



## **Application Information for Appointment to Agoura Hills City Council**

Thank you for your interest in serving the community as an appointed member of the Agoura Hills City Council.

### **The timeline for filling the City Council vacancy is as follows:**

- September 8, 2022: Applications due to the City Clerk's office no later than 5:00 p.m.
- September 14, 2022: Interviews will occur at the City Council meeting.

To be considered, your application must be received and date stamped by the City Clerk's Office no later than 5:00 p.m. on Thursday, September 8, 2022. Late applications or additional written information after this time and date will not be accepted.

Please submit your original application to the City Clerk's Office, 30001 Ladyface Court, Agoura Hills, CA 91301. **Emailed and faxed applications will not be accepted.**

### **To be eligible to be appointed to the City of Agoura Hills City Council, you must be:**

1. 18 years of age or older,
2. A resident of the incorporated area of the City of Agoura Hills,
3. Registered to vote at his/her current place of residence in Agoura Hills,
4. Able to certify that he/she meets the eligibility requirements and is willing to serve in the office of Member of the City Council for the remainder of the unexpired term, and
5. Not be a certified candidate for the November 8, 2022, General Municipal Election.

### **Please note that:**

- The person appointed will hold office until the City Council Reorganization Meeting in December 2024 (following the November 6, 2024 election).
- Verification of voter registration will be confirmed upon submittal of an application.
- Once an application is filed with the City, all information contained therein (except residential street and email addresses, telephone number(s) and birthdate) is public record.
- If appointed, you will be required by state law to file a Statement of Economic Interests – Form 700 (assuming office) with the Fair Political Practices and annually thereafter.
- In addition, in compliance with AB 1234, you will be required to take the mandatory Ethics Training (biennially) and abide by the Provisions of the Code of Fair Campaign Practices and the Agoura Hills City Council Norms.
- Applicants must be present in-person for interviews in the Council Chambers at the Regular City Council Meeting scheduled for 6:00 p.m. on Wednesday, September 14, 2022 (no Zoom participation permitted). Please note that the interviews will be televised. Once voter registration is verified by the City Clerk, applicants will be contacted and requested to attend the interview in-person (no remote/zoom attendance). Please plan to arrive by 5:45 p.m. to check-in with City staff.

**COMPLETED APPLICATIONS MUST BE RECEIVED AND DATE STAMPED BY THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON THURSDAY, SEPTEMBER 8, 2022.**



**CITY OF AGOURA HILLS  
APPLICATION FOR APPOINTMENT  
TO CITY COUNCIL VACANCY**

*(Term begins upon appointment and ends December 2024)*

**INSTRUCTIONS:** Complete this application and return it to the City Clerk's Office, 30001 Ladyface Court, Agoura Hills, CA 91301. Emailed and faxed applications will not be accepted. If you have any questions please contact the City Clerk's Office at 818-597-7303. Please TYPE or PRINT clearly in ink. If you wish to submit additional information, please attach to this application. **All information contained herein (except residential street and email addresses, telephone number(s) and birthdate) is a public record.**

**APPLICATIONS ARE DUE BY THURSDAY, SEPTEMBER 8, 2022, AT 5:00 P.M.**

FIRST NAME: \_\_\_\_\_ LAST NAME: \_\_\_\_\_

PLEASE PROVIDE YOUR BIRTHDATE (MM/DD/YYYY) \_\_\_\_\_ (VOTER REGISTRATION VERIFICATION ONLY)

HOME ADDRESS: \_\_\_\_\_  
Street City Zip Code

HOME PHONE: ( ) \_\_\_\_\_ CELL PHONE: ( ) \_\_\_\_\_

EMAIL: \_\_\_\_\_ BUSINESS PHONE: ( ) \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_ OCCUPATION: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

ARE YOU CURRENTLY A RESIDENT OF AGOURA HILLS? \_\_\_\_\_ HOW MANY YEARS? \_\_\_\_\_

WHY DO YOU WISH TO SERVE THE CITY? \_\_\_\_\_

DESCRIBE HOW YOUR EXPERIENCE AND/OR EDUCATION MAKES YOU AN IDEAL CANDIDATE FOR THE CITY COUNCIL. \_\_\_\_\_

IN YOUR OPINION WHAT ARE THE MOST IMPORTANT ISSUES FACING THE CITY OF AGOURA HILLS AND WHAT ARE YOUR SUGGESTIONS ON HOW TO ADDRESS THOSE ISSUES? \_\_\_\_\_

WHAT VISION DO YOU HAVE FOR THE FUTURE OF THE CITY OF AGOURA HILLS? \_\_\_\_\_

WHAT POSITIVE CONTRIBUTIONS HAVE YOU MADE TO THE LOCAL COMMUNITY? \_\_\_\_\_

WHAT IS YOUR EXPERIENCE WORKING AS A TEAM MEMBER OR COLLABORATOR? \_\_\_\_\_

PLEASE PROVIDE ANY ADDITIONAL INFORMATION OR COMMENTS YOU FEEL WOULD ASSIST CITY COUNCIL IN CONSIDERING YOUR APPLICATION. \_\_\_\_\_

LIST THREE (3) AGOURA HILLS REFERENCES WHO SUPPORT THIS APPLICATION (i.e., residents, business owners, etc.):

Name \_\_\_\_\_ Phone/Email: \_\_\_\_\_

Name \_\_\_\_\_ Phone/Email: \_\_\_\_\_

Name \_\_\_\_\_ Phone/Email: \_\_\_\_\_

WHAT COMMUNITY ORGANIZATIONS HAVE YOU SERVED ON? \_\_\_\_\_

City Council Meetings are typically held in the evening on the second and fourth Wednesday of the month at 6:00 p.m., with a potential Closed Session prior to the meeting (at 5:00 p.m.). Additionally, a flexible work schedule is required to attend day or evening meetings (i.e., subcommittee, outside agency, or special meetings, study sessions and public workshops, etc.) and City-sponsored events (i.e., ribbon cutting or ground breaking events, concerts or movies in the park, Reyes Adobe Days, etc.).

