

**AN ORDINANCE OF THE COUNCIL OF THE
CITY OF SANTA BARBARA AMENDING
CHAPTER 2.04 OF THE SANTA BARBARA
MUNICIPAL CODE PERTAINING TO
COUNCIL MEETINGS**

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS
FOLLOWS:

SECTION 1. Chapter 2.04 of Title 2 of the Santa Barbara Municipal Code is
amended in its entirety to read as follows:

2.04.010 Regular Meeting Schedule.

Regular meetings of the City Council shall be held in the Council Chambers in
the City Hall on each Tuesday of each week at a time set by resolution.

~~**2.04.020 Adjourned Meetings.**~~

~~Any regular Council meeting may be adjourned to any day between the regular
meetings commencing at such time as may be ordered, and such adjourned meetings
shall be deemed as a continuance of the last preceding regular meeting.~~

~~**2.04.030 Special Meetings - Time - Mayor.**~~

~~Special meetings may be held on any day, commencing at any hour and shall be
called by the Mayor or four (4) members of the Council in the following manner:~~

~~When called by the Mayor or by four (4) members of the Council, the Mayor or
four (4) members of the Council shall, by a written notice, require the City Clerk to issue
under his hand and seal a written notice of the time of holding such meeting. Such
notice must contain the subject to be discussed or acted upon at the special meeting.
Such notices shall be personally served by the Police Department upon the Mayor, City~~

~~Attorney, and each member of the Council, or left at the residence or place of business of such person not less than five (5) hours before such special meeting.~~

2.04.040020 Rules of DebateProcedure.

A. The City Council shall from time to time adopt by resolution rules of procedure governing the conduct of City Council meetings.~~(a) Getting the floor. Every Councilmember desiring to speak shall first address the chair, gain recognition by the presiding officer, and shall confine himself to the question under debate, avoiding personalities and indecorous language.~~

B. The rules of procedure adopted pursuant to this chapter are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the City Council or invalidate any action taken at a meeting that is otherwise held in conformity with law.

~~——(b) Questions to staff. Every Councilmember desiring to question the City staff shall, after recognition by the presiding officer, address his questions to the City Administrator, the City Clerk or the City Attorney, who shall be entitled to either answer the inquiry himself or to designate a member of his staff for that purpose.~~

~~——(c) Interruptions. A Councilmember, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer, unless a point of order or personal privilege is raised by another Councilmember, or unless the speaker chooses to yield to a question by Councilmember. If a Councilmember, while speaking, is called to order, he shall cease speaking until the question of order is determined and, if determined to be in order, he may proceed. Members of the City staff after recognition~~

~~by the presiding officer shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.~~

~~——(d) Point of personal privilege. The right of a Councilmember to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are questioned or where the welfare of the Council is concerned. A Councilmember raising a point of personal privilege may interrupt another Councilmember who has the floor only if the presiding officer recognizes the privilege.~~

~~——(e) Privilege of closing debate. The Councilmember moving the adoption of an ordinance, resolution or motion shall have the privilege of closing debate.~~

~~——(f) Limitation of debate. No Councilmember shall be allowed to speak more than once upon any particular subject until every other Councilmember desiring to do so shall have spoken. There shall be no debate or further discussion of the subject matter following order for roll call by the presiding officer.~~

~~——(g) Remarks of Councilmember and synopsis of debate. A Councilmember may request through the presiding officer the privilege of having an abstract of his statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.~~

~~——(h) Except as provided by the City Charter, by ordinance, by other rules adopted by the Council or by applicable provisions of State law, the procedures of the Council shall be governed by Robert's Rules of Order, revised, Seventy-Fifth Anniversary Edition.~~

~~——(i) Failure to observe rules of order. Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only and~~

~~the failure to strictly observe such rules shall not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law.~~

2.04.050 Addressing the Council.

~~(a) Manner of addressing the Council. Each person desiring to address the Council shall step up to the microphone in front of the rail, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons. All remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Councilmember or a member of the City staff without the permission of the presiding officer.~~

~~(b) Limitation of discussion. In order to expedite matters and to avoid repetitious presentations, it shall be proper for the presiding officer to limit the number of persons addressing the Council on a given subject, and to also establish reasonable time limits for presentations.~~

