

## RESOLUTION CC 2022-58

**A RESOLUTION AMENDING THE RULES FOR THE CONDUCT OF PUBLIC MEETINGS, PROCEEDINGS AND BUSINESS TO AMEND THE REGULARLY SCHEDULED CLOSED SESSIONS TO START TIME AT 5:00 PM INSTEAD OF 6:00 PM AND REPEALING RESOLUTIONS CC 2021-02 OR ANY RESOLUTION IN CONFLICT OR INCONSISTENT HERewith**

### **CITY COUNCIL City of Glendora, California**

**SECTION 1.** The City Council of the City of Glendora does hereby adopt and establish the following rules for the conduct of public meetings, proceedings, and business in the City of Glendora, as authorized by Government Code § 54954.3(b).

**SECTION 2.** The City Council of the City of Glendora does hereby ordain and establish that all Glendora Public Meetings will follow and comply with open meeting laws, the “Ralph M. Brown Act (Brown Act),” Government Code § 54950 et seq.

**SECTION 3.** The City Council of the City of Glendora does hereby adopt by reference the Rosenberg’s Rules of Order (Exhibit A) as the rules of procedure that shall govern all Glendora Public Meetings, except as may otherwise be provided in the resolution as the same may be amended from time-to-time.

**SECTION 4.** No action, inaction, or recommendation by the City of Glendora or its City Council or any of its legislative bodies or officials on any matter shall be held invalid or set aside by any court on the ground of the improper admission or rejection of evidence or by reason of any error, irregularity, informality, neglect, or omission (hereafter, error) as to any matter pertaining to applications, notices, findings, records, hearings, reports, recommendations, appeals, or any matters of procedure, unless the court finds that the error was prejudicial and that the party complaining or appealing suffered substantial injury from that error and that a different result would have been probable if the error had not occurred. There shall be no presumption that error is prejudicial or that injury was done if the error is shown. This section satisfies and complies with the requirements of Government Code § 65010 of the State of California.

### **ARTICLE I: MEETINGS**

The City Council of the City of Glendora has ordained and established that all Glendora Public Meetings will follow and comply with open meeting laws, the “Brown Act” Government Code § 54950 et seq.

- A. Regular Meetings. All meetings of the City shall be conducted in the Council Chambers in the City Hall of the City of Glendora located at 116 E. Foothill Blvd., Glendora, California, or at such other place as the City Manager may from time to time prescribe provided the same is/are located in Glendora. Under the Brown Act, regular meeting agendas must be posted 72 hours prior to the meeting in locations freely accessible to the public and on the city’s website.

<b>Governing Board</b>	<b>Meeting Date</b>	<b>Meeting Time</b>	<b>Authority</b>
Business Improvement District (BID)	1st Thursday each month	8:30 am	CC 2018-57
Board of Library Trustees	3rd Monday each month	7:00 pm	CC 2018-57
City Council	2nd & 4th Tuesday each month Closed Session Business Session	5:00 pm 7:00 pm	2.04.010
Community Services Commission	3rd Thursday each month	7:00 pm	CC 2018-57
Planning Commission	1st Tuesday each month	7:00 pm	CC 2018-57
Water Commission	4th Thursday of month of January, April, July, and October	6:00 pm	CC 2018-57

- B. Special Meetings. Special Meeting may be called at any time by the Presiding Officer or by a majority of the members of the legislative body (GMC 2.04.020). No business other than that officially noticed may be discussed. Under the Brown Act, special meeting agendas have additional noticing requirements and must be posted 24 hours prior to the meeting in locations freely accessible to the public and on the city's website. Special meetings under the Brown Act can include workshop, townhall and/or study sessions or any other meeting called by a legislative body to discuss discrete items listed on the agenda.
- C. Adjourned Meetings. Any meeting may be adjourned to any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum may so adjourn. If all members are absent from any regular or adjourned regular meeting, the City Clerk may declare the meeting adjourned to a stated time and place.
- D. Emergency Meetings. The notice requirement for a special meeting may be dispensed with under the following emergency conditions:
1. Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the Council.
  2. A crippling disaster which impairs public health, safety, or both, as determined by a majority of the Council.
- In these circumstances, the President Officer, or designee, must notify the previously designated parties for a Special Meeting and comply with the provision of Government Code § 54956.5 and GMC Chapter 11 Emergency Preparedness. However, only one hour's notice given by telephone is necessary.
- E. Closed Sessions. A City legislative body may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by state law to hear or consider in closed sessions, and may exclude from any such closed session any person or persons which it is authorized by state law to exclude from such closed sessions. Under normal circumstances, Closed Session will be agendized as noted in Article II entitled Order of Business.

