters which appear on the agenda for the Council meeting during which said informal action is taken and for which more formal action is not required.



	<b>CITY OF AVALON COUNCIL POLICIES MANUAL</b>	Section <b>7.0</b>
		Revision Date <b>8/5/2014</b>
<b>RULES OF ORDER FOR COUNCIL AND COMMITTEE MEETINGS</b>		

## **7.1 General**

**7.1.1** Action items shall be brought before and considered by the Council by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Council prefers a flexible form of meeting and, therefore, conducts its meetings under Rosenberg’s Rules of Order. The intent of these rules of order is to provide guidance for the conduct of meetings and the Council should strive to substantially comply with these rules of order.

**7.1.2** If a Council Member believes order is not being maintained or procedures are not adequate, then he/she should raise a point of order - not requiring a second - to the Mayor. If the ruling of the Mayor is not satisfactory to the Council Member, then it may be appealed to the Council. A majority of the Council will govern and determine the point of order.

## **7.2 Obtaining the Floor**

**7.2.1** Any Council Member desiring to speak should address the Mayor and, upon recognition by the Mayor, may address the subject under discussion.

## **7.3 Motions**

**7.3.1** Any Council Member, including the Mayor, may make or second a motion. Motions to take action on an item are generally made after staff presentation of the agenda item, public comment, and Council deliberation has occurred. A motion shall be brought and considered as follows:

- 7.3.1.1** A Council Member makes a motion, another Council Member seconds the motion, and the Mayor or City Attorney states the motion.
- 7.3.2** Once the Mayor or City Attorney has stated the motion, the motion is open to discussion and debate. After such discussion, the Mayor will call for the vote.
- 7.3.2.1** If the public in attendance has had an opportunity to comment on the proposed action, any Council Member may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be made, seconded, and approved by a majority vote of the Council.
- 7.3.3** Secondary Motions. Ordinarily, only one motion can be considered at a time and a motion must be disposed of before any other motions or business is considered. There are a few exceptions to this general rule, though, where a secondary motion concerning the main motion may be made and considered before voting on the main motion.
- 7.3.3.1** Motion to Amend. A main motion may be amended before it is voted on, either by the consent of the Council Members who moved and seconded, or by a new motion and second.
- 7.3.3.2** Motion to Table. A main motion may be indefinitely tabled before it is voted on by motion made to table, which is then seconded and approved by a majority vote of the Council.
- 7.3.3.3** Motion to Postpone. A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Council.
- 7.3.3.4** Motion to Refer to Committee. A main motion may be referred to a Council committee for further study and recommendation by a motion to refer to a Council committee, which is then seconded and approved by a majority vote of the Council.
- 7.3.3.5** Motion to Close Debate and Vote Immediately. As provided above, any Council Member may move to close debate and immediately vote on a main motion.

**7.3.3.6** Motion to Adjourn. A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Council before voting on a main motion.

## **7.4 Decorum**

- 7.4.1** In accordance with the Ralph M. Brown Act, the Mayor shall take whatever actions are necessary and appropriate to preserve order and decorum during Council meetings, including public hearings. The Council may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the Mayor, or otherwise disrupting the meeting or hearing.
- 7.4.2** The Mayor may also declare a short recess during any meeting.
- 7.4.3** The Mayor shall be addressed as “Mayor (Surname)”. The Mayor Pro Tem and other councilmembers shall be addressed as “Mayor Pro Tem (Surname)” or “Councilmember (Surname)”.
- 7.4.4** Speaking over others or interrupting while others have the floor is not permitted.
- 7.4.5** Cell phones and pagers should be turned off or shall be set to vibrate during meetings.
- 7.4.6** If Council Members must take an emergency call during a meeting, the call should be taken outside of the meeting room so as to not distract from the proceedings of the meeting.
- 7.4.7** Council Members are to provide advance notice to the City Clerk’s office in advance of an impending absence, unless the absence is attributable to a sudden unanticipated event. This information is necessary in order for the staff to determine in advance whether a quorum will be available for a meeting.
- 7.4.8** Council Members are expected to attend all regularly scheduled Council meetings, work sessions and closed sessions, and to be in their seats by the time that the meeting is scheduled to start.
- 7.4.9** After the Council has taken an official position on an issue, all official correspondence should reflect this position. Council Members who disagree with a position taken by the Council are free to prepare correspondence on such issues identifying the information or opinions as solely their own. No staff support, City expense or City letterhead will be used in such instance.