Will you be able to attend all the types of meetings and/or events as listed above? Yes \_\_\_ No \_\_\_

Are you a registered voter (City of Agoura Hills)? Yes \_\_\_ No \_\_\_

Are you willing to file a Statement of Economic Interests (Form 700), as required? Yes \_\_\_ No \_\_\_

Are you willing to complete the AB 1234 Ethics Training, as required? Yes \_\_\_ No \_\_\_

Are you willing to agree to abide by the Provisions of Code of Fair Campaign Practices? Yes \_\_\_ No \_\_\_

Are you willing to agree to abide by the Agoura Hills City Council Norms? Yes \_\_\_ No \_\_\_

If NO, to any of the above, please explain:

\_\_\_\_\_  
\_\_\_\_\_

**Note: All information contained herein (exceptions listed above) is a public record.**

**ELIGIBILITY REQUIREMENTS:** 1) be 18 years of age or older, 2) be a resident of the incorporated area of the City of Agoura Hills, 3) be a registered voter at the applicant's current place of residence in Agoura Hills, 4) be able to certify that he/she meets the eligibility requirements and is willing to serve in the office for the remainder of the unexpired term, and 5) not be a certified candidate for the November 8, 2022, General Municipal Election.

CITY CLERK ONLY

Voter Registration Verified

Date: \_\_\_ Initials: \_\_\_

By signing, I hereby certify that I meet all (5) eligibility requirements above. Dated: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

Applicants must be present in-person for interviews in the Council Chambers at the Regular City Council Meeting scheduled for 6:00 p.m. on Wednesday, September 14, 2022 (no Zoom participation permitted). Please note that the interviews will be televised. Once voter registration is verified by the City Clerk, applicants will be contacted and requested to attend the interview in-person (no remote/zoom attendance). Please arrive by 5:45 p.m. to check-in with City staff.



# APPLICANT HANDBOOK

## APPOINTMENT TO AGOURA HILLS CITY COUNCIL VACANCY



Application Deadline: Thursday, September 8, 2022 by 5:00 PM

City Council Public Interviews: Wednesday, September 14, 2022  
(Applicants will be asked to arrive to the Council Chambers by 5:45 PM)

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# APPLICANT HANDBOOK

## APPOINTMENT TO CITY COUNCIL VACANCY

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On August 15, 2022, Councilmember Linda Northrup submitted a resignation letter creating a vacancy for her position on the City Council. At their Regular City Council Meeting on August 24, 2022, the City Council, unanimously, approved an appointment process to fill the vacancy for the unexpired term ending December 2024.

Applicants have an opportunity to apply for the City Council vacancy and participate in an in-person (no remote/Zoom attendance) public interview process. Upon submittal of a completed application and verification of voter registration, applicants will be invited to the interview process scheduled for 6:00 p.m. (arrive by 5:45 p.m.), Wednesday, September 14, 2022, in the Council Chambers located at 30001 Ladyface Court, Agoura Hills. At this meeting, the City Council will interview each applicant to select an appointee to serve the remaining unexpired term.

This Applicant Handbook has been prepared to provide a general understanding of the duties of serving as Councilmember. While the following summaries are accurate, they in no way may be construed as being inclusive of all aspects of a Councilmember's duties. **This handbook is provided for general information only.**

### FILING DEADLINES

**Applications (no email or facsimiles accepted) must be received and date stamped by the City Clerk's Office no later than 5:00 p.m. on Thursday, September 8, 2022.**

### ELIGIBILITY FOR OFFICE

No person shall hold or be eligible for appointment to office as a Member of the City Council unless, **at the time his/her application is filed**, he/she is a resident of the City of Agoura Hills and a registered voter at his/her current place of residence.

An applicant for Agoura Hills City Council must be: 18 years of age or older; a resident of the incorporated area of the City of Agoura Hills; registered to vote at his/her current place of residence in Agoura Hills; able to certify that he/she meets the eligibility requirements and is willing to serve in the office of Member of the City Council for the remainder of the unexpired term; and not be a certified candidate for the November 8, 2022, General Municipal Election.

**NOTE:** *To register to vote in California, a person must be a United States citizen and resident of California, 18 years of age or older, not currently serving a state or federal prison term for the conviction of a felony; and not currently found mentally incompetent to vote by a court.*



## GENERAL INFORMATION ABOUT THE CITY COUNCIL

**The appointee will fill the vacancy for the unexpired term ending December 2024. Below is general information about the City Council and normal election process.**

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Members of the City Council are elected from the City at large.

**Terms of Office.** Members of the City Council shall hold office for a period of four years from and after the administration of the Oath of Office on the evening of the City Council Reorganization Meeting (following the election) tentatively scheduled for Tuesday, December 13, 2022, and until their successors are elected and qualified, **except that any persons elected to fill a vacancy shall serve for the remainder of the unexpired term.**

**Compensation.** City Councilmembers shall receive a maximum of \$300/month and are also eligible for health benefits and an auto allowance.

**Mayor and Mayor Pro Tem.** Insofar as possible, each Councilmember should have a fair and equal opportunity to serve as Mayor and Mayor Pro Tem. The outgoing Mayor will follow [1] those already in the rotation and [2] first-time elected Councilmember(s). The order of the first-time elected Councilmember(s) should be based on the order of finish in the election, with the first-time elected Councilmember receiving the most votes taking the first term, the next in line taking the second, and so on. Once a Councilmember's position in the rotation is established, it does not change based upon the future order of election results. If the election is canceled, the order of the rotation of the appointed candidates will remain the same.

In accordance with this rotation, the Mayor and Mayor Pro Tem are nominated at the first Council meeting following each general election for City Council, and are selected by a vote of their peers on the Council. They serve for a one-year term. In the customary rotation, the Mayor Pro Tem is nominated to serve as Mayor at the end of the Mayor's one-year term.

**The Mayor represents the City, is the official spokesperson, and presides over all City Council meetings, signs official documents when the signature is required by law, and acts as official head of the City on public and ceremonial occasions.** In the absence of the Mayor, the Mayor Pro Tem performs the duties of Mayor.

## **ABOUT THE CITY COUNCIL, *continued***

**Meetings.** The City Council holds its regular meetings every second and fourth Wednesday at 6:00 p.m. in the City Hall Council Chambers of the Civic Center located at 30001 Ladyface Court, Agoura Hills, California. The Council may hold Closed Sessions, typically held before a City Council meeting at 5:00 p.m., to consider any matter permitted by State law. Three members constitute a quorum.

Special meetings of the City Council may be called and at these meetings, only the specific business that has been stated on the Agenda can be considered.

Members of the City Council also serve as members of the Agoura Hills Financing Authority, Agoura Hills Improvement Authority, Parking Authority of the City of Agoura Hills, and the Successor Agency to the Agoura Hills Redevelopment Agency.