- F. Cancellation. Any meeting of a legislative body may be canceled in advance by a majority vote of the legislative body. The Presiding Officer may cancel a meeting in the case of an emergency or when a majority of members have confirmed in writing their unavailability to attend a meeting.
- G. Presiding Officer. The Mayor shall serve as the Presiding Officer and preside over associated public meetings of the City Council. In their absence, the Mayor Pro Tern shall serve as presiding officer.

List of Presiding Officer and backup for each governing board:

<b>Governing Board</b>	<b>Presiding Officer</b>	<b>Serves in absence of Presiding Officer</b>
Business Improvement District (BID)	Chair	Vice-Chair
Board of Library Trustees	President	Vice-President
City Council	Mayor/Chair	Mayor Pro Tern/Vice-Chair
Community Services Commission	Chair	Vice-Chair
Planning Commission	Chair	Vice-Chair
Water Commission	Chair	Vice-Chair

- I. Attendance by the Public. Except as specifically provided by law for closed sessions, all meetings of a Glendora legislative body shall be open and public and otherwise comply with the Brown Act. All persons desiring to attend shall be permitted to attend any meeting. Virtual participation will be available on other such times when a State of Emergency, Health Order or State Executive Order limits in-person participation.

In the event any meeting is willfully and persistently disrupted by an individual, group, or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by removal of the offending individual or individuals, the Council may order the meeting room cleared and continue in session. Representatives of the press, unless participants in the disturbance, shall be allowed to attend such session.

- J. Public Participation. Any person may request to address a legislative body during a public meeting by submitting to the City Clerk a Speakers Request form and stating the topic to be addressed. Speakers Request forms shall be available at the Council Chambers throughout the council meeting. To ensure that the public is able to participate, the City may provide a variety of ways in which the public can submit their comment: in person, virtually, email, phone call, mail and any other method which may become available. Methods of participation may be subject to change during other such times when a State of Emergency, Health Order or State Executive Order limits in-person participation. A majority of a legislative body, if it so desires has the opportunity to request a separate and/or additional public comment period for any item listed on the agenda, with a motion and a second by City Councilmembers.

Under the agenda item, "Public Comment", the Presiding Officer may recognize any person desiring to address the legislative body concerning any subsequent item calendared for action or discussion at that meeting or on any matter within the jurisdiction of the legislative body. Public comment is limited to 30 minutes at each meeting, with the ability to extend if the legislative body so chooses by majority vote. Public comment shall conform to the following protocol:

1. Any person requesting to speak shall be limited to three (3) minutes, speaking once, on both on- and off- agenda items, unless, upon motion, such time is extended by the legislative body. Such statements shall only be allowed during the Public Comment portion of the agenda, unless at a public hearing or unless a person is specifically recognized to speak by the Presiding Officer.
2. Speakers are not permitted to yield their time to another speaker.
3. Any person addressing a legislative body may question or criticize any policy, procedure, or service of the city, any act or omission of the legislative body or any statements or actions of any individual member of a legislative body, provided however that the right to question such policies, procedures, services, statements, acts or omissions does not convey upon the speaker the right to make defamatory or obscene remarks directed toward any individual member of a legislative body, City employee or private citizen, nor does it allow the speaker to address matters beyond the subject matter jurisdiction of the specific legislative body. Those willfully disrupting the orderly conduct of business by violating this provision may forthwith be barred by the presiding officer from further appearance before the legislative body during that meeting.
4. Any person given permission to address a legislative body *may, if desired*, state his/her name, who he/she is representing, if he/she represents other persons and the subject matter he/she wishes to discuss.
5. All remarks may be addressed to the entire legislative body or to any member thereof. Questions asked of any individual member of such body or a member of the staff may or may not be responded to at the discretion of the chair or of member of the legislative body.
6. No person returning to his seat shall be allowed to speak again without approval of the presiding officer.

