

CITY OF GALT

Barbara Payne, Mayor
Marylou Powers, Vice Mayor
Mark Crews, Council Member
Randy Shelton, Council Member
Mike Singleton, Council Member

Elizabeth Aguire, City Clerk
Shaun Farrell, City Treasurer

Steven Rudolph, City Attorney



Jason Behrmann, City Manager

Barry Weiss, Assistant City Manager
Curt Campion, Community Dev. Director
Loren Cattolico, Police Chief
Gregg Halladay, Public Works Director
Paula Islas, Human Resources Admin.
Boyce Jeffries, Parks & Rec. Director
Inez Kiriou, Finance Director

A G E N D A

SPECIAL CITY COUNCIL MEETING

COUNCIL CHAMBERS, 380 CIVIC DRIVE, GALT, CALIFORNIA THURSDAY, APRIL 7, 2011, 9:00 AM

NOTE: Speaker Request Sheets are provided on the table inside the entrances to the council chambers. If you wish to address the council during the meeting, please complete a speaker sheet and give it to the city clerk. A maximum of five minutes is allowed for each speaker.

NOTE. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's office, 209-366-7130, 380 Civic Drive, at least two days prior to the meeting.

NOTE. Public records, including writings relating to an agenda item for open session of a regular meeting and distributed less than 72 hours prior to the meeting, are available for public inspection at the City Clerk's Office, 380 Civic Drive, Galt, California.

NOTE. Please turn off all cell phones and pagers during the council meeting.

A. **CALL MEETING TO ORDER:**

1. Roll Call: Council Members: Powers, Singleton, Shelton, Crews, Payne.
2. Silent prayer.
3. Flag Salute.

B. **AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS**

- C. **PUBLIC COMMENT** - Under Government Code Section 54954.3, members of the public may address the council on any agenda item before or during the council's consideration of the item. Please fill out a speaker sheet located on the table inside the entrances to the council chambers and forward the completed speaker sheet to the city clerk prior to addressing the council. A maximum of five minutes is allowed for each speaker.

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D. DEPARTMENTAL

1. **SUBJECT:** Council Procedures.
STAFF REPORT: Rudolph
RECOMMENDED ACTION: Verbal report only.

E. ADJOURN TO SPECIAL CLOSED SESSION:

1. **PUBLIC EMPLOYEE APPOINTMENT** pursuant to and under the authority of Government Code Section 54957 - Police Chief

F. ADJOURN AND RECONVENE TO THE GALT CITY COUNCIL

G. COMMENTS BY CITY COUNCIL MEMBERS

ADJOURNMENT

ELIZABETH AGUIRE, CITY CLERK: Agenda Report. The agenda for this Galt City Council Meeting was posted in the following listed sites before the close of business at 5:00 pm on the Friday preceding the meeting:

1. City Hall Lobby, 380 Civic Drive;
2. U.S. Post Office, 600 N. Lincoln Way; and
3. Marian O. Lawrence Library, 1000 Caroline Avenue.

**CITY COUNCIL MEETING PROCEDURES
April 5, 2011**

1. Exercise of Legislative Authority

- a) Distinction between ordinances and resolutions
- b) Ordinances
- c) Resolutions
- d) Motions

2. Rules and Procedures

- a) Motions
 - i. Making a motion
 - ii. Motion to amend
 - iii. Substitute motion
 - iv. Multiple motions
 - v. Discussion after making motions
- b) Voting
 - i. Roll call votes
 - ii. Voice votes
 - iii. General consent
 - iv. Majority vote, modifications in majority vote
 - v. Tie votes
- c) City Council Procedural Guidelines

3. Closed Sessions

- a) Agenda notice requirements
- b) Permissible attendees
- c) Subject matter announcements in open session
- d) Major reasons for permissible closed sessions
- e) Action and vote disclosure in open session after the closed session

4. Brown Act and Public Records Act - Revisited

- a) Attending commission and committee meetings
- b) Serial meetings
- c) Home emails and computers

5. Questions

Exercise of Legislative Authority

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- a) Exercise legislative authority through ordinance, resolution or motion.

