

# CITY OF TEMECULA

## CITY COUNCIL POLICY



<b>Title:</b>	<b>Rules of Order</b>
<b>Policy No.</b>	<b>TBD</b>
<b>Approved:</b>	<b>September 28, 2021</b>
<b>Revised:</b>	<b>N/A</b>

### PURPOSE:

The purpose of this City Council policy is to ensure that the business of the people that is conducted at a public meeting is done so in a clear, concise and orderly manner.

### POLICY:

The policy of the City Council with respect to the subject matter listed in the above-referenced title is as follows:

**Obtaining the Floor.** Any Council Member wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Council Member who seeks the floor when that Council Member is appropriately entitled to do so.

**Council Discussion.** Following the staff report and public comments on an item, the Council may discuss the matter before a motion is made.

**Motions.** The Mayor or any member of the Council may call for action on any matter before the Council by making a motion. Before the motion can be considered or debated it must be seconded. Once the motion has been properly made and seconded, the Mayor shall open the matter for debate offering the first opportunity to debate to the moving party and, thereafter, to any Council Member properly recognized by the Mayor. Once the motion has been fully debated and the Mayor calls for a vote, no further debate will be allowed. However, Council Members may be allowed to explain their vote.

**Council Questions Only During Staff Report or Public Comment.** Council participation during the presentation of public testimony or staff reports shall be limited to questions asked at the conclusion of the testimony. No general discussion should be permitted until the testimony has been completed. Council discussion not relevant to the agenda item should be reserved for the City Council Reports portion of the agenda.

**Voting.** If the vote is a voice vote, the Mayor shall declare the result and note for the record all yes votes and all no votes. The Council may also vote by roll call or electronically. Regardless of the manner of voting, the results reflecting all yes and no votes and the Council Members who cast them must be clearly set forth in the minutes of the meeting. No secret ballots are allowed. To be adopted, a motion requires the yes vote of a majority of the quorum present, unless the vote of three Council Members is required

by statute, ordinance, or resolution. If a member is disqualified from voting, the member shall not participate in the consideration of the matter and shall not be counted for the purpose of the quorum. In addition, as required by the Fair Political Practices Act and regulations the member shall leave the dais and the Council chamber during the consideration of the matter, except for matters on the Consent Calendar. If, however, the matter is being considered on the Consent Calendar and has not been removed from the Consent Calendar, the Council Member may remain on the dais and disclose the reason for disqualification. A disqualified Council Member may speak on the matter as a private citizen, but only to the limited extent allowed by the Section 18702.5 of the Regulations of the Fair Political Practices Commission, or its successor sections. A tie vote means no action has been taken on the motion.

**Procedural Rules of Order.** Once the main motion is properly placed on the floor, several related motions may be employed in addressing the main motion, and if properly made and seconded, must be disposed of before the main motion can be acted upon. The following motions are appropriate and may be made by the Mayor or any Council Member at any appropriate time during the discussion of the main motion. They are listed in order of precedence. The first three subsidiary motions are not debatable; the last three are debatable.

#### **Subsidiary Motions.**

**Lay on the Table.** Any Council Member may move to lay the matter under discussion on the table. This motion temporarily suspends any further discussion of the pending motion without setting a time certain to resume debate. To bring the matter back before the Council, a motion must be adopted that the matter be taken from the table. A motion to take from the table must be made at the same meeting at which it was placed on the table or at the next meeting of the Council. Otherwise the motion that was tabled dies, although it can be raised later as a new motion. A motion to lay on the table is not debatable.

**Move Previous Question.** Any Council Member may move to immediately bring the question being debated by the Council to a vote, suspending any further debate. The motion must be made and seconded without interrupting one who already has the floor. A majority vote of the quorum present is required for passage. A motion to move previous question is not debatable.

**Limit or Extend Limits of Debate.** Any Council Member may vote to put limits on the length of debate. The motion must be made and seconded and requires a majority vote of the quorum present to pass. A motion to limit or extend limits of debate is not debatable.

**Postpone to a Time Certain.** Any Council Member may move to postpone debate and action on a motion to a date and time certain. A motion to postpone to a time certain is debatable.

**Commit or Refer.** Any Council Member may move that the matter being discussed should be referred to staff, a committee, or a commission for further study. The motion may contain directions for the staff, committee, or commission, as well as a date upon which the matter will be returned to the Council's Agenda. If no date is set for returning the item to the Council Agenda, any Council Member may move, at any time, to require that the item be returned to the Agenda. A motion to commit or refer is debatable.

**Amend.** Any Council Member may amend the main motion or any amendment made to the main motion. Before the main motion may be acted upon, all amendments and amendments to the amendments must first be acted upon. An amendment must be related to the main motion or amendment to which it is

directed. Any amendment that substitutes a new motion rather than amending the existing motion is out of order and may be so declared by the Mayor. A motion to amend is debatable.

**Motions of Privilege, Order, and Convenience.** The following actions by the Council are to ensure orderly conduct of meetings and are for the convenience of the Mayor and Council Members. These motions take precedence over any pending main or subsidiary motion and may be debated except as noted.

**Call for Orders of the Day.** Any Council Member may demand that the agenda be followed in the order stated therein. No second is required, and the Mayor must comply unless the Council, by majority vote, sets aside the agenda order of the day.

**Request for Privilege.** Any Council Member, at any time during the meeting, may make a request of the Mayor to accommodate the personal needs of the Council for such things as reducing noise, adjusting room temperature, ventilation, etc. The validity of the request is ruled on by the Mayor.

**Recess.** Any Council Member may move for a recess. No second is required, and the Mayor must comply unless the Council, by majority vote, sets aside the motion.

**Adjourn.** Any Council Member may move to adjourn at any time, even if there is business pending. The motion must be seconded, and a majority vote is required for passage. A motion to adjourn is not debatable.

**Point of Order.** Any Council Member may require the Mayor to enforce the rules of the Council by raising a point of order. The point of order shall be ruled upon by the Mayor.

**Appeal.** Should any Council Member be dissatisfied with a ruling from the Mayor, he or she may move to appeal the ruling to the full Council. The motion to appeal requires a second, and the ruling of the Mayor may be overturned by a majority vote of the members present.

**Suspend the Rules.** Any Council Member may move to suspend the rules if necessary to accomplish a matter that would otherwise violate the rules. The motion requires a second, and a majority vote is required for passage.

**Division of Question.** Any Council Member may move to divide the subject matter of a motion which is made up of several parts so that Council Members can vote separately on each part. This motion may also be applied to complex ordinances or resolutions.

**Reconsider.** Except for votes regarding matters that are quasi-judicial in nature or matters that require a noticed Public Hearing, the Council may reconsider any vote taken at the same meeting, but no later than the same or next regular meeting, to correct inadvertent or precipitant errors or to consider new information not available at the time of the vote.

The motion to reconsider must be made by a Council Member who voted on the prevailing side, must be seconded, and requires a majority vote of the quorum for passage, regardless of the vote required to adopt the motion being reconsidered. If the matter is to be reconsidered at the next regular meeting, a Council Member on the prevailing side must ask the City Clerk to place the matter on the agenda or

otherwise comply with the Government Code. If the matter to reconsider is successful, the matter to be reconsidered takes no special precedence over other pending matters and any special voting requirements related thereto still apply. Except pursuant to a motion to reconsider, once a matter has been determined and voted upon, the same matter cannot be brought up again at the same meeting.

**Rescind, Repeal, or Annul.** The Council may rescind, repeal, or annul any prior action taken with reference to any legislative matter so long as the action to rescind, repeal, or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements or unless otherwise specified by law.

**Council Authority.** The Council shall have the authority to waive provisions of the procedures established by this Resolution unless the procedure is required. Failure of the Council to follow the procedures established by this Resolution shall not invalidate or otherwise affect any action of the Council.

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