### **OTHER ACTIVITIES OF THE CITY COUNCIL**

Study sessions are held from time-to-time for in-depth review and discussion of major projects or policies or to meet with various advisory boards or committees or other agencies. Annually, the Mayor appoints Councilmembers to the following City Council and Agency Representative Boards, Commissions, or Committees, including any Ad Hoc Committees created to address specific issues or projects.

#### City Council Subcommittees:

- City/Schools Subcommittee (includes LVUSD Superintendent's Advisory Board)
- Communications Subcommittee
- Community Services Subcommittee
- Environmental Responsibility Subcommittee
- Finance Subcommittee
- Land Use/Economic Development Subcommittee
- Law Enforcement/Fire/Emergency Response Subcommittee
- Public Works Subcommittee

#### Intergovernmental and Special Purpose Committees:

- Las Virgenes/Malibu Council of Governments (LVM-COG)
- Los Angeles Clean Power Alliance (CPA)
- Santa Monica Mountains Conservancy (SMMC)

#### In addition, the Mayor and a voting alternate serve on the following:

- California Contract Cities Association (CCCA)
- California Joint Powers Insurance Authority (CAJPIA)
- League of California Cities (CalCities)
- Los Angeles County City Selection Committee
- Southern California Association of Governments (SCAG)

The following represents the standing Council Advisory Boards, Commissions, and Committees of the City:

- Agoura Hills/Calabasas Community Center Joint Powers Authority (AHCCC)
- Agoura Hills Planning Commission

## FORM 700 - STATEMENT OF ECONOMIC INTERESTS

Pursuant to the Political Reform Act of 1974, **within 30 days of appointment, the appointee shall file, as a public record, a Form 700 - Statement of Economic Interests** disclosing his/her investments, interest in real property, and income received the 12 months prior to the date of filing. Appointee must complete all applicable schedules of a Form 700 (Government Code Section 87201).

## ETHICS TRAINING – AB 1234 (REQUIRED)

Effective January 1, 2006, state law (AB 1234) requires that local officials that receive compensation, salary, stipends, or expense reimbursements shall receive at least two hours of training in general ethics principles and ethics law relevant to his or her public service every two years. Training options will be provided by the City Clerk's Office during the last quarter (i.e., October through December) of even-numbered years. **Within 30 days of appointment, the appointee is required to complete Ethics training and file a certificate of participation with the City Clerk.**

## CODE OF FAIR CAMPAIGN PRACTICES

Pursuant to Section 20440 of the California Elections Code, the City Clerk is required to provide candidates for elective office with a blank form of the Code of Fair Campaign Practices and a copy of the chapter. **Upon appointment, the appointee shall receive a copy to sign and submit to the City Clerk.**

The Agoura Hills City Council Norms (Page 3, Elections, No. 5) state:

*“Councilmembers agree to abide by the Provisions of the Code of Fair Campaign Practices, whether they are a candidate or not. The Provisions of the Code of Fair Campaign Practices, as found in Chapter 5 of Division 20 of the California Elections Code, is incorporated by reference herein.”*

## CITY COUNCIL NORMS

The Agoura Hills City Council is charged with taking appropriate, necessary, and timely action to maintain the City of Agoura Hills as a leading, well-managed, and innovative city in the forefront of desirable California cities.

It is the overall responsibility of the City Council a) to gather information and knowledge; b) to take counsel; c) to keep a long-range perspective; d) to hold itself to the highest standards of ethical and professional conduct in the performance of its duties without regard to personal advantage; e) to be free of favoritism; f) to listen carefully to the public; and g) to conduct a reasonable and reasoned period of discussion prior to making decisions.



## CITY COUNCIL NORMS, *continued* -

To accomplish the above-stated responsibilities, and as guidance for the orderly governance of the City, the Agoura Hills City Council has adopted "norms" of behavior and protocol. They are set forth to clarify what has become, over time, successful procedure or best practices for the conduct of civic affairs within our City.

## GENERAL INFORMATION ABOUT THE CITY

Information regarding the City Council and City departments is available on the City of Agoura Hills website at: [www.agourahillscity.org](http://www.agourahillscity.org)

The following resources can be found on the City's Local Election Information page at: <https://bit.ly/3QvQmmY> (screenshot below)

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### Election Resources for 2022 City Council Candidates

#### City of Agoura Hills Information:

[\(Current\) Agoura Hills City Council](#)

[City Departments](#)

[Council and Planning Commission Agendas and Video](#)

[City Calendar \(scroll to Meetings and Events\)](#)

[Agoura Hills Municipal Code](#)

[Agoura Hills Demographics](#)

[Agoura Hills Budget Information](#)

[General Plan Information](#)

The following resources can be found at: [www.fppc.ca.gov](http://www.fppc.ca.gov)

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#### Fair Political Practices Commission:

[Statements of Economic Interests \(Form 700\) and Reference Pamphlet](#)

[Gifts, Honoraria, Travel Payments and Loans](#)

[Ethics Training](#)

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Prepared by the City Clerk's Office  
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# CITY COUNCIL NORMS

BEHAVIOR AND PROTOCOL  
ADOPTED BY THE  
AGOURA HILLS CITY COUNCIL



*Amended by City Council on November 10, 2020*

# CITY OF AGOURA HILLS

## City Council Norms

The Agoura Hills City Council is charged with taking appropriate, necessary, and timely action to maintain the City of Agoura Hills as a leading, well-managed, and innovative city in the forefront of desirable California cities.

It is the overall responsibility of the City Council a) to gather information and knowledge; b) to take counsel; c) to keep a long-range perspective; d) to hold itself to the highest standards of ethical and professional conduct in the performance of its duties without regard to personal advantage; e) to be free of favoritism; f) to listen carefully to the public; and g) to conduct a reasonable and reasoned period of discussion prior to making decisions.

To accomplish the above-stated responsibilities, and as guidance for the orderly governance of the city, the Agoura Hills City Council has adopted the following "norms" of behavior and protocol. Except for those norms that are based on law, these norms are voluntary and non-binding. They are set forth here to clarify what has become, over time, successful procedure or best practices for the conduct of civic affairs within our City.

