

RESOLUTION NO. 2019-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SIMI VALLEY ESTABLISHING CITY COUNCIL MEETING
PROTOCOLS

WHEREAS, the City Council wishes to establish protocols to govern the conduct of City Council meetings; and

WHEREAS, these protocols are designed to improve the procedures and processes at City Council meetings for the purposes of conducting the peoples' business; and

WHEREAS, the City Council finds and determines that the establishment of protocols for City Council meetings will promote the understanding of the operation of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIMI VALLEY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council approves the City Council Meeting Protocols attached hereto as Exhibit 1, effective immediately.


SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

PASSED and ADOPTED this 26th day of August, 2019.

Attest:



Julia Fritz, Acting City Clerk



Keith L. Mashburn, Mayor of the City of
Simi Valley, California

Approved as to Form:



Lonnie J. Eldridge, City Attorney

Approved as to Content:



Brian Paul Gabler, Interim City Manager



Samantha Argabrite
Deputy City Manager

CERTIFICATION

I, Acting City Clerk of the City of Simi Valley, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 2019-36 which was regularly introduced and adopted by the City Council of the City of Simi Valley, California, at a regular meeting thereof held on the 26th day of August 2019, by the following vote of the City Council:

AYES: Council Members Litster, Judge, Mayor Pro Tem Cavanaugh and Mayor Mashburn

NAYS: Council Member Luevanos

ABSENT: None

ABSTAINED: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Simi Valley, California, this 5th day of September 2019.



Julia Fritz
Acting City Clerk

Subject:	POLICY A40: CITY COUNCIL MEETING PROTOCOLS		
Policy No:	A40	Effective:	August 26, 2019
Originator:	City Manager's Office	Supersedes:	n/a

POLICY

It is the policy of the City Council to establish City Council meeting protocols to ensure efficient City Council meetings as established in Resolution No. 2019-36.

PROCEDURE

Section 1 - Public Statements

1. Each speaker has three (3) minutes to address the City Council. When their time commences, the green light on the lectern will light up. When 30 seconds is remaining, the light will turn yellow, and at the conclusion of their time, the light will turn red. When the light turns red, the speaker must conclude their comments and leave the lectern.
2. If there are a significant number of speakers, at the discretion of the Mayor or Chair of the meeting, the total amount of time for Public Statements may be limited to 45 minutes. Each speaker's time will be shortened proportionately or as otherwise determined by the Chair for the orderly conduct of the meeting.
3. Speaker cards may be submitted to the City Clerk only until the beginning of Public Statements.
4. Speaker cards will only be distributed at the City Council meeting.
5. Once Public Statements begins, the City Clerk will no longer distribute speaker cards and no additional cards will be accepted.
6. Speakers will be called in the order their cards are received to the extent feasible.
7. Each speaker may speak one time only during Public Statements. If a speaker wishes to address multiple topics they must do so during their three minutes.
8. Speakers cannot donate or concede any part of their allotted time to another speaker.
9. Based upon First Amendment rights, speakers may read a statement authored by another person during Public Statements during their three minutes, however, they will not be provided an additional three minutes to make their own personal statements.
10. Members of the public unable to attend the City Council meeting but wish to make comments are directed to send an email or written correspondence to the City Clerk's office with their comments for inclusion in the Clerk's files of the proceeding.

11. Members of the public must bring their own electronic equipment, except for a projector, for electronic presentations to the City Council. City equipment, except for a projector, will not be used for presentations by the public. It is incumbent upon the presenter to ensure their electronic equipment is compatible with the City's projector.
12. All remarks shall be addressed to the Council, and not to the audience.
13. In observance of the Brown Act, Council Members must refrain from engaging in dialogue with members of the public during public statements.
14. At the Mayor, or Chair of the meeting's discretion, a speaker's time may be extended.

Section 2 - Use of a Translator

1. The City shall provide a translator if one is requested by a member of the public with a 48 hour advance notice. If a 48 hour advance notice is not provided, the member of the public may provide their own translator.
2. Per California Government Code 54954.3, if an individual utilizes a translator during Public Statements, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.
3. If the City provides a translator or translation equipment that allows for the simultaneous translation of the testimony, then no additional time shall be granted.

Section 3 - Decorum for Members of the Public:

1. There shall be no yelling, or "speaking out of turn," from the audience at either the City Council or speakers at the lectern.
2. There shall be no clapping or booing of speakers addressing the City Council.
3. Speakers shall abide by time limits provided for under Public Statements.
4. Speakers shall leave the lectern when their time to speak has ended and the red light on the lectern has begun blinking or is illuminated.
5. Failure to abide by speaker time limits may result in removal from the lectern and potentially removal from the meeting if speaking continues.
6. Although any member of the public has the right to criticize City policies, procedures, programs, services, or actions, remarks shall be limited to the matters related to the subject matter jurisdiction of the City Council/Commission, or Board.
7. Off-topic, purely personal remarks toward any individual are disruptive and should not be allowed.
8. Signs are permitted, provided they do not block the view of the meeting of other attendees or otherwise disrupt the meeting.

The Chief of Police or other members of the Police Department shall serve as the Sergeant at Arms and enforce the Rules of Decorum at the request of the Mayor or Chair.

Section 4 - Procedure for Enforcement of the Rules of Decorum:

1. The Mayor, or Chair of the meeting, issues a warning to the individual who is violating the rules of decorum and advises them that they are out of order, and to cease the conduct that is disruptive or otherwise is impeding the conduct of the City Council Meeting.

2. If the person does not cease the conduct immediately or if the conduct is repeated and disrupts the meeting, the Mayor or Chair of the meeting, may order the person to leave the meeting.
3. If the person does not leave, the Mayor, or Chair of the meeting, asks the Sergeant at Arms to remove them from the meeting.
4. If the disturbance is caused by a group, and such disturbance renders the orderly conduct of the meeting unfeasible, the Mayor, or Chair of the meeting, may order the room cleared pursuant to Government Code Section 54957.9 and continue in session pursuant to the requirements of that Section.
5. The Mayor and City Council also may choose to recess or adjourn the City Council meeting.

Section 5 - Council Member Requests for Future Agenda Items

1. During a City Council meeting, under the item, "City Council/Board Member/Special District Member Requests for Future City Council Agenda Items" any City Council Member may request that a matter be placed on a future agenda item for discussion.
2. At the time the City Council Member requests the item, the Mayor may ask the City Council for concurrence to add the item to a future meeting agenda. Council Members should not discuss the substance of the item at this time.
3. Concurrence is two or more City Council Members verbally agreeing that the item should be brought back for a full City Council discussion, including the requestor.
4. Concurrence that staff time and City resources be devoted to the requested item does not signify approval of the item. It only indicates that the City Council wishes to have it studied further and move forward with a discussion.
5. Upon concurrence that the item shall be researched and agendized, the City Manager and the Mayor will determine when to place the item on a future agenda based on the time necessary to complete the research, staff workload considerations, and effect on City Council established priorities.

Section 6 - Council Member Responses to Public Statements

1. Council Members should each limit their responses to Public Statements, if any, to an aggregate of no more than ninety (90) seconds to ensure compliance with the Brown Act.
2. The Mayor, or Chair of the meeting, may extend the privilege of the floor to an individual Council Member whose integrity, character, or motives, were assailed, questioned or impugned during Public Statements for a period of no more than an additional sixty (60) seconds in aggregate to respond to the statements.

HISTORY

August 26, 2019

Policy A-40 Presented to the City Council for adoption.