- b) Distinction between ordinances and resolutions
 - i. Ordinance creates a local law or rule of conduct
 - ii. Resolution is less formal than ordinance, expression of opinion or policy, formal document reflecting Council action.
 - iii. Only City Council can adopt ordinances; resolution authority can be delegated to subordinate bodies
 - iv. Statute may dictate what form is required.

- c) Ordinances
 - i. May enact any ordinance within City's police power, that is not in conflict with state or federal laws
 - ii. Examples: motor vehicles, parking, alcoholic beverages, noise, weed abatement, development standards
 - iii. Adoption
 - i. Two readings; introduction and adoption
 - ii. Five days apart
 - iii. Generally can only be adopted at regular meetings
 - iv. All ordinances must be read in full, unless waived
 - iv. Alteration
 - v. Procedural misstep invalidates ordinance
 - vi. Need majority vote of total membership
 - vii. Effective on the 31st day after adoption, with certain exceptions
 - viii. Publication
 - i. 15 days after passage in newspaper of general circulation
 - ii. Summary – post 5 days prior to Council meeting
 - iii. Failure to publish
 - ix. Amendment or repeal

- d) Resolutions
 - i. Expression of opinion or policy, evidence of a decision
 - ii. Does not require two readings
 - iii. Effective upon adoption
 - iv. Procedural missteps
 - v. Amendment or repeal

- e) Motions
 - i. Where formal document reflecting action is not needed.
 - ii. Only record of action is in the minutes

Rules and Procedures

1. Motions
 - a. Tool to accomplish business, resolve procedural matters
 - b. Do not let the process get in the way of the substance
 - c. Making a motion
 - i. Mayor assigns you the floor
 - ii. I move to ... or I move that....
 - iii. Motion receives a second
 - iv. Mayor states: It is moved and seconded that ... Is there any discussion?
 - v. Discussion
 - vi. Voting
 - vii. Mayor announces the vote and whether the motion is adopted or defeated
 - d. Motion to amend
 - i. To change pending motion before it is acted upon
 - ii. Needs to relate to the main motion
 - iii. Needs a second
 - iv. If adopted, becomes part of the main motion
 - e. Substitute motion
 - i. To replace the pending motion before it is acted upon
 - ii. Needs a second
 - iii. If adopted, kills the pending motion
 - f. Multiple motions
 - i. Only one main motion on the floor at one time
 - ii. Multiple secondary motions allowed, such as amendments
 - iii. Privileged motions
 - iv. Incidental motions
 - v. Hierarchy of motions
2. Discussion after making motions
3. Voting
 - a. Procedures for voting
 - i. Roll call votes
 - A. Ordinances, resolutions and orders for the payment of money requires a recorded majority vote of the total membership
 - B. City Council Rule 4.8.5 – all Council votes shall be by roll call vote
 - C. Mayor or Clerk should announce results of each vote
 - ii. Voice votes

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- A. Affirmative votes say “aye”
 - B. Negative votes say “no”
 - C. Mayor or Clerk announces results of each vote
 - D. If result is in doubt, retake the vote by roll call
 - iii. General consent
 - E. Used for non-controversial issues
 - F. Mayor states: “Is there any objection to paying the bill?
Hearing none, the bills will be paid.
 - G. If a member objects, then a formal vote is taken
 - b. Majority vote, modifications in majority vote
 - iv. A majority of the quorum may act, unless state or local law dictates otherwise
 - v. State law re ordinances, resolutions and orders for payment of money
 - vi. City Council Rule 4.8.1 – ordinance or city policy
 - vii. Urgency ordinances, resolutions of necessity require a super-majority
 - c. Tie votes
 - viii. A tie vote results in a lost motion
 - ix. No further motions
 - x. Tie votes on appeals
- 4. Council Procedural Guidelines
 - a. Communication with City staff, 2.3
 - b. Request for staff resources, 2.4
 - c. Communications from the public, 4.7
 - d. Rules of Procedure, 4.8

Closed Sessions

1. Agenda notice requirements
 - a. Description of matters to be discussed
 - b. Prescribed statutory format

2. Permissible attendees
 - a. Limited to those necessary to advise or take direction from Council
 - b. Third parties not serving as agents of the City cannot attend
 - c. Private negotiating session is banned

