

## **RESOLUTION NO. 2021-0248**

Adopted by the Sacramento City Council

August 10, 2021

### **Adopting the Council Rules of Procedure (CRP) and Rescinding Resolution No. 2020-0023**

#### **BACKGROUND**

- A. As part of the annual revision process of the Council Rules of Procedure, the city attorney, city manager, and city clerk collaborate to ensure that previously-included information is periodically evaluated.
- B. The preferred practice, to ensure a clean legislative history, is to adopt new Council Rules of Procedure in their entirety for any changes.
- C. The most recent Council Rules of Procedure were adopted on January 28, 2020 by Resolution No. 2020-0023.
- D. The Council Rules of Procedure comply with state law and city charter requirements, while providing clear direction to the mayor, council, staff, and the public in the procedures of the city's legislative bodies.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. Resolution No. 2020-0023 is rescinded.

Section 2. The Council Rules of Procedure attached as Exhibit A are a part of this resolution and are adopted.

#### **Table of Contents:**

Exhibit A - 2021 Council Rules of Procedure

Adopted by the City of Sacramento City Council on August 10, 2021, by the following vote:

Ayes: Members Guerra, Harris, Jennings, Loloee, Schenirer, Valenzuela, Vang, and Mayor Steinberg

Noes: None

Abstain: None

Absent: Member Ashby

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy  
Date: 2021.08.31 14:44:54  
-07'00'  
\_\_\_\_\_  
Mindy Cuppy, City Clerk

*The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.*



## Council Rules of Procedure

Adopted on August 10, 2021

**Resolution No. 2021-0248**

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# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

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# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 1 – AUTHORITY/ADMINISTRATION

### A. General Authorities and Applicability

1. The Charter of the City of Sacramento provides that the city council shall determine its own rules and order of business. (Sacramento City Charter, § 30.) These Council Rules of Procedure (“Rules”) apply when not in conflict with the Charter of the City of Sacramento, Sacramento City Code, or the Constitution or laws of the State of California, including the Ralph M. Brown Act (Government Code, § 54950 et seq.).

Until such time as they are amended or new rules are adopted by resolution, these Rules govern the order and conduct of business of the council and other legislative bodies that meet concurrently with the council, as well as various council committees and council-established boards and commissions (collectively, “legislative bodies”). Those council-established boards, commissions, and committees that are required to adopt rules of procedure shall adopt rules that are consistent with these Rules to the extent possible.

2. In the absence of council-adopted administrative policies, council staff shall abide by the administrative policies approved by all charter officers.

### B. General Administration

1. The council shall review and revise these Rules at least annually, or as needed.
2. During council discussions, deliberations, and proceedings, the presiding officer has the primary responsibility to ensure that the council, staff, and members of the public adhere to these Rules.
3. Any member who thinks the Rules are being violated may make a “point of order” to call for the presiding officer to enforce the Rules.

### C. Amendment

Any rule may be adopted, altered, amended, or repealed by resolution at any time by a majority vote of the council, provided that at least a 120-hour notice of such proposed rule change is given to the council members.

### D. Suspension

Any rule may be temporarily suspended by a two-thirds vote of all council members present, being not less than five votes.

### E. Rosenberg’s Rules of Order

To the extent these Rules do not address an issue of parliamentary procedure for legislative body meetings, *Rosenberg’s Rules of Order: Simple Parliamentary Procedures for the 21st Century* shall apply.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 2 – DUTIES

### A. Duties of Members and Staff

1. Council members (“members”) and city staff shall conduct the business of the City of Sacramento:
  - a. recognizing that stewardship of the public interest is of primary concern;
  - b. working for the common good of the people of Sacramento; and
  - c. assuring fair and equal treatment of all persons, claims, and transactions coming before the council, council committees, and council-established boards, commissions, and committees.

### B. Duties of Mayor and Vice Mayor

1. The mayor is:
  - a. the presiding officer of the city and of all meetings of the council;
  - b. the official head of the city for performance of duties lawfully delegated to the mayor by the charter;
  - c. referred to as “chair” or “chairperson” when acting as presiding officer of legislative body meetings other than the council;
  - d. considered a member of the council;
  - e. entitled to make and second motions on matters before the council and vote on actions, but possesses no veto power over actions of the council;
  - f. the primary, but not the only, person responsible for interpreting the policies, programs, and needs of city government to the people; and for informing the people of any major change in policies or programs; and
  - g. empowered, but not exclusively empowered, to make recommendations to the council on all policies and programs that require council decisions; and to perform such other duties as prescribed by the charter.
2. The vice mayor and mayor pro tem shall be elected annually from among the members of the council, other than the mayor, by a majority vote at the council’s first meeting in January.
  - a. In the absence of the mayor from the city or a council meeting, the vice mayor shall possess all powers of the office of the mayor, and be subject to all prescribed duties for that office.
  - b. In the absence of the mayor and vice mayor from the city or a council meeting, the mayor pro tem shall possess all powers of the office of the mayor, and be subject to all prescribed duties for that office.

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## CHAPTER 3 – CONDUCT OF MEMBERS

### A. Norms and Expectations

1. Members shall:
  - a. put constituents first at all times;
  - b. treat each other, staff, and members of the public with dignity, courtesy, and respect;
  - c. value all opinions, be tolerant of new and different ideas, and encourage creativity and innovation;
  - d. follow through on commitments and be accountable to each other;
  - e. clarify when items are discussed in confidence and maintain appropriate confidentiality;
  - f. be attentive to others, limiting interruptions and distractions;
  - g. encourage dissent in debate while being mindful not to prolong discourse or block consensus;
  - h. be candid with each other about ideas and feelings, and resolve conflicts directly;
  - i. keep comments clear, concise, and on-topic to maximize opportunities for all to express themselves;
  - j. continuously strive to improve how members work as a team;
  - k. place clear and realistic demands on staff resources and time when requesting action;
  - l. start and end meetings on time, work from an agenda, and be present, attentive, and prepared;
  - m. present problems in a way that promotes discussion and resolution; and
  - n. continually work to build trust in each other.

### B. General Conduct

1. Members shall:
  - a. treat each other and everyone with courtesy and refrain from inappropriate behavior and derogatory comments;
  - b. be fair, impartial, and unbiased when voting on quasi-judicial actions;
  - c. use the speaker sequencing system to inform the presiding officer of their wish to speak and wait to be acknowledged by the presiding officer before speaking;

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- d. move to require the presiding officer to enforce these Rules, and the presiding officer shall do so upon an affirmative vote of a majority of the members present;
- e. preserve order and decorum during the meeting;
- f. not delay or interrupt the proceedings or the peace of the council, nor disturb any member while speaking, by conversation or otherwise, nor disobey the orders of the council, or the presiding officer, except as otherwise herein provided;
- g. abide by the Confidential Information Policy (Resolution No. 2010-0108) prohibiting disclosure of confidential communications and authorizing public censure for failure to comply with the policy;
- h. support the laws established by the council; and
- i. abide by these Rules in conducting the business of the City of Sacramento.

### C. Conduct with Members

1. Members shall:
  - a. value each other's time;
  - b. attempt to build consensus on an item through an opportunity for dialogue; but when this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority;
  - c. have the right to dissent from, protest, or comment upon any action of the council;
  - d. respect each other's opportunity to speak and, if necessary, agree to disagree;
  - e. avoid offensive negative comments and practice civility and decorum during discussions and debate; and
  - f. assist the presiding officer's exercise of the affirmative duty to maintain order.

### D. Conduct with City Manager and Staff

1. Members shall:
  - a. speak to the city manager directly on issues and concerns;
  - b. direct the city manager to implement council's policy decisions through the administrative functions of the city;
  - c. treat staff professionally and refrain from publicly criticizing individual employees;
  - d. avoid involvement in personnel issues except during council closed sessions regarding council-appointed staff, including but not limited to the city

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- manager, city attorney, city treasurer, city clerk, city auditor, or director of public safety accountability;
- e. discuss directly with the city manager, city attorney, city clerk, city treasurer, city auditor, or director of public safety accountability as appropriate, any displeasure with a department or staff; and
  - f. request answers to questions on council agenda items from the city manager, city attorney, city clerk, city treasurer, city auditor, department directors, or division managers prior to the meeting whenever possible.

### **E. Conduct with the Public**

1. Members shall:
  - a. make the public feel welcome;
  - b. be impartial, respectful, and without prejudice toward the public;
  - c. listen courteously and attentively to public comment;
  - d. not argue back and forth with members of the public; and
  - e. make no promises to the public on behalf of the council.

### **F. Conduct with Other Agencies**

1. Members shall:
  - a. project a positive image of the city when dealing with other agencies;
  - b. show tolerance and respect for other agencies' opinions and issues and, if necessary, agree to disagree;
  - c. represent official policies or positions of the council when designated as delegates of a legislative body;
  - d. explicitly state when their opinions and positions do not represent the council when representing their individual opinions and positions, and not allow the inference that they do (see also Rule 13.A.1.c); and
  - e. have the ability to lobby or discuss issues that have been adopted by legislative bodies or are standing policies of the legislative bodies with other legislators, government officials, applicants, or other interested persons.

### **G. Conduct with Boards and Commissions**

1. Members shall:
  - a. treat all members of boards, commissions, and committees with appreciation and respect; and
  - b. refrain from participation at board, commission, and committee meetings with the purpose of influencing the outcome of those meetings.

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2. Rule 3.G.1.b does not apply to the Compensation Commission, Sacramento Ethics Commission, or Independent Redistricting Commission.

### H. Conduct with the Media

1. Members shall not discuss – or go "off the record" with the media to discuss – confidential or privileged information pertaining to closed sessions, or attorney-client privileged or attorney work product communications, including personnel, litigation, or real property negotiations.
2. Providing non-confidential, non-privileged background information is acceptable.

### I. Ethical Conduct

1. Members shall conduct themselves in accordance with the Sacramento City Code of Ethics (Sacramento City Code chapter 4.02) including but not limited to:
  - a. Members shall comply with the citywide nepotism policy adopted or approved by city council resolution.
  - b. Members shall comply with the citywide whistleblower protection policy adopted or approved by city council resolution.
  - c. Members shall receive ethics training material, as required by Assembly Bill 1234 within 30 days of taking office and at least every two years.
  - d. Members shall receive sexual harassment training material, as required by Assembly Bills 1825 and 1661 within 30 days of taking office and at least every two years.
  - e. Members shall follow the Political Reform Act and Fair Political Practices Commission regulations.
  - f. Members shall conduct themselves in accordance with such policies and training.

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## CHAPTER 4 – CONDUCT OF CITY STAFF

### A. General Conduct

1. Staff shall:
  - a. prepare well-written staff reports and provide accompanying documents on all agenda items in accordance with the agenda format and preparation schedule;
  - b. be available for questions from members in accordance with the Brown Act prior to and during meetings;
  - c. respond to questions from the public during meetings only when requested to do so by members or the city manager;
  - d. refrain from arguing with the public or members; and
  - e. switch electronic equipment such as cellular telephones to silent or off mode during council meetings.
2. Staff shall remain objective on issues and not be advocates for issues unless so directed by the legislative body.
3. To the extent permitted by the Brown Act, the city manager and staff shall, as soon as possible, inform the mayor and members representing the districts affected of controversial, significant-impact issues that are coming before the legislative body.
4. The city manager shall advise management staff of potentially political or controversial issues coming before the legislative body and direct staff to be present and appropriately prepared.
5. The city manager shall make available an informational briefing for members' staff for items affecting the city and items on, or potentially on, the council agenda. Briefings shall include necessary department staff and shall take place as soon as possible.

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## CHAPTER 5 – CONDUCT OF THE PUBLIC

### A. General Conduct

1. Decorum.
  - a. Members of the public attending council meetings shall observe the same rules and decorum applicable to the members and staff as noted in chapters 3 and 4 of these Rules.
  - b. No person shall engage in conduct that is intended to or is likely to provoke violent or riotous behavior, nor shall any person engage in conduct that disturbs the orderly conduct of the council meeting. Examples of disorderly conduct include:
    - (i) feet-stamping
    - (ii) whistling or other abrupt noises
    - (iii) yelling or shouting or interrupting a speaker who is addressing the council
    - (iv) organized silent demonstrations and other demonstrations intended to disturb the progress of the meeting
    - (v) physically-threatening conduct
    - (vi) verbal threats
    - (vii) banging, slamming or throwing objects
    - (viii) interfering with other attendees' ability to participate or address the council
    - (ix) entering areas of the chamber not intended for the public
    - (x) incitement to commit unlawful or disturbing acts or disrupt proceedings
    - (xi) refusing to abide speaker time limits and leave the podium when directed
    - (xii) placing physical objects in a manner that creates a disturbance or disrupts proceedings
    - (xiii) interjection when not at the podium
    - (xiv) refusing to heed the presiding officer's call for order
    - (xv) approaching the podium or dais without permission of the presiding officer
  - c. Enforcement. In addition to the presiding officer, the decorum officer and the sergeant-at-arms shall have primary responsibility for enforcing council meeting decorum. Additionally, any member may at any time call for a point of order, to request the timely enforcement of these rules of decorum.
    - (i) The presiding officer shall request that a person who is breaching the rules of decorum cease the conduct. If the person does not cease the conduct immediately, the presiding officer may order the person to

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leave the council meeting or order the sergeant-at-arms to remove the person.

- (ii) In addition to the sergeant-at-arms, the decorum officer, who shall be a council-selected person who sits on the dais, may also exercise the duties of the presiding officer in Rule 5.A.1.c.(i) above.
  - (iii) The sergeant-at-arms shall assist in enforcing the rules of decorum, including removing disorderly persons upon order of the presiding officer or decorum officer.
2. Lobbyists shall identify themselves and the client(s), business, or organization they represent before speaking to the council. (Sacramento City Code, § 2.15.160.)
  3. Members of the public wishing to provide documents to the council shall comply with Rule 7.D.

### **B. Addressing the City Council**

1. Purpose of public comment. During regular meetings, the city provides opportunities for the public to address the council as a whole in order to listen to the public's opinions regarding agendized items and unagendized matters within the subject matter jurisdiction of the city. At all other meetings, public comment is limited to agendized items.
  - a. Public comments should not be addressed to individual members nor to city officials, but rather to the council as a whole regarding city business.
  - b. While members of the public may speak their opinions on city business, personal attacks on members and city officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the council.
  - c. Consistent with the Brown Act, the public comment periods on the agenda are not intended to be "question and answer" periods or conversations with the council and city officials. The limited circumstances under which members may respond to public comments are set out in Rule 8.D.2.
  - d. Members of the public with questions concerning consent calendar items may contact the staff person or the member whose district is identified on the report prior to the meeting to reduce the need for discussion of consent calendar items and to better respond to the public's questions.
  - e. The presiding officer may stop a member of the public whose comments are not confined to the agendized item being heard. During the public comment portion of the agenda, the presiding officer may stop a member of the public whose comments are not within the subject matter jurisdiction of the city.

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2. Speaker time limits. In the interest of facilitating the council's conduct of the city's business, the following time limits apply to members of the public (speakers) who wish to address the council during the meeting.
  - a. Matters not on the agenda: two minutes per speaker.
  - b. Consent calendar items. The consent calendar is considered a single item and speakers are therefore subject to the two-minute time limit for the entire consent calendar. Consent calendar items can be pulled at a member's request and will be considered individually, with up to two minutes of public comment per speaker.
  - c. Discussion calendar items: two minutes per speaker.
  - d. Time limits per meeting. In addition to the above time limits per item, the total amount of time any one speaker may address the council at a meeting is eight minutes.
    - (i) Each speaker shall limit their remarks to the specified time allotment.
    - (ii) The presiding officer shall consistently utilize the timing system, which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
    - (iii) In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group, but with no increase in time.
    - (iv) Speakers shall not concede any part of their allotted time to another speaker.
    - (v) The presiding officer may further limit, or expand, the time allotted for public comments per speaker or in total for the orderly conduct of the meeting; such limits shall be fairly applied.
3. Speaker slips. Members of the public wishing to speak to the council must submit to the city clerk a completed speaker's slip indicating the agenda item or off-agenda item that they wish to address before the item is called.

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## C. Electronic Devices

1. Members of the public shall turn their electronic devices that are capable of emitting sound – including cellular telephones, personal data devices, digital tablets, laptop computers, etc. – to the off- or silent-mode during council meetings.
2. Cameras. Cameras and recording equipment may be used during council meetings only if:
  - a. the devices are silent during use; and
  - b. the devices are used in a manner and at locations that do not impede walkways or others views of the meeting or disrupt the conduct of the meeting.
  - c. Continual lighting may not be used with video recording.
  - d. Flash photography is not allowed.

## D. Location of Speaker

1. Members of the public shall not approach the dais without the express consent of a council member.
2. Members of the public wishing to address the council must approach the podium when recognized by the presiding officer or city clerk, and speak only from the podium.

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## CHAPTER 6 – MEETING TYPES AND SCHEDULES

### A. Regular Meetings

1. The city council shall hold regular meetings and provide the time, place, and manner of holding its meetings by annual resolution. A majority of regular council meetings must be held after 5:00 p.m. All meetings of the council must be open to the public, except as permitted by state law. (Sacramento City Charter, § 31.)
2. The council shall generally meet on Tuesdays at either 2:00 p.m. or 5:00 p.m. in the City Hall Council Chamber, 915 I Street, First Floor, Sacramento, California, except as otherwise provided in the annually-adopted meeting schedule or as otherwise revised by the council.

### B. Adjourned Meetings

As permitted by law, the council may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the motion of adjournment.

### C. Special Meetings

1. The mayor or a majority of the members may call a special meeting by providing notice 24 hours in advance of the meeting to the mayor, to all members, and to all media outlets and persons having requested in writing notification of such meetings pursuant to state law.
2. Whenever practicable, special meetings must take place in the council chamber and be streamed live via video and audio.

### D. Emergency Meetings

1. In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities or services, the legislative body may hold an emergency meeting without complying with either the 120-hour (regular meeting) or 24-hour (special meeting) notice and posting requirements, but shall otherwise comply with the Sacramento City Code chapter 4.04 and Brown Act procedures generally stated below.
2. Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to the Brown Act shall be notified by the presiding officer of the legislative body, or designee thereof, at least one hour prior to the emergency meeting, or in the case of a dire

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emergency, at or near the time that the presiding officer or designee notifies the members of the emergency meeting.

3. This notice shall be given by telephone call to the numbers provided in the most recent request for notification.
4. In the event that telephone services are not functioning, the notice requirements of this section are deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.
5. During an emergency meeting, the legislative body may meet in closed session pursuant to the Brown Act if agreed to by a two-thirds vote of the members present, being not less than five votes of the council.
6. All special meeting requirements in the Brown Act are applicable to an emergency meeting, with the exception of the 24-hour notice and posting requirement.
7. The minutes of an emergency meeting; a list of persons who the presiding officer of the legislative body, or designee of the council, notified or attempted to notify; a copy of the roll call vote; and any actions taken at the meeting, shall be posted for a minimum of ten days in a public place as soon after the meeting as possible.

### **E. Closed Sessions**

1. Closed sessions generally shall be special meetings held immediately prior to regular meetings.
2. In accordance with the Brown Act, the public may speak regarding any closed session item prior to the closed session.
3. All closed session information, verbal or written, is privileged and confidential and shall not be shared with any person not at the closed session. Any member sharing information in violation of this rule may be subject to censure by the council consistent with the council's confidentiality policy then in effect.
4. The city attorney shall report out in public session any reportable actions that were taken by council and the vote on such actions in accordance with the Brown Act (Government Code, § 6250 et seq.).

### **F. Public Hearings**

1. The city clerk shall set council hearing dates and notify the council via the preliminary agenda on all matters that require a notice and public hearing before the council, such as matters received from the planning division and appeals to the council.

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2. Public hearings will not be withdrawn or continued without the full knowledge and concurrence of the members within whose districts/jurisdiction the issue resides.
3. The council may refuse to grant a continuance of any hearing unless there is a valid legal reason why the hearing must be continued.
4. Continuances.
  - a. Any person (applicant, appellant, or designated representative) scheduled for a public hearing before the council:
    - (i) may obtain one continuance for a period not to exceed the second regular meeting after the original scheduled hearing date, as a matter of right, without personally appearing before the council on the scheduled hearing date, provided a written request for the continuance must be delivered to the city clerk by noon on the day prior to the scheduled public hearing. Any person who has once obtained a continuance by any procedure may not obtain a subsequent continuance under this Rule 6.F.4.a(i).
    - (ii) who wants to obtain a continuance of the hearing beyond the second regular meeting after the original scheduled hearing date, or who has not notified the city clerk as provided in Rule 6.F.4.a(i), may obtain a continuance only by appearing before the council at the time the original hearing is scheduled and requesting a continuance. This continuance is not a matter of right and will not be granted unless the council is satisfied that good cause exists for the continuance and that a substantial number of people will not be inconvenienced by such continuance.
    - (iii) who has once obtained a continuance of a hearing either by notice to the city clerk under Rule 6.F.4.a(i) or by personal appearance under Rule 6.F.4.a(ii) may obtain a further continuance only by appearing before the council at the scheduled hearing and satisfying the council that extraordinary circumstances exist that would justify this second continuance.
    - (iv) who has twice obtained a continuance of a hearing may obtain an additional continuance only by appearing before the council at the scheduled hearing and satisfying the council that a miscarriage of justice would result from the refusal of the council to grant a continuance.
  - b. City staff may obtain a continuance based on the need of the originating department or on behalf of a member. Department staff may request, via the city clerk, as many continuances as needed to complete and ready the project or appeal for the hearing process; however, staff may not serve as a requestor on behalf of an applicant or appellant.
  - c. Any organized group of residents or neighborhood associations not recognized as an applicant or appellant may contact their council member

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and request a continuance as needed to complete and ready the project or appeal for the hearing process. The member, in their sole discretion, may request the council approve the continuance for good cause.

- d. At the meeting when the hearing is scheduled, but before the hearing starts, any member may request the council approve a continuance.
- e. Disputes regarding the length of a continuance will be decided by the council at the scheduled hearing if city staff or the city clerk cannot obtain mutual agreement between the parties beforehand.

### **G. Teleconferenced Meetings**

Members of the public may address the council via teleconference or other electronic device only in conjunction with a members' attendance at a duly-noticed teleconference location set in accordance with Sacramento City Code chapter 4.04 and the Brown Act.

### **H. Televised Meetings**

Meetings held in the council chambers are generally telecast via local television and available via streaming video on the city's official website.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 7 – MEETING AGENDAS

### A. Requirements for Agenda Item Submission

1. The city manager and city clerk shall develop the agenda for council meetings in consultation with the mayor and vice mayor.
2. Members may submit items for inclusion on a future agenda by orally making the request under Council Ideas, Comments, and Questions.
  - a. The City Clerk shall add a member's request to a chronologically-ordered log that contains all pending requests, i.e., those not having been heard as an agenda item or not otherwise having been removed from the log.
  - b. The log shall appear on the Consent Calendar of each regular meeting of the council. Before a member request appears as an agenda item, it must first have been included on a log approved as part of that Consent Calendar item.
  - c. Council appointees may provide to the City Clerk for inclusion in the log such information as may be helpful to the council during its review and approval of the log.
3. Charter officers or the director of public safety accountability may submit staff reports or descriptions of oral reports to the city clerk for placement on the agenda.
4. Department directors, subject to the discretion of the city manager, may submit staff reports or descriptions of oral reports to the city clerk for placement on the agenda.
5. Outside agencies and advisory bodies, and city boards, committees and commissions may submit agenda items in accordance with the following:
  - a. Items must be sponsored for agenda placement by members, charter officers, or department staff; and
  - b. All agenda items must be submitted in accordance with the agenda packet submission and preparation requirements.

### B. Declaration of Policy

1. No ordinance, resolution, motion, or item of business may be introduced or acted upon at a meeting of a legislative body of the city without it appearing on a duly noticed and posted agenda in accordance with Sacramento City Code chapter 4.04 and the Brown Act. Exceptions to this rule are limited to those provided by state law.
2. No ordinance, resolution, motion, or item of business will be considered that:
  - a. does not affect the conduct of the business of the City of Sacramento or its powers or duties as a municipal corporation, or

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

- b. supports or disapproves of any legislation or action
  - (i) of the State of California;
  - (ii) of the President or Congress of the United States; or
  - (iii) before any officer or agency of the state or nation, unless the proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers or duties of the City of Sacramento or its officers or employees.
- c. Rule 7.B.2 may be invoked only before public comment or council deliberation on the matter and by five affirmative votes on the question: “Shall the council consider this matter?”

## **C. Procedures for Submission of Reports**

1. A written staff report should be prepared and submitted to agenda review in accordance with the agenda review procedure and reviewed by the relevant departments including but not limited to finance, city manager, and city attorney.
2. Continued items do not require a new report if there are no changes other than the agenda date. If there is any other change, a new report meeting all applicable requirements must be submitted.

## **D. Written Communications from the City and the Public**

1. The city clerk shall manage communications to members regarding meeting topics to ensure compliance with the Brown Act.
  - a. Except for records exempt from disclosure under the California Public Records Act (Government Code, § 54957.5, subd. (b)) and otherwise by law, agendas and any other writings distributed to all or a majority of the members of a legislative body for discussion or consideration at a public meeting are disclosable to the public, and shall be made available upon request without delay.
  - b. Materials distributed to the members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the city or a member, or at the conclusion of the meeting if prepared by another person. (Government Code, § 54957.5, subd. (b).)
2. Interested parties or their authorized representatives may address the council by written communications regarding agenda items.
  - a. Written communications received by the city clerk prior to the posting of the agenda for that council meeting will be included in the agenda packet material. Written communications received by the city clerk after that deadline

## **CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE**

will be delivered to members as soon as possible or at the city council meeting if related to an item on that meeting agenda.

- b. Members of the public may submit comments via the agenda “e-comment” function on the city’s website. Comments submitted no later than one hour prior to each council meeting will be forwarded to the members.
- c. Documents (15 copies recommended) that members of the public submit to the city council at the meeting shall be given directly to the city clerk for distribution and shall not be given directly to the council. The documents will be available to the public.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## E. Preparation of the Agenda Packet

1. No later than 120 hours prior to each regularly scheduled meeting, the city clerk shall finalize the agenda packet.
2. Agenda Packet Contents.
  - a. The agenda packet will include the agenda, the staff reports, draft resolutions and ordinances, contracts, and other attachments. Items noted as “To Be Delivered” on the agenda will be delivered and published to the city’s website upon receipt by the city clerk. No item is required to be considered by the council if the applicable written material is not delivered to the council before the meeting and made available to the public at the same time.
  - b. Corrections or supplements to a staff report or other written materials already included in the agenda packet may be delivered separately.
  - c. All agreements on the agenda must be available for review by the council and the public prior to the meeting, or at the meeting location during the meeting, unless determined otherwise by the city attorney.
  - d. Unless waived by a two-thirds vote of council, all labor agreements and all agreements greater than \$1,000,000 must be posted on the city’s website and be made available to the public at least ten days prior to council action.

## F. Distribution of the Packet

1. The city clerk shall distribute the agenda packet to the members and persons requesting copies of the agenda packet no later than 120 hours prior to a regularly scheduled meeting.
2. Electronic copies of the agenda packet will be available for the news media and other such organizations, agencies, institutions, or persons who so subscribe.

## G. Posting of Agenda

1. The city clerk shall post the agenda of each regular or adjourned regular meeting of the legislative body at least 120 hours in advance of the meeting in a location that is freely accessible to members of the public, as required by the Brown Act.
2. The city clerk shall maintain an affidavit indicating the location, date, and time of posting each agenda.
3. Agendas and agenda reports (including attachments, exhibits, and agreements) will generally be published to the city’s website by the end of business on the Thursday before regular meetings.
4. If technical difficulties occur, the agenda and reports will be published on the city’s website as soon as those difficulties are resolved.

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## H. Failure to Meet Agenda Deadlines

1. The city clerk shall not, without the consent of the city manager or city attorney, accept any agenda item or revised agenda item after the deadlines established and noted in these Rules.
2. Any agenda items or revised agenda items submitted after the established deadlines will be reviewed by relevant departments as identified by the agenda workflow approval process.

## I. Exceptions to the Agenda Requirement

1. Matters not included on the published agenda may be discussed and acted upon by the legislative body only in the following situations:
  - a. at a meeting during which a majority of the members determine in open session that the matter in question constitutes an “emergency” (Government Code, § 54956.5); or
  - b. upon a determination by two-thirds of the members, or if less than two-thirds are present by unanimous vote of the members present, that:
    - i) there is a need to take immediate action; and
    - ii) the need for action came to the attention of the city after the agenda had been posted.

## J. Types of Agenda Items

1. Closed Sessions: confidential discussions with the legislative body as permitted by the Brown Act.
2. Special Presentations/General Communications: the presentation and receipt of ceremonial resolutions and celebrations not requiring formal legislative body action.
3. Consent Calendar: considered one item, consisting of matters routine in nature and not likely to be subject to debate or inquiry by the members or the public; typically adopted in one motion.
4. Public Hearings: duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the council.
5. Discussion Calendar: non-routine items requiring an oral presentation and discussion before action is taken.
6. Information Items: items when staff is required by federal or state law or city code to inform council of an issue when authority has been delegated to a person, position, board, or commission.

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7. Council Ideas, Comments, and Questions:
  - a. Brief oral or written reports summarizing meeting or conference attendance at city expense, as required by Assembly Bill 1234 (Government Code, § 53232.3);
  - b. Requests for the city manager or staff to report on various issues;
  - c. Requests to place items on a future council meeting agenda;
  - d. Requests to refer preparation or review of non-binding resolutions or ordinances to the Law and Legislation Committee; and
  - e. Reports on district and citywide activities or news.
8. Public Comment-Matters Not on the Agenda: oral communications from the audience regarding matters not on the agenda but within the subject matter jurisdiction of the city.

## **K. Ordinances and Non-Binding Resolutions**

1. Ordinance and non-binding resolution preparation must be referred to the Law and Legislation Committee before coming to council, as described in Rule 13.A.2.
2. Ordinances on the agenda may be passed for publication or adopted in accordance with the procedures in Sacramento City Charter section 32.
3. Ordinance changes during the review and adoption process.
  - a. The text of an ordinance as approved by the Law and Legislation Committee, receiving the necessary votes to bring the matter to council under Rule 13.B.1.h, must be the text that is included in the published agenda as pass-for-publication.
  - b. If an ordinance is brought to council under Rule 13.B.1.i, the text of the ordinance brought to council must be the same text as was submitted to the Law and Legislation Committee.
  - c. The text of an ordinance passed for publication must be the text that is included in the published agenda for the meeting at which the adoption of the ordinance is discussed.
  - d. Notwithstanding subsections a, b, and c, typographical and clerical errors may be corrected at any time during the ordinance review and adoption process.
  - e. If a member intends to make a substantive (i.e., anything not typographical or clerical) change to an ordinance after it is included in a published agenda, at or before the time the ordinance adoption item is called on the agenda, the member shall distribute sufficient written copies of the proposed change so

## **CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE**

that all other members, the charter officers, relevant city staff, and the public audience have copies.

- f. If the council's motion to adopt a resolution or ordinance includes a change to the resolution or ordinance text from that published in the agenda, prior to the vote the clerk shall repeat verbatim the proposed change or otherwise indicate the change is reflected in the circulated written copy of the change.
- g. Ordinances bypassing the pass-for-publication requirement under Section 32 of the charter are subject to this Rule 7.K.3, as applicable.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 8 – CONDUCT OF MEETING

### A. Call to Order – Presiding Officer

1. The mayor, or in the mayor's absence the vice mayor, shall take the chair at the hour appointed for the meeting and shall immediately call the meeting of the council to order.
2. In the absence of the mayor and vice mayor, the mayor pro tem shall preside over the meeting.
3. Upon the arrival of the mayor, the vice mayor shall immediately relinquish the chair at the conclusion of the business then before the council.

### B. Roll Call/Attendance

1. A majority of the members of the council then in office constitutes a quorum.
2. Before the council proceeds with the business before it, the city clerk shall note the members present for the minutes. The late arrival and early departure of members will be entered into the minutes.
3. A member is considered present at a meeting if the member is either physically in the council chamber or is participating in the meeting through teleconference in accordance with the Brown Act. Meeting attendance of members through teleconference is permitted only in extraordinary circumstances.
4. Members attending a council meeting through a teleconference are not counted when determining a quorum.
5. Members must be physically present at the council chamber dais or teleconference location to vote. Proxy or absentee voting is not permitted.

### C. Order of Discussion

The order of business is typically carried out as listed on the agenda or as set out below; however, the presiding officer may reorder the items, unless members object. Members may request items be reordered by motion.

1. Consent calendar items removed for discussion
  - a. Members, the city manager, or other charter officers may request that any matter be removed from the consent calendar.
  - b. All matters remaining on the consent calendar shall be approved by a single action, such single action to have the legal effect of individual action on each matter.
  - c. The city clerk shall read into the record each item removed from the consent calendar.
  - d. If consent calendar items are removed, they shall be discussed immediately after adoption of the balance of the consent calendar.

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## 2. Public Hearings.

a. The order of public hearings will generally be as follows:

- (i) Open the public hearing.
- (ii) Staff comments, information, and reports, followed by member questions.
- (iii) Proponent, if applicable, speaks, followed by member questions.
- (iv) Opponent, if applicable, speaks, followed by member questions.
- (v) If the public hearing is on an appeal that does not require council *de novo* review, then the appellant (opponent) speaks before the applicant (proponent) in accordance with the allotted time.
- (vi) Public comments.
- (vii) If the public hearing is a *de novo* review appeal, the applicant speaks in rebuttal, but if not a *de novo* review appeal, the appellant speaks in rebuttal.
- (viii) Closure of public comment.
- (ix) Further member discussion.
- (x) Motion to close public hearing and take action. See Rule 6.F regarding continuances.

b. The presiding officer may direct speakers to avoid repetition in order to permit maximum information to be provided the council within the time allotted for the hearing.

## 3. Discussion Calendar.

a. The order of discussion after introduction of an item will generally be as follows:

- (i) Staff comments, information, and reports, followed by questions from the members.
- (ii) Public comments and information, followed by questions from the members.
- (iii) Member discussion, motion, and action.

b. Once the item is placed before the council for discussion, motion, or action, no member of staff or the public is allowed to address the council without the consent of the mayor or members.

4. Public Comment for matters not on the agenda will be held at the end of each regular meeting.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## D. Oral Communications from the Audience

1. As required by the Brown Act, a portion of each council meeting agenda will provide an opportunity for members of the public to address the council on any agenda item, including closed session and consent calendar items. Regular meeting agendas also will provide for public comment on any unagenda item that is within the subject matter jurisdiction of the city.
2. In response to public comment on non-agenda items, the members may individually:
  - a. briefly respond to statements made or questions posed by members of the public;
  - b. ask questions for clarification;
  - c. provide a reference to staff or other resources for factual information or response;
  - d. request staff to report to the council at a subsequent meeting; and
  - e. request staff to place a matter of business on a future agenda as needed.

## E. Quorum Call

1. During the course of the meeting, should the presiding officer note a quorum is lacking, the presiding officer shall call this fact to the attention of the clerk.
2. The presiding officer then shall issue a quorum call. If a quorum has not been restored within two minutes of a quorum call, the presiding officer may declare a recess for a reasonable period of time in order to reestablish a quorum.
3. If no quorum is reestablished within a reasonable time, the presiding officer shall adjourn the meeting.

## F. Obtaining the Floor

1. Any member wishing to speak must first obtain the floor by being recognized by the presiding officer. The presiding officer shall recognize any member who seeks the floor when appropriately entitled to do so.
2. With the concurrence of the presiding officer, a member holding the floor may address a question to another member and that member may respond while the floor is still held by the member asking the question. A member may opt not to answer a question while another member has the floor.

## G. Motions

1. *Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century* governs the management of motions.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## H. Voting

1. Requirements for Action.
  - a. Unless a higher vote is required by the city charter, the city code, or otherwise by law, the affirmative votes of at least five members of the council shall be required:
    - (i) for the council to take action on an item of business;
    - (ii) to pass any ordinance, resolution, or motion; or
    - (iii) to make or approve any order for the payment of money requiring council approval.
  - b. Any ordinance declared by the council to be necessary as an emergency measure and containing a statement of the facts constituting such emergency as provided in the city charter may be introduced and adopted at the same meeting if passed by at least six affirmative votes, (Sacramento City Charter, § 32.)
2. Voting Disqualification.
  - a. A member shall not vote upon a matter if the member is disqualified from voting on that matter due to a conflict of interest. Nor shall any member vote on a quasi-judicial matter if the member is biased regarding that matter.
  - b. A member shall openly state an abstention due to a conflict of interest or bias.
  - c. A member who is abstaining due to a financial conflict of interest shall publicly identify the financial interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
  - d. As to any other conflict of interest, the member's determination may be accompanied by an oral or written disclosure of the conflict of interest.
  - e. A member who is disqualified by a conflict of interest in any matter shall not remain on the dais during the discussion and shall not vote on that matter. However, the member may remain on the dais for Consent Calendar items if the member states the abstention from the vote due to the described conflict of interest before the Consent Calendar is voted on in one motion.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 9 – COUNCIL REQUESTS

### A. General

1. Council requests that deal with policy issues and council requests that may be construed as direction must be directed to the city manager, except for general inquiries or questions, in which case the council may go to the department directors or key staff in the City Manager's Office. Members may also deal directly with the city attorney, city clerk, city treasurer, city auditor, or other staff appointed by the council.
2. Council requests requiring funding must be directed to the city manager. The city manager shall respond in a timely manner.
3. Council requests to prepare or consider new ordinances or non-binding resolutions must be made in accordance with Rule 13.B.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 10 – VACANCIES

### A. Procedures

1. As provided in the Sacramento City Charter, absence from five consecutive regular meetings of the council, unless excused by resolution of the council, operates to vacate the seat of the mayor or member so absent. (Sacramento City Charter, §§ 28 & 46.)
2. A vacancy in the office of council member or mayor shall be filled by special election called by the council as provided in Sacramento City Charter section 154, unless the vacancy occurs within one year of the next general election at which that office would normally be filled, in which case the vacancy shall be filled by appointment. The city clerk shall take the necessary actions to accomplish the recruitment and appointment of candidates as provided in Sacramento City Code chapter 2.40.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 11 – FACILITIES

### A. Council Chamber Capacity

1. Council chamber attendance is limited to the posted seating capacity. The city manager shall appropriately regulate entrance to the council chamber when the council chamber capacity is likely to be exceeded. When legislative bodies are in session, members of the public shall not remain standing in the seating area or aisles of the council chamber. Sitting on the floor is not permitted. The sergeant-at-arms shall enforce this chapter.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 12 – CITY COUNCIL COMMITTEES/REGIONAL ORGANIZATIONS

### A. General

1. The mayor shall make all appointments to council standing committees, subject to the approval of the council. The mayor shall make all appointments to council ad hoc committees.
2. A standing committee is a permanent committee of the council established to consider subjects of a particular class, with regularly scheduled meeting dates and times.
3. An ad hoc committee is a temporary committee of the council established for a special purpose and of limited duration.
4. Standing and ad hoc committees have fact-finding, informative, and recommendatory powers only, and such other powers delegated by the council.
5. The council intends that council committees, to the extent possible, conduct a full hearing on any matter referred to that committee before the committee refers the matter back to the council.
6. The city clerk shall maintain and keep on file a list of the standing committees, ad hoc committees, regional organizations, and joint powers agencies to which council members are appointed.

### B. Standing Committees

1. General Guidelines
  - a. Standing committee appointments shall be made by the mayor each January.
  - b. Standing committees shall meet in the council chamber to allow for videostreaming and website access of meetings.
  - c. Standing committees are subject to the Brown Act and the Sacramento Sunshine Ordinance (Sacramento City Code chapter 4.04). Standing committee agendas shall be prepared, posted, and distributed in accordance with the Brown Act and the Sacramento Sunshine Ordinance (Sacramento City Code chapter 4.04), stating the time and place of the meeting and the subject matters to be discussed.
  - d. A council member who is not a member of the standing committee may attend a standing committee meeting, provided the member attends only as an observer, does not testify or otherwise participate in any discussion, and sits amongst the public.
  - e. Except as provided in subsection f, all items on a standing committee's agenda must first be referred to the committee by the council for review, with a recommendation returned to the council within 120 days, subject to the exceptions set forth below or as otherwise modified by the council.

## CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

- f. With approval of the city clerk, city manager, or committee chair, an item may be sent directly to a standing committee without council referral. If a matter is so referred to a standing committee, the committee agenda must note that fact on the face of the agenda and the committee chair shall notify the council. Such referrals are not required to be forwarded to the council unless council action is recommended by the standing committee.
  - g. The city clerk shall assign staff to assist the committee chair with the operation of the committee.
2. As of the date of adoption of these Rules there are four existing standing committees: the Law and Legislation Committee (Chapter 13); the Personnel and Public Employees Committee (Chapter 14); the Budget and Audit Committee (Chapter 15); and the Water Committee (Chapter 16). These committees have three or four members, as indicated on the council-approved appointment roster. For a four-member committee, the quorum is three; for a three-member committee, the quorum is two.

### C. Ad Hoc Committees

1. Establishment.
  - a. The mayor or a majority of the council may request the creation of an ad hoc committee
  - b. The city manager or a department director, together with the city attorney, shall work with the appropriate supporting department(s) and determine the scope and approximate duration the ad hoc committee.
  - c. The department director shall submit a request to the mayor, with a copy to the city clerk, requesting the creation of and appointment of up to four members to an ad hoc committee.
2. Scheduling Meetings.
  - a. Once an ad hoc committee has been established, the city clerk shall schedule the first meeting. Once confirmed, the city clerk shall notify the members, mayor's office, city manager (or designee), and the city attorney (or designee) of the meeting details. A regular meeting calendar will be established and adopted by the ad hoc committee.
  - b. A council member who is not a member of the ad hoc committee may attend an ad hoc committee meeting, provided the member attends only as an observer, does not testify or otherwise participate in any discussion, and sits amongst the public.

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- c. Ad hoc committees are subject to the Brown Act and the Sacramento Sunshine Ordinance (Sacramento City Code chapter 4.04). Ad hoc committee agendas must be prepared, posted, and distributed in accordance with the Brown Act and the Sacramento Sunshine Ordinance (Sacramento City Code chapter 4.04), stating the time and place of the meeting and the subject matters to be discussed.
3. Dissolution.
  - a. Once an ad hoc committee has completed its task, the supporting department shall submit a report to the mayor, with a copy to the city clerk, stating completion of the ad hoc committee tasks and request the dissolution of the ad hoc committee.
  - b. An ad hoc committee is automatically dissolved one year after its first meeting, unless it is dissolved earlier under Rule 12.C.3.a.
  - c. The city clerk will provide a periodic report to council announcing the dissolution of ad hoc committees.

### **D. Regional Organizations**

The mayor shall appoint council representatives to the regional organizations and joint powers agencies listed in the documents maintained by the city clerk, subject to council approval.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 13 – LAW AND LEGISLATION COMMITTEE

### A. Authority; Purposes

1. Authority to Represent City Positions.
  - a. The Law and Legislation Committee has the authority to take positions on behalf of the city on state and federal legislation.
  - b. The mayor or the chair of Law and Legislation Committee has the authority to take positions on behalf of the city when the need to react quickly does not allow for a matter to be considered by the Law and Legislation Committee.
  - c. Except as provided in subsections a and b, no person or committee has authority to represent the council on policy matters, unless that authority has been granted by the council or the information is limited to a factually accurate statement of the council's publicly-adopted position.
2. Purposes. The purposes of the Law and Legislation Committee are to consider, evaluate, conduct fact-finding, and recommend to council positions on proposed city ordinances and non-binding resolutions.

### B. Procedures

1. Ordinances and Non-Binding Resolutions.
  - a. Origination.
    - (i) Requests to prepare, amend, draft, or process ordinances and non-binding resolutions shall be made in one of the following ways:
      - (A) by one or more members, or city manager, during a council meeting or standing committee meeting in open session; or
      - (B) by the city manager or other city staff.
    - (ii) All non-binding resolution requests must be referred to the Law and Legislation Committee. Except as provided in subsection b below, all ordinance requests must be referred to the Law and Legislation Committee.
      - (i) The requesting member(s), city manager, or staff is considered the sponsor. City staff shall work directly with the sponsor in developing the proposed ordinance language.
  - b. Ordinances not requiring Law and Legislation Committee review prior to council review and adoption are those that are:
    - (i) deemed urgent by the mayor or city manager;
    - (ii) voted on by the majority of council to bypass the Law and Legislation Committee;

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- (iii) voted on by the majority of the Law and Legislation Committee to go to council without full Law and Legislation Committee review;
  - (iv) zoning code amendments for specific development projects;
  - (v) listings on, or deletions from, the Sacramento register under Sacramento City Code chapter 17.604, article II;
  - (vi) adopting property-related fees or fee increases that require public notice before the Utilities Rate Advisory Commission;
  - (vii) authorizing the execution of a development agreement;
  - (viii) establishing or adjusting parking meter rates; or
  - (ix) levying a special tax on land within a community facilities district.
- c. Ordinances and non-binding resolutions referred to the Law and Legislation Committee shall be placed on the legislation log, with new items placed at the end of the log, to establish a priority order; provided, the Law and Legislation Committee or council may reorder the priority.
  - d. The log will be scheduled for the consent agenda at every Law and Legislation Committee meeting. Any committee member may pull an item from consent for discussion.
  - e. Items placed on the log must be approved by the committee's adoption of the log before scheduling the item for discussion on the Law and Legislation Committee agenda.
  - f. Items on the log may be removed at the request of the sponsor. Staff shall note the removal request on the log and remove the item after the log has been approved by the committee.
  - g. A vote of a majority of the members present is required to approve a recommendation to council. A two-two vote results in an item being forwarded to council without a recommendation.
  - i. If a Law and Legislation Committee item fails to receive the votes required under Rule 13.B.1.a to forward the item with or without recommendation, any member during the Council Ideas, Comments, and Questions portion of a council meeting may request the item be placed on a future council agenda.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 14 – PERSONNEL AND PUBLIC EMPLOYEES COMMITTEE

### A. Purposes

The purposes of the Personnel and Public Employees Committee are to:

1. Review applications received for membership to various city boards, commissions, and committees;
2. Conduct interviews for such membership appointment; and
3. Make recommendations to the mayor concerning such appointments.

### B. Procedures

1. Applications for city boards, commissions, and committees shall be reviewed by the Personnel and Public Employees Committee.
2. Recommendations by the Personnel and Public Employees Committee shall be submitted to the city clerk for distribution to the mayor.
3. The mayor, or the city clerk on the mayor's behalf, shall announce appointments at the council meeting during Council Ideas, Comments, and Questions.
4. After the mayor's nominations, the city clerk shall submit a report for the council agenda requesting confirmation of the mayor's nominations.
5. A vote of a majority of members present is required to forward Personnel and Public Employees Committee appointment recommendations to the council, in accordance with Chapter 17.

### C. Exceptions

The procedures in this chapter do not apply to recommendations for appointments to the Parks and Community Enrichment Commission, except as provided in Sacramento City Code chapter 2.62; nor to the Planning and Design Commission, except as provided in Sacramento City Code chapter 2.60.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 15 – BUDGET AND AUDIT COMMITTEE

### A. Purposes

The purposes of the Budget and Audit Committee are to:

1. Assist the council in overseeing and supervising the city auditor;
2. Assist the council in evaluating the proposed budget, including a mid-year report, and any amendments thereto;
3. Assist the council in understanding the budget impacts resulting from council's actions;
4. Assist the council in reviewing and evaluating the Innovation and Growth Fund; and
5. Assist the council in enhancing the city's ability to:
  - a. improve the effectiveness and efficiency of city operations;
  - b. improve the city's fiscal operations;
  - c. adopt and adhere to a balanced budget; and
  - d. comply with city policies, procedures, and regulatory requirements.

### B. Procedures

1. The Budget and Audit Committee shall receive, review, and forward to the council as appropriate, reports, recommendations, and updates from the city auditor.
2. The Budget and Audit Committee shall receive and review the proposed budget and any material amendments thereto.
3. The Budget and Audit Committee shall receive and review any key budget policy issues, including but not limited to, Comprehensive Annual Financial Report (CAFR) results, use of any year-end surplus, the mid-year report, budget priorities, use of unanticipated revenue, or proposed budget issues such as fee increases, prior to bringing forward to council.
4. The Budget and Audit Committee may:
  - a. receive, review, and forward to the council, when relevant to city audits, any reports from the city treasurer, the department of finance, other city offices, or external auditors;
  - b. receive, review, and forward to the city council any reports and recommendations from the economic development department or city manager regarding the Innovation and Growth Fund; and

## **CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE**

- c. propose that the council adopt ordinances, resolutions, or take other actions, provided that such ordinances, resolutions, or actions are within the jurisdiction of the Budget and Audit Committee.
5. A vote of a majority of the members present is required to approve a recommendation to council. A tie vote results in an item being forwarded to council without a recommendation.
6. If a Budget and Audit Committee item fails to receive the votes required under Rule 15.B.5, any council member during the Council Ideas, Comments, and Questions portion of a council meeting may request the item be placed on a future council agenda.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 16 – WATER COMMITTEE

### A. Purpose

The purpose of the Water Committee is to:

1. Review policies related to the utilities department before policies are brought to the council.
2. Review water policy proposals and make recommendations to the council.
3. Assist the council in reviewing utility rates.
4. Assist the council in reviewing issues related to:
  - a) water quality;
  - b) water supply;
  - c) water rights; and
  - d) flooding and flood control.

### B. Procedures

1. The Water Committee shall receive, review, and forward to the council as appropriate, reports, recommendations, policy proposals, and updates regarding water issues presented by the utilities department. Review and approval of ordinances and adoption of positions on state and federal legislation shall be undertaken by the Law and Legislation Committee, unless an ordinance or legislation is referred directly to the Water Committee by the council.
2. A vote of a majority of the members present is required to approve a recommendation to council. A tie vote results in an item being forwarded to council without a recommendation.
3. If a Water Committee item fails to receive the votes required under Rule 16.B.2, any council member during the Council Ideas, Comments, and Questions portion of a council meeting may request the item be placed on a future council agenda.

# CITY OF SACRAMENTO – COUNCIL RULES OF PROCEDURE

## CHAPTER 17 – BOARDS AND COMMISSIONS

### A. Vacancies and Appointments

1. When any vacancy occurs on a board or commission, the city clerk shall announce that vacancy pursuant to the standard outreach procedures. For routine vacancies, the announcement is made approximately six months prior to the date on which the vacancy is to occur. For non-routine vacancies, the announcement is made as soon as possible in order to maintain viable memberships on the various boards and commissions. The city clerk's office maintains the board and commission files, and performs all clerical and administrative support tasks related to the application process.
2. At the close of the application period, all applications received for the vacancy are referred by the city clerk to the appropriate nominating body or person for review and recommendation.
3. Following review, the member or Personnel and Public Employees Committee Chair shall send the board and commission nomination(s) to the city clerk for distribution to the mayor.
4. After reviewing the submitted nomination(s) made by the member or Personnel and Public Employees Committee, the mayor shall make an appointment to fill the vacancy at a regular council meeting.
5. At the next regular council meeting (but not sooner than six days) following the meeting at which the mayor made the appointment, the council shall vote whether to confirm the appointment.
6. If the council does not approve the appointment, then the mayor shall make another appointment, and at the next regular meeting following the meeting at which the subsequent appointment was made, the council shall vote whether to confirm the new appointment.
7. This procedure shall be followed until an appointment has been approved by the council. No request by a member to delay the appointment or approval will be allowed unless approved by a majority vote of the council.
8. At the direction of the council, all vacancies, application periods, and close of application periods for boards and commissions shall be monitored and maintained by the city clerk.
9. In making nominations and appointments to city boards and commissions, the mayor, Personnel and Public Employees Committee, and members should consider persons of various ethnicities, ages, genders, education, and occupational experience as reflected in the general population of the city; and should, as appropriate for the vacancy, consider persons from all districts of the city.

**et seq.** *abbr. Lati.*

et sequens (and the following one or ones).

### **Non-Binding Resolution**

A non-binding resolution is a resolution in which the council declares its position and opinions on an issue, policy, or other matter that the council lacks legal authority to establish or regulate, but that the council determines is of such importance that the council should make the symbolic gesture of adopting a resolution declarative of council's position.

### **Quasi-judicial**

Quasi-judicial action means any council action that implicates constitutionally protected property or liberty interests, such as issuance or denial of discretionary land use permits, subdivision maps, business licenses, and other similar action in which a property interest is at stake and the council is charged with applying legal standards to a specific factual situation.

### **Sergeant-at-Arms**

The sergeant-at-arms is the principal law enforcement official of the legislative body and is charged with maintaining security within the chamber (meeting location) and surrounding areas. The sergeant-at-arms also enforces protocol and ensures public decorum is followed as noted in the body's rules of procedure.

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