

RESOLUTION NO. ____-2020

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AMENDING CITY COUNCIL RULES OF PROCEDURE FOR CONDUCT OF CITY COUNCIL BUSINESS

WHEREAS, certain rules of procedure for the conduct of City Council business have been included in Chapter 2.04 of the Fort Bragg Municipal Code (“Chapter 2.04”); and

WHEREAS, Chapter 2.04 allows for certain procedural provisions relating to the conduct of the City Council’s business to be updated by resolution; and

WHEREAS, Section 2.04.010 of Chapter 2.04 states that the City Council shall hold its regular meetings on the second and fourth Mondays of each month beginning at 6:00 p.m., or at such other time as the Council may establish by resolution no more frequently than on an annual basis; and

WHEREAS, in the past year, regular City Council meetings have extended past 10:00 p.m.; and

WHEREAS, Council desires to commence regular meetings at 5:30 p.m. to achieve an earlier adjournment time; and

WHEREAS, resolutions establishing the order of business and guidelines for the conduct of City Council meetings have been adopted in the past; and

NOW, THEREFORE, BE IT RESOLVED that Fort Bragg City Council Resolution 4143-2019 adopted on January 14, 2019 is hereby rescinded and revoked and shall no longer be in effect;

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg does hereby adopt the Rules of Procedure for conduct of City Council business, a copy of which is attached hereto and incorporated herein as Exhibit A;

BE IT FURTHER RESOLVED that in accordance with Section 2.04.010 of the Fort Bragg Municipal Code, this Resolution shall become effective thirty (30) days following its adoption.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 27th day of January 2020, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:**

**WILLIAM V. LEE
Mayor**

ATTEST:

June Lemos, CMC
City Clerk

EXHIBIT A

RULES OF PROCEDURE FOR CONDUCT OF CITY COUNCIL BUSINESS

ARTICLE I – MEETINGS

Section 1. Regular Meetings

- 1.1 Meeting Schedule: Regular meetings of the City Council shall be as established in Fort Bragg Municipal Code Sections 2.04.010 and 2.04.020, subject to the modification in commencement time as described in subsection 1.2 below.
- 1.2 Time of Meeting: Regular meetings shall be called to order at 5:30 p.m. on the second and fourth Mondays of each month. In the event that a regular City Council meeting falls on a recognized City holiday, the meeting shall be held on the next regular business day at 5:30 p.m.

Section 2. Special Meetings

- 2.1 A special meeting of the City Council may be called at any time by the Mayor or, in the Mayor's absence, by the Vice Mayor, or by a majority of the members of the City Council, by providing written notice in accordance with applicable laws to each member of the City Council and to each local newspaper of general circulation, radio or television station requesting notice in writing.
- 2.2 The notice described in Section 2.1, above, at least 24 hours before the time of the meeting as specified in the notice shall be posted in a location that is freely accessible to members of the public.
- 2.3 The call and notice shall specify the time and place of the special meeting and the business to be transacted.
- 2.4 No other business shall be considered at the special meeting by the City Council.
- 2.5 The written notice may be dispensed with as to any member of the City Council who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice of the meeting. The waiver may also be given by, telephone, fax or email and, further, may be dispensed with as to any member of the City Council who is actually present at the meeting at the time it convenes.

Section 3. Order of Business

- 3.1 Agenda: The order of business of each meeting shall be as contained in the Agenda prepared by the City Clerk. The Agenda shall be a listing by topic of the subjects which shall be taken up for consideration in the following order:

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
AGENDA REVIEW
MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS
PUBLIC COMMENTS ON (1) NON-AGENDA, (2) CONSENT CALENDAR AND
(3) CLOSED SESSION ITEMS

STAFF COMMENTS
MATTERS FROM COUNCILMEMBERS
CONSENT CALENDAR
DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS
PUBLIC HEARING
CONDUCT OF BUSINESS
CLOSED SESSION
ADJOURNMENT

- 3.2 Urgency Items: Urgency items can be handled at any meeting of the City Council upon proper notice and/or action by the City Council, in accordance with the provisions of Government Code section 54954.2, as amended from time to time.
- 3.3 Conduct of Business / Public Hearings:
- a. All speakers before the City Council shall proceed to the podium and wait to be recognized by the Presiding Officer. Additional information regarding addressing the City Council is found in Section 5 below.
 - b. Questions to staff from the public and staff response should be directed through the Mayor.
 - c. When a public hearing has been underway for a period of sixty (60) minutes, the Council shall vote on whether to continue to proceed with the hearing at that meeting or to continue the hearing to another meeting.
 - d. The City Manager may schedule special meetings for public hearings which are expected to be well attended.
- 3.4 Public Comments: The Council welcomes input from the public. However, the Council cannot take action or deliberate on matters brought before them under Public Comments. Additional information regarding addressing the City Council is found in Section 5 below.
- 3.5 Council Committees: The Council will make greater utilization of standing committees before matters appear on the agenda.
- 3.6 Adjournment: The adjournment time for all Council meetings shall be 10:00 p.m. If the Council is still in session at 10:00 p.m., the Council may continue the meeting upon majority vote. Further, if it appears that the meeting will adjourn, the Council shall vote upon which items are to be continued to a future meeting.

