



CITY COUNCIL STAFF REPORT

DATE: JULY 6, 2015 UNFINISHED BUSINESS

SUBJECT: PROPOSED RESOLUTION MODIFYING THE CITY COUNCIL RULES OF PROCEDURE AND CONDUCT OF CITY COUNCIL MEETINGS

FROM: David H. Ready, City Manager

BY: Chief of Staff/City Clerk

SUMMARY

The City Council will consider the recommendation by the City Council Subcommittee (Councilmembers Kors and Roberts) regarding modifications to the City Council Rules of Procedure and the conduct of City Council meetings.

RECOMMENDATION:

Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING CITY COUNCIL RULES OF PROCEDURE AND SUPERSEDING RESOLUTION NO. 21201."

STAFF ANALYSIS:

At the meeting of June 1, 2016, the City Council discussed the Council Subcommittee recommended modifications to the City Council Rules of Procedure and the conduct of City Council meetings. The June 1, 2016, Subcommittee Recommendations Staff Report is attached for reference.

Generally, the Council reached consensus on the scope of the modifications and directed Staff to modify the City Council Rules of Procedure for adoption.

Staff has attached a "red-line" version of the proposed amendments to the Rules of Procedure as discussed by the City Council. The modifications are summarized below, and the reasoning for each of the modifications is outlined in the report of June 1, 2016, as discussed and amended by the Council.


- The order of business was modified to immediately start the conduct of the City's business.

- The pledge of allegiance provides for invited guests at the first meeting of the month, the invocation was eliminated, and presentations are limited to two (2) per meeting at a maximum of three (3) minutes each and should relate to City business, departments, facilities or swearing-in of public officials.
- Public Testimony is limited to two minutes and restricted to items on the agenda, followed by the City Council vote on Consent Calendar Items.
- Public Hearings have been modified to limit the applicant and/or appellant to five (5) minutes, followed by public testimony of two (2) minutes.
- An additional public comment period has been added for non-agenda items limited to two (2) minutes.
- City Council Subcommittee Reports and Councilmember Requests and Comments have been moved to the end of the meeting, provides the Subcommittee may submit a written report, and recommends each Subcommittee meet and provide a report at least one each quarter.
- The tentative adjournment time has been modified to 11:00 p.m. and a meeting management rule has been added that requires the City Council at a breaking point – approximately 10:00 p.m. – to determine how much time is needed for the final public comment period and to prioritize the remaining agenda items, making a determination of which items can be reasonably heard by 11:00 p.m.


The proposed resolution also directs the City Clerk to make amendments to all forms and notices and directs the City Clerk to further provide the opportunity for the submission of written public testimony and public comment.

FISCAL IMPACT:

Minimal staff costs amending forms and public notice.



JAMES THOMPSON
Chief of Staff/City Clerk



DAVID H. READY
City Manager

Attachments:

June 1, 2016 Staff Report (w/o attachments)
Proposed Resolution
Rules of Procedure (red-line)
Rosenberg's Rules of Order



CITY COUNCIL STAFF REPORT

DATE: JUNE 1, 2016 NEW BUSINESS

SUBJECT: CITY COUNCIL AD HOC SUBCOMMITTEE REPORT REGARDING CITY COUNCIL RULES OF PROCEDURE AND THE CONDUCT OF CITY COUNCIL MEETINGS.

FROM: David H. Ready, City Manager

BY: City Clerk

SUMMARY

The City Council will consider recommendations by the City Council Subcommittee (Councilmember Kors and Councilmember Roberts) regarding modifications to the City Council Rules of Procedure and the conduct of City Council meetings.

RECOMMENDATION:

Direct Staff to modify the City Council Rules of Procedures for adoption by the City Council.

STAFF ANALYSIS:

In 2005, the City Council adopted Resolution No. 21201 adopting Rules of Procedure for the conduct of the City Council meetings. At that time the review and analysis was requested due to concerns from the public and the City Council regarding the late adjournment time of the City Council meetings.

On May 4, 2016 the City Council appointed an ad hoc City Council Subcommittee (Councilmember Kors and Councilmember Roberts) to further study the current procedures and make recommendations to the City Council.

The City Council Subcommittee is suggesting the City Council re-evaluate the current order of business while allowing thorough and meaningful discussion and public input, provide tools for effective meeting management, and accomplish such without violating the Brown Act or due process principles.

ITEM NO. 5. A.

The order of business would be modified as follows:

CURRENT ORDER OF BUSINESS:

Call to Order
Pledge of Allegiance
Invocation
Roll Call
Presentations

Report of Closed Session
Acceptance of the Agenda

Public Hearings
 Applicant (10 Minutes)
 Appellant (10 Minutes)
 Public Testimony (3 Minutes each)
 Applicant Rebuttal (2 Minutes)
 Appellant Rebuttal (2 Minutes)

Public Comment
 (3 Minutes each speaker)

City Council Sub-Committee Reports
Councilmember Comments
City Manager's Report

Consent Calendar
Excluded Consent Calendar

Legislative

Unfinished Business

New Business

Councilmember Comments

Adjournment

SUBCOMMITTEE RECOMMENDATIONS:

Call to Order
Pledge of Allegiance

Roll Call
City Manager's Report

Report of Closed Session
Acceptance of the Agenda

Public Hearings
 Applicant (5 Minutes)
 Appellant (5 Minutes)
 Public Testimony (2 Minutes each)
 Applicant Rebuttal (2 Minutes)
 Appellant Rebuttal (2 Minutes)

Public Testimony (Agenda Items Only)
 (2 Minutes each speaker)

Consent Calendar
Excluded Consent Calendar

Legislative

Unfinished Business

New Business

Public Comment (Non-Agenda Items)
 (2 Minutes each speaker)

City Council Subcommittee Reports
Councilmember Requests/Announcements
Adjournment

The proposed changes are detailed as follows:

The beginning of the meeting to be streamlined to immediately start the conduct of the City's business. To accomplish this, many of the non-business items would be moved to

the end of the business meeting, providing an opportunity for any critical items or questions by the City Council, to be addressed in the City Manager's Report at the beginning of the meeting. Invitees would no longer be performing the Pledge of Allegiance.

