

CITY OF REDONDO BEACH

City Council Rules of Conduct and Decorum



**REDONDO
BEACH**

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1 CITY COUNCIL POLICY ON THE CONDUCT OF PUBLIC MEETINGS

It is the policy of the Redondo Beach City Council ("City Council") to:

- 1) Provide an opportunity for public input on all matters of City business; and
- 2) Conduct meetings in an efficient, business-like manner.

To achieve this goal, the City Council adopts the following rules, guidelines, and procedures governing the conduct of its meetings pursuant to the authority prescribed in the City Charter. It is the policy of the City Council that the following rules, guidelines, and procedures comply with the City Charter, Redondo Beach Municipal Code, California law and Federal law.

2 MEETING PARTICIPATION VIA TELECONFERENCE UNDER PROVISIONS OF THE BROWN ACT AND CITY CHARTER

The City Charter requires that a quorum of the members of the City Council must be present in the Council Chambers of City Hall in order to call a meeting to order. Thus, only two members of the City Council and the Mayor may participate in meetings at remote location(s) under normal or regular (non-emergency) circumstances. Public access and participation must also be accommodated by the Council Member or Mayor at the remote location.

- A. First-come, first-served basis - the first two Council members to notify the City Clerk shall be given priority and may participate in City Council meetings virtually/remotely, either by cell phone and/or Zoom teleconference.
 - a. Priority shall be given to requests for virtual/remote participation for medical reasons.
 - b. Virtual/remote attendance shall be limited to seven (7) meetings per year per Council Member.
- B. Notification shall be delivered to the City Clerk (cityclerk@redondo.org) and Mayor via email by each Wednesday at 5:00 p.m. preceding each published Tuesday City Council meeting agenda, and shall include the following information.
 - a. Name and address of remote location or hotel (by law, this information will be included on the posted Agenda); and
 - b. Cell phone number of Council or Mayor participant.
- C. Posting of Agenda: The Council Member or Mayor shall cause the City Council Agenda to be posted at the door of the room, conference room, or front door of residence where the Council Member will virtually/remotely participate in the meeting.
 - a. Proof of Posting: The Council Member and/or Mayor shall announce at the City Council meeting that the agenda was posted at the remote location accordingly to law (either 72 hours in advance of the Regular Meeting or 24 hours in advance of a called Special Meeting) for the record.
- D. Costs: If arranged by the Council Member and/or Mayor, the cost for the use of a hotel conference room shall be paid from Mayor and Council travel budget. (Hotel staff/concierge may post Council Agenda at publicly accessible location.)
- E. Computer on Loan – Upon the request of the Council Member or Mayor, the City IT Department may loan a laptop computer for their use at remote locations.

3 RULES, GUIDELINES, AND PROCEDURES FOR THE CONDUCT OF PUBLIC MEETINGS OF THE COUNCIL, BOARDS, AND COMMISSIONS

This section defines the rules, guidelines and procedures for conducting public meetings of the City Council, boards and commissions. It is important to note that not all the sections may be applicable to all the boards and commissions since it was drafted with the City Council meetings in mind. However, the remainder of the sections are applicable. For example, several boards and commissions have no hearing responsibilities and therefore, sections regarding hearings are inapplicable to those boards and commissions.

In general the term “Chair” is used to mean the mayor, Chair of a board or commission, or the mayor pro tem or vice chair when the mayor or Chair is absent. The term “member” is used to mean the mayor and members of the City Council, and for the Chair and commissioners or members of boards. A Chair of a commission, since he/she is a voting member of the commission, can make motions and second motions. The Mayor, since he/she is not a voting member of the City Council, may make motions but cannot second them. When the mayor pro tem is acting as the Chair of the City Council, he/she may make motions and second them.

3.1 Order of the agenda

The Chair should ensure the meeting follows the published agenda (See **Model Agenda** in **Appendix A**, **note that the model agenda is aligned with a City Council meeting and would be tailored to each commission**) OR the order of the agenda as modified formally in the meeting.

3.2 The following rules of conduct apply to the following agendized items:

- **Excluded Consent Calendar Items**
 - **Items Continued from Previous Agendas**
 - **Items for Discussion Prior to Action**
 - **Mayor and Council Items**
1. The Chair should clearly announce the agenda item letter/number and should clearly state the subject.
 2. The Chair should invite the appropriate people to report on the item, including any recommendation they might have.
 3. The Chair should ask members of the governing body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.
 4. The Chair may open up the floor for discussion by the governing body. Members of the governing body shall await the Chair giving them the floor before they speak.
 5. The Chair shall invite public comment. At their sole discretion, the chair may determine when to open the public comment - either before or after a motion is made on the agenda item, but in all cases prior to the vote of the members of the governing body. The Chair shall ensure time limits are strictly adhered to by speakers. Or the Chair may wait until after motion(s) are made

to open the floor to public comment. At the end of public comments the Chair should close public comment period.

6. The Chair should then invite or suggest a motion to the members of the body. (see motions section).
7. At the discretion of the Chair, the Chair may invite the governing body to debate/discuss the motion(s) on the floor.
8. **If public comment has not already occurred**, the Chair **shall** open the floor to public comments. The Chair should ensure strict adherence to time limits. At the end of public comments the Chair should close public comment period.
9. At the discretion of the Chair, the Chair may invite the governing body to discuss the motions in light of public comments.
10. The Chair should then call the vote. At the Chair's discretion, the vote may be a call for "ayes" and "nays", or the Chair may do a roll call vote of each member of the body. The Chair should announce the result to the public.
11. If an approved item is a resolution or ordinance, the Chair should call on the Clerk, or Clerk's designee to read the resolution/ordinance by title only.

Public Comment – With the exception of specific time limits on appeals, which are detailed elsewhere, each member of the public shall speak only once on each agenda item for a maximum of 3 minutes. The comments must pertain to the agenda item. In rare circumstances, the body may move to, and with a majority vote, extend an individual speaker's time provided the body states an objective reason for the extension that would be applied to all speakers on the matter. Members of the body shall not interrupt a speaker, but may, with the Chair's approval ask limited clarifying questions after the speaker has finished their comment. The body may also move to, and with a majority vote limit the total time allocated to public input on an agenda item, provided the motion includes the objective rationale for limiting the time period for public comment. Under no circumstances can the public comment period on non-agenda items be less than 30 minutes. During the public comment period, the Chair shall recognize speakers who have submitted written speaking cards first, followed by members of the public attending in person, followed by members of the public attending electronically, when electronic participation is allowed.

Other rules on public participation are addressed separately in this document.

Multiple motions/votes -There may be more than one motion/vote on an agenda item when there is more than one decision or direction to be made. For example, the body may approve a motion to incorporate a list of comments to a proposed ordinance, and in a separate motion direct staff to draft an emergency moratorium related to an ordinance while the ordinance is being amended by staff.

3.2.1 The rules of conduct for agenda items excluded in Section 3.2:

1. **Opening the meeting; roll call; salute to the flag and invocation; and presentations; proclamations, announcements, and AB 1234 announcements** are simply called up and executed at the direction of the Chair. There are no motions, debate, or public comments.
2. **Approval of the order of the agenda** – The Chair will poll each member of the body for any changes to the order of the agenda. The Chair may also request a change to the order of the agenda. The Chair will then call for a motion to change the order and a vote on the motion. There is no public comment on this item.

3. **Blue folder items** – The Chair will ask the City Clerk or City Clerk’s designee to list the blue folder items. The Chair will then call for a motion to “receive and file” all blue folder items for the public record. The Chair will then call for a vote of the body. There is no public comment to this item.
4. **Consent Calendar** – The Chair will poll each member of the body on any items they want to “pull” (exclude) from the consent calendar. The Chair may pull any item as well. If a member of the body must recuse themselves or abstain, the member must pull the item for a separate vote. The Chair will then ask for a motion to approve all items on consent calendar. Once the motion is made and seconded, the Chair will open the floor for public comment on any of the non-excluded items. When public comment is complete, the Chair will call the vote. After the vote, the Chair will recognize the City Clerk, or City Clerk’s designee, to read any resolutions/ordinances into the public record.
5. **Excluded Consent Calendar** – The Chair will announce the first excluded consent calendar item and offer the floor to the member of the body who first pulled the item. The process for each excluded item shall otherwise follow the procedure for any normal agenda item. The member of the body may make a motion to bundle several excluded consent calendar items as a single item. If seconded and approved by the majority, the items will then be treated as a single agenda item procedurally. The Chair repeats this process until all excluded items are addressed.
6. **Public Participation on Non-Agenda Items** - The Chair shall open the floor for public comments on items that are not otherwise on the agenda but that relate to City business and matters that are within the City’s jurisdiction. The Chair shall enforce 3-minute time limits on each speaker and a maximum of 30 minutes allowed for this agenda item. Other rules on public participation are addressed separately in this document.
7. **Ex-parte Communications** – If there is one or more hearings, the Chair will poll each member of the body on ex parte communications they have had on the hearing matters. Each member, including the Chair, shall disclose the following information regarding their ex parte communications:
 - a. Identify the hearing matter
 - b. Identify with whom the member communicated
 - c. The general content of the communication

Members are cautioned to balance their communications where adversarial parties are involved such as an appeal filed by a resident on a developer project. When acting in a quasi-judicial capacity, decisionmakers cannot have a personal conflict of interest, cannot have prejudged the facts and must remain free of prejudice against any of the parties. In other words, decisionmakers must be neutral and unbiased. There is no public comment on this item. Further, ex parte communications after quasi-judicial hearings should be prohibited if the decision is not final.

8. **The rules for the conduct of Public Hearings** - Public hearings shall follow the same basic format as any other agenda item before the body for action, except:
 1. The Chair shall call for members of the body to open the public hearing after announcing the agenda item. The body will then vote to open the public hearing.
 2. **Appeals** - If the **Public Hearing is an appeal**:

- a. **Appeal by Appellant who is not the Proponent** - The appeal was filed by **appellant(s) who is/are not the proponent** of the matter which is the subject of the hearing:
- i. Staff will make a presentation
 - ii. The proponent (unless the City is the proponent) may testify and present evidence for a maximum of 1 hour.
 - iii. Appellant(s)
 1. If there is a single appellant, the appellant shall have a maximum of one hour to testify and present evidence.
 2. If there are two appellants, each appellant shall have a maximum of 45 minutes each to testify and present evidence.
 3. If there are three or more appellants, each appellant shall have a maximum of 30 minutes each to testify and present evidence.
 - iv. The Chair shall allow the proponent a maximum of 20 minutes times the number of appellants to testify and present evidence
 - v. Each appellant shall be given the opportunity for rebuttal up to a maximum of 20 minutes each.
 - vi. After the proponent and appellant(s) conclude, members of the public shall be given the opportunity to comment for up to 3 minutes each. Each speaker shall speak only once.
 - vii. The Chair will then open the floor to the members of the body for questions of staff, the proponent, and/or the appellant(s).
 - viii. The Chair shall then call for a motion to close the public hearing. After this time no one but the members of the body and staff may speak.
 - ix. The Chair then opens the floor for the members' discussion and debate.
 - x. The Chair calls for a motion. The process of motions and final vote follow the same process as other agenda items except that any motion to approve or deny the appeal shall include findings of fact upon which the final decision is based.

The members of the body may reopen the public hearing by formal motion, second, and majority vote if needed to obtain additional information. The Chair may then call upon members of the public including the appellant(s) and proponent to respond to questions from the Chair or any member of the body, as recognized by the Chair. During testimony, members of the body shall refrain from interrupting the speaker and hold all comments and questions until after in the speaker completes their testimony. The Chair shall call for a motion, second, and majority to close the public hearing again, before final deliberations and decision.

- b. **Appeal by Proponent** - The **appeal is made by the proponent** of the project:
- i. Staff will make a presentation
 - ii. The proponent may testify and present evidence for a maximum of 1 hour.
 - iii. After the proponent conclude(s), the members of the public shall be invited to comment for up to 3 minutes each and each speaker speaking only once.

- iv. Each proponent shall be given the opportunity for rebuttal of public comment for a maximum of 20 minutes.
- v. The Chair will then open the floor to the members for questions of staff and/or the proponent,
- vi. The Chair shall then call for a motion to close the public hearing. After this time no one but the members of the body and staff may speak.
- vii. The Chair then opens the floor for the members' discussion and debate.
- viii. The Chair calls for a motion. The process of motions and final vote follow the same process as other agenda items except that any motion to approve or deny the appeal shall include findings of fact upon which the final decision is based.

The members of the body may reopen the public hearing by formal motion, second, and majority vote if needed to come to a final decision. The Chair may then call upon members of the public including the appellant(s) and proponent to respond to questions from the Chair or any member of the body, as recognized by the Chair. During testimony, members of the body shall refrain from interrupting the speaker and hold all comments and questions until after in the speaker completes their testimony. The Chair shall call for a motion, second, and majority to close the public hearing again, before final deliberations and decision.

3. Public Hearings Other than Appeals - Rules of Conduct for Public Hearings other than appeals:

- i. Staff will make a presentation
- ii. The proponent (if any) may testify and present evidence for a maximum of 30 minutes.
- iii. Members of the public may comment for up to 3 minutes each, with each speaker only speaking once.
- iv. The Chair will then open the floor to the members for questions of staff and/or the proponent.
- v. The Chair shall then call for a motion to close the public hearing. After this time no one but the Council and staff may speak.
- vi. The Chair then opens the floor for the members' discussion and debate.
- vii. The Chair calls for a motion. The process of motions and final vote follow the same process as other agenda items except that any motion to approve or deny the appeal shall include findings of fact upon which the final decision is based.

The members of the body may reopen the public hearing by formal motion, second, and majority vote if needed to come to a final decision. The Chair may then call upon members of the public including the appellant(s) and proponent to respond to questions from the Chair or any member of the body, as recognized by the Chair. During testimony, members of the body shall refrain from interrupting the speaker and hold all comments and questions until after in the speaker completes their testimony. The Chair

shall call for a motion, second, and majority to close the public hearing again, before final deliberations and decision.

9. **City Manager (or Staff Liaison) Items** -The Chair shall give the City Manager (or staff liaison) the floor to publicly present any timely information they choose. The members of the body may ask questions or make short comments, but shall not deliberate the items brought up by the City Manager/staff liaison. There is no public participation in this item.
10. **Referrals to Staff , Commissions, or sub-committees** -The Chair shall poll each member including themselves for any referrals for action by the City Manager (or staff liaison), sub-committees of the body, or for any Budget Response Report (BRR) requests (in the case of the City Council). For each referral, the member (including the Chair/Mayor) makes a motion which must then be seconded and passed by a majority of the body. BRR's do not require a motion or a vote. The body may discuss the appropriateness of any request, but shall not deliberate the issue in question. In the case of the City Council, the City Council/Mayor may also refer subjects, actions, etc. to a commission. Each referral to a commission requires a second and majority vote to pass. There is no public comment on this item.
11. **Recesses** - Agendas may include recessing to another board, agency or closed session. This requires a motion, second, and majority vote of the body. Upon return to the agenda, the Chair shall call the meeting order, call for a roll call, and require any reporting from the board or closed session. The Chair shall then call the regular session back in order and ask for a roll call. There is no public comment on this agenda item, but there may be public comment as part of the board or agency meeting.
A member of the body may call for a recess at any time. "Motion to recess" when used to take a break from the meeting is covered separately under the "**Motions**" section of this document.
12. **Adjournment** - The Chair shall call for a motion to adjourn the meeting. The body will then make the motion, second and vote. The body may, in its motion, adjourn in memory of an individual. There is no public comment on adjournment.
13. **Length of Meeting** - The City Council policy is that meetings should end at a reasonable hour. At the discretion of the Chair, the Chair may raise the issue of truncating the agenda at or about 10:00 PM for deliberation by the body. The Chair will then poll the members of the body on which, if any, agenda items each would agree to continue to another meeting. If the members of the body support moving agenda items to a future meeting, the Chair shall call for a motion that details which items will be continued to a future meeting. **If Public Participation on Non-Agenda Items has not already occurred, the Chair shall require that a full 30 minutes** is allocated to complete Public Participation on Non-Agenda Items prior to adjourning the meeting. The members of the body, may make a motion to truncate the meeting if the Chair does not raise the issue.

3.2.2 Closed Sessions

If Closed Sessions are to be held, pursuant to Government Code Sections 54956.7, 54956.8, 54956.9 and 54957, they will be scheduled as an adjourned meeting prior to regular meeting and/or as the last item

on the agenda prior to Adjournment. Closed sessions are unique to the City Council and are not held by commissions.

3.2.3 Commission-specific rules and guidelines

3.2.3.1 Role of Commissions

The role of Commissions is to **advise** the City Council on matters under their purview, and on certain commissions, to conduct quasi-judicial hearings as defined in the Redondo Beach Municipal Code. The role of a commission does not include oversight of city operations, such as budget execution unless specifically stated by ordinance or by direction of the City Council. Items for the commission agenda are generated from: a) special matters for consideration as directed by the City Council; b) regular matters for consideration pursuant to the commission's duties; c) regular matters for consideration consistent with the City Council's Strategic Plan and Annual Budget Work Program; and, d) new matters approved by the commission pursuant to a majority vote of said commission for consideration and consistent with the commission's duties as defined by the City Charter and Redondo Beach Municipal Code, the City Council's Strategic Plan, and the Annual Budget Work Program. While commissions may request agenda items and data and reports related to topics within their purview, the staff liaison may reject the request when it is overly burdensome for staff or beyond the purview of the commission. The commission can by majority vote, request City Council direction if there is a question as to the commission's purview or staff's decision. Likewise, the Mayor may provide appropriate direction to the Chair of any commission if the commission overreaches or otherwise is acting in a manner the Mayor and City Council do not support. The City Council and Mayor may also direct specific tasks to a commission during **Referrals to Staff, Commissions, or Sub-committees**.

3.2.3.2 Staff Liaison

City staff members are assigned to act in a technical advisory capacity and to provide professional support to a committee/commission. Commissioners should feel free to contact the staff liaison if they have any questions about the committee/commission activities. Direction and guidance for staff liaisons and other staff members in facilitating the work of commissions is provided in Administrative Policy/Procedure (APP) 2.12.

3.2.3.3 Limits on Authority

Commissions do not have the authority to direct city staff including the staff liaisons and shall refrain from doing so.

3.3 Motions

This section defines actions by the members of the body in the conduct of each agenda item. Generally, actions are initiated in the form of a motion.

3.3.1 Motions in General

Motions are a two-step process. The Chair invites motions and the members of the body make motions. The Chair initiates the motion in one of three ways:

1. Inviting the members of the body to make a motion.
2. Suggesting a motion to the members of the body.
3. Making the motion themselves. The Mayor may make a motion, but should refrain from doing so unless it facilitates clarity or expedient progress or is more effective in extenuating circumstances.

3.3.2 Motions

3.3.2.1 *Types of motions on agenda items for action*

1. **The basic motion:** a member of the body puts forward a decision for the body's consideration. A motion moves forward for consideration if another member of the body seconds the motion.
2. **The motion to amend (may also called a "friendly amendment"):** a member of the body requests a change to the motion on the floor. The amendment is added to the motion on the floor if the members who made and seconded the motion both agree to accept the amendment. If this occurs the motion as amended moves forward.
3. **The substitute motion:** a member who wants a different motion to move forward can propose a "substitute motion". If another member of the body seconds this substitute motion, the substitute motion moves forward, replacing the original motion or amended motion. Substitute motions are also subject to motions to amend.

A member of the body may propose a second substitute motion. If seconded, this substitute motion moves forward. The second substitute motion may be amended. No further substitute motions are allowed.

4. **Motion to reconsider:** Any member of the body who voted for the approval of a successful motion, may make a "motion to reconsider" at any point during the same meeting in which the decision was made. This motion moves forward if it receives a "second" from any voting member of the body. If the motion receives a majority vote, then the issue is reopened as though no decision had been previously rendered. Public comment may be reopened by the Chair at their discretion.

3.3.2.2 *Order of voting on motions*

The order of voting on motions shall be as follows:

1. A second substitute motion, if any, is voted on first.
2. A substitute motion, if any, is voted on. ,
3. The original motion is voted on.
4. If the original motion fails to pass, the Chair may call for a new motion, ask for a motion to continue the issue, or close the issue and move to the next agenda item.

In each case, the motions are voted upon as amended, if the motions were amended during deliberation. In each case, the Chair shall not call the vote until public comment has been completed on the subject. After the motion and second, the Chair may allow further debate or call the vote.

3.3.2.3 *Other motions*

3.3.2.3.1 *Motion to adjourn*

If passed, requires the body to immediately adjourn to the next meeting. **This motion shall not be valid unless Public Participation on Non-Agenda Items has already been completed.**

3.3.2.3.2 *Motion to recess*

If passed, the Chair sets the time for recess and the meeting immediately goes into recess. Upon return from the recess, the Chair must call the meeting to order and request a roll call of members present. The Chair then starts the meeting where it left off. The Mayor may make a motion to recess.

3.3.2.3.3 Motion to table

If passed, discussion on the current agenda item is placed “on hold”. The motion can include a time in which the item can come back to the body. Otherwise, the item may be brought back at any subsequent meeting of the body in which the item is properly agendized in advance.

3.3.2.3.4 Motion to limit debate/call the vote/call the question

This motion does not require a second. After the motion is made, the Chair shall poll the other members if they want any further discussion. If any member wants to continue the discussion, then the Chair puts the motion to a vote. This requires a 2/3rds majority to pass. The Chair may “call the vote” at any time, but may be overridden by a 2/3rds majority of the body on a motion by a member of the body.

3.3.2.3.5 Nominations and Motion to close nomination

During an agenda item that requires nominations for a position and vote for the position, nominations may be made by any member of the body including the Mayor/Chair. No second is required for a nomination. A motion to close nominations may be made by any member of the body at any time. If seconded, this requires a 2/3rds majority to carry. The Mayor/Chair would then conduct a vote on each nomination (the Mayor does not get a vote on this item, but a commission Chair would). If more than one nomination is made for a specific position, the nomination with more votes carries. In the case of a tie, the Mayor would cast the tie breaking vote for a City Council vote. If there is a tie on a commission vote, a coin supplied by the staff liaison would be flipped by the City Clerk or City Clerk’s designee to determine the winner. There is no public testimony on agenda items regarding nominations.

3.3.2.3.6 Motion to suspend the rules

Members of the body may move and vote to suspend the rules defined in this document. However, suspension of rules cannot circumvent Federal or state law or the City Charter, such as the Brown Act. Suspension of the rules requires a 2/3rds vote of the body. For example, rules limiting the public to one comment on each agenda item may be “suspended” in a public workshop type forum.

3.3.3 Voting on Motions

At the Chair’s discretion, the Chair may conduct a verbal vote of “ayes” and “nays”, or a more formal “roll call” vote. Unlike the roll call for attendance conducted by the City Clerk or City Clerk’s designee, the Chair conducts the roll call vote. The Chair shall announce the results of the vote to the public. For items that require a simple majority of the body, a majority of the votes shall be the greater number of those actively participating on the vote. For example, if four members of the Council are in attendance, and one abstains, two vote for the issue and one votes against the issue, the motion passes despite not having a majority of the members in attendance. The “abstain” vote is not counted in the determination of majority. Items that require four of the five Council Members, a super majority, or 2/3rds of the body shall count members abstaining in the calculation. An “abstain” shall count as a vote against the motion in this case.

3.3.4 Mayoral Veto

Per the City Charter, Article 8, Section 8.4, the Mayor has the right to veto actions of the City Council. In the case of an ordinance or resolution, the Mayor’s veto must be submitted in writing within five days of delivery of the written resolution or ordinance. A veto on any other action of the City Council must be made within the meeting in which the City Council action occurred. In the case of an appeal, the Mayor

may veto a vote on an appeal. If the Mayor vetoes a vote denying an appeal, the appeal shall be upheld. The City Council may override any Mayoral veto by four affirmative votes. The power of the veto may not be delegated to the Mayor Pro Tem or anyone else per the City Charter.

3.3.5 Urgent/emergency actions

3.3.5.1 *Action on non-agendized items are prohibited with limited exceptions.*

Action on items or issues that are not properly agendized and publicly noticed per the Brown Act are usually prohibited. Government Code Section 54954.2 does, however, define limited exceptions to this prohibition. Action may be taken on a non-agendized item under the following circumstances:

1. The body, by majority vote, determines that an emergency situation exists per Government Code Section 54956.5. The Mayor, Chair or any member of the body may make a motion to find that an emergency situation exists. After a second, the Chair then conducts a roll call vote. If a majority approves the motion, the topic may be deliberated and acted upon by the body as any normal agendized item.
2. The body, by a two thirds majority of the total body, or if the two thirds of the body is not present, a unanimous vote of the members in attendance, determine that there is a need to take immediate action and that the need for action came to the attention of the body after the agenda was posted. The Mayor, Chair or any member of the body may make a motion to find that a need for immediate action exists. After a second, the Chair then conducts a roll call vote. If the affirmative votes meet the criteria, the topic may be deliberated and acted upon by the body as any normal agendized item.
3. The item was properly agendized for a prior meeting of the body that occurred within the previous five days and at that prior meeting was continued to the current meeting.

3.3.5.1.1 Emergency situation defined in Government Code Section 54956.5

For reference, the definition of “emergency situation” is included below:

“(a)For the purposes of this section, “emergency situation” means both of the following:

(1) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this An emergency, which shall be defined as a work stoppage, crippling activity or other activity that severely impacts public health, safety, or both as determined by a majority of the members of the legislative body.”

(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of members of the legislation.”

3.3.5.2 Remote participation request due to emergency circumstances

If a member requests to attend a meeting of the body remotely due to an emergency, pursuant to Government Code section 54953, and the timing of the request does not allow sufficient time to meet the public posting requirements of the Brown Act, the members of the body physically present may approve such a request by majority vote. The Mayor, Chair or any member of the body may make a motion to allow the requesting member to participate remotely. After a second, the Chair then conducts a roll call vote. An affirmative vote by the majority of the physically present members of the body allows the remote participation.

3.3.5.3 In the case of any conflict between this section and the Brown Act, the Brown Act shall prevail.

3.4 Rules, regulations, guidelines and procedures related to public participation in public meetings.

3.4.1 Compliance with Federal and State laws

It is the policy of the City Council that all public participation in public meetings comply with Federal and State laws such as the Brown Act.

3.4.2 Public Participation on Non-Agenda Items

Each agenda for each public meeting shall include an agenda item for “Public Participation on Non-Agenda Items”. During this agenda item, the public may speak on any matter so long as the matter is:

1. **Under the jurisdiction of the body;** and,
2. Is **not** a matter **already agendized** during the same meeting.

Each speaker shall be limited to three minutes to speak under Public Participation on Non-Agenda Items. Each speaker shall only speak once. The time allocated to Public Participation on Non-Agenda Items shall be limited to 30 minutes.

The Chair will recognize speakers in the following priority:

1. Speakers who have submitted speaker cards
2. Speakers attending the meeting in person
3. Speakers attending via Zoom

Pursuant to provisions of the Brown Act, the body is prohibited from deliberating and taking action on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist as allowed by the Brown Act. The body may make a “Referral to Staff” related to public comment during that agenda item.

PUBLIC PARTICIPATION ON AGENDA ITEMS – For each agendized matter deliberated by the body, the Chair shall invite public comment at the appropriate time. Any member of the public may speak to the matter under discussion during this period provided the comments directly address the agenda item. Each speaker shall be limited to three minutes on each agenda item. Each speaker may only speak once

on each agenda item, unless recalled to the podium by the Chair or members of body during their deliberation. The Chair shall recognize speakers in the following priority:

1. Speakers who have submitted speaker cards
2. Speakers attending the meeting in person
3. Speakers attending via Zoom

4 Public Participant Rules of Conduct, Decorum and Courtesy

4.1 Public participant rules of conduct

The City Council recognizes and respects the right of freedom of speech, but rules of conduct and decorum must be observed so that attendees can be heard, and the Chair and body can conduct its meeting and deliberate and address items before the body. **Any person or group that engages in disorderly or disruptive conduct that impedes the meeting will be asked to leave, be removed, or the Chair can clear the room and continue without an audience, or the members of the body may adjourn the meeting.**

1. Speakers shall restrict their comments to the specific agenda item that they are speaking on or, on Non-Agenda Items, to matters within the body's subject matter jurisdiction. All comments should be addressed to the body and not to other speakers or the audience. Speakers who do not follow these rules will be asked to cease and if they do not comply, they will be ruled out of order on the grounds of relevancy and asked to leave the podium and possibly the meeting.
2. Meeting attendees shall be seated unless recognized by the Chair as a speaker or unless entering or leaving the Council Chambers. Meeting attendees shall remain quiet at all times and shall not hold up placards or signs that block the views of other attendees. Attendees may show support or opposition to speaker by silently raising and waving both hands for support or showing a "thumbs down" in opposition.
3. Disruptive and/or disorderly actions and behaviors that may result in removal from the meeting include, but are not limited to:
 - a. Refusal to leave the podium after the allotted time is exceeded.
 - b. Refusal to leave the podium after the Chair has determined that the comments are beyond the jurisdiction of the body and/or do not pertain to the matter under consideration in an agenda item.
 - c. Refusal to leave the podium after the Chair has determined that the comments are marketing related.
 - d. Blocking the view of other attendees by standing, occupying the aisles, or by holding up a sign or placard that blocks the views of other members of the public, or by other view obstruction.
 - e. Addressing the City Council without being recognized by the Chair.
 - f. Interrupting or attempting to interrupt a speaker.
 - g. Interfering with another attendees' ability to participate.
 - h. Intimidating or threatening behavior.
 - i. Refusal to heed a call to order.
 - j. Failure to cease and desist disruptions when requested by the Chair.
 - k. Entering a non-public area of the Council Chambers without the permission of the Chair.

- l. Failure to leave Council Chambers upon being ejected by the Chair for violation of the Rules of Conduct.
- m. Failure to clear the City Council Chamber upon order of the Chair pursuant to Government Code Section 54957.9.
- n. Use of hate speech or verbal denigration that disrupts the meeting and/or violates Redondo Beach anti-harassment policies.

Individuals or groups participating via Zoom or other electronic means that interrupt or disrupt the meeting, or who fail to follow the direction of the chair, may be silenced or removed from the meeting by the City Clerk or the City Clerk's designee at the direction of the chair.

4.2 Enforcement of public conduct

1. The Chair, shall be the presiding officer at all regular and special meetings of the body. The presiding officer shall enforce these procedural rules of conduct. The Chief of the Police, or his designated representative, shall be the sergeant-at-arms of the body's public meetings.
2. Any member of the body may move to require the presiding officer to enforce the rules and the body, by majority vote, may require him/her to do so.
3. The presiding officer shall be mindful of the following sanctions which may be applied in appropriate circumstances:

Government Code Section 54957.9:

In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

Penal Code Section 403:

Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code and Section 18340 of the Elections Code, is guilty of a misdemeanor.

4.3 Scripts dealing with meeting disruptions

Appendix B includes the approved scripts that Chairs shall use when required to address disruptions by the public during a public meeting under their control.

4.4 Public Rules of Decorum and Courtesy

The public is expected to act with dignity and respect at all times during a public meeting. The City Council asks public speakers to comply with the following rules of decorum and courtesy:

1. Refrain from use of profanity, obscenity, and offensive language in speech, on signs, and on clothing.
2. Refrain from personal threats and attacks.
3. Refrain from hateful and demeaning speech based on race, religion, sexual orientation, ethnicity, and disability.
4. Refrain from yelling or screaming.
5. Respect all people present, participating and watching the meeting.
6. Refrain from clapping, cheering, or booing during the meeting. Rather raise both hands and wave them to show support or give a "thumbs down" to show disagreement.

5 COURTESY, DECORUM, AND PERSONAL CONDUCT OF CITY COUNCIL AND COUNCIL APPOINTED MEMBERS OF CITY BODIES

It is the policy of the City Council that the City Council and appointed members of commissions and boards conduct city business to maintain common courtesy and decorum as they conduct city business or represent the city. To that end the City Council establishes the following guidelines for behavior.

5.1 Each member shall comply with California law and Redondo Beach City Charter, Redondo Beach Municipal Code, Resolutions, and Policies in the execution of their duties.

All members must comply with state and local laws, ordinances and section of the City Charter while acting in the capacity of their elected and/or appointed positions. This includes but is not limited to the Ralph M. Brown Act, Government Code Sections 54950-54693.

5.2 Each member shall avoid Conflicts of Interest

The Government Code provides that "No public official at any level of state or local government shall make, participate in making, or in any way attempt to use an official position to influence a governmental decision in which there is a financial interest." The Political Reform Act requires cities to adopt a conflict of interests code listing those commissions, which are involved in the "making, or participate in the making, of decisions, which may foreseeably have a material effect on any financial interest." At this time, the City's conflict of interest code (Resolution No. 8037) requires certain commissioners, the Mayor and all Council Members to file disclosure statements (Form 700).

Members will be required to disclose investments, interests in real property, sources of income, and business positions held. The Clerk's office will notify these commissioners of their filing requirements in a timely fashion and will provide needed forms and instructions to them.

Any commissioner who has a doubt as to whether or not there is a financial interest in any decision before the commission should contact the Fair Political Practices Commission (advice@fppc.ca.gov) prior to the time required to make the decision.

5.3 Within their official capacity, members are responsible to uphold a positive image of the City

When acting in an official capacity, for example participating in a public meeting, all members of City bodies should conduct themselves in a manner that projects a positive image of the City.

5.4 Each member should treat fellow members, city staff and members of the public with respect.

All members should be respectful of other participants in the meeting. Any disagreements should address the issue, not the individuals who may have a differing position on the issue at hand. Avoid abusive conduct, personal charges, or verbal attacks. Listen courteously to all opinions and consider alternative perspectives. Members should work collaboratively with staff and other members to achieve the city's goals. Any disagreements should be resolved respectfully and constructively, and where appropriate and compliant with the Brown Act and similar legislation, privately.

5.5 Members should refrain from interrupting one another.

Unless required of the Chair to maintain control of the meeting, members should allow the speaker who has the floor to finish before commenting. When appropriate, members may interrupt a presentation to clarify a question, but generally questions and comments should wait until the speaker relinquishes the floor. The closed caption software cannot accurately display interruptions and individuals talking over one another.

5.6 Members should wait to be recognized by the Chair.

In order to maintain order, members wishing to speak should wait until the Chair gives them the floor.

5.7 Members should be prepared to vote and should vote on the merits of the decision at hand

Members are expected to adequately prepare for each meeting. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. Members shall act in the best interest of the community. When making adjudicative decisions (those decisions where the member is called upon to determine and apply facts peculiar to an individual case), members shall maintain an open mind until the conclusion of the hearing on the matter and shall base their decisions on the facts presented at the hearing and the law.

5.8 Members should promote transparency and accountability.

Members are expected to promote open and transparent government. Members shall use city resources responsibly and only for official duties. Members shall follow the Brown Act.

5.9 Members shall protect confidential information.

Members may at times have insight of and access to confidential or privileged information. Members must refrain from improperly revealing this information to those who are not authorized for access to the information. Members should refrain from using the information for personal or political gain.

5.10 Members should be mindful in their dealings outside the meetings

The position filled by the members of the City Council, city boards, and city commissions follows the individuals outside the public meetings. The public may not disassociate private actions from the public role. Members should continue to treat members of the public with dignity and respect in their interactions outside the venue of the public meetings including both face-to-face interactions as well as social media and other forms of communication. Disrespectful and rude interactions may reflect poorly on the body on which the member serves, the City Council, and the City.

Additionally, members should remain vigilant to ensure avoidance of Brown Act violations such as inadvertently conducting a serial meeting.

5.11 Members shall not misrepresent or abuse their position or use it for personal gain

Members should not use their title outside the duties of the positions on which they serve. The titles do not bestow any authority over the public or city staff. And members should not use their position when expressing opinions on matters unless those matters are under the purview of the body on which the member serves and the opinion expressed is the expressed opinion of the entire body. Otherwise, the member should state the opinion as a personal opinion that is not reflective of the body. Members must never use their position to intimidate or assert authority over others or for personal gain.

5.12 Members are expected to follow the same rules of courtesy and decorum as the public.

Members of the body are expected to act with dignity and respect at all times during a public meeting. All members are expected to comply with the following rules of decorum:

1. Refrain from use of profanity, obscenity, and offensive language in speech, on signs, and on clothing.
2. Refrain from personal threats and attacks.
3. Refrain from hateful and demeaning speech based on race, religion, sexual orientation, ethnicity, and disability.
4. Refrain from yelling or screaming.
5. Respect all people present, participating and watching the meeting.

5.13 Members should not interrupt speakers or presenters.

The Chair may interrupt a speaker to enforce the procedures and conduct of the meeting. There may be times when interrupting a presenter is prudent to ensure understanding, but this should be exercised only when really needed for clarity and understanding of the topic. A member should refrain from interrupting a speaker, especially since the speaker has limited time to speak.

5.14 Use of Electronic Devices during Meetings

5.14.1 Silencing devices and limiting use

All members should set their personal devices to silent or vibrate mode during public meetings. Electronic devices shall only be used for the purpose of reading or following agenda materials, conduct of the meeting (such as raising a hand to speak), taking notes, and/or projecting information to augment the deliberation of an agenda item.

5.14.2 Refrain from messaging

All members should refrain from messaging other members or members of the public during a public meeting. All discussion on an item should happen publicly. Members are reminded that electronic messages are records subject to the Public Records Act.

5.14.3 Prohibitions during quasi-judicial hearings

When a board or commission hears matters related to discretionary land use permits (conditional use permits, variances, development permits, etc.) and appeals, these are quasi-judicial hearings subject to both fair process and due process requirements, which require the board or commission to be fair and impartial. Public hearings are conducted as an open, public process. In order to provide a fair public hearing, board and commission members and appointed officials are required to make their decisions based only on evidence "in the record" and cannot rely on evidence or information obtained outside the record that is not disclosed at the public hearing. To ensure a fair hearing, knowledge about an item should be limited to just what is provided as part of the record. Board and commission members should not check outside sources, such as electronic devices, during a hearing. Even if electronic communication is unrelated to the public hearing item, it may give the appearance that board and commission members are either receiving evidence that is not in the record or not giving their full attention to the matter at hand. Board and commission members have a duty to avoid any appearance of impropriety or inattentiveness. As such, members shall not use electronic devices to communicate either directly or through social media with other members of the body or with any other person regarding a public hearing item during the hearing.

5.15 Nomination, Election, and Role of Commission Chairs

Commissions shall nominate and elect a Chair annually for a one-year term. A Chair can serve multiple terms if nominated and voted for by a majority. A duly elected Chair shall conduct the commission meeting and enforce the rules of conduct for public meetings. The Chair, as a member of the body, may make motions and cast votes. Similarly, commissions shall nominate and elect a vice-chair annually. A vice -chair will assume the role of Chair when the Chair is absent.

5.16 Attendance

5.16.1 Mayor and City Council Attendance

The Mayor and City Council are expected to make every attempt to attend all regularly scheduled meetings with any vacations or other outages precoordinated with the Mayor and City Clerk ahead of time.

5.16.2 Commissioner Attendance

Commissioners are expected to make every attempt to attend all regularly scheduled meetings. A commissioner should coordinate in writing with the City Clerk, the Chair and the staff liaison in advance for an excused absence from any meeting. If the commissioner's absence was due to an unforeseen circumstance, the commissioner shall communicate with the City Clerk, the Chair, and the staff liaison as soon as reasonable. If a commissioner misses more than four meetings in a rolling one-year period, the Mayor shall present the City Council with a recommendation to remove the commissioner or provide a rationale for retaining the commissioner.

5.17 All members will perform all required training in a timely manner.

All members shall comply with mandatory training requires set by the state, by the City, or by City Council. This includes but is not limited to:

- Ethics training
- Cyber security training
- Commission Orientation (in the case of Commissioners)

Commissioners who fail to complete any training in a timely manner may be removed pursuant to Section 2-9.109 of the Redondo Beach Municipal Code.

5.18 Commissioners and Commission Chairs should stay within the Role and Scope of the Board/Commission

Commissioners and commission Chairs are responsible to understand the role of the commission. Commissions are all established to advise the City Council. Some commissions may also serve in quasi-judicial roles as clearly defined in the Redondo Beach Municipal Code. Commissioners and Chairs are expected to comply with the limitations of their jurisdiction and role. Staff liaisons will also warn commissions if they are exceeding their scope and role. Any disagreement between staff liaisons and commissioners related to scope of duties and authorities will be adjudicated by the City Council if required. Repeated issues may require action by the Mayor and City Council.

5.19 Commissioners serve at the will of the Mayor and City Council

Per Redondo Beach Municipal Code, commissioners serve at the will of the Mayor and City Council. The City Council may remove any commissioner at any time without reason pursuant to Section 2-9.109 of the Redondo Beach Municipal Code. However egregious or repeated breaches of the codes documented in the previous sections would certainly be grounds for removal. Commissioners should strive to comply with these rules of conduct, courtesy, and decorum.

5.20 Remote Meeting Attendance/Participation

5.20.1 Commissioners

Remote attendance of public commission meetings by commissioners is prohibited.

5.20.2 Mayor and City Council

Members of the City Council may attend and participate in a public meeting using teleconferencing technology provided all requirements of the Brown Act are followed. The following are some of the requirements of the Brown Act with respect to teleconference participation:

- A quorum of the body must participate from City Council Chambers
- Each location must be identified in the agenda notice at time of publication
- Agendas must be posted at each location.
- Each location must be accessible to the public.
- The agenda must provide the opportunity for the public to address the legislative body directly at each teleconference location.
- All votes must be done by roll call.

Section 2.0 of this document details City of Redondo conduct of teleconference participation by City Council members.

APPENDIX A – Model Agenda for City Council meetings

This appendix includes a model agenda for City Council meetings. This model will be tailored for each Commission.

APPENDIX B: Scripts for Chairs to address disruptions to public meetings under their control