Section 4. Rules, Decorum and Order

- 4.1 Questions of Order: The Mayor shall decide all questions of order.
- 4.2 Interruption during discussion: No member of the City Council shall be permitted to interrupt another during debate or discussion of any subject.
- 4.3 City of Fort Bragg Rules of Order: Resolution 4040-2017 establishing Rules of Order pertaining to the meetings of the City Council was adopted on October 23, 2017. Resolution 4040-2017 is incorporated herein by reference.

Section 5. Addressing the City Council

- 5.1 **Manner of Addressing the City Council:** Any member of the public desiring to address the City Council may submit a Speaker Card to the City Clerk and proceed to the podium after being recognized by the Presiding Officer. Speakers will be called up in the order the Speaker Cards are received. Those who have not filled out a Speaker Card will be given an opportunity to speak after all those who have filled out Speaker Cards have spoken. All remarks and questions shall be addressed to the City Council; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Mayor or acting Mayor. Written comments may be submitted to the City Clerk, 416 N. Franklin Street, Fort Bragg, CA 95437, or emailed to cityclerk@fortbragg.com.
- 5.2 **Time Limitation:** Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Mayor or acting Mayor may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Mayor or acting Mayor, may speak on any topic that may be a proper subject for discussion before the City Council for such period of time as the Mayor or acting Mayor may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.
- 5.3 **Brown Act Requirements:** The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Council's response to questions and requests made during the public comment period.

Section 6. Motions

- 6.1 **Motions - Generally:** All motions shall be reduced to writing, if any member of the City Council requires it, and when a motion has once been made and carried or lost, it shall be in order for a member voting in the majority, to move for a reconsideration; provided, that no more than one motion for reconsideration shall be entertained.
- 6.2 **Motions – Action:** After a motion has been made and seconded, regarding any thing or matter concerning and upon which the City Council has the right to act, then it shall be entertained by the City Council and shall be debatable, each member having the right to talk on the subject five (5) minutes, or more, except a motion to adjourn which is not debatable.
- 6.3 **Voting:**
- a. Every member of the City Council present, shall give his or her vote on every question or matter when put, except if he or she is disqualified from voting by operation of law, or unless the City Council for special reasons entered in the minutes, excuses him or her from voting on a particular matter then under consideration. If a member abstains from voting, he or she shall state the reason for abstaining. The reason shall be recorded in the minutes of the meeting.
 - b. For votes taken on any ordinance, resolution, or amendment of any ordinance or resolution, and for all motions or resolutions for the payment of money, or

ordering the doing of any act or thing that will result in the payment of money, the ayes and noes shall be taken and entered in the minutes, and at the desire of any member of the City Council, the ayes and noes shall be taken and entered in the minutes.

ARTICLE II – COMMITTEES

1. Duties of Standing Committees: The standing committees named in Fort Bragg Municipal Code Section 2.04.045 shall each do and perform the duties as set forth below:

a. Community Development Committee: Exercises oversight for planning and community development functions. Reviews and makes recommendations concerning grant applications, annexation, and development review procedures. Liaison with other community development agencies and, for administrative purposes, with the Planning Commission.

Primary staff support to this committee shall be the Community Development Director.

b. Finance and Administration Committee: The functions of this committee include: Reviews and approves warrants (bills); exercises oversight for administrative and finance staff functions, reviews and makes recommendations concerning debt financing, budgetary control, business licenses, investment policies, administrative procedures, public information, intergovernmental relations, personnel, cable television franchise agreement, records management, insurance, data processing, employee salary and benefit programs, purchasing, accounting, utility rates, and related matters. Reviews proposed legislation and makes recommendations for Council policy consideration.

Primary staff support to this committee shall be the City Manager and Finance Director.

c. Public Safety Committee: Exercises oversight for police, fire, building safety and disaster preparedness functions. Reviews and makes recommendations concerning departmental staffing levels, parking regulations, traffic safety (stop signs, etc.) and building code. Liaison with Rural Fire District and volunteer fire department. Reviews proposed legislation and makes recommendations for Council policy consideration.

In addition to the duties as set forth, the two Councilmembers appointed to this committee shall be designated as the City's representatives to the Fort Bragg Fire Protection Authority.

Primary staff support to this committee shall be the Chief of Police.

d. Public Works and Facilities Committee: Exercises oversight for public works functions including street maintenance, parks, drainage, water and sewer. Reviews and makes recommendations concerning departmental staffing, use and maintenance of public buildings, prioritization of public works improvements, service extensions, engineering services and solid waste. Liaison with private

utility companies. Reviewed proposed legislation and makes recommendations for Council policy consideration.

In addition to the duties as set forth the two Councilmembers appointed to this committee are hereby designated as the City's representatives to:

- 1) The County-City Coordinating Committee; and
- 2) The Mendocino County Solid Waste Joint Powers Authority (MSWMA), with one Councilmember designated as the MSWMA Board appointee and the second Councilmember designated as the alternate appointee to the MSWMA Board.

Primary staff support to this committee shall be the Public Works Director.

2. Reports of Committees: It shall be the duty of any committee of the City Council, to whom any subject or matter may be referred, to report thereon by providing a copy of the approved committee minutes at the next regular meeting of the City Council after approval.