An additional public comment period would be added to provide another opportunity for public comments as follows:

Any person wishing to address the City Council will still have the opportunity to provide testimony for each public hearing.

After public hearings, the members of the public may address the City Council on items only on the agenda, this item will be titled, *Public Testimony Agenda Items Only*.

After the business items contained on the agenda, the public will be provided one additional opportunity for public comment for non-agenda items.

Each public speaking time would be slightly reduced, but overall the public would have more time at each meeting to provide public input. While, the overall public speaking time is increased, the proposed changes should better organize the time for public speakers and in-turn provide for better meeting management -- by organizing the public testimony on agenda items up-front, and the public comment period on non-agenda items after the business items, will help ensure the City Council hears from those who wish to provide input on the items the City Council will be discussing and/or voting on -- are heard before the City Council discusses or votes on the item.

While the proposed format provides additional opportunities for public input, the Councilmember comments have been consolidated and reduced.

Additionally, on the printed agendas, Staff will develop a statement to encourage the submission of written public testimony before the meeting, along with detailing the options for submitted written testimony. For the online agenda staff will develop links to provide a more seamless opportunity to submit written testimony on agenda and non-agenda items.

The Mayor, as the preceding officer will have the responsibility to enforce the public testimony and public comment portions of the meeting. Additionally, the Mayor shall announce the rules and provide instructions such as: if you agree with the speaker before you, you can just indicate such rather than repetitive public comment, or if a group is speaking on a specific item, select one or more persons to speak and acknowledge the supporting group to stand to indicate support.

By rule, the City Council would set an adjournment time of 11:00 p.m. An additional Meeting Management rule is recommended that requires at approximately 10:00 p.m., the City Council prioritize the remainder of the meeting items, determine which items

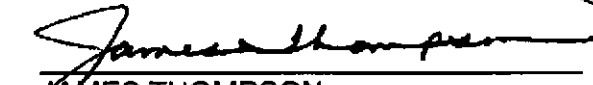
can be reasonably heard by 11:00 p.m., and provide time for the public comment period.

The Mayor will have the responsibility to announce and enforce the rule that all speaker slips be submitted prior to the City Council hearing the item, and cut-off the submission of further requests to speak after the 10:00 p.m. Meeting Management period.

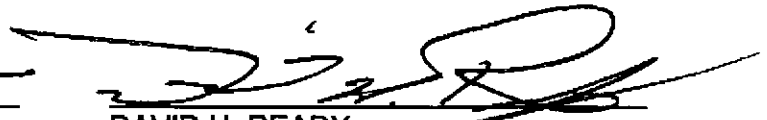
The Subcommittee also requests a provision that City Council subcommittees meet and report out at least once each quarter, to provide an additional tool for the management of City Council subcommittees.

FISCAL IMPACT:

None at this time.



JAMES THOMPSON
Chief of Staff/City Clerk



DAVID H. READY
City Manager

Attachments:

- February 9, 2005 Staff Report
- Resolution No. 21201 Adopting Rules of Procedure
- Rules of Procedure Handbook

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING CITY COUNCIL RULES OF PROCEDURE, AND SUPERSEDING RESOLUTION NO. 21201.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, FINDS AS FOLLOWS:

- a. California Government Code Section 36813 authorizes the City Council to establish rules of conduct of its proceedings.
- b. Palm Springs Municipal Code Section 2.04.040 requires the City Council adopt rules of procedures to govern the conduct of its meetings.
- c. Section 311 of the Charter of the City of Palm Springs provides the City Council may impose reasonable regulations on persons addressing the City Council to preserve the orderly nature of its proceedings.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Palm Springs City Council Rules of Procedure, attached as Exhibit A and incorporated hereto, is approved and adopted.

SECTION 2. This Resolution supersedes Resolution No. 21021, previously adopting Rules of Procedure.

SECTION 3. The City Clerk is authorized and directed to modify speaker request cards and other meeting management materials, and include public notice on the agenda to further encourage written public testimony.

PASSED, APPROVED AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS 6TH DAY OF JULY, 2106.

DAVID H. READY, CITY MANAGER

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on July 6, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON, CITY CLERK
City of Palm Springs, California

CITY COUNCIL RULES OF PROCEDURE

Adopted by Resolution No. ~~21201~~
(~~February 9, 2005~~ July 6, 2016)

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PURPOSE, EFFECT, AND AUTHORITY:

In the absence of a rule herein to govern a point or procedure or the making of a motion, Robert's Rosenberg's Rules of Order, ~~Newly Revised~~, shall be used as a guide. The purpose and intent of the City Council in adopting the within rules shall be to provide directory guidelines relating to the conduct of the public business by or on behalf of the City Council, and in the event of any noncompliance with or violation of any provision herein, such will not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law. These rules are intended to be consistent with State law, however, in the event of any inconsistency with State law, State law shall prevail. In the event of any inconsistency between these rules and Robert's Rosenberg's Rules of Order, these rules shall control. The scope and effect of these rules shall be determined by the Presiding Officer in conformity with Section 4.11 hereof.