- 7.4.10** No City Council Member shall be empowered to grant any special consideration, treatment, advantage or favor to any individual, group, company or organization beyond that which is generally available to the public at large.
- 7.4.11** Council Members should remember that they are only one individual member, and discretion should be used when speaking on issues, and they should refrain from making individual statements that give the appearance of advocacy whenever issues are brought before Council for which the full array of relevant facts has not yet been accumulated and evaluated.
- 7.4.12** All remarks from members of the public shall be addressed to the Council as a whole and not to any single member, unless in response to a question from a Council Member.
- 7.4.13** A person who addresses the Council under public comment for a specific agenda item or under the general public comment period of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.
- 7.4.14** A person, other than members of the Council and the person who has the floor, shall not be permitted to enter into the discussion unless requested by the Mayor to speak.
- 7.4.15** Members of the Council shall minimize from interrupting any person who has the floor while making his or her public comments to the City Council. The Council shall wait until a person completes his or her public comments before asking questions or commenting so long as their time has not expired. The Mayor may then ask Council Members if they have comments or questions.
- 7.4.16** No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting.
- 7.4.17** The Mayor shall request that a person speaking at the podium during a public comment period or a member of the audience who

is violating the rules of decorum, comply immediately with these rules of decorum.


**7.14.18** If, after receiving a warning from the Mayor and/or the City Attorney, a person persists in violating the rules of decorum during the meeting, the Mayor may order him or her to leave the meeting as permitted under the Brown Act. Any person so ordered removed shall be excluded from further attendance at the meeting from which he or she has been removed, unless permission to attend is granted upon motion adopted by a majority vote of the Council. If that person does not remove himself or herself, the Mayor may ask law enforcement to escort that person from the Council Chamber.

**7.14.18** Council Members should remember that members of the public have a right to be present at meetings and express their opinions on matters before the Council. The public is encouraged to attend and participate in such meetings as active public participation assists the Council in the decision-making process. Council Members should be respectful of staff and members of the public in attendance, especially those with whom Council Members disagree. Council Members should focus their comments on matters raised by the public to the merits or substance of the comments themselves and not make personal attacks upon those providing the comments.

## **7.5 Amendment of Rules of Order**

**7.5.1** By motion made, seconded and approved by a majority vote, the Council may, at its discretion, at any meeting, and in accordance with California law:

- a)** Temporarily suspend these rules in whole or in part;
- b)** Amend these rules in whole or in part; or,
- c)** Both.

	<b>CITY OF AVALON COUNCIL POLICIES MANUAL</b>	Section <b>8.0</b>
		Revision Date <b>8/5/2014</b>
<b>TRAINING, EDUCATION, AND CONFERENCES</b>		

## **8.1 General**

**8.1.1** Members of the City Council are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve City operation. Therefore, there is no limit to the number of Council members attending a particular conference or seminar when it is apparent that their attendance is beneficial to the City. Council members should be aware that requirements of the Ralph M. Brown Act may apply depending on the circumstances of any such meeting.

**8.1.2** “Junkets” (a tour or journey for pleasure at public expense), will not be permitted.

## **8.2 Policy**

**8.2.1** It is the policy of the City to encourage Council member development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals. Council members will be reimbursed for their expenses as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the City.

**8.2.2** The City Manager or his or her designee is responsible for making arrangements for Council members for conference and registration expenses. When appropriate, the City shall also reimburse a Council member for meal expenses, lodging, and travel. All expenses for which reimbursement is requested by Council members, or which are billed to the City by Council members, shall be submitted to the City Manager or his or her designee, together with validated receipts.

### **8.3 Approval**

**8.3.1** Attendance by Council members of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the City Council, in accordance with City policy, prior to incurring any reimbursable costs.

### **8.4 Reimbursement**

**8.4.1** Expenses to the City for Council member' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the City Manager and by:

**8.4.1.1** Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.

**8.4.1.2** Council members traveling together whenever feasible and economically beneficial.

**8.4.1.3** Requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.

**8.4.2** A Council member shall not attend a conference or training event for which there is an expense to the City if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Council. A Council member shall not attend a conference or training event when it is apparent that there is no significant benefit to the City.

### **8.5 Reporting**

**8.5.1** Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the City, Council members shall present a written report and make a verbal report during the next regular meeting of the Council. Said report should detail what was learned at the session(s) that will be of benefit to the City. Copies of materials from the session(s) shall be delivered to City Hall to be included in the Council action record for the future use of other Council members and staff.