3. Subject matter announcements in open session
 - a. Before conducting closed session, must announce in open session the items to be discussed
 - b. Specific information on agenda

4. Major reasons for permissible closed sessions
 - a. Instruct negotiators of real property transactions
 - b. Instruct labor negotiators
 - c. To discuss “pending litigation”
 - i. Litigation has been formally initiated
 - ii. Significant exposure to litigation based upon advice of counsel
 - iii. Decision to initiate litigation

 - d. To consider appointment, employment, evaluation of performance, discipline or dismissal of public employee
 - i. Approval of compensation in open session

5. Action and vote disclosure in open session after the closed session
 - a. Final actions, final agreements
 - b. Actions, voting tally, substance of agreement

6. Confidentiality can only be waived by the City Council

Brown Act and Public Records Act - Revisited

1. Attending commission and committee meetings
 - a. Permissible, as long as a majority of the members do not have discussions among themselves
 - b. Be cautious to avoid collectively voicing the views of a quorum
 - c. May disqualify member from considering an appeal
 - d. Compare with homeowners association meetings

2. Serial meetings

3. Home emails and computers
 - a. California Constitution provides that “the people have the right of access to information concerning the conduct of the people’s business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.”
 - b. Further, the Constitution declares statutes, court rules, and other authorities shall be broadly construed if it furthers the people’s right of access, and narrowly construed if it limits the right of access.
 - c. “Public records” that are subject generally to inspection and copying include any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by the City regardless of physical form or characteristics.



CITY OF GALT

CITY COUNCIL

PROCEDURAL GUIDELINES

January 18, 2011

Revised:
November 4, 1997 – Reso. 97-124
October 17, 2000 – Reso. 2000-65
August 5, 2002 – Reso. – 2002-104
November 2, 2009 – Reso. 2009-114
January 18, 2011 – City Council Action

CITY OF GALT
CITY COUNCIL PROCEDURAL GUIDELINES

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**CITY OF GALT
CITY COUNCIL PROCEDURAL GUIDELINES**

1. Council Powers

1.1 Authority of Council

1.1.1 The City Council has the power, in the name of the City, to do and perform all acts appropriate to the governance of a municipal corporation, and the general welfare of its inhabitants, which are not specifically prohibited by state or federal laws.

1.2 Acts as a Body

1.2.1 The City Council shall act as a body.

1.2.2 No Council member has extraordinary powers beyond those of other Council members. All Council members, including the Mayor, have equal powers.

1.3 Selection of Mayor and Vice Mayor

1.3.1 The election of the Mayor and Vice Mayor shall occur at the first City Council meeting in December of each even-numbered year. Unless removed from office by the City Council, the Mayor and Vice Mayor shall each serve a two-year term.

1.3.2 The City Clerk shall preside over the election of the Mayor and the Mayor shall preside over the election of the Vice Mayor.

1.3.3 The Mayor and Vice Mayor serve at the pleasure of the City Council and can be replaced at any time by a majority vote of the City Council.

1.4 Functions and Duties of Mayor

1.4.1 The Mayor is the presiding officer of the City Council. In the Mayor's absence, the Vice Mayor shall perform the duties of the Mayor.

1.4.2 The Mayor is the official head of the City for all ceremonial purposes.

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- 1.4.3 The Mayor may perform such other duties consistent with the mayoral office as may be authorized by the City Council.
- 1.4.4 Proclamations shall be adopted by the City Council and signed by the Mayor.
- 1.4.5 The City Manager, in coordination with the Mayor and City Clerk, shall prepare agendas for meetings of the City Council.