Notwithstanding the provisions of Subsection 1. herein, any person may be recognized for public input on any matter at any time during the meeting upon adoption of a motion by a member of the legislative body recognizing the person and identifying the subject matter.

7. Any person attending any meeting of any legislative body may record the proceedings of the meeting with an audio or video tape recorder or with a still or motion picture camera provided that such devices are operated in a non-disruptive manner. Upon determining that recording or photographing a particular meeting is disruptive or creates a disturbance by virtue of excessive noise or light or by disrupting the view of the legislative body or of members of the public, the Presiding Officer may order suspension of recording or photography for the remainder of that meeting.

Any person in attendance may address a legislative body during a public hearing, subject to the provisions of Article IV hereof. Persons addressing the legislative body at any time shall state their name and direct their comments to the Presiding Officer and not to the staff, media representatives or the audience. Persons in attendance shall not speak upon any subject except as is otherwise provided in this section or in Article IV.

- K. Council or Other Body Agenda Items. These matters must be placed on the agenda in advance of the meeting in order for the Council or other applicable City legislative body to hear and consider such matters. Matters considered under legislative body Reports are actions requested by two members of any legislative body.
- L. Council/Member Statements. (Non-Action) Any Council Member or member of a convened City body in the meeting shall be allowed to bring up any matter of relevance to the body without the necessity of requiring action on such matter. Council Member reports regarding regional and local representation should occur under this section. The subject matter of these items need not be submitted prior to City Council meetings.
- M. City Manager and City Attorney Statements. Statements and/or requests from City Manager and City Attorney relating to actions being considered by the legislative body, that falls within the jurisdiction of the City of Glendora or is of interest to the legislative body and/or community.
- O. Agenda. The agenda, in its simplest form sets out the list of items that the legislative body intends to consider at the meeting. Before each meeting City Manager and city staff prepares a meeting agenda and packet that is used by the legislative body as a source of information and advice to assist their decision making and by the public to stay informed and decide if they want to participate in the process. Agendas and the placement of items on the agenda is the responsibility of the City Manager. Any Council member or member of a convened City body can request for the Council or other applicable body to hear and consider a matter. Matters considered under Council or other Body Agenda Items are actions requested by two members of the Council or body.

Agendas and supporting packets for all public meetings will be noticed and posted in compliance with the Brown Act. As a general rule, the Council will not take action on any item which does not appear on the posted Agenda. Exceptions are allowed in emergency/urgency situations or when the need arises.

The City Clerk will prepare a yearly meeting calendar identifying meeting dates and cancellations to aid governing board members and staff with planning and scheduling. A copy of the draft agenda will be transmitted to the City Manager one-week before the meeting for so it can be reviewed with board members during briefings.

\*In the case of Glendora Boards or Commissions, the staff liaison is responsible for agendas and placement of agenda items.

- P. Record of Proceedings. All *meetings*/hearings will be recorded, and action minutes of proceedings will be prepared in action form. Recordings, exhibits, and staff reports will be permanently maintained. (Resolution 2012-41) Notice requirements of the Brown Act are complied with for all meetings; action minutes of the meeting are taken by the City Clerk or designee and made available for public inspection upon affirmation.

- Q. Sergeant at Arms. If directed by the City Council, there shall be available for public meetings a sworn officer of the Police Department who shall serve as Sergeant at Arms. The Mayor or City Manager shall have the authority to require the presence of the Sergeant at Arms when he/she deems such presence necessary. The Sergeant at Arms shall, under direction of the Presiding Officer, maintain order on the floor during public meetings.
- R. Parliamentarian. During public meetings, the City Attorney shall act as the Parliamentarian. This role provides clarification and direction on parliamentary procedures, including allowable actions by the legislative body.
- S. Curfew. In the absence of a motion duly adopted by majority vote of the City Council, the Presiding Officer may adjourn City Council meetings at 10:30 p.m. or as soon thereafter as is reasonably practicable. This means that under normal circumstance, the City Council will complete action on whatever agenda item is being discussed/debated at 10:30 p.m. after which the Presiding Officer shall adjourn the regularly scheduled meeting to a time certain at which time the meeting shall be reconvened as an Adjourned Regular Meeting of the City Council and action upon the published agenda continue.
- T. Community Recognition. The City of Glendora periodically honors the service of community volunteers as well as the outstanding accomplishments of its citizens. ***To improve the efficiency of public meetings, whenever possible, such recognitions should take place during the monthly/quarterly presentation*** by the City Council.