~~(c) After motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so from the presiding officer.~~

2.04.06030 Decorum.

(a)A. Councilmembers. While the City Council is in session, ~~the each~~ Councilmember ~~members~~ must preserve order and decorum, and a Council member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the City Council nor disturb any Council member while speaking or refuse to

obey the orders of the ~~presiding officer~~Mayor. ~~Members of the Council shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.~~

~~(b)B.~~ B. Persons addressing the City Council and persons in attendance at City Council meetings. All persons addressing the City Council or in attendance at a City Council meeting shall comply with the rules of procedure adopted by resolution pursuant to this chapter. ~~Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Council shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer be ordered barred from further audience before the Council or excluded from the Chambers for the duration of that meeting.~~

~~_____ (c) Members of the audience.~~ Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and actually disrupts the good order of the meeting, or who refuses to comply with the lawful orders of the ~~presiding officer~~Mayor, shall be, upon instructions from the ~~presiding officer~~Mayor, removed from the ~~meeting~~Council Chambers by the sergeant-at-arms.

~~(d)C.~~ C. Enforcement of decorum. The Chief of Police, or such member or members of the Police Department as he or she may designate, shall be sergeant-at-arms of the City Council and shall carry out all orders given by the ~~presiding officer~~Mayor for the purpose of maintaining order and decorum at the Council meetings. Any Councilmember may move to require the ~~presiding officer~~Mayor to enforce the

rules and the affirmative vote of a majority of the Council shall require ~~him~~ the Mayor to do so.

~~(e)~~ D. Authorized persons within rail. No person except City officials, their representatives and news media representatives, shall be permitted within the rail in front of the Council Chambers, without the express consent of the Council Mayor.

~~2.04.070~~ **Procedure.**

~~(a) Motions; second not required. A motion by any member of the Council, including the presiding officer, may be considered or discussed by the Council without receiving a second.~~

~~(b) Voting procedure. Any vote of the Council, including a roll call vote, may be registered by the members by answering "Yes" for an affirmative vote or "No" for a negative vote upon his name being called by the City Clerk.~~

~~(c) Disqualification for conflict of interest. Any Councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the presiding officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Councilmember affected, be decided by the other Councilmembers. A Councilmember who is disqualified by reason of a conflict of interest in any matter shall not remain in his seat during the debate and vote on such matter. A Councilmember stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.~~

~~(d) Failure to vote. Every Councilmember should vote unless disqualified by reason of a conflict of interest. A Councilmember who abstains from voting in effect consents that a majority of the quorum may decide the question voted upon.~~

~~(e) Tie vote. Tie votes shall be lost motions.~~

~~(f) Changing vote. A member may change his vote only if he makes a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up.~~

~~(g) Reconsideration. A motion to reconsider any action taken by the Council may be made only at the meeting such action was taken or at the next regular meeting of the Council. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion may be made only by one (1) of the Councilmembers who voted with the prevailing side. Nothing herein shall be construed to prevent any Councilmember from making or remaking the same or any other motion at a subsequent meeting of the Council.~~

2.04.080040 Ordinances, Resolutions and Contracts.

~~(a)~~A. All ordinances shall be prepared for presentation to the City Council pursuant to the provisions of this chapter. All ordinances shall be prepared by the City Attorney.

~~(b)~~B. All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been examined and approved for administration by the City Administrator, subject to any time limit imposed by this Code.

~~(e)~~C. At the time of introduction or adoption of an ordinance or a resolution, it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the Councilmembers present. Such consent may be expressed by a statement by the ~~presiding officer~~Mayor to the effect that if there is no objection, the further reading of the ordinance or resolution shall be waived. All emergency ordinances must be read in full.

~~**2.04.090 — Charter Amendments – Preparation – Submission to Council.**~~

~~— The Mayor or any member of the City Council may request the City Attorney to prepare a Charter amendment for submission to the vote of the electors. Such Charter amendment, when prepared by the City Attorney, shall be reviewed by the person or persons requesting the same, and shall thereupon be circulated to all members of the City Council, and shall not be introduced as a measure earlier than two (2) weeks following its submission to the City Council.~~