1. MEETINGS:

1.1 REGULAR MEETINGS:

The City Council of Palm Springs shall hold regular meetings in the Council Chamber of the City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, California, on the first and third Wednesdays of each month at 6:00 p.m. (or as amended by the City Council by Ordinance or Resolution). When the day for any regular meeting of the Council falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the next succeeding day thereafter that is not a holiday. (Gov. Code 54954)

Palm Springs Municipal Code § 2.04.010(c) provides closed sessions of the City Council may be conducted prior to the business portion of the regular meeting and as noticed on the Agenda. Generally, the City Council desires Closed Session to begin at 4:15 p.m. prior to the business portion of the regular meeting, but the time scheduled will depend upon the number of items to be considered and the complexity of the issues to be discussed.

1.2 ADJOURNED MEETINGS:

Any meeting may be adjourned to a time, place, and date certain, but not beyond the next regular meeting. Once adjourned, the meeting may not be reconvened.

1.3 SPECIAL MEETINGS:

Special meetings may be called by the Mayor or majority of Councilmembers on 24-hour notice, as set forth in Section 54956 of the Government Code of the State of California and § 308 of the Charter of the City of Palm Springs. Only matters contained in the notice may be considered and no ordinances (other than urgency ordinances) may be adopted.

1.4 STUDY SESSION:

Study sessions shall be held in conformity with Section 10.

1.5 NOTICE OF MEETINGS:

The Agenda for all regular, adjourned, and special meetings shall be available to the general public and the City Clerk shall cause a copy thereof to be posted at least 72 hours before a regular or adjourned meeting or 24 hours before a special meeting on the exterior bulletin board on the west wall of the City Council Chamber and posted on the City's website. No other notice of regular meetings or regular study sessions is required. Mailed or personally delivered notice to each member of the City Council and to each local newspaper of general

circulation, radio, or television station requesting notice in writing, is required of special meetings. Mailed notice in the manner required for special meetings and posted notice at the place the meeting was held within 24 hours of adjournment is required of meetings adjourned by the City Clerk. Posted notice at the place the meeting was held within 24 hours of adjournment is required of all other adjourned meetings. (Government Code Sections 54955 and 54956)

1.6 QUORUM:

A majority of the Council shall be sufficient to do business and motions may generally be passed 2-1 if only 3 attend. Certain items as specified in Section 7.2, however, require three or four affirmative votes to carry.

1.6.1 Legally Required Participation

If a majority of the Council shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the Council shall determine, that number of its disqualified members which, when added to the Councilmembers eligible to vote, shall constitute a quorum. (Gov. Code § 87101)

1.7 MEETINGS TO BE PUBLIC:

Study Sessions and all regular, adjourned or special meetings of the City Council shall be open to the public (Gov. Code § 54953), provided, however, the Council may hold closed sessions from which the public may be excluded for the consideration of those subjects specified in the Brown Act, principally including, but not limited to:

1.7.1 Personnel Matters:

To consider the appointment, employment, evaluation of performance, or dismissal of a public employee, or to hear complaints or charges brought against such employee by another person or employee unless such employee requests a public hearing. The term "employee" does not include those elected to office or appointed to an office by a legislative body, except that positions such as city manager, city attorney, department head, or other similar administrative officers shall be considered employees. The Council may exclude from any such closed session during the examination of a witness any or all other witnesses in the matter being investigated. (Gov. Code § 54957)

1.7.2 Litigation Matters:

On the advice of legal counsel to discuss litigation when discussion in open session would prejudice the City's position. Litigation is considered pending when a formal action is initiated or when legal counsel believes there is significant exposure to litigation. A closed session may be held to determine whether there is significant exposure to litigation or when the City wishes to initiate litigation. (Gov. Code 54956.9)

Legal counsel must submit to the Council a memorandum stating the specific reasons and legal authority for the closed session. If action has been filed, the memorandum must include the title of the litigation. In all other cases, the memorandum must include existing facts and circumstances on which the pending litigation is based. The memorandum should be submitted prior to the closed session if feasible, but otherwise no later than one week after the closed session. The memorandum is not a public record. (Gov. Code § 54956.9)

1.7.3 Threat to Public Buildings, Services, and Facilities:

With law enforcement officials on matters posing a threat to security of public buildings or a threat to the public's right to access to public services or public facilities. However, closed sessions may not be used to discuss normal and usual police business. (Gov. Code § 54957)

1.7.4 Negotiations for Real Property:

With any negotiator the Council has employed to purchase, sell, exchange, or lease real property. But prior to the closed session, the legislative body must, in open session or by agenda posting, identify the real property about which the negotiations are concerned and the person or persons with whom the negotiator may negotiate. (Gov. Code § 54956.8)

1.7.5 Employee Benefits:

With the local agency's designated representatives (e.g. labor negotiator) regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, or to instruct the representative. (Gov. Code § 54957.6)

1.8 CLOSED SESSION PROCEDURES:

Prior to or after holding any closed session, the Council must state in open session the general reason or reasons for holding the closed session, and may cite the statutory authority or other legal authority under which the session is being held. In the closed session, the Council may consider only those matters covered in its statement. ~~In the case of special, adjourned, and continued meetings, t~~The statement ~~shall~~ may be made as part of the notice and agenda provided for the meeting. (Gov. Code § 54957.7)

In the case of a closed session regarding the appointment, employment, or dismissal of a public employee, after any closed session, the body must

publicly report at that same public meeting or the next public meeting the action it has taken and any roll call vote thereon. (Gov. Code § 54957.1)

2. ORDER OF BUSINESS

2.1 AGENDA:

The Order of Business of each meeting shall be as contained in the Agenda prepared by the City Clerk, under the general direction of the City Manager. The Agenda shall be a listing containing a brief general description of each item of business to be transacted or discussed at the meeting in the following order:

Call to Order
Pledge of Allegiance
~~Invocation~~
Roll Call
Presentations
~~City Manager's Report~~
~~Approval/Acceptance~~ of the Agenda
Report of Closed Session
~~Public Testimony (Non-Public Hearing Agenda Items Only)~~
~~Consent Calendar~~
Public Hearings
~~Public Comment~~
~~Councilmember Comments and Requests~~
~~City Manager's Report~~
~~Consent Calendar~~
Excluded Consent Calendar
Legislative Items
Unfinished Business
New Business
~~Public Comments (Non-Agenda Items)~~
~~City Council Subcommittee Reports~~
Councilmember Comments, Requests -and Reports
Adjournment

Items may not be taken out of order, except with the majority consent of the Council.