1.5 Council Committees

- 1.5.1 The City Council may establish standing and ad hoc committees to facilitate the business of the City. A committee may only undertake those tasks assigned to it by the City Council and has no ability to act independent from the City Council.
- 1.5.2 Committees shall be formed by resolution of the City Council. Such resolutions shall establish the membership of the committee, the manner of appointment and removal of members, the work to be undertaken by the committee, the timeline for the performance of the committee functions, and other items as deemed appropriate by the City Council, such as the requirement for annual reports.
- 1.5.3 Committees shall only have advisory functions and shall not have any final decision-making or policy-making authority.
- 1.5.4 Each standing and ad hoc committee shall establish regular meeting dates for the purpose of conducting business, but may also hold special meetings, in accordance with the requirements of the Brown Act.
- 1.5.5 Annually, each standing committee shall elect one of its members to serve as the presiding officer or chair. The City Council shall appoint the presiding officer or chair of ad hoc committees.
- 1.5.6 The City Manager shall assign City staff, as he or she deems reasonable and appropriate, to assist each committee in the performance of its functions.
- 1.5.7 The conduct of committee meetings shall be governed by the same rules of policy and procedure as the City Council.
- 1.5.8 Committee members shall comply with all applicable open meeting and conflict-of-interest laws of the State.
- 1.5.9 All persons are eligible to serve on committees, at the discretion of the City Council, regardless of citizenship, residency or voter registration status.

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- 1.5.10 Unless appointed to an unexpired term caused by the resignation, removal or other such vacancy, the term of office for a standing committee member shall be two years, commencing on February 1st of odd-numbered years.
- 1.5.11 The term of office of ad hoc committee members shall be for the life of the committee, unless otherwise specified in the resolution forming such committee.
- 1.5.12 Committee members may resign at any time by submitting a written resignation to the City Clerk. Resignations are effective upon submittal.

1.6 Boards and Commissions

- 1.6.1 The City Council may establish decision-making or advisory boards and commissions to facilitate the business of the City or to assist the City Council in its policy decisions.
- 1.6.2 Each board shall establish regular meeting dates, but may also hold special meetings, in accordance with the requirements of the Brown Act.
- 1.6.3 Boards and commissions shall be formed by ordinance or resolution of the City Council. Such ordinance or resolution shall establish the membership of the board or commission, the work to be undertaken by the board or committee, the timeline for the performance of the board or commission functions, the term of office of members, qualifications for serving as a member of the board or commission, and other items as deemed appropriate by the City Council.
- 1.6.4 Annually, each board and commission shall elect one of its members to serve as the presiding officer or chair.
- 1.6.5 The conduct of board and commission meetings shall be governed by the same rules of policy and procedure as the City Council.
- 1.6.6 Boards and commissions should comply with all applicable open meeting and conflict-of-interest laws of the State.
- 1.6.7 The City Manager shall assign City staff, as he or she deems reasonable and appropriate, to assist each board or commission in the performance of its functions.
- 1.6.8 Board and commission members serve at the pleasure of the appointing Council member and may be removed at any time by the appointing Council member. Board and commission members may resign at any time by submitting a written resignation to the City Clerk. Resignations are effective upon submittal.

2. Form of Government

2.1 City Manager Form of Government

- 2.1.1 The City of Galt shall operate as a City Council-City Manager form of municipal government.
- 2.1.2 The City Council shall provide legislative direction, set City policy and monitor its execution by City staff. The City Manager serves as the City's chief administrative officer and is responsible for directing the day-to-day operations of the City.

2.2 Council Interaction with City Manager

- 2.2.1 The City Council shall only act in a manner that is consistent with the execution by the City Manager of the City Manager's powers and duties.
- 2.2.2 Except for the City Clerk and his/her employees, all employees shall be appointed by the City Manager and the City Manager shall have sole authority to hire, promote, discipline or terminate City employees.

2.3 Communication with City staff

- 2.3.1 Except for the purpose of inquiry, the City Council, and each Council member shall deal with City staff solely through the City Manager.
- 2.3.2 The City Council and Council members shall not give orders to any subordinate of the City Manager, nor shall the City Council or Council members give orders to subordinates of the City Attorney or City Clerk.

2.4 Request for Staff Resources

- 2.4.1 City Council member requests for research or other staff work shall be directed to the City Manager, or the City Attorney regarding legal matters or the City Clerk regarding matters within the Clerk's authority.
- 2.4.2 If more than two hours of staff time will be required to complete the task/project, requested by a Council member, the item will be placed on the next agenda to ask the City Council if time should be spent on the task or item.
- 2.4.3 Staff memos prepared in response to Council member inquiries shall be distributed to all City Council members, the City Manager and the City Attorney.