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### *Page #*

2	GENERAL
3	ELECTIONS
4	SELECTION OF THE MAYOR
5	MAYOR'S ROLE
6	CITY COUNCIL PREPARATION
7	PUBLIC MEETINGS
11	CLOSED SESSION
12	CITY COUNCIL INTERACTION AND COMMUNICATION
15	CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF
17	COMMITTEES OF THE COUNCIL
18	COMMISSIONS AND BOARDS
19	CITIZEN COMPLAINTS

# GENERAL

1. The Council is expected to participate in regional, state and national programs and meetings, and continuing education, which serve the best interests of the City of Agoura Hills. The Council is expected to take advantage of what is offered and also to regularly participate in more than minimum training.
2. The Council provides policy direction to the City Manager. The City Manager, through City staff, implements Council policy. The Council does not interfere with the day-to-day operating decisions of the City, which are the responsibility of the City Manager.
3. The City Manager keeps each Councilmember fully, and equally, informed as to all matters of importance to the City, including agenda items, financial conditions, needs of the City, citizen concerns, staffing needs, and urgency items. Additionally, Councilmembers need to keep the City Manager informed of citizens' concerns.
4. The Council endeavors not to burden the City Manager or staff with demands for individual time or attention on matters that the City Manager can better handle with general communications to the Council as a whole. While there is a need for individual time, Councilmembers shall make an appointment and give the City Manager information on the matters they wish to discuss in advance.
5. The Council looks to the City Manager, City Attorney, staff, commissions and committees for advice on City policies and legislative actions.
6. The Council complies with all laws relating to open meetings, public records, and conflicts of interest.
7. The Council encourages citizen participation in the development of City policies.
8. The Council desires the public to be fully informed about decisions that impact them, and encourages public comment as policies are set.
9. All Councilmembers may receive or review any documents shown or provided to any other Councilmember by any member of the City staff.
10. Councilmembers inform the City Manager and the Mayor as far in advance as possible of when they will be out of town or otherwise unavailable to conduct City business.

# ELECTIONS

Campaigning can sometimes be the cause of a serious breakdown of communications and trust between Councilmembers. The heat of a campaign may cause resentments and bitter feelings after the election is over. It is not in the best interest of the public for these feelings to take expression on the dais or during the conduct of other routine City business by members of the council. To minimize the potential for such a breakdown, it is best for participants in a campaign, whether candidate or supporter, to abide by some ground rules of fairness.

1. It is never fair to misrepresent the facts of a candidate's record, or to make other assertions that are simply not true or accurate in fact.
2. If a Councilmember decides to actively support the opponent of a fellow Councilmember, it is a matter of courtesy to advise that Councilmember personally at an appropriate time before going public.
3. Campaign dirty tricks, such as disrupting an opponent's event, trashing signs, or removing flyers delivered door to door, must never be permitted or condoned.
4. These Ground Rules can be summed this way: Tell the truth yourself. Don't allow others to promulgate falsehoods on your behalf. Treat your opponent and his or her followers with respect. Do not allow your followers to violate the integrity of the process.
5. Councilmembers agree to abide by the Provisions of the Code of Fair Campaign Practices, whether they are a candidate or not. The Provisions of the Code of Fair Campaign Practices, as found in Chapter 5 of Division 20 of the California Elections Code, is incorporated by reference herein.

## SELECTION OF THE MAYOR

1. Insofar as possible, each Councilmember should have a fair and equal opportunity to serve as Mayor and Mayor Pro Tem.
2. The outgoing Mayor will follow [1] those already in the rotation and [2] first-time elected Councilmember(s).
3. The order of the first-time elected Councilmember(s), when more than one new Councilmember is elected during a single election, should be based on the order of finish in the election, with the first-time elected Councilmember receiving the most votes taking the first term, the next in line taking the second, and so on.
4. Once a Councilmember's position in the rotation is established, it does not change based upon the future order of election results.
5. If the election is canceled, the order of the rotation of the appointed candidates will remain the same.
6. In cases where a Councilmember's position is vacated, the position will go to the back of the order.
7. In accordance with this rotation, the Mayor and Mayor Pro Tem are nominated at the first Council meeting following each general election for City Council, and are selected by a vote of their peers on the Council. They serve for a one-year term. In the customary rotation, the Mayor Pro Tem is nominated to serve as Mayor at the end of the Mayor's one-year term.
8. The Mayor and Mayor Pro Tem are peers of and serve at the pleasure of the other Councilmembers.

# MAYOR'S ROLE

1. The Mayor represents the City, is the official spokesperson, and presides over all City Council meetings, including Closed Sessions.
2. The Mayor, as well as each Councilmember, recognizes the unique role of representing the City, and takes great care to insure that this always takes precedence over representing oneself or one's own personal agenda. All speaking requests received by any Councilmember regarding City issues should be passed by the City Manager and Mayor prior to acceptance. Councilmembers defer to the Mayor with regard to selection of an appropriate speaker for any speaking engagement regarding City issues.
3. It is the Mayor's prerogative to make Council committee assignments from choices provided by Councilmembers. The Mayor accommodates Council choices whenever possible. The Mayor's committee assignments will then come to the full City Council for ratification.
4. The Mayor informs the Council via the Council "Reading File" by copying any correspondence sent under the Mayor's signature which relates to City business.
5. The Mayor, in consultation with the City Manager, sets the agenda for each Council meeting.
6. The Mayor may place an item on the agenda if requested by any Councilmember. The Mayor will consult with the City Manager about all such requests whether or not the Mayor intends to add an item to the agenda. However, if the Mayor feels that the item is inappropriate for Council consideration, or is an issue on which the Council has already declined to act, the Mayor can decline to place the item on the agenda and should tell the requesting Councilmember the reason for that decision. If the Mayor prefers not to place the item on the Agenda, a Councilmember may bring the item forward at any public City Council meeting, under *Approval of Agenda* or *Council Comments*, and request, with consensus by a majority of the Council, to place the item on a future agreed upon meeting agenda for Council consideration. In all discussions regarding proposed agenda items, Councilmembers will discuss only whether an item will be on the agenda and not their position on the substance of the proposed agenda item.
7. At a public meeting, the Mayor has discretion to move agenda items and/or to take them out of order to accommodate the needs of the Council or the public.
8. In the absence of the Mayor, the Mayor Pro Tem performs the duties of Mayor.