The City Clerk, under the general direction of the City Manager, shall place other agency business (~~Community Redevelopment Agency~~, Public Financing Authority, Housing Authority, etc.) in any manner for the efficient conduct of the meeting.

Invitees to lead the Pledge of Allegiance will be limited to the first regular meeting of the month, and only if a school or youth group requests to lead the Pledge and is for credit.

Presentations are limited to two (2) presentations and each presentation is limited to three (3) minutes. Presentations generally should be limited to City business, programs, facilities and/or departments and swearing in of Public Officials. Generally, each Department is limited to one (1) presentation every three (3) months, with the exception of special and specific circumstances as determined by the City Manager.

2.1.1 Agenda Description:

The agenda must include a brief general description sufficient to inform the public of the subject matter and nature of the proposed action for each item of business to be transacted or discussed at the meeting. Limited discussion of matters not listed on the agenda may be permitted under the Councilmember Comments and Requests ~~and Councilmember Comments~~ and Reports sections of the agenda but action may not be taken on such matters. See Sections 2.6 and 2.8 for further explanation of the discussion permitted on such Reports and Requests ~~items~~.

2.1.2 No Action on Matters Not On Agenda: Exceptions.

No action shall be taken on any item not appearing on the posted agenda except in the following circumstances (Gov. Code § 54954):

- a) Upon a determination by a majority vote of the Council that an emergency situation exists, as defined in Government Code Section 54956.5;
- b) Upon a determination by a two-thirds vote of the City Council, or, if less than two-thirds of the Councilmembers present, a unanimous vote of those Councilmembers present, that the need to take action arose subsequent to the agenda being posted; or
- c) The item appeared on a posted agenda for a prior Council meeting occurring not more than five calendar days previously and at the prior meeting the item was continued to the current meeting.

The facts to support the determinations in a) and b) above shall be stated in the staff report, a supplemental staff report, or the minutes of the meeting at which the action was taken.

2.2 DELIVERY OF AGENDA:

Barring insurmountable difficulties, the Agenda shall ordinarily be delivered to Councilmembers each Friday preceding the Wednesday meeting to which it pertains.

The Agenda shall also be available to the general public and the City Clerk shall cause a copy thereof to be posted at least 72 hours before a regular or adjourned meeting or 24 hours before a special meeting on the exterior bulletin board on the west wall of the City Council Chamber and the City's Website.

2.3 ROLL CALL:

Before proceeding with the business of the Council, the City Clerk shall call the roll of the Councilmembers and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical with the Mayor called last.

2.4 APPROVAL OF MINUTES:

Unless requested by a majority of the City Council, minutes of the previous meeting may be approved without public reading if the City Clerk has previously furnished each Councilmember with a copy thereof.

2.5 PUBLIC HEARINGS:

Generally, public hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

Staff Report

Initial Questions and Clarifications by the City Council

Hearing Opened:

Applicant (105-minute time limit)

Appellant (if different than the Applicant) (105-minute time limit)

Public Testimony (32-minute time limit)

Applicant Rebuttal (2-minute time limit)

Appellant Rebuttal (2-minute time limit)

Questions and Discussion by the City Council

Action by the City Council

Questions or comments from the public shall be limited to the subject under consideration. Councilmember questions of the staff prior to the opening of the public hearing and of the public prior to the close of the public hearing should be factual and seek pertinent information; Councilmember questions and comments should not be argumentative and Councilmembers should not get into debates with staff or those members of the public testifying at a public hearing. Councilmembers should not express their opinions on an item prior to the close of the public hearing, as Councilmembers should not form or express an opinion until after all testimony has been received.

~~Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Mayor may, at the beginning of the hearing, limit testimony, but in no event less than 3 minutes per individual. Any person may speak for a longer period of time, upon approval of the City Council, when this is deemed necessary in such cases as when a person is speaking as a representative of a group, or has graphic or slide presentations requiring more time. (Gov. Code § 54954.3)~~

Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the City Attorney shall advise the City Council in this regard.

2.6 PUBLIC TESTIMONY AND PUBLIC COMMENTS:

During the Public Testimony portion of the meeting any person may address the City Council only on those non-public hearing items on the

agenda. A limitation of two (2) minutes shall be imposed upon each person so desiring to address the City Council during the Public Testimony designation on the agenda. The public shall indicate on the speaker request the Agenda item or items they wish to address during Public Testimony.

Public Testimony for public hearings shall only be taken during the public hearing.

During the Public Comments portion of the meeting any person may address the Council on ~~any subject pertaining to City business, whether listed on the agenda or not~~ non-agenda items, except at special meetings Public Comments shall be limited to matters appearing on the agenda. All public comments shall be on matters within the jurisdiction of the City. A limitation of ~~3-2~~ 2 minutes shall be imposed upon each person so desiring to address the Council during the Public Comments designation on the agenda. (Gov. Code § 54954.3)

2.7 CONSENT CALENDAR:

Items of a routine nature, and non-controversial, shall be placed on the consent calendar. All items may be approved by one blanket motion upon unanimous consent. Under "Approval of the Agenda" any Councilmember may request that any item be withdrawn from the consent calendar for separate consideration. However, any Councilmember may abstain or vote "no" from voting on any consent calendar item without requesting its removal from the consent calendar, and the City Clerk shall be instructed to record such "no" votes or abstentions in the minutes.