3. Legal and Ethical Standards

3.1 Act in Public Interest

3.1.1 Recognizing that stewardship of the public interest must be their primary concern, Council members shall work for the common good of the people and not for any private or personal interest.

3.1.2 Council members shall endeavor to treat all members of the public and issues before them in a fair and equitable manner.

3.2 Comply with Law

3.2.1 Council members shall comply with the laws of the nation, the State of California and the City in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open and public meetings.

3.3 Conduct of Members

3.3.1 Council members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the City Council, boards, commissions, committees, staff or the public.

3.4 Respect for Process

3.4.1 Council members shall respect and adhere to the City Council-City Manager form of government.

3.4.2 Council member duties shall be performed in accordance with the processes and rules of order established by the City Council.

3.5 Communication

3.5.1 Council members shall share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Council member's and the public prior to the City Council taking action on the matter.

3.5.2 Written communications addressed to the City Council are to be referred to the City Clerk for:

- Forwarding to the City Council with their agenda packet, or

- Placement on an agenda with or without a staff report, or
- Direct response to the citizen with a copy of the communication and staff letter to the City Council.

3.5.3 All written materials and verbal information provided to Council members on matters that are confidential under State law shall be kept in complete confidence. No disclosure or mention of any confidential information may be made to anyone other than other Council members, the City Attorney, the City Clerk or the City Manager.

3.6 Coordination with Staff

3.6.1 Except when representing the City on standing committees (i.e., SACOG, STA), appropriate City staff should be involved when Council members meet with officials from other agencies and jurisdictions to ensure proper staff support as needed and to keep staff informed.

3.6.2 Council members shall not attend internal staff meetings or meetings between City staff and third parties unless invited by City staff or directed by the City Council to attend.

3.6.3 City staff serves the City Council as a whole, therefore, a Council member shall not direct staff to initiate any action, change a course of action or
recommendation, project or study or prepare any report, nor shall a Council member initiate any without the approval of the majority of the Council.

3.6.4 When preparing for Council meetings, Council members should endeavor to notify the City Manager of questions or issues in advance of the meeting, so that City staff can be prepared to provide the desired information at the Council meeting.

3.6.5 Any concerns by a member of the City Council regarding the behavior or work of a City employee shall be directed to the City Manager privately so that the matter may be addressed, however, members of the City Council may always seek advice from the City Attorney at any time. Council members shall not reprimand employees directly nor should they communicate their concerns to anyone other than the City Manager.

3.6.6 Council members may direct routine inquiries to either the City Manager or appropriate department head.

3.6.7 Council members serving on Council committees or as the City's representative to an outside agency may interact directly with City staff assigned to that effort as the City Manager's designee. The City staff member so designated and assigned will keep the City Manager appropriately informed.

- 3.6.8 Council members shall not solicit political support from staff (e.g., financial contributions, display of posters or signs, name on support list, etc.). City staff may, as private citizens with constitutional right, support political candidates, but all such activities must be conducted away from the workplace and may not be conducted while in uniform.

3.7 Conflicts of Interest

- 3.7.1 In order to assure their independence and impartiality on behalf of the public good, Council members are prohibited from using their official positions to influence government decisions in which they have a financial interest that would present a conflict of interest under applicable State law.
- 3.7.2 Council members shall not take advantage of services or opportunities for personal gain by virtue of their public office that are not available to the public in general.
- 3.7.3 Council members shall endeavor to avoid any action that could be construed as, or create the appearance of, using public office for personal gain, including use of City stationary or other City resources to obtain or promote personal business.
- 3.7.4 Public resources not available to the general public, such as staff time, equipment, supplies or facilities, shall not be used by Council members for private gain or personal purposes.
- 3.7.5 Council members shall not appear on behalf of the private interests of a third party before the City Council or any board, commission or committees of the City.
- 3.7.6 To the best of their ability, Council members shall represent the official policies and positions of the City Council. When presenting their personal opinions or positions publicly, members shall explicitly state they do not represent the Council or the City.
- 3.7.7 The City Council shall not enter into a contract if one of its members is financially interested in the contract, unless otherwise allowed by state law.