ARTICLE II: ORDER OF BUSINESS

The order of business for public meetings shall be as follows:

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| <ol style="list-style-type: none"><li>1. Call to Order</li><li>2. Closed Session (if necessary)</li><li>3. Invocation, Pledge of Allegiance</li><li>4. Student Reports (2<sup>nd</sup> meeting of month, 3 minutes each)</li><li>5. Reorder of Agenda</li><li>6. Public Comment (limited to 3 minutes per speaker)</li><li>7. Member Statements/Reports</li><li>8. City Manager and City Attorney Statements</li><li>9. Special Items (as necessary/appropriate)</li><li>10. Public Hearings</li><li>11. Consent Calendar (including minutes)</li><li>12. Member Agenda Items</li><li>13. Unfinished Business</li><li>14. New Business</li><li>15. Member/Staff Closing Comments</li><li>16. Adjourn</li></ol> |
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\*In the case of Glendora Boards or Commissions, sections not relevant to board/commission meetings will be removed or modified.

Items may be placed on the Consent Calendar at the discretion of the City Manager. All items listed on the Consent Calendar are considered to be routine and will be enacted by a single vote. There will be no separate discussion of these items unless a member of the City Council requests specific items to be removed from the Consent Calendar for separate action. Any items removed from the Consent Calendar will be considered after the regular items.

### ARTICLE III: RULES OF CONDUCT

Proceedings of all Glendora legislative bodies shall be governed by Rosenberg's Rules of Order (Exhibit A, as the same may be amended from time-to-time), on all matters pertaining to parliamentary procedure but no law, ordinance, resolution proceeding, or other action of the legislative body shall be invalidated or the legality thereof be otherwise affected by the failure or omission to observe or follow the said rules.

Business shall be brought before the Glendora City Council by motion in accordance with the following standards of conduct, all of which are consistent with Rosenberg's Rules of Order. No member of a legislative body shall be permitted to be abstain from voting if such abstention results in a tied vote unless such abstention shall have been approved by the city attorney. Unexcused abstentions shall be counted by the city clerk as a vote in opposition of the particular motion.

### ARTICLE IV: PUBLIC HEARINGS

Matters, which are required to be heard at a noticed public hearing, shall be conducted in the following manner.

1. Time for Consideration. Matters noticed to be heard by the City Council, Planning Commission, or Water Commission shall commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed in accordance with provisions of this Article IV or until other disposition of the matter has been made.
2. Continuance of Hearings. Any hearing being held or noticed or ordered to be held by the City Council, Planning Commission or Water Commission at any meeting of the City Council, Planning Commission or Water Commission may, by order or notice of continuance, be continued or recontinued to any subsequent meeting in the manner provided herein for adjourned meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted or made.
3. Public Discussion at Hearings. When a matter for public hearing comes before the City Council, Planning Commission or Water Commission, the Presiding Officer shall solicit comments from staff and from the applicant/appellant after which the Presiding Officer shall open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the Presiding Officer shall inquire if there are any persons present who desire to speak as proponents of or as opponents to the matter which is to be heard or to present evidence respecting the matter. Any person desiring to speak, or present relevant

evidence shall make his/her presence known to the Presiding Officer. No person may speak without first being recognized by the Presiding Officer. Members of the City Council, Planning Commission or Water Commission who wish to ask questions of the speakers or each other, during the public hearing portion may do so but only after first being recognized by the Presiding Officer. The Presiding Officer shall conduct the meeting in such a manner as to afford due process.

Persons interested in the matter being heard by City Council, Planning Commission or Water Commission shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by the City Clerk as part of the Clerk's record. Time limits may be established by the council, limiting the duration of presentations as set forth in these rules. No person shall be permitted during the hearing to speak about matters or present to evidence which are not germane to the matter being considered. A determination of relevance shall be made by the Presiding Officer but may be appealed as set forth in these rules.