2.8 PRESENTATION BY MEMBERS OF THE COUNCIL:

The Mayor or any Councilmember may bring before the Council any new business under the Councilmember Comments and Requests or Reports portion of the Agenda. Limited discussion of such requests may be permitted as necessary to find out what action staff is taking with respect to the matter, or to determine if the matter should be placed on a future Council agenda for discussion and action, if appropriate. No action may be taken on such matters until a subsequent meeting, except upon compliance with the provisions of Section 2.1.1.

2.8.1 Conflict of Interest:

If a Councilmember seeks to agendize a matter, and it is found prior to the matter being heard that such Councilmember has, or may have, a conflict of interest such that the Councilmember will abstain on the matter, the matter shall not be heard until a Councilmember without a real or potential conflict requests that the matter be heard. The provisions of Municipal Code Chapter 2.05 and ~~Section 9410~~ of the Palm Springs Zoning Ordinance apply

concerning appeals, and the time limitations prescribed therein.

2.9 TENTATIVELY SCHEDULED ADJOURNMENT TIME:

The tentatively scheduled adjournment time for all regular meetings and study sessions shall be ~~10:00~~ 11:00 p.m. The City Council may continue the meeting past the ~~10:00~~ 11:00 p.m. tentatively scheduled adjournment time, by a majority vote of the City Council.

2.10 MEETING MANAGEMENT RULE:

At approximately 10:00 p.m., or during a reasonable break in the meeting, the City Council shall: (a) determine the number of speakers who wish to address the City Council during the final public comment (non-agenda items) portion of the agenda and allow sufficient time for public comment; (b) prioritize the remainder of the meeting business items; and (c) determine which items can be reasonably heard by the 11:00 p.m. tentative adjournment time.

During the Meeting Management portion of the Agenda, if the City Council chooses to continue any agenda item, the agenda item shall not be subsequently discussed and/or voted on at that meeting.

3. PRESIDING OFFICER

3.1 PRESIDING OFFICER:

The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor or Mayor Pro Tem, the Council shall elect a temporary presiding officer to serve until the arrival of the Mayor or Mayor Pro Tem or until adjournment.

In accordance with the Palm Springs City Charter Section 302, at the first regular City Council meeting following a general municipal election, in which newly elected Councilmembers are sworn and seated, and at the first regular City Council meeting following the anniversary of that date for any year in which no general municipal election is held, the City Council shall designate one of its members as Mayor Pro Tempore, who shall serve in such capacity at the pleasure of the City Council. The Mayor Pro Tempore shall perform the duties of the Mayor during any period of the Mayor's absence or disability.

3.2 CALL TO ORDER:

The meeting of the Council shall be called to order by the Mayor or in his absence by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor pro tem, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary Presiding Officer.

3.3 PARTICIPATION OF PRESIDING OFFICER:

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Councilmembers, and he/she shall not be deprived of any of the rights and privileges of a Councilmember by reason of his acting as Presiding Officer.

3.4 QUESTIONS TO BE STATED:

The Presiding Officer shall verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer shall verbally announce whether the question carried, or was defeated. The Presiding Officer shall also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

3.5 SIGNING OF DOCUMENTS:

The Mayor, or Mayor Pro Tem in the absence of the Mayor, shall have authority to sign all ordinances, resolutions, contracts, deeds, easements, licenses, covenants, and other documents on behalf of the City, but such

authority may be delegated to the City Manager as provided in Section 2.08.020 of the Municipal Code, and Resolution 20271, as they may be amended from time to time.

The City Clerk, or the Deputy City Clerk in the absence of the City Clerk, shall attest to the signature of the Mayor or Mayor Pro Tem.

3.6 MAINTENANCE OF ORDER:

The Mayor or Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Chair. All questions and remarks shall be addressed to the Chair.

4. RULES, DECORUM, AND ORDER

4.1 POINTS OF ORDER:

The Presiding Officer shall determine all Points of Order subject to the right of any Councilmember to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

4.2 DECORUM AND ORDER - COUNCILMEMBERS:

- a) Any Councilmember desiring to speak shall address the Chair and upon recognition by the Presiding Officer, shall confine himself to the question under debate.
- b) A Councilmember desiring to question the Staff shall address his question to the City Manager or City Attorney in appropriate cases, who shall be entitled either to answer the inquiry himself, or to designate some member of his staff for that purpose.
- c) A Councilmember, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer; unless a Point of Order is raised by another Councilmember; or unless the speaker chooses to yield to questions from another Councilmember.
- d) Any Councilmember called to order while he is speaking, shall cease speaking immediately until the question of order is determined. If ruled to be in order, he shall be permitted to proceed. If ruled to be not in order, he shall remain silent or shall alter his remarks so as to comply with rules of the Council.
- e) Councilmembers shall accord the utmost courtesy to each other, to City Employees and to the public appearing before the Council and shall refrain at all times from rude and derogatory remarks,

reflections as to integrity, abusive comments, and statements as to motives and personalities.

- f) Any Councilmember may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Council shall require him to so act.

4.3 DECORUM AND ORDER - EMPLOYEES:

Members of the Administrative Staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. The City Manager shall insure that all City Employees observe such decorum. Any staff member, including the City Manager, desiring to address the City Council or members of the public shall first be recognized by the Chair. All remarks shall be addressed to the Chair and not to any one individual Councilmember or member of the public.

