

Staff has used several sources to develop the proposed policy including current practices applied in this area for many elements, various written policies adopted by other cities such as Pleasant Hill; Pasadena; Menlo Park; Culver City, Brea, Palo Alto, and Los Altos to name a few.

- ATTACHMENTS:**
- A. Proposed Resolution (including Exhibit A – Procedures for the Conduct of City Council Meetings)
 - B. Public Meeting Speaking Limits Survey

RESOLUTION NO. _____

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE,
CALIFORNIA, ESTABLISHING CITY COUNCIL POLICIES AND
PROCEDURES FOR PUBLIC MEETINGS**

WHEREAS, the City Municipal Code 1.04 pronounces the procedures for preparation, posting, and distribution of agenda and conduct of meetings; and

WHEREAS, the state of California as well provides procedures, posting requirements, and distribution of agenda and conduct of meetings; and

WHEREAS, many cities have found it useful to staff, elected officials, and members of the public for such procedures and processes on how meetings shall be conducted to be laid out in a formal policy and reviewed periodically for compliance with state or judicial updates that may arise over time; and

WHEREAS, to ensure compatibility, consistency, and transparency of City Council meetings, a single source document is developed to assist staff, City Councilmembers and members of the public with how public meetings will be conducted for compliance with laws and parliamentary procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council does hereby declare that the recitals set forth above are true and correct and are incorporated herein by reference.

SECTION 2. The City Council does hereby approve the Procedures for the Conduct of City Council Meetings attached hereto as Exhibit "A."

SECTION 3. The City Council does hereby certify that the adoption of this Resolution is exempt from the California Environmental Quality Act (Public Resources Code statutes 21000 et. Seq. ("CEQA") and 14 Cal. Code Reg. Section 15000 et.seq. (CEQA guidelines)).

SECTION 4. The City Council does hereby declare that if any section, subsection, sentence, clause, phrase or portion of this Resolution or its application thereof is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have adopted this Resolution, and each and every section, subsection, sentence, clause, phrase or portion thereof not declared invalid or unconstitutional without regard to whether any portion of the Resolution would be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED and ADOPTED this 28th day of **June 2022**.

CITY OF SOUTH GATE:

By: _____
Al Rios, Mayor

ATTEST:

By: _____
Yodit Glaze, City Clerk
(SEAL)

APPROVED AS TO FORM:

By: _____
Raul F. Salinas, City Attorney

DRAFT

PROCEDURES FOR THE CONDUCT OF CITY COUNCIL MEETINGS

I. Applicability

The procedures outlined below relating to the preparation, posting and distribution of agendas apply to the City Council, the Successor Agency to the Community Development Commission of the City of South Gate (“Successor Agency”), the South Gate Housing Authority (“Housing Authority”), the Utility Authority of the City of South Gate (“Utility Authority”), all City commissions and all other bodies that may be formed in the future by the City in compliance with state laws. The procedures outlined below relating to the conduct of Council meetings apply only to the City Council and its related bodies. All City Council meetings and meetings of related commissions/bodies shall be open to the public; however, the same may hold closed sessions as authorized by state law.

II. City Council Core Responsibilities

A. Voting

All members of the City Council have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect.

B. Dealings with Other Councilmembers, Staff and the Public

Councilmembers should hold themselves as follows:

1. Demonstrate honesty and integrity in every action and statement.
2. Comply with both the letter and spirit of the laws and policies affecting the operations of government.
3. Serve as a model of leadership and civility to the community.
4. Inspire public confidence in South Gate government.
5. Work for the common good, not personal interest.
6. Prepare in advance of Council meetings and be familiar with issues on the agenda.
7. Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to one another and others.
8. Participate in scheduled activities to increase Council effectiveness to the best of one’s ability.
9. Review Council procedures at least annually.
10. Represent the City at ceremonial functions at the request of the Mayor.
11. Be responsible for the highest standards of respect, civility, and honesty in ensuring the effective maintenance of intergovernmental relations.
12. Respect the proper roles of elected officials and City staff in ensuring open and effective government.
13. Refer to one another formally during Council meetings as Mayor/Chair; Vice Mayor/Vice Chair; or Councilmember/Member.