## MAYOR'S ROLE, continued...

9. The Mayor is obliged to act as a facilitator during public meetings, including Closed Sessions. He or she insures that all views are heard and that the meeting progresses in an orderly and timely fashion. He or she provides an equal opportunity for each Councilmember to be heard in all meetings, including Closed Sessions. The Mayor should adhere to running the meetings in accordance with a parliamentary structure, in accordance with the Rules of Procedure appendix attached hereto.
10. The Mayor is expected to be an advocate for his or her views, just as other Councilmembers are, but he or she does not take advantage of his or her status on the dais to coerce or to advocate in excess of what is allowed to other Councilmembers. His or her role as a facilitator should not be compromised by his or her role as an advocate.
11. If a Councilmember, or sub-committee, brings an issue forward to the council, it is appropriate for the Mayor to give that member or committee members the opportunity to speak first on that particular issue.
12. The Mayor assumes the chair on the dais and oversees the seating location of the other Councilmembers.
13. The Mayor should ensure that the direction staff receives is clear and represents the majority view of the Council (i.e., roll call vote, informal vote, verbal consensus, further comments, or further questions or comments from staff for clarification).
14. Any inquiries that require votes involving other public agencies received by any Councilmember should be brought immediately to the Mayor and the City Manager. For example, a proposed resolution of the California League of Cities, a candidate for the Air Quality Management District (AQMD) City Selection Committee, and any other matter that requires a determination by the City Council.



# CITY COUNCIL PREPARATION

1. Councilmembers avoid surprising their colleagues or staff. To the maximum extent possible, Councilmembers advise the City Manager in advance of issues or questions they intend to bring up at the public meeting. This refers to issues and questions that the staff would not normally anticipate or have researched for that particular meeting. Getting minor questions resolved with staff prior to a public meeting will shorten meetings and move the agenda forward in a timely manner.
2. Councilmembers are prepared for Council or committee meetings, which includes having read all agendas and supporting documentation prior to the meeting.
3. A “Reading File” is kept in the Council office to circulate informational material, including the minutes and reports of all City commissions, boards and committees. Councilmembers review that file on a regular and timely basis, and “check off” items they have read so that staff may cull old materials and keep the file current. All mail, proclamations, and certificates that require signatures must be completed in a timely manner upon notification from staff. The Reading File must be reviewed on a regular/timely basis (no less than weekly).
4. Councilmembers will not make use of the City Clerk to sign documents on their behalf as a convenience, except in extraordinary circumstances of unavailability. Councilmembers will make time to sign the various documents. In cases of signatures required 24-hours prior to an event, the City Clerk is authorized to sign on behalf of any unavailable Councilmembers.
5. Councilmembers stay abreast of regional issues affecting neighboring cities, counties, or the operations of other districts or agencies.
6. Councilmembers will submit their yearly goals to the City Manager in advance of the annual Goal Setting and Budget Workshops. The purpose is to facilitate a productive discussion, as each Councilmember should submit their list of goals as early as possible. Each written list should be provided in advance and prioritized in structure.
7. Councilmembers are expected to understand the City Council Meeting Agenda process, which includes how to add items for discussion.

# PUBLIC MEETINGS

1. Public hearings and discussion items at Council meetings proceed generally in the following order:
  - a. City staff presents a report of the item under consideration.
  - b. Councilmembers have an opportunity to ask questions of staff for clarification or to gather additional information.
  - c. Councilmembers disclose any ex parte communications outside of the public hearing (quasi-judicial items only).
  - d. Public testimony is taken, either by formally opening a public hearing, or by receiving testimony from affected parties or members of the public who wish to be heard. The Mayor shall consult with City staff and the City Attorney to make sure all requirements are met.
  - e. At the close of public testimony, the Mayor allows staff to respond to any public testimony as to which staff wishes to supplement information in the staff report or to which staff deems it appropriate to otherwise respond.
  - f. The Mayor allows other Councilmembers to speak first, and then summarizes or provides the final comments before asking for a motion or direction to staff on the item.
  - g. The order of Council comments is at the discretion of the Mayor, but any Councilmember may request to go first. If the item under consideration was studied first by a committee of the Council, members of the committee would be expected to lead off the discussion.
2. Any Councilmember may request a continuance of an item on the agenda if that Councilmember needs more time to become fully informed and able to render a decision. However, a continuance need not be granted if a majority of the Council deems it necessary to render a decision at the agenda time.
3. If a Councilmember is ill or away for any agenda item of special interest to that Councilmember, the item may be continued or tabled at that Councilmember's request, subject to any applicable statutory time periods, and only if such delay would not be adverse to the City's best interest. However, Councilmembers should not request a continuance without justifiable reason. Bear in mind that the public may attend expecting discussion or action on the issue, staff has prepared reports, and there may be staff or consultants present just for that item. Councilmembers should coordinate with the City Manager about future agendas and their own schedule to avoid missing items that may be of particular interest to them.

## PUBLIC MEETINGS, continued...

4. All Councilmembers need to have a fundamental understanding of how the meeting will be conducted based on what is in the agenda. Different agenda items require different outcomes for a meeting, including discussions, public hearings, deliberating, and decision making.
5. If any Councilmember becomes aware of an unexpected issue that may be brought up by a member of the public at a Council, commission or committee meeting, that Councilmember will, as a courtesy, inform the City Manager.
6. Councilmembers are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Council's ultimate decision graciously and as final. Councilmembers should not place the City Manager or staff in the position of having to deal with minority positions which do not further established Council policy.
7. A time limit (usually three minutes) for speakers before the City Council is enforced at the discretion of the Mayor.
8. The Mayor requests speakers to direct their comments to the Council and not to the audience or to the TV cameras.
9. The Mayor controls the meeting, and discourages personal attacks of any kind from speakers by encouraging them instead to productively address the issues at hand.
10. The Council listens carefully to the speakers, however heated, and does not interrupt or engage in debate with the speakers in a tit-for-tat exchange that does not elicit useful information. The three-minute period belongs to the speaker.
11. Subject to applicable legal deadlines, the Mayor or any Councilmember may move to refer back to staff any agenda item that is deemed to be incomplete or unready for final decision. The same rule applies to the Planning Commission.
12. A Councilmember may suggest a change in procedure if he or she feels it will be helpful for the conduct of a particular meeting, understanding that the Mayor runs the meeting.
13. While unanimity is not required or always possible, the Mayor attempts to find consensus on discussion items.
14. Councilmembers make the reasons for their votes clear to their colleagues and to the public. This is particularly important when the Council is divided on an issue.

## PUBLIC MEETINGS, continued...

15. The Mayor, Councilmembers, and all commission and committee members treat everyone with courtesy and respect, avoiding both excessive familiarity and unnecessary formality.
16. Councilmembers make their remarks succinct, to the point, and as brief as possible so as not to tire the audience or to engage in lecturing that becomes tedious to repetitious.
17. Councilmembers avoid repeating remarks already made by others, and simply state agreement with those particular shared sentiments.
18. Where direction to staff must be determined by a majority of the City Council, such direction must be clearly identified at the formal City Council meeting. Tacit approval, or lack of disagreement by others, is not considered direction. Every Council action should be:
  - a. A reasoned decision that was arrived at in a fair way.
  - b. Not to the personal advantage of any Councilmember.
  - c. Free of favoritism;
  - d. Based on information and opinions from a variety of sources, and particularly, from those who would be most affected.
20. Councilmembers do not have private communications, among themselves or members of the public, via cell phones or other electronic communication devices, from the dais during public meetings (*regarding items on the City Council Agenda*).
21. When there is an update from staff, Councilmembers should refrain from turning the update into a discussion item. If a Councilmember wants to discuss the substance, they should seek to place the item on a future agenda as a discussion item.

## CLOSED SESSIONS

1. Closed sessions may involve only members of the legislative body and only agency counsel, management and support staff, and consultants necessary for consideration of the matter that is the subject of closed session.
2. Closed sessions are not open and public meetings and individuals who do not have an official role in advising the legislative body on closed session subject matters must be excluded from closed session discussions.
3. The most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the agency or compromise the privacy interests of employees. Closed sessions should be conducted keeping those narrow purposes in mind.
4. The Brown Act prohibits the disclosure of confidential information acquired in a closed session by any person present. It is incumbent upon all those attending closed sessions to protect the confidentiality of those discussions.
5. The Council has a duty to protect the confidentiality of closed session discussions and the disclosure of closed session communications are prohibited by law.
6. Only the legislative body acting as a body may agree to divulge confidential closed session information; as regards to attorney/client privileged communications, the entire body is the holder of the privilege and only the entire body can decide to waive the privilege.
7. Conduct of and laws covering closed sessions shall be part of the City Council training.

# CITY COUNCIL INTERACTION AND COMMUNICATION

1. Councilmembers treat each other with the respect and courtesy that is their due as citizens and public officials.
2. Each Councilmember has the responsibility to initiate action to resolve problems cooperatively and as soon as possible, either directly with other Councilmembers or with the City Manager.
3. The Council maintains a respectful decorum, and avoids personal attacks during public meetings, in the press, or at any other time.
4. Council meetings may be informal, but are not casual. Councilmembers should be sensitive to the negative impact that inappropriate conduct has on the public perception of the City. Councilmembers should be mindful of the fact that they are representatives of the City in all their public activities.
5. Councilmembers are flexible and cooperative in filling in for one another at community meetings or important functions. All Councilmembers are expected to participate in community events.
6. Councilmembers do not engage in private discussions in violation of The Brown Act. A Councilmember who feels that a conversation is potentially a violation should express his or her concern and immediately withdraw from the conversation. Councilmembers are expected to honor such concerns and immediately cease the conversation even if they do not agree that the Brown Act applies in that particular instance.
7. The privacy of non-public conversations between Councilmembers or between Councilmembers and staff should be respected. This is particularly true if the conversation involves matters of personal health, personalities, working relationships, job performance, or other sensitive issues. Divulging the content of personal communications publicly or to the media can have a chilling effect on the working relationships between Councilmembers and between Councilmembers and staff.
8. If a Councilmember feels that information from a private conversation must be made public, he or she should first consult the person who confided that information, explain his or her reasoning, and to the extent possible, allow that person to make his or her own public disclosure.
9. Personal attacks are always off limits. Councilmembers start with the assumption that other members have the best interest of the City at heart, even if they disagree with their positions.

## CITY COUNCIL INTERACTION AND COMMUNICATION, continued...

10. If a Councilmember is planning to write a letter to the editor or any letter in general, publish an article, or take a position in the media, including social media, or any public hearing, critical of a decision, or critical of fellow Councilmember or members positions on issues expressed in a public meeting, he or she should advise those involved beforehand as a matter of courtesy. Such public comments should stick to the issues under contention and never involve personal attacks.
  - a. Councilmembers shall be mindful when representing views or making comments and if they do not reflect the majority of the City Council, must claim the comments as their own personal view. For example, if a Councilmember is sending a letter in support, or in opposition to, proposed legislation the letter should state, "I am writing as a resident of the City of Agoura Hills and not as a member of the Agoura Hills City Council. These are my personal comments only."
  - b. A copy of any correspondence, written on City letterhead, shall be placed in the Council read file.
  - c. No City letterhead shall be distributed to the City Council. If a Councilmember wishes to write something, they may submit their draft to the City Manager and/or his Executive Assistant, to be transcribed on City letterhead. The City Council should always be mindful of staff's time, especially when requesting items not derived from the majority of the Council. The document will be distributed upon signature by the Councilmember and a copy shall be placed in the Council read file.
11. None of the Councilmembers should say they are speaking on behalf of the City Council. A Councilmember should state that their view or position is personal and does not represent the City Council (e.g., "I am giving my personal views and not speaking for the entire City Council.)
12. Councilmembers should be careful to avoid creating the appearance of bias. As such, Councilmembers should avoid expressing their opinions on quasi-judicial items, such as applications involving land use entitlements that the City Council will eventually consider at a future Council meeting. Furthermore, Councilmembers should be mindful that expressing their opinions on matters that the Council will eventually consider at a future Council meeting could result in an inadvertent violation of the Brown Act if three or more Councilmembers express their opinions on the same matter.

## CITY COUNCIL INTERACTION AND COMMUNICATION, continued...

13. These “Norms” do not, by themselves, carry the weight of law. Councilmembers are expected to abide by them out of a desire to have a well-run city that treats its citizens respectfully and with dignity. A governing body that strives to be fair, informed, honest, diligent, dignified, efficient and respectful of others will win the respect and trust of its citizens.
14. If any Councilmember feels that a Norm is being violated, it is appropriate for that member to discuss it individually with the involved Councilmember. If the City Manager or staff are involved, it is appropriate to discuss it with the City Manager. People may often see events differently, but if they are well intentioned, they should be able to work out the matter and become better “teammates” for having had such a discussion. If this does not resolve the situation, it is appropriate, as a last resort, to bring up the matter within the comment period of a public meeting and ask for the issue to be put on a coming agenda.
15. A principle purpose of the Norms is to establish or uphold procedures and behavior that win the trust of the public by promoting efficient, productive and civil interaction between Councilmembers. Any Councilmember who habitually ignores these Norms should expect to be called to task by his or her fellow Councilmembers and ultimately by the public.



# CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

1. The Council and City Manager work together as a solution-oriented team.
2. Councilmembers feel free to communicate with the City Manager about any City issues, including citizen concerns. However, Councilmembers are also mindful of the City Manager's busy schedule and competing requests for access.
3. Complaints or concerns about any City departments or staff are first taken up with the City Manager. It is not appropriate, in any situation, to critique, ridicule, or complain about other staff to any staff person other than the City Manager. In providing feedback to the City Manager about a member of his or her staff, all such feedback should be done constructively and respectfully.
4. Councilmembers may routinely ask department heads for information relative to their department. However, inquiries that require extensive research, or reports that may occupy more than cursory staff time should first be discussed with the City Manager, and may require action or approval by the entire Council.
5. Department heads report to the City Manager. Councilmembers do not insert themselves into or interfere with that chain of command.
6. The Council should expect to be fully and promptly informed by the City Manager or his designee regarding any unusual activities or events of public concern.
7. Councilmembers keep a friendly, professional relationship with staff members, but avoid getting involved with personal matters, operational matters, work assignments or projects with any staff other than the City Manager.
8. It is staff's role to provide factual, objective, and unbiased information to the council and members of the public in its reports. Councilmembers do not interfere or attempt to unduly influence the content of reports being prepared by staff. If a Councilmember disagrees with a staff recommendation, he/she is not obligated to vote for it and is likewise free to attempt to convince his or her colleagues on the council of his or her position.
9. Councilmembers establish action and budget priorities for the City once a year during the annual budget review process. The council makes adjustments in the budget once a year during the mid-year budget review. Both reviews involve public hearings.
10. Changes from the priorities or budget allocations established during these hearings should be pursued only after very careful consideration because they may involve changes in staff work load and appropriations, and also because the original priorities were established with the benefit of a public hearing.

## CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF, continued...

11. Councilmembers should bring forward such requests for deviations from the established priorities only if they involve a degree of urgency that should not wait until the next budget review.

## COMMITTEES OF THE COUNCIL

1. Committees of the Council serve the entire Council. Committees are not seen as territorial, but neither do Councilmembers interfere in the committee work of others.
2. The Council endeavors to define the jurisdiction and area of study of each committee so as to avoid conflicts or overlapping issues.
3. Committee members keep the rest of the Council generally informed of their work, which may include the filing of reports, memos or minutes.
4. The Council is available to advise committees by placing items on which a committee needs guidance on the next available Council agenda.
5. Each Council meeting agenda should include an opportunity for the making of committee reports. Whenever possible, any written reports are provided to the Council and the public prior to the public meeting.
6. Committees may recommend a course of action to the Council, but they never supplant the decision-making authority of the entire Council unless authority to take specific action is expressly delegated to a committee by a vote of the Council at a public meeting.
7. Council committees do not have alternate members.
8. Committee meetings are scheduled and proper public notice provided through staff. Councilmembers who wish to call a committee meeting do so by asking the City Manager to make the appropriate arrangements. Committees keep the City Manager in the loop. Staff from other agencies should not be involved in Committee meetings unless appropriate staff from our City is also involved.

# COMMISSIONS AND BOARDS

1. The Mayor makes nominations to the Planning Commission based on the recommendation of one nominee from each Councilmember. The nominations are then subject to approval by the entire Council. The Planning Commission elects a Chair and Vice-Chair of the Commission from among themselves.
2. If an applicant misses a publicly noticed deadline for submission of an application for appointment to the Planning Commission, a waiver for good cause may be granted only by a majority vote of the City Council. Where a waiver is not granted, the Councilmember making the nomination may make an alternate nomination at the same meeting or request that his or her nomination be continued to a future meeting.
3. The Council is responsible to make its vision for the City clear to all appointed and advisory bodies as policy guidance for those bodies.
4. The Council holds Commissions and boards to the highest standards of ethical and professional conduct in the performance of their appointed duties.
5. Like the City Council, Commissions and boards work for the benefit of the community and never for personal purposes.
6. The Council spells out the role, jurisdiction, authority and prerogatives of appointed bodies.
7. Commissions and boards are expected to make specific recommendations on matters brought before them, and not merely to pass them on to the City Council for final decision.
8. Councilmembers do not dictate the decisions of Planning Commissioners and other board members. Commissioners and board members come to their own conclusions based on the evidence, the City's General Plan, zoning ordinance, and other governing and visioning documents.
9. Planning Commissioners are encouraged to discuss questions or concerns about any agenda items with the Director of Planning prior to Commission meetings in order to be prepared to take action at the public meeting.
10. If a Commission or board chooses to override or reject staff recommendations, it clearly states for the record the specific reasons so that the City Council may have the benefit of its reasoning in the event of an appeal.

## CITIZEN COMPLAINTS

1. Upon receiving a complaint from the public, Councilmembers direct that complaint to the City Manager for appropriate staff action and follow up.
2. Councilmembers first insure that they are in possession of all of the facts and both sides of the story before making any statements to the press or to the complaining party as to fault or what action, if any, the City should take.
3. The Council allows staff to handle citizen complaints where appropriate. In all instances, before attempting a direct resolution of the problem, a Councilmember should seek input from and work cooperatively with staff about any such resolution.
4. A Councilmember who receives a complaint shares that information with other Councilmembers through the City Manager.

Appendix A

*Rules of Procedure for Agoura Hills City Council Meeting*

## **RULES OF PROCEDURE FOR AGOURA HILLS CITY COUNCIL MEETINGS**

### **Courtesy and Decorum**

The rules of order are meant to create an atmosphere where the City Council and members of the public can attend to business efficiently, fairly, and with full participation. At the same time, it is up to the Mayor and the Councilmembers to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Mayor before proceeding to speak.

The Mayor should always ensure that debate and discussion of an agenda item by Councilmembers focuses on the item and the policy in question, not the personalities of the Councilmembers or personalities of members of the public speaking or giving comments in favor or against matters before the City Council. Debate on policy is healthy, debate on personalities is not. The Mayor has the right to cut off any discussion or comments by any Councilmember that is too personal, too loud, too crude or which involves personal attacks. A recess of the meeting by the Mayor may be necessary to do so.

Debate and discussion should be focused, but free and open. In the interest of time, the Mayor may, however, limit the time allotted to speakers to three minutes per speaker.

### **The Basic Format for an Agenda Item Discussion**

Meetings must follow a written agenda. The meeting is governed by the agenda and the agenda constitutes the City Council's agreed-upon roadmap for the meeting. Each agenda item should be handled by the Mayor in the following basic format:

1. The Mayor should announce the agenda item number and should state the subject matter of the agenda item.
2. The Mayor should invite the appropriate staff person or persons to report on the item, including any recommendation that they might have.
3. The Mayor should ask Councilmembers if they have questions of staff for clarification or to obtain additional information they deem important to their decision making or provision to staff of input on the item. At this point, Councilmembers may ask such questions to the person or persons who reported on the item, and that person or persons should be given time to respond. This is not the time for Councilmembers to state their opinions.
4. If the item is subject to a noticed public hearing required by law, the Mayor should open the public hearing and invite public comments. The Mayor should be mindful that the preference is for each person to speak on their own behalf at the meeting and to stay within the three minute limit. The Mayor has the discretion

to decide: (1) whether to allow extra time to speakers; (2) whether to allow the transfer of time from one speaker to another speaker; and (3) the total amount of such time, up to three minutes, that can be transferred to one speaker. In the event that the Mayor allows speakers to transfer their time to another speaker, the Mayor's discretion on such transfers is subject to the following limitations: (1) persons wishing to transfer their speaking time must be present during the public hearing in order for their request for transfer of time to be granted; (2) up to, but no more than, four speakers may transfer their time to any one speaker; (3) other than the applicant, any one person to whom time was transferred may speak up to, but not more than, 15 minutes; and (4) a speaker may transfer his or her time to one person only, which means a speaker may not split his or her transferred time between two or more people. Such speaking allowances should be used sparingly and carefully and, if allowed, provided to all sides of a disputed issue to avoid the appearance of bias. The Mayor should announce his/her discretionary rules at the beginning of the hearing. At the conclusion of the public comments, the Mayor should announce the public hearing is closed.

5. The Mayor should invite general discussion and/or deliberation regarding the item and, with regard to items requiring a motion, should request a motion and provide a proposed form of motion based on the consensus or majority views of the Council at the close of the discussion or deliberation. The Mayor should announce the name of the Councilmember who makes the motion.
6. The Mayor should ask if any Councilmember wishes to second the motion. The Mayor should announce the name of the Councilmember who seconds the motion.
7. The Mayor takes a vote. The Mayor will ask for the "ayes", and then ask for the "nays" unless informed by the City Clerk that a roll call vote is required, in which case the Mayor will defer to the City Clerk for a roll call vote. If Councilmembers do not vote, then they "abstain." Unless the rules of the City Council provide otherwise (or unless a super-majority is required by law), then a simple majority determines whether the motion passes or is defeated.

### **Motions in General**

Motions are the vehicles for decision-making by the City Council. It is not required but in most cases the staff report will have a proposed motion or recommendation on an item which is a vehicle to help the City Council focus its discussion. Staff's recommendation or proposed motion does not bind the City Council.

Motions are made in a simple two-step process. First, the Mayor should recognize the Councilmember. Second, the Councilmember makes a motion by preceding the Councilmember's desired approach with the words: "I move to ...." So a typical motion might be: "I move that we create a 5-member committee to plan and put on our annual fundraiser. The Mayor usually initiates the motion by either: (1) inviting Councilmembers to make a motion (e.g., "A motion at this time would be in order."); (2) suggesting a motion to the Councilmembers (e.g., "A motion would be in order that we create a 5-member



committee to plan and put on our annual fundraiser.”); or (3) making the motion. As noted, the Mayor has every right as a Councilmember to make a motion. However, in most cases, the Mayor should permit another Councilmember to make a motion given the Mayor’s role as the facilitator of the discussion and deliberation.

### **The Three Motions**

There are three motions that recur most often at meetings:

1. Basic Motion. The basic motion is the one that puts forward a decision for the City Council’s consideration. A basic motion might be: “I move that we create a 5-member committee to plan and put on our annual fundraiser.”
2. Motion to Amend. If a Councilmember wants to change a basic motion that is already before the City Council, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion which is before the City Council and seeks to change it in some way.

If it appears to the Mayor that a motion to amend (or any other motion) is uncontroversial, it is proper for the Mayor to ask if there is “any objection” to adopting the amendment to the original motion. If no objection is made, the Mayor may declare the amendment to the original motion adopted, and the Mayor may call for a vote on the original motion as amended. If even one Councilmember objects to the amendment, however, the motion to amend is subject to debate and vote like any other motion, regardless of whether its proposer calls it “friendly” and regardless of whether the make of the original motion endorses its adoption.

3. Substitute Motion. If a Councilmember wants to completely do away with the basic motion that is before the City Council, and put a new motion before the City Council, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to discard the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the Mayor. Consequently, if a Councilmember makes what that Councilmember calls a “motion to amend”, but the Mayor determines that it is really a “substitute motion”, then the Mayor’s designation governs.

### **Multiple Motions before the City Council**

There can only be up to three motions on the floor at the same time. The Mayor is responsible for tracking the various motions.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote must proceed first on the last motion that is made. So, for example, assume the first motion is a basic “motion to have a 5-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a Councilmember might make a second motion to “amend the main motion to have a 10-member committee, not a 5-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a Councilmember makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

- A. The Mayor would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion is passed, it would be a substitute for the basic motion and would eliminate the basic motion. The first (basic) motion would be moot, as would the second motion (which sought to amend the first (basic) motion)), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first (basic) motion or the second motion to amend.
- B. If the substitute motion failed, the Mayor would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the motion to amend (should the committee be 5 members or 10 members). If the motion to amend passed, the Mayor would now move to consider the first (basic) motion as amended. If the motion to amend failed, the Mayor would now move to consider the first (basic) motion in its original format, not amended.
- C. The Mayor would now deal with the first (basic) motion that was placed on the floor. The original motion would be in its original format (5-member committee) and the question on the floor for discussion and decision would be whether a committee of five members should plan and put on the annual fundraiser.

### **Majority and Super-Majority Votes**

Normally, a simple majority vote determines a question. A tie vote means the motion fails. So in a 5-member City Council, a vote of 3-2 passes the motion. A vote of 2-2 with one abstention means the motion fails. If one Councilmember is absent and the vote is 2-2, the motion still fails.

Statutes create other standards. For example, three affirmative votes are required for the adoption of any resolution or to authorize the payment of funds. So, a 2-1 majority (with 3 Councilmembers present constituting a quorum) would not suffice to adopt such a spending resolution. The Mayor shall defer to the City Clerk with regard to and implement any particular voting requirements for motions or resolutions before the City Council.