4.4 DECORUM AND ORDER - PUBLIC:

Members of the public attending Council meetings shall observe the same rules of order and decorum applicable to the Council. Any person wishing to address the Council shall, before speaking, announce his/her actual name, ~~address and city of residence, but such address need not be disclosed publicly if to do so would violate the privacy interests of the speaker.~~ Any person while addressing the Council making obscene, slanderous, impertinent, profane, or similarly offensive and disruptive remarks, or who engages in loud, boisterous, or other disorderly conduct, which disrupts, disturbs, or otherwise impedes the orderly conduct of the public meeting; and any person, while attending the Council meeting, making unauthorized remarks from the audience, or stamping their feet, whistling, yelling, or making similar demonstrations which disrupts, disturbs, or otherwise impedes the orderly conduct of the public meeting, shall, at the discretion of the Presiding Officer, or a majority of the Council, be provided warning notice and maybe subsequently barred from further audience before the Council during that meeting and/or be removed from the room by the sergeant-of-arms. Aggravated cases shall be prosecuted on an appropriate complaint signed by the Presiding Officer.

4.5 ENFORCEMENT OF DECORUM:

The Chief of Police shall be ex-officio sergeant-of-arms of the Council. The Chief shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chamber. Upon instructions from the Presiding Officer, it shall be the duty of the Chief of Police or his representative to eject any person from the Council Chamber or place him under arrest or both.

As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible, and order cannot

be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Council may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

4.6 PERSONAL PRIVILEGE:

The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives, are assailed, questioned or impugned.

4.7 CONFLICT OF INTEREST:

All Councilmembers are subject to the provisions of California Law, such as Chapter 7, Title 9, of the California Government Code, relative to conflicts of interest, and to Conflict of Interest Codes adopted by resolution of the Council. Any Councilmember prevented from voting because of a conflict of interest, shall refrain from debate and voting. Such Councilmember shall leave City Council Chamber during debate and voting on the issue, but shall be free to address the Council as a private citizen on the matter.

4.8 LIMITATION OF DEBATE:

As a matter of preferred protocol and courtesy to fellow members of the Council, no Councilmember normally should speak more than once upon any one subject until every other Councilmember choosing to speak thereon has spoken and no Councilmember should speak for an excessive length of time each time he has the floor, without the approval of the Council.

4.9 DISSENTS AND PROTESTS:

Any Councilmember shall have the right to express dissent from or protest to any action of the Council and have the reason entered in the minutes. If such dissent or protest is desired to be entered in the minutes, this should be made clear by language such as "I would like the minutes to show that I am opposed to this action for the following reasons..."

4.10 RULINGS OF CHAIR FINAL UNLESS OVERRULED:

In presiding over City Council meetings, the Mayor, Mayor Pro Tem, or temporary Presiding Officer shall decide all questions of interpretation of these rules, points of order or other questions of procedure, requiring rulings. Any such decision or ruling shall be final unless overridden or

suspended by a majority vote of the Councilmembers present and voting, and shall be binding and legally effective (even though clearly erroneous) for purpose of the matter under consideration.

5. ADDRESSING THE CITY COUNCIL

5.1 MANNER OF ADDRESSING THE COUNCIL:

Speaker cards shall be available at the meeting, and persons desiring to address the Council shall be requested to complete a card and give it to the City Clerk PRIOR to the hearing of the item, or the beginning of the public testimony and public comment period. The City Clerk shall give provide all speaker cards to the presiding officer or input the same into the meeting management system, who shall call each person to the microphone. The person recognized by the presiding officer shall proceed to the podium.

All remarks and questions shall be addressed to the Chair and not to any individual Councilmember, staff member or other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer.

Persons who have not completed a speaker card shall identify themselves to the City Clerk as wishing to speak PRIOR to hearing the Item or prior to the beginning of the public testimony and public comment period. Those persons shall be heard after the presiding officer has called upon all speakers who submitted a speaker card. Such persons shall state their name and address for the record.

5.2 TIME LIMITATION:

Unless further time has been granted by the Presiding Officer as provided in Sections 2.5 or 5.4, any member of the public desiring to address the Council shall limit his remarks as follows: (See 2.6) (Gov. Code § 54954.3)

- a) Three (32) minutes during public hearings;
- b) Three (32) minutes during the public testimony and public comment period.

5.3 ADDRESSING THE COUNCIL AFTER MOTION IS MADE:

After a motion has been made, or after a public hearing has been closed, no person shall address the Council without first securing permission by a majority vote of the Council.

5.4 LIMITATIONS REGARDING PUBLIC COMMENTS AND REPORTS:

The making of oral communications to the Council by any member of the public during the "Public Testimony and Public Comments" portions of the agenda shall be subject to the following limitations:

5.4.1 At any time, before or after the oral communication is commenced, the Presiding Officer may if he deems it preferable, direct that the communication be made instead either to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Councilmembers, pursuant to Section 5.5.

5.4.2 Except in the case of public hearings (see Section 2.5) if it appears that several speakers desire to speak regarding a single topic, the Presiding Officer may reasonably limit the number speaking as to each side of an issue. In this regard, preference may be given to speakers who represent groups of persons who have designated a spokesperson.

5.4.5 No oral communication shall be allowed to include charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference which tends to identify him/her. All charges or complaints against employees shall be submitted to the City Manager for appropriate action, and may also be submitted to members of the Council by written communication.

5.5 WRITTEN CORRESPONDENCE:

The City Manager is authorized to receive and open all mail addressed to the Council as a whole and give it immediate attention to the end that all administrative business referred to in said communications, and not necessarily requiring Council action, may be disposed of between Council meetings. A copy of such communication shall be sent to each Councilmember marked "Information Only."

Any communication relating to a matter pending, or to be brought, before the City Council, shall be included in the agenda packet for the meeting at which such item is to be considered. Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the Municipal Code, or other ordinances.

Copies of all other communications sent to the Council will be transmitted to them. Any matter requiring Council action shall be placed on a meeting agenda for Council action.