3.8 Ex Parte Contacts

- 3.8.1 The City Council shall refrain from receiving information and evidence on any quasi-judicial matter (i.e., appeal, permits, licenses and use applications) while such matter is pending before the City Council or any agency, board or commission thereof, except as part of the public hearing process.

- 3.8.2 If any Council member is exposed to information or evidence about a pending quasi-judicial matter outside of a public hearing, through contacts by constituents or the applicant, through site visits, or in any other manner, the Council member shall disclose all such information and/or evidence acquired which is not otherwise included in the written or oral staff report, during the public hearing and before the public comments period is opened.

4. Council Meetings

4.1 Regular Meetings

- 4.1.1 Regular meetings of the City Council are held on the first and third Tuesday of each month at 7:00 p.m. in the Council Chambers at 380 Civic Drive in Galt, California, or at such other place as the City Council may deem appropriate, subject to the requirements of State law.
- 4.1.2 If a regular meeting day falls on a legal holiday, then the regular meeting which otherwise would have occurred on that day shall be held on the first business day thereafter at 7:00 p.m., unless otherwise directed by the City Council.

4.2 Study Sessions

- 4.2.1 Study sessions are conducted as part of a public meeting, which the Council may set from time to time to allow for detailed review of important matters.
- 4.2.2 Study sessions may be conducted jointly with another City board, commission or committee or another governmental agency.
- 4.2.3 Formal action is typically not taken at a study session, unless the agenda indicates that action may be taken.

4.3 Closed Sessions

- 4.3.1 All written materials and verbal information regarding closed session items must remain confidential. No member of the City Council, employee of the City or anyone else present should disclose to any other person the intent or substance of any discussion that takes place in a closed session unless authorized by a majority of the City Council.
- 4.3.2 Closed sessions are regulated by the Brown Act, Permissible topics/issues for a closed session discussion include but are not limited to: labor negotiations, pending litigation, personnel actions, real estate negotiations and certain licensing and public security issues. Closed sessions are closed to the public and press.

- 4.3.3 All public statements, information and press releases relating to closed session items should be handled by the City Attorney or as otherwise directed by the Council majority.
- 4.3.4 Any suspected violation of the confidentiality of a closed session discussion shall be reported to the City Attorney.

4.4 Special and Emergency Meetings

- 4.4.1 The Mayor may call special or emergency meetings pursuant to the provisions of the Brown Act.

4.5 Council Agenda Items

- 4.5.1 The City Manager, the City Clerk or the City Attorney may place items on the agenda. City Council members may request that items be placed on a future agenda at any public meeting of the City Council.

4.6 Order of Agenda

- 4.6.1 The order of items on the City Council agenda shall be as follows:
 - Call to Order
 - Roll Call
 - Silent prayer
 - Pledge of Allegiance
 - Presentations/City Council Proclamations/Recognition
 - Public Comments (Non-Agenda Items Only)
 - Consent Calendar
 - Noticed Public Hearing Items
 - Staff Report
 - Applicant/Appellant Presentation
 - Public testimony
 - Applicant/Appellant Rebuttal
 - Close Public Hearing
 - Council Deliberation/Decision
 - Regular Business Items
 - Communications (from the public)
 - Staff Reports (no action)
 - City Clerk's Reports (no action)
 - City Council Comments / Future Agenda Items (no action)
 - Adjournment

4.7 Communications from the public

- 4.7.1 The public comment portion of the City Council meeting is intended for oral presentations to the City Council by members of the public. During this time, a speaker may address the City Council on any issue which is in the subject matter jurisdiction of the City Council and does not appear on the printed agenda for that meeting.
- 4.7.2 Members of the public wishing to speak during the public comment portion of the City Council meeting shall submit a speaker card to the City Clerk in a timely fashion.
- 4.7.3 Public speakers will be limited to five minutes in addressing the City Council.
- 4.7.4 Members of the City Council shall not engage in debate with members of the public offering public comment, but may briefly respond to statements made or questions posed during this portion of the meeting. City staff shall briefly respond to statements made or questions posed by members of the public, when asked to do so by a City Council member.
- 4.7.5 The City Council shall discourage the making of belligerent, personal, slanderous, threatening or abusive remarks during a City Council meeting, and further discourage any behavior which disrupts, disturbs or otherwise impedes the orderly conduct of the City Council meeting.
- 4.7.6 Nothing in this section shall prohibit or discourage orderly criticism of any City Council decision or City policy, procedure, program or service.
- 4.7.7 Members of the public may submit, and are encouraged to submit, comments in writing to the City Council relating to City business, whether on the City Council agenda or otherwise. Such written comments will be distributed to members of the City Council and considered and acted upon, as the City Council in its judgment may deem appropriate.

