



City of Aliso Viejo

COUNCIL POLICY

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POLICY ON CODE OF ETHICS	2005-056	400-14	10/01/2008 Revised 8/18/2010	1 of 2

PURPOSE

Every citizen of the City of Aliso Viejo is entitled to have complete confidence in the integrity of local government. The purpose of this Policy is to set a standard of conduct for all elected officials, officers, employees, and members of advisory boards, commissions and committees of the City of Aliso Viejo (collectively "Officials"). This Policy is not intended to supersede or invalidate any statute, ordinance, or personnel rule or regulation.

POLICY

The following policies constitute the official Code of Ethics for all Officials of the City of Aliso Viejo:

1. All Officials shall uphold the Constitution of the United States, the Constitution of the State of California, and the Aliso Viejo Municipal Code, and carry out impartially the laws of the nation, state and municipality.
2. All Officials shall comply with all applicable provisions of state law, particularly the California Political Reform Act including but not limited to its provisions on gifts and conflicts of interest. All elected officials, the City Manager and all Department Heads shall receive at least two (2) hours of training in general ethics principle and ethics laws in accordance with the requirements of Government Code Section 53234 *et seq.* (i.e., AB 1234) every two (2) years.
3. Officials shall not engage in any activity which results in any of the following:
 - a. Use of time, facilities, equipment, supplies, or other resources of the City for the private advantage or gain for oneself or another;
 - b. Use of official information that is not available to the general public for private advantage or gain for oneself or another;
 - c. Use of the authority of their position with the City to discourage, restrain or interfere with any person who chooses to report potential violations of any law or regulation.
4. Officials shall not accept, directly or indirectly:
 - a. Private advantage, gain, remuneration, or reward for oneself or another as a result of the prestige or influence of the City office, employment, or appointment;



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- b. Financial consideration from any source other than the City of Aliso Viejo for performance of their official duties, except for stipends received as representatives on board, commissions or committees at a local, regional, or state level;
 - c. Employment from private interests, when such employment is incompatible with the proper discharge of their official duties or may result in a conflict of interest.
5. Officials shall not give special treatment or consideration to any individual or group beyond that available to any other individual.
6. Officials shall not discriminate against or harass a citizen or co-worker on the basis of race, color, gender, religion, national origin, ancestry, physical or mental handicap, marital status or age; harassment shall include verbal, physical, and sexual harassment.
7. Officials shall not appear on behalf of the private interests of third parties before the City Council or any board, commission or committee of the City.
8. All Officials shall conduct themselves in a courteous and respectful manner at all times during the performance of their official City duties.
9. Officials shall respect the confidentiality of information concerning the property, personnel or affairs of the City. Officials shall not disclose confidential information without proper legal authorization.

ENFORCEMENT

Any Official found to be in violation of this Code of Ethics may be subject to censure by the City Council. Any member of an advisory board, commission, or committee found to be in violation may be subject to dismissal. In the case of an employee, appropriate disciplinary action shall be taken by the City Manager or by an authorized designee.



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PURPOSE

The purpose of this policy is to set forth rules of order and procedures relating to City Council Meetings.

PROCEDURE

I. City Council Meeting Preparation

- A. **Deadline for Filing Items to Be Presented at Regular City Council Meetings.** All items submitted for the City Council Agenda must be in writing. The deadline for submitting an item to the City Clerk is 5:00 p.m. on Thursday thirteen days prior to the regular City Council Meeting at which the item is to be presented.

1. Placing an Item on the Agenda by a City Council Member.

- Any City Council Member may place an item on a future Agenda when stated under the "Council Announcements/Council Comments/Committee Updates" Section, and upon direction of City Council, Staff shall prepare staff reports and/or written recommendations on items placed on the agenda by individual City Council Members.
- The City Council Member may add an item to the Agenda at anytime as long as the Agenda procedures are followed. Staff shall not prepare staff reports or written recommendations on items placed on the agenda by individual City Council Members, but shall include as part of the agenda any materials submitted by the individual City Council Member.

2. **Posting of the Agenda.** The regular City Council Meeting Agenda is usually posted by 5:00 p.m. on the Friday or on the Thursday if a Closed Friday occurs before the Wednesday City Council Meeting; however, must be posted by Sunday at 7:00 p.m. However, it may be reposted when it is necessary to add an item to the Agenda up until 72 hours before the City Council Meeting as provided for by law.

3. **Agenda Posting Locations.** A complete copy of the City Council Agenda shall be posted (1) on the outdoor bulletin board at City Hall, 12 Journey; (2) at the Aliso Viejo County Library, 1 Journey; and (3) at the Aliso Viejo Sheriff's Substation, 11 Journey.

4. **Delivery and Distribution of Agenda Packets.** The City Council Agenda packets are prepared by the City Clerk's Office. Barring unavoidable difficulties or holidays, the



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regular Agenda packets will be distributed to members of the City Council in advance of the required 72-hours, but the City's recommended policy is to be delivered 5 days in advance for adequate review time of the packet.