5.6 PERSONS AUTHORIZED TO BE WITHIN PLATFORM:

No person except City officials shall be permitted within the platform area in front of the Council ~~table~~ dias without the invitation or consent of the Presiding Officer.

6. MOTIONS

6.1 PROCESSING OF MOTIONS:

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A Motion so stated shall not be withdrawn by the mover without the consent of person seconding it.

6.2 MOTIONS OUT OF ORDER:

The Presiding Officer may at any time, by majority consent of the Council, permit a Councilmember to introduce an ordinance, resolution, or motion, out of the regular Agenda order.

6.3 DIVISION OF QUESTION:

If the question contains two or more divisible propositions, the Presiding Officer may, and upon request of a Councilmember shall (unless appealed), divide the same.

6.4 PRECEDENCE OF MOTIONS:

When a motion is before the Council, no motion shall be entertained except the following which shall have precedence in the following order:

- a. Adjourn
- b. Fix Hour of Adjournment
- c. Table
- d. Limit or terminate discussion
- e. Amend
- f. Postpone

6.5 MOTION TO ADJOURN: (not debatable)

A motion to adjourn shall be in order at any time, except as follows:

- a. When repeated without intervening business or discussion.
- b. When made as an interruption of a Councilmember while speaking,
- c. When discussion has been ended, and vote on motion is pending, and
- d. While a vote is being taken.

A motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT:

A motion to fix the hour of adjournment shall be to set a definite time at which to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE:

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the meeting. If not taken from the table the matter shall die but may be placed on a future agenda as a new matter.

6.8 MOTION TO TERMINATE DISCUSSION OR CALL THE QUESTION:

Such a motion shall be used to limit or close debate on, or further amendments to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND:

A motion to amend shall be debatable only as to amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and voted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.

6.10 MOTION TO CONTINUE:

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

7 VOTING PROCEDURE

7.1 VOTING PROCEDURE:

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Councilmember present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The City Clerk shall vary the order of voting with the Mayor voting last. The City Clerk shall call the names of all Councilmembers seated when a roll call vote is ordered or required. Councilmembers shall respond "aye," "no," or "abstain", provided that when a vote is collectively taken by voice or when a method of voting

other than by voice or roll call is used, any Councilmember not audibly and clearly responding "no" or "abstain" or otherwise registering an objection shall have his vote recorded as "aye."

7.2 VOTE REQUIRED:

Generally, items before the Council require a majority of a quorum of affirmative votes in order to carry. Certain motions, when specified in state law, require a majority of the membership of the Council, or a supermajority of four affirmative votes. (Gov. Code § 36936). For illustrative purposes only, these requirements are as follows:

- a) Three (3) votes:
 - i) Ordinances;
 - ii) Resolutions and orders for the payment of money;
 - iii) Contracts involving payments by City over One Hundred Thousand Dollars (\$100,000).

- b) Four (4) votes:
 - i) Motions to condemn property;
 - ii) Motions to overrule a majority protest to the formation of an assessment district;
 - iii) Motions to add an item to the agenda;
 - iv) Urgency ordinances.

7.3 ROLL CALL VOTING:

Any question before the Council shall not require a roll call vote unless demanded by any Councilmember. It shall not be in order for Councilmembers to explain their vote during roll call. Any Councilmember may change his vote before the next order of business.

7.4 FAILURE TO VOTE:

Every Councilmember should vote unless disqualified for cause. If a Councilmember is required to vote despite a disqualifying conflict of interest, in order to achieve a quorum, the Councilmember shall state the reason which shall be recorded in the minutes.

When a vote is collectively taken by voice, any Councilmember not audibly and clearly responding "no" or "abstain" shall have his or her vote recorded as "aye."

7.5 RECONSIDERATION:

Except for votes regarding matters which are quasi-judicial in nature or matters which require a noticed public hearing, the Council may reconsider any vote taken either at the same meeting or at a subsequent meeting provided that there has not been detrimental reliance on the prior decision by a person affected thereby or that an action has been taken as

a part of the earlier decision which would be impossible to undo. The motion to reconsider must be made by a Council Member who voted on the prevailing side, must be seconded and requires a majority vote of the quorum for passage, regardless of the vote required to adopt the motion being reconsidered. If the motion to reconsider is successful, the matter to be reconsidered takes no special preference over other pending matters and any special voting requirements related thereto still apply. Except pursuant to a motion to reconsider, once a matter has been determined and voted upon, the same matter cannot be brought up again.

7.6 MOTION TO RESCIND:

Any Councilmember, regardless of how he voted on the item originally, may move to rescind an action taken at a previous meeting in order to strike out an entire motion, resolution, rule, bylaw, section, or paragraph that has been adopted except in the following circumstances:

- a) When there has been detrimental reliance on the original decision by a party affected thereby;
- b) When something has been done, as a result of the original decision, which it would be impossible to undo;
- c) When the item is in the nature of a contract and the other party to the contract has been informed of the vote and has taken action in reliance thereon which cannot be undone.

After a motion to rescind has once been acted upon, no other motion to rescind shall be made without unanimous consent of the Council.

7.7 TIE VOTES:

Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter. If a tie vote on any matter results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

8. RESOLUTIONS

8.1 DEFINITIONS:

As a rule of thumb, it can be said that legislative acts of the City Council (usually a rule of public conduct for long-term application) are taken by ordinance, whereas more routine business and administrative matters (usually more temporary and transitory in nature) are accomplished by "resolutions." The term "resolution" in its general sense will denote any action taken affirmatively via a vote of the Council, other than one taken

by ordinance. As used in this City, however, ~~three~~ other terms are in general use to denote such (non-ordinance) actions: "resolution," "~~minute order~~," and "motion" (thereafter recorded by minute entry). Technically, all ~~three~~ are equally as legally effective and binding; they vary only in the formality of respective memorialization. The most formal is referred to as a "resolution." This, in addition to being referenced in the minutes, will be recorded by separate document, numbered in sequence and preserved in a separate set of books. Such "resolutions" are used for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilitate such future reference and research.

~~A "minute order" denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however, the "minute order" is drafted far more briefly than a "resolution" and is distinguished from a mere minute entry only by the need, in general, to have a separate document to facilitate certain administrative processes to which it pertains.~~

The "motion" (assuming it was one which passed) is a Council action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

8.2 RESOLUTIONS PREPARED IN ADVANCE:

Where a resolution has been prepared in advance, the procedure shall be: motion, second, discussion, vote pursuant to methods prescribed in Section 7.1, and the result declared. It shall not be necessary to read a resolution in full or by title except to identify it.

8.3 RESOLUTIONS NOT PREPARED IN ADVANCE:

Where a resolution has not been prepared in advance, the procedure shall be to instruct the City Manager or the City Attorney to prepare a resolution for presentation at the next Council meeting.

8.4 URGENCY RESOLUTIONS:

In matters of urgency, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the resolution has been verbally stated, the voting procedure in 8.2 above shall be followed.

Urgency resolutions shall be avoided except when absolutely necessary; and shall be avoided entirely when resolutions are required by law, such as in improvement acts, zoning matters, or force account work on public projects.

9. ORDINANCES

9.1 INTRODUCTION AND ADOPTION OF ORDINANCES:

Ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting. However, an urgency ordinance may be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by a majority vote of the Councilmembers present, all ordinances shall be read in full either at the time of introduction, or passage. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned regular meeting held at least five days after alteration. Corrections of typographical or clerical errors are not alterations within the meaning of this section.

9.2 EFFECTIVE DATE:

All ordinances, except as provided in Section 36937 of the Government Code, shall take effect 30 days after adoption, but may be made operative at such later date as may be designated in the ordinance.

9.3 PUBLISHING:

It shall be the duty of the City Clerk to publish all ordinances in accordance with Section 36933 of the Government Code and the Charter of the City of Palm Springs within 15 days after adoption.

9.4 URGENCY ORDINANCES:

All urgency ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. If such an ordinance fails to receive a 4/5 majority, it may thereafter be considered and passed in the same manner as regular ordinances.

10. STUDY SESSIONS

10.1 SCHEDULE OF STUDY SESSIONS:

The City Council shall meet in regular Study Session at those times specified by resolution of the Council. ~~Study Sessions shall be held in the City Hall Council Chamber.~~ The Study Session ~~shall~~ may include a closed session.

10.2 PURPOSE:

A quorum of Councilmembers is required in order to hold a study session. A study session of the Council shall be subject to the procedures and limitations set forth in this Article, but shall be treated as a regular Council meeting under the Ralph M. Brown Act (Gov. Code § 54950 et seq.), the provisions of which shall apply with full force and effect to study sessions.

Study sessions are held for the following purposes:

- a) Reviewing the agenda for the upcoming Council meeting;
- b) Discussing matters to determine whether they should be on future Council agendas;
- c) Discussing matters preparatory to placing them on a future Council agenda so that staff will know what information the Council wishes analyzed or included in the staff report;
- d) Deciding matters of an emergency nature which cannot be held to a future Council meeting;
- e) Meeting and conferring with City commissions, civic organizations and City officials relative to pending City business; and
- f) Conducting minor cleanup, administrative, housekeeping, and ministerial activities of limited consequence such as responding to correspondence, arranging for substitute attendance of Councilmembers and staff at meetings, arranging to meet with boards, bodies, commissions, and others, and similar matters.

Normally, no action will be taken on study session topics. In the event any action is taken, for example as permitted in subsection (d) above, the matter shall be placed on the consent calendar at the next available Council agenda for ratification, and the matter shall be ratified, unless the matter is removed from the consent calendar and a motion to rescind is properly made, is in order, and is adopted in the manner provided herein.

10.3 OPEN TO THE PUBLIC:

Study Sessions shall at all times be open to the public and the news media (Gov. Code § 54953), except for closed sessions held for those purposes specified in the Brown Act, as more fully discussed in Section 1.7 above.

10.4 CLOSED STUDY SESSION PROCEDURES

~~The procedures for Closed Study Session Agenda shall be in conformance of Section 1.8. Prior to or after holding any closed study session, the Council must state in open session the general reason or reasons for holding the closed session, and may cite the statutory authority or other legal authority under which the session is being held. In the closed session, the Council may consider only those matters covered in its statement. (Gov. Code § 54957.7)~~

~~In the case of a closed session regarding the appointment, employment, or dismissal of a public employee, after any closed session, the body must publicly report at that same public meeting or the next public meeting the action it has taken and any roll call vote thereon. (Gov. Code § 54957.1)~~

10.5 AGENDA:

The City Clerk under the general direction of the City Manager shall be responsible for preparing an agenda of items for discussion at each study session. Just as in the case of a regular City Council meeting, no action may be taken at a study session on an item that is not included on the agenda. For a full discussion of agenda requirements and exceptions see Section 2 above.

11. STANDING COMMITTEES

11.1 FINANCE COMMITTEE:

There shall be a standing committee of the City Council known as the Finance Committee, whose duties shall be those as prescribed in the Palm Springs, Municipal Code or as otherwise assigned by the City Council. The Committee shall consist of two members, one of whom shall be the Mayor who shall also serve as its Chairman and the other shall be a Councilmember appointed by the City Council.

12. SUBCOMMITTEE REPORTS

12.1 During the City Council Subcommittee Reports, the City Council Subcommittees may provide a verbal report to the City Council or may submit a written report for consideration by the City Council. City Council Subcommittees shall meet and report out at least once each quarter.