4. Public Hearings. Public Hearings shall be conducted in accordance with the following protocol:
  - A. The Presiding Officer shall call the agenda item, read title and open Public Hearing.
  - B. After opening Public Hearing, the Presiding Officer shall ask for presentation of the staff report and comment.
  - C. Following the staff report, the Presiding Officer shall ask for any presentation the applicant/appellant may wish to offer (10 minutes).
  - D. Following the presentation of the applicant/appellant, the Presiding Officer shall call for public testimony.
  - E. Following public testimony, the Presiding Officer shall allow the applicant/appellant a five-minute summation or rebuttal.
  - F. The Presiding Officer shall close the Public Hearing after which time no member of the public shall further address the Council unless specifically asked to do so by a member of the Council through the presiding officer.
5. Consideration of Question by City Council, Planning Commission or Water Commission. After the public hearing has been closed, the Mayor and the Council may consider what disposition they wish to make of the question or questions presented at the hearing. No member of the public shall be allowed to speak further on the question during this period of deliberation, without consent of the Presiding Officer, although the Council Members may ask questions of the speakers if so desired. At the conclusion of City Council, Planning Commission or Water Commission discussion, and an appropriate motion having been made and seconded, the City Council, Planning Commission or Water Commission shall vote on the matter.



**SECTION 5.** These same rules apply to all City of Glendora Boards, Commissions and/or Committees.

**SECTION 6.** To ensure appropriate changes are incorporated into City Council and Board and Commission agenda layouts and so that required changes to Glendora Municipal Code Section 2.04.010 will be in effect, this Resolution will go into effect starting April 2021.

**SECTION 7.** All resolutions or parts of resolutions in conflict or inconsistent herewith are hereby repealed.

**SECTION 8.** The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

**PASSED, APPROVED and ADOPTED** this 25<sup>th</sup> day of October, 2022.

City Council of Glendora, CA

DocuSigned by:  
*KAREN K. DAVIS*  
BY: \_\_\_\_\_  
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KAREN K. DAVIS  
Mayor

APPROVED AS TO FORM:  
Aleshire & Wynder, LLP

DocuSigned by:  
*William W. Wynder*  
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WILLIAM W. WYNDER  
City Attorney

**CERTIFICATION**

I, Kathleen R. Sessman, City Clerk/Communications Director of the City of Glendora, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Glendora at a regular meeting held on the 25<sup>th</sup> day of October, 2022, by the following vote:

AYES: COUNCIL MEMBERS: Allawos, Fredendall, Thompson, Boyer, Davis.  
NOES: COUNCIL MEMBERS: None.  
ABSENT: COUNCIL MEMBERS: None.  
ABSTAIN: COUNCIL MEMBERS: None.

Dated: October 27, 2022

DocuSigned by:  
*Kathleen R. Sessman*  
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KATHLEEN R. SESSMAN, MMC  
City Clerk/Communications Director

**Certificate Of Completion**

Envelope Id: C7EA6B594EA64D97B59098F413BFF6EF	Status: Completed
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Certificate Pages: 5	Initials: 0
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Envelope Stamping: Enabled	Elvia Dominguez
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	116 E Foothill Blvd
	Glendora, CA 91741
	edominguez@cityofglendora.org
	IP Address: 173.196.201.130

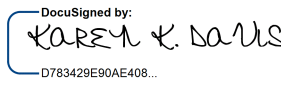
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**Signer Events**

KAREN K. DAVIS  
kdavis@cityofglendora.org  
Mayor  
Security Level: Email, Account Authentication (None)

**Signature**

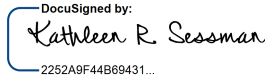
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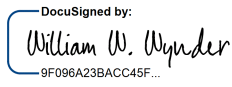
Kathleen R. Sessman  
ksessman@cityofglendora.org  
City of Glendora  
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Not Offered via DocuSign

William W. Wynder  
wwynder@awattorneys.com  
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Intermediary Delivery Events	Status	Timestamp
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Payment Events	Status	Timestamps
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