5. **Backup Material for Agenda Items.** Each Agenda item shall be composed of the City Council Agenda Report cover sheet and all backup material needed for the City Council to take its action. It is the desire of the City Council to receive complete information in the agenda package to avoid new information from Staff being presented at the dais.

II. City Council Meeting Order of Business

- A. Regular Meetings will be conducted at 7:00 p.m. on the first and third Wednesday of each month at City Council Chambers located at 12 Journey, Aliso Viejo, CA 92656. A Closed Session Meeting will commence at 6:00 p.m., when required, and added to the end of the Regular Meeting when a workshop is presented prior to the regular meeting.

- B. **Order of Business.** The order of business for regular meetings of the City Council shall be:

- Closed Session at 6:00 p.m.
- Call to Order (at 7:00 p.m.)
- Roll Call
- Pledge of Allegiance
- Special Presentations
- Proclamations Presented Elsewhere
- Additions, Deletions, Reordering to the Agenda
- Consent Calendar
- Items Removed from the Consent Calendar
- Public Hearings
- Discussion Items
- Community Input
- City Manager's Reports
- Announcements/Council Comments/Committee Updates
- Closed Session
- Adjournment



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III. City Council Meeting Process and General Policies

- A. **Reordering Agenda Items.** The Mayor may, with City Council concurrence, reorder items on the Agenda to accommodate the public or to address other concerns.
- B. **Presentations.** Presentations shall be scheduled as necessary to recognize persons or groups, or to promote events. All presentation requests shall be forwarded to the Mayor. The Mayor will approve or deny the request in compliance with the Resolution for City Council recognition and guided by the Administration Policy adopted for Certificates and City Council recognition.
- C. **City Council Minutes.** Minutes shall be submitted for approval and/or correction in draft form on the Consent Calendar at a subsequent regular City Council Meeting. The primary purpose of City Council Meeting Minutes shall be to record the action taken by the City Council and the reason for a City Council Member's vote if requested. The Minutes shall also include a record of all persons addressing the City Council by name and concern. Speaker Slips will be completed for each speaker and made part of the permanent record.
- D. **Notification of Meeting Absences.** Members of the City Council shall notify the City Clerk when they are unable to attend a City Council Meeting to be excused from the meeting.

IV. City Council Meeting Rules of Order

- A. **Obtaining the Floor.** Any City Council Member wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any City Council Member who seeks the floor when that City Council Member is appropriately entitled to do so.
- B. **Motions.** The Mayor or any member of the City Council may call an action on any matter before the City Council by making a motion. Before the motion can be considered or debated it must be seconded. Once the motion has been properly made and seconded, the Mayor shall open the matter for debate offering the first opportunity to debate to the moving party and, thereafter, to any City Council Member properly recognized by the Mayor. Once the motion has been fully debated and the Mayor calls for a vote, no further debate will be allowed. However, City Council Members may be allowed to explain their vote.

City Council participation during the presentation of public testimony or staff reports shall be limited to questions asked at the conclusion of the testimony. No general discussion should be permitted until the testimony has been completed. City Council discussion not relevant to the



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matter should be reserved for the "Council Announcements/Council Comments/Committee Updates" portion of the Agenda. Comments inconsistent with the aforementioned should be ruled out of order by the Mayor.

C. Voting.

1. It is the policy of the City Council that all members present at a meeting fully participate in the discussion of a matter and shall vote for or against a motion, unless disqualified by conflict of interest or other legal reason as provided in this Section.
2. If the vote is a voice vote, the Mayor shall declare the result and note for the record all yes votes and all no votes. The City Council may also vote by roll call or ballot. Regardless of the manner of voting, the results reflecting all yes and no votes and the City Council Members who cast them must be clearly set forth for the record. To be adopted, a motion requires the yes vote of a majority of the quorum present, unless the vote of three City Council Members is required by statute, ordinance, or resolution.
3. No member of the City Council shall be permitted to abstain from voting on a motion unless the City Council Member is legally disqualified from voting due to a conflict of interest (including a disqualification under the Political Reform Act or Government Code Section 1090 et seq.) or other legal reason (such as common law conflict of interest or bias) and such disqualification is confirmed by an opinion of the City Attorney. The City Attorney's opinion that a City Council Member is disqualified from voting shall be presented to the City Council at the time the matter is heard. The City Attorney's opinion may be presented orally at the meeting, but shall be confirmed in writing to the City Council and filed with the City Clerk within ten (10) business days following the City Council Meeting at which the disqualification occurs.
4. If a member is disqualified from voting, the member shall not participate in the consideration of the matter, shall not be counted for the purpose of the quorum, and shall leave the dais during the consideration of the matter; provided, however, that if the matter is being considered on the Consent Calendar and has not been removed from Consent Calendar, the City Council Member may remain on the dais and disclosed the reason for disqualification. A disqualified City Council Member may speak on the matter as a private citizen, but only to the extent allowed by the Section 18702.5 of the Regulations of the Fair Political Practices Commission, or its successor sections.



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5. If a City Council Member abstains on a motion in violation of this rule, the abstention shall be considered concurrence in the motion and the City Clerk shall record the City Council Members abstention as a "yes" vote.