4.8 Rules of Procedure

- 4.8.1 A majority vote of the full City Council shall be required to adopt any ordinance or City policy. A simple majority of the members present may act on all other matters,

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- 4.8.2 Three City Council members shall constitute a quorum for the transaction of business at any regular, special or emergency meeting of the City Council. When there is no quorum, the presiding officer or City Clerk may adjourn the meeting.
- 4.8.3 For the purpose of considering any item subject to vote of the City Council, when a Council member disqualifies him or her self due to a conflict of interest, that Council member's shall not be considered in determining the presence of a quorum. Consideration on such item thereof shall be deferred until a quorum of non-interested Council members are present to discuss and vote on the item.
- 4.8.4 Items may only be added to the City Council agenda pursuant to the requirements of the Brown Act.
- 4.8.5 Any City Council member present at a meeting when a question comes up for a vote must vote for or against the measure or abstain, unless he or she is disqualified from voting. All Council votes shall be by roll call vote. Members that refuse to vote or are silent shall be considered as having abstained. The results reflecting all "ayes" and "noes" and "abstentions" must be clearly set forth for the record.
- 4.8.6 An abstention does not count as a vote for or against a matter. If a Council member abstains, he or she is counted for quorum purposes, but is not deemed to be voting for purposes of determining whether there has been a majority vote.
- 4.8.7 A tie vote shall result in a lost motion. In such an instance, any Council member may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal, and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.
- 4.8.8 Motions for reconsideration of a matter may only be made at the same meeting at which the City Council takes action on a matter. Such motion may only be made by a Council member who voted with the side that prevailed on the matter in question. With regard to a tie vote resulting in a lost motion, the prevailing side will be deemed to be those Council members who voted in the negative. Any member of the City Council may second a motion for reconsideration.
- 4.8.9 For all instances not addressed by these rules, Rosenberg's Rules of Order shall be used for reference and/or guidance.

4.9 Decorum

- 4.9.1 The Mayor shall be responsible for preserving order at all City Council meetings.

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4.9.2 While the City Council is in session, all persons shall conduct themselves with reasonable decorum.

4.9.3 Any person who is so disorderly or who so persistently disrupts the business meeting so far as to interfere with the proper conduct of the business may be ordered removed from the meeting place. At such time, the Mayor may call a recess.

4.9.4 The Police Chief or authorized representative shall be sergeant at arms of the Council meeting. The sergeant at arms shall carry out all orders and all instructions of the presiding officer for the purpose of maintaining order and decorum at Council meetings.

4.10 Time of Adjournment

4.10.1 It is the policy of the City that all evening meetings of the City Council, including study sessions, be adjourned no later than 11:00 p.m., which time is referred to as the normal time of adjournment. No new item of business shall be taken up by the City Council after the normal time unless the City Council has determined by a majority vote to set aside this policy. All agenda items not considered at the meeting shall be on the agenda of the next regular meeting unless the City Council directs otherwise.

4.11 Agenda Packets

4.11.1 Agenda packets are to be made available for the public at the City Clerk's Office, the City's web site and at the City Council meeting.

4.11.2 City Council meeting agendas, minutes and staff reports are available for public review beginning the Friday evening before each City Council meeting.

4.11.3 Agenda packets will be available to Council members on the Friday prior to (Tuesday) City Council meetings.

4.12 Preparation of Minutes

4.12.1 The minutes of City Council meetings shall be kept by the City Clerk in a minute book, and shall contain a record of the particular type of business transacted at each meeting. The minutes shall include final motions with the votes of the City Council, reflect the name of public speakers and paraphrase Council and staff decision and public comments.

4.12.2 Video recordings of the City Council meetings shall be made and shall be maintained by the City Clerk for a period of no less than one year.

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