14. Recognize, along with members of the public, that everyone brings unique and individual viewpoints to the discussion and decision-making process, and that decisions may not always be unanimous or reflect a specific voting configuration. These differences should be respected and accepted.

III. Purpose of the Agenda

A. Purpose

The agenda process serves the following purposes:

1. As a communication mechanism, informing City staff, City Council, the public and the press.
2. As a compliance mechanism, ensuring compliance with mandated state laws.
3. As a decision-making mechanism, regularly bringing City business to the City Council for consideration and action. Agenda items should contain enough background, financial and document information so the City Council can obtain a full understanding of the issues. The agenda item should include a staff recommendation so City Council has the benefit of staff input prior to making a final decision.
4. As a historical reference that can be kept as a record of proceeding and action as needed for future actions and/or litigation.
5. As a document that allows the general public to understand the business actions that the Legislative body is considering action upon and how they can communicate their thoughts and opinions relating to the proposed items.

As set forth above, the purpose of the agenda is to provide a framework within which Council meetings can be conducted and to effectively implement the approved Council programs, goals and budget. Staff shall work with the policies established by Council and not place matters on the agenda that are outside the scope of existing work programs and priorities, except, as approved by a majority of the Council, or matters necessary to the proper operation and well-being of the City.

The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting.

B. Distribution and Public Posting of Agenda

At a minimum, the posting and distribution of all agendas shall be done in accordance with the Ralph M. Brown Act ("Brown Act") (California Government Code sections 54950 et seq.). Agendas for regular meetings shall be posted a minimum of 72-hours prior to the meeting and 24-hours minimum for special meeting agendas. Such notices shall be posted in the following locations: City Hall, the City's website, and other locations as may be required by this policy or a particular Board/Commission's Bylaws. Posting of any agendas and/or public meeting notices at City Hall shall be the official location for purposes of Brown Act compliance.

The agenda packages are provided to City Councilmembers on the Wednesday (or Thursday) prior to the City Council meeting. Distribution to the staff, public and media shall occur immediately after distribution to the City Council. The City Clerk's Office shall be responsible for the posting of the full agenda on the City's webpage and posting of the agenda cover sheet at designated locations at City facilities. In addition, a full copy of the agenda shall be placed on a public counter for the Public to access by Thursday prior of the City Council meeting.

Agenda subscriptions are available from the City Clerk's Office, 8650 California Avenue, South Gate (Tel: 323-563-9510). Copies of the agenda, and of individual agenda items, are available at costs established in the City's Master Fee Schedule. Copies of the agenda are also available on the City's website www.cityofsouthgate.org**Error! Hyperlink reference not valid.**

C. Public Access to Agenda Related Materials

On occasion, the City Council may receive written materials either after the "agenda" has been posted or during a Council meeting. These written materials are typically related to an agendized item or handed out during the discussion of items during the meeting from the members of the audience. Upon the City Council receiving these written materials, they become public records. For materials related to an agendized item, every reasonable effort shall be made to make a copy available for public inspection at the meeting; however, regardless a copy will be kept on file at the City Clerk's Office and can be viewed by the public during normal business hours within 72 hours after the City Council meeting.

IV Council Meetings

A. Regular and Special Meetings

Council meetings are held on the second and fourth Tuesdays of the month, unless the meeting date falls on a holiday as defined in California Government Code Section 6700. A regular meeting shall be held at 6:30 pm on the next business day thereafter, as required by California Government Code Section 54954. However, the City Council may cancel a regular meeting when it is known that a majority of its members may not be in attendance in advance of said meeting. Typically, this may occur during the Thanksgiving and/or Christmas holiday periods.

Special meetings are scheduled as necessary and will be noticed in compliance with state law, which generally requires at least a 24-hour notice period.

Meetings for other bodies such as the Housing Authority, Successor Agency, and the Utility Authority are held when specific business agenda needs exist. In general, such meetings when called will be given at least a 72-hour notice period. However, they also may have special meetings and then would follow the procedures that the City Council special meetings follow under state law.

Generally, City Council regular and special meetings are held in the City Council Chambers, 8650 California Avenue, with Closed Session generally being held in the City Council conference room

directly adjacent to the Council Chambers. On occasion, the City Council meeting will be held in alternative locations such as the Auditorium in South Gate Park or other locations within the City. This may be due to expected public participation being larger than what the City Council Chambers can accommodate or that the agenda topic would be better suited at a location within the City.

B. Order of Business

The order of Business is outlined in South Gate Municipal Code Section 1.04.111. However, the Mayor/Chair may make changes to the order as needed, without objection of the City Council.

SGMC outlines the Order as follows:

1. Roll Call
2. Invocation
3. Pledge of allegiance
4. Proclamations/Awards
5. Continued Public Hearings
6. New Public Hearings
7. Public Comment/Oral Communication (non-agenda items)
8. Reports from Staff/ Elected Officials
9. Consent Calendar
10. Regular Business items
11. Warrants
12. Adjournment

The regular order of business may be changed or suspended for any purpose at any particular meeting by the Mayor, without objection of the City Council. Should a member of the City Council raise objection to the proposed change or suspension, then the City Council as a body will vote on matter and the prevailing majority will determine if the Mayor's action prevails or not.

At or as reasonably close to 10:30 pm, the Mayor will ask the City Council whether it would like to consider continuing with any additional items posted on the agenda or continue the item(s), except as to the approval of the City's warrants. The Council shall determine which specific item(s), if any, will be considered that evening. If an item is continued due to the lateness of the hour, the item shall be automatically placed on the agenda for the next regularly scheduled City Council meeting unless otherwise scheduled by motion of the Council.

Ultimately effort is to ensure compliance with the State law, as it may apply; to encourage public participation in the business items being considered by the City Council; but recognizing that meetings which extend into the late hours of the evening can dissuade participation by the general public, panelists, and other interested parties.

C. Closed Session

These sessions are closed to the public as a matter of law. The ability of the City Council to conduct sessions not open to the public is restricted by state law to ensure open proceedings. Certain defined circumstances exist wherein a city council may meet without public in attendance. Such circumstances include, but are not limited to:

1. Real Property: The purchase of, sale, exchange or lease of real property with the City negotiator; the real property and the person(s) with whom the city may negotiate must be announced in open session before the closed session (Cal Govt Code 54956.8).
2. Litigation: Pending or a significant exposure to litigation or the decision to initiate litigation; the litigation title must be identified in open session before the closed session unless the City Council states that to do so would jeopardize its ability to conclude existing settlement negotiations or effectuate service of process.
3. Compensation: Salaries and benefits of employees; city council meets in closed session to review its position and instruct designated representatives (Cal Govt 54957.6).
4. Personnel: A closed session is held to discuss the appointment, employment, evaluation of performance, or dismissal of a public employee, or to hear a complaint against the employee unless the employee requests a public hearing. (Cal gov Code 54957.6).

It is critical to stress that there shall be no disclosure of closed session confidential information. Councilmembers, employees of the City, or anyone else present shall not disclose to any person, including affected/opposing parties, the press or anyone else, the content or substance of any discussion which takes place in a closed session without City Council direction and concurrence. Whenever possible, written reports or other documents received for closed session items will be turned in at the end of the meeting. City Council closed session meetings may be conducted through the use of special meetings noticed before the start of a regular City Council meeting.

D. Procedure for Invocations

Generally, the City Manager's Office shall coordinate with the local churches for scheduling of available dates for offering the invocation at a regular Council meeting. Members of the public who wish to offer an invocation may submit their name and contact information to the City Manager's Office for possible open dates to offer the invocation at a future regular meeting.

E. Proclamations and Certificates

Ceremonial proclamations or certificates are often requested of the City in recognition of an event, group or individual. Proclamations are not statements of a policy but a manner in which the city can make special recognition of an event (e.g., Mental Health Awareness), a group (e.g., local

school group achieves a unique honor) or individual (e.g., celebrating centennial birthday). As part of his/her ceremonial responsibilities, the Mayor is charged with approval and administration of proclamations. Individual Councilmembers do not issue proclamations. Proclamations can be sent to the requester, at some other setting or presented at a City Council meeting as arranged with the requesting body and at the Mayor's discretion.

F. Public Hearings

Public hearings are required for a variety of City Council actions, such as most changes to the South Gate Municipal Code, zoning revisions, some annexations, street vacation, weed abatement, liens, and fee increases. Whenever the law provides that publication of a notice shall be made, such notice shall be published in a newspaper of general circulation for the period prescribed, the number of times, and in the manner required. Each public speaker will be allowed a maximum of three minutes for public input or testimony. City Clerk Office shall keep record of the public hearing notice being filed with the newspaper of general circulation.

When a public hearing involves a specific applicant or appellant, such a land use or license approvals as an example, the applicant or impacted party shall be permitted sufficient time to present their information to the City Council. The Mayor shall inquire prior the applicant starting how much time they may need to present their case/request. Every effort will be made to accommodate; however, the City Council may place reasonable time limits upon the applicant if it chooses.

The applicant or appellant shall bear the burden of proof on all aspects of the action or relief they seek. The person with burden of proof must offer evidence to the Council to support his or her position. The City Council hearings need not be conducted according to formal rules or evidence.

Any relevant evidence may be considered if it is the sort of evidence upon which responsible persons rely in the conduct of serious affairs. The Mayor/Chair may exclude irrelevant or redundant testimony and may make such other rulings as may be necessary for the orderly conduct of the proceedings while ensuring basic fairness and full consideration of the issues involved. Evidentiary evidence shall be deemed waived unless made in a timely fashion before the City Council.

Appeals to the City Council shall be conducted *de novo*, meaning that new evidence and arguments may be presented and considered. All matter in the record before any other City board, commission or official shall be part of the record before the City Council.

G. Consent Calendar

All items listed on the Consent Calendar are considered to be routine matters or consistent with previous City Council direction. One motion, a second and a roll call vote may enact the items

listed on the Consent Calendar. No separate discussion of Consent Calendar items shall take place unless members of the City Council or City Staff request to speak on a specific item.

Those members of the public wishing to speak on an item under the tile of “Consent Calendar” are allowed prior to the City Council discussion, comments, questions and prior to the making of the motion. Members of the public are not permitted to pull any agenda item for individual comment or discussion by the City Council.

H. Public Comment from the Audience

1. Comment on Agenda Items

It is the policy of the City Council that members of the public be allowed to address the Council on any agenda item. Each member of the public will be allowed a maximum of three minutes for public input or testimony relating to an agendized item. At the Mayor’s discretion, additional time for testimony may be granted. The Mayor shall request that individuals addressing the Council state their names and addresses for the record, to ensure accuracy in the minutes and for contact information. An individual’s failure to state his or her name or address shall not preclude the individual from addressing the Council. In addition, a speaker shall only be allowed to address the agenda item being acted upon once.

2. Public Comment on Non-Agenda Items/Oral Communication on Non-Agenda Items

Public Comment/Oral Communication is reserved for the public to speak on or inform the City Council on matters not on the agenda and within the jurisdiction of the City Council. The maximum time allowed will be three minutes for each speaker. Each speak shall only be allowed to speak once during the Public Comment/Oral Communication.

For purposes of Public Comment/Oral Communication, the agenda segment shall be limited to 45 minutes in total. Any additional time needed to allow the public opportunity to speak shall be continued to just prior to the question of adjournment being entertained by the City Council. Any speakers who were not called upon to speak during the initial 45 minutes section and still wish to speak shall be called upon during this second time period section (public comment/oral communication) This time period shall be limited to no more than 30-minutes unless extended by the Mayor, without objection by the City Council.

The City Council members are restricted under State law from speaking about or commenting statements made by the public during this segment, other than for just brief statement. City Council members should consult with the City Attorney if they have any questions about what qualifies as a brief statement.

3. Keeper of the time for Public Speaking

The City Clerk shall manage the public speaking time limit whether for an agenda item or at public comment. The City Clerk shall start keeping time once the public member begins to speak and upon conclusion of the permitted time, either the Mayor or City Clerk shall indicate that the allotted time has expired.

I. Non-Agendized Items

No matters, other than those on the posted agenda, shall be acted upon by the Council. However, items may be added to the agenda (such as emergency matters) as permitted in the Brown Act. Brief announcements, brief responses or questions for clarification, may be made to statement or questions raised on items not on the agenda.

Action on any item not on the agenda shall be deferred until the item is properly listed on the agenda for subsequent council meeting unless added as permitted under State law. Those exceptions are extremely limited and are:

1. An emergency exists as determined by a majority of City Council.
2. The need to take action arose subsequent to the agenda being posted and there is a need for immediate action as determined by a two-thirds vote of the city Council; or if less than two-thirds are present, unanimous vote.
3. The item was continued to another meeting that was scheduled and posted within five business days of the original agenda.

The City Attorney should be consulted as to compliance with the state law for such actions.

J. Council Member Request for Agenda Items

Council Members wishing to have a matter discussed by the City Council may request that it be placed on a future City Council agenda during a Council meeting or by contacting the City Manager, or his/her designee, via telephone, email or in person. Upon the request of a Council Member and concurrence of one other member of the City Council, the item will be placed on a future City Council agenda as long as one other Council Member concurs with the request. The City Manager will determine when to place the item on a future agenda based on time necessary to complete the research and staff workload considerations and the effect on City Council established priorities. The City Manager shall report within 3 business days to the Council when the item will be placed on a future agenda.

The rationale for having two members of the City Council is to maximize the limited resources of staff time that may be needed in developing the agenda report and any possible documentation material that may assist the full Legislative body in consideration of the agenda item as stated in SGMC 1.04.066.

K. Members of the Public – Request for Agenda items

When a member of the public raises an item at a Council meeting which requires attention, such items shall be referred to the City Manager for follow-up by appropriate staff member. If the requesting member of the public is not satisfied with staff's response to his/her question, the member of the public may request a Council Member to sponsor his/her item for discussion at a future Council meeting. In such cases, the sponsoring Council Member shall follow procedures described under "Council Member Request for Agenda Items". Placing an item from a member of the public on a Council agenda does not imply or guarantee a decision or action different from that taken by staff in the initial follow-up to the question or request.

L. Communication/Presentation to the Council

Letters and written communications: Speakers are encouraged to submit comments in writing at the earliest possible time to ensure distribution to Council and other interested parties. This will also help public members convey their thoughts and information as fully as they believe is necessary.

Letters submitted with a request that they be read into the record will be briefly summarized by the City Clerk. The letter or email itself will become part of the record and available to the public for full inspection within 72 hours after the Council meeting. A copy of the letter or email will be available at the Council meeting if received by the City Clerk's Office at least one hour prior to the start of the regular or special Council meeting for review by the public in attendance.

Staff and applicants for any agenda item who wish to make Power Point, Video or similar presentations to the Council will utilize the City's audio/visual equipment. Such material shall be provided to the City Clerk's Office by no later than noon on the day of the meeting in which it will be presented. This will allow for sufficient time for the presentation to be verified for usability with the City's equipment and time to communicate any incompatibility issues back to the party.

In addition, eight hard copies shall be provided to the City Clerk's Office for inclusion in the record of the meeting and for distribution to Council, City Attorney and City Manager.

M. Americans with Disabilities Act

The City is in compliance with the Americans with Disabilities Act and will make all reasonable accommodations for the disabled. To allow for such reasonable accommodations, person requiring assistance or auxiliary aids to participate at a City meeting, should contact the City Clerk's Office at (323) 563-9510 or email yglaze@sogate.org at least 24 hours prior to the meeting.

N. Workshops

The purpose of a workshop is to inform the legislative body on complex issues. Workshops provide an opportunity for the Council and public to review documents, receive in-depth presentations, and allow for a less formal interaction between the Councilmembers and

staff/consultants. This meeting format allows Councilmembers to request additional information and/or provide direction to staff. However, no final Council action shall be taken during the workshop on workshop items.

O. Minutes

The City Clerk's Office shall be responsible for the preparation and distribution of the Council minutes. The minutes shall include a public report on any action taken and the vote or abstention on such action of each Council Member present for the action. Unless a reading of the minutes is requested by a Council Member, the minutes may be approved as a Consent Calendar item.

No minutes or written record of closed sessions of the City Council shall be kept, except as required by State Law or as directed by the majority vote of the City Council. The Council shall report at a public meeting any action taken in closed session, as required by Government Code Section 54957.1.

V. Rules of Decorum

The City has numerous public meetings such as City Council meetings, Commission meetings, and Board meetings. All persons attending and/or speaking at such meetings should strive to:

Treat everyone courteously

Listen to others respectfully

Exercise self-control

Give open-minded consideration to all viewpoints

Focus on the issues and avoid personalizing debate

Embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and tools for forging sound decisions.

While the Council is in session, all persons shall preserve the order and decorum of the session. The standards of order and decorum shall be governed by South Gate Municipal Code § 1.04.10 (Rules of Decorum for City Council Meetings).¹ This includes persons attending shall not engage in disorderly or boisterous conduct, including but not limited to applause, whistling, stamping or fee, booing, or making any loud, threatening, profane, abusive, personal, impertinent, or slanderous utterance that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.

Signs, placards, banners, or other similar items shall not be permitted which are attached to stakes, poles or other items which could cause physical harm to another person. Such items shall also not disrupt or impede another member of the public from being able to participate in such public meetings.

Any person who disrupts the orderly course of the meeting may be called out of order by the Mayor and barred from further participation during that session of the Council in accordance with South Gate Municipal Code § 1.04.10D, and relevant portions of the Brown Act. The Chief of Police or his/her designee shall act of as the Sergeant of Arms at any Council meeting. The Sergeant of Arms shall only be engaged upon the direction of the Mayor or Chair of the meeting.

When addressing an item or topic, the speaker shall address their comments to the City Council and not to another member of the audience or individual other than the members of the Legislative body.

VI. Annual Review

This Procedural Policy shall be reviewed at annually at the meeting in which the City Council reorganizes itself. That meeting will typically take place in the month of December.

Adopted:

**PUBLIC MEETING SPEAKING LIMITS
SURVEY**

	City	Oral Communication	Agendized Item
1.	Bell	No sated Time Limits	No stated Time Limits
2.	Lynwood	No sate Time Limits	No Stated Time Limits
3.	Paramount	3 minutes – 20 minutes maximum	3 minutes
4.	Pico Rivera	3 minutes	3 minutes
5.	Berkeley	5 registered speakers or less each will have 2 minutes. More than five, each will be given 1 minute	Five registered speakers or less each will have 2 minutes. More than that will have only 1 minute.
6.	Campbell	2 minutes	2 minutes
7.	Pasadena	3 minutes	3 minutes
8.	Pinhole	3 minutes	3 minutes
9.	La Quinta	No stated Time Limit	No stated Time Limit
10.	Downey	3 minutes	4 minutes but limited to a maximum of speaking on 2 agenda items in one meeting
11.	Cudahy	3 minutes	3 minutes
12.	Norwalk	3 minutes	3 minutes
13.	Bell Gardens	No Stated Time Limit	No stated Time Limit
14.	Santa Fe Springs	3 minutes	3 minutes
15.	Half Moon Bay	3 minutes	3 minutes
16.	Lakewood	No stated Time Limit	No stated Time Limit
17.	Bellflower	3 minutes	3 minutes
18.	Monterey Park	5 minutes	5 minutes
19.	Baldwin Park	3 minutes	3 minutes
20.	West Covina	5 minutes – total 30 minutes allotted	5 minutes
21.	Cerritos	5 minutes	5 minutes
22.	Anaheim	3 minutes – 90 minutes total	3 minutes
23.	Pomona	3 minutes	3 minutes
24.	San Marino	No stated Time Limit	No stated Time Limit
25.	Torrance	1 minute – with up to 2 15 minutes segments being provided	3 minutes
26.	Gardena	3 minutes – 30 minutes maximum	3 minutes