6. A tie vote means no action has been taken.

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

1. **Subsidiary Motions.**

- a. **Lay on the Table.** Any City Council Member may move to lay the matter under discussion on the table. This motion temporarily suspends any further discussion of the pending motion without setting a time certain to resume debate. To bring the matter back before the Council, a motion must be adopted that the matter be taken from the table. A motion to take from the table must be made at the same meeting at which it was placed on the table or at the next meeting of the City Council held within five calendar days of the original meeting. Otherwise the motion that was tabled dies, although it can be raised later as a new motion. A motion to lay on the table is not debatable.
- b. **Move Previous Question.** Any City Council Member may move to immediately bring the question being debated by the City Council to a vote, suspending any further debate. The motion must be made and seconded without interrupting one who already has the floor. A majority vote of the quorum present is required for passage. A motion to move previous question is not debatable.
- c. **Limit or Extend Limits of Debate.** Any City Council Member may vote to put limits on the length of debate. The motion must be made and seconded and requires a majority vote of the quorum present to pass. A motion to limit or extend limits of debate is not debatable.



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- d. **Postpone to a Time Certain.** Any City Council Member may move to postpone debate and action on a motion to a date and time certain. A motion to postpone to a time certain is debatable.
- e. **Commit or Refer.** Any City Council Member may move that the matter being discussed should be referred to staff, a committee, or a commission for further study. The motion may contain directions for the staff, committee, or commission, as well as a date upon which the matter will be returned to the Council's Agenda. If no date is set for returning the item to the City Council Agenda, any City Council Member may move, at any time, to require that the item be returned to the Agenda. A motion to commit or refer is debatable.
- f. **Amend.** Any City Council Member may amend the main motion or any amendment made to the main motion. Before the main motion may be acted upon, all amendments and amendments to the amendments must first be acted upon. An amendment must be related to the main motion or amendment to which it is directed. Any amendment that substitutes a new motion rather than amending the existing motion is out of order and may be so declared by the Mayor. A motion to amend is debatable.

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

- a. **Call for Orders of the Day.** Any City Council Member may demand that the Agenda be followed in the order stated therein. No second is required, and the Mayor must comply unless the Council, by majority vote, sets aside the Agenda order of the day. A motion to call for orders of the day is not debatable.
- b. **Request for Privilege.** Any City Council Member, at any time during the meeting, may make a request of the Mayor to accommodate the personal needs of the City Council for such things as reducing noise, adjusting room temperature, ventilation, etc. The validity of the request is ruled on by the Mayor.
- c. **Recess.** Any City Council Member may move for a recess. No second is required, and the Mayor must comply unless the Council, by majority vote, sets aside the motion.



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- d. **Adjourn.** Any City Council Member may move to adjourn at any time, even if there is business pending. The motion must be seconded, and a majority vote is required for passage. A motion to adjourn is not debatable.
- e. **Point of Order.** Any City Council Member may require the Mayor to enforce the rules of the City Council by raising a point of order. The point of order shall be ruled upon by the Mayor.
- f. **Appeal.** Should any City Council Member be dissatisfied with a ruling from the Mayor, he or she may move to appeal the ruling to the full Council. The motion to appeal requires a second, and the ruling of the Mayor may be overturned by a majority vote.
- g. **Suspend the Rules.** Any City Council Member may move to suspend the rules if necessary to accomplish a matter that would otherwise violate the rules. The motion requires a second, and a majority vote is required for passage.
- h. **Division of Question.** Any City Council Member may move to divide the subject matter of a motion which is made up of several parts so that City Council Members can vote separately on each part. This motion may also be applied to complex ordinances or resolutions.
- i. **Reconsider.** Except for votes regarding matters that are quasijudicial in nature or matters that require a noticed Public Hearing, the City Council may reconsider any vote taken at the same meeting, but no later than the same or next regular meeting, to correct inadvertent or precipitant errors or to consider new information not available at the time of the vote. The motion to reconsider must be made by a City Council Member who voted on the prevailing side, must be seconded, and requires a majority vote of the quorum for passage, regardless of the vote required to adopt the motion being reconsidered. If the matter is to be reconsidered at the next regular meeting, a City Council Member on the prevailing side must ask the City Clerk to place the matter on the Agenda or otherwise comply with the Government Code. If the matter to reconsider is successful, the matter to be reconsidered takes no special precedence over other pending matters and any special voting requirements related thereto still apply. Except pursuant to a motion to reconsider, once a matter has been determined and voted upon, the same matter cannot be brought up again at the same meeting.



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

V. Public Participation in City Council Meetings

- A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language; clapping; whistling; stamping; or other acts that disturb, disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. A member of the audience engaging in such conduct shall, at the discretion of the Mayor or a majority of the City Council Members, be subject to removal from that meeting.
- B. **Request to Speak Form.** Members of the public may address the City Council during Public Comments and/or before consideration of any agenda item; however, no person shall address the City Council without first being recognized by the Mayor. Any person wishing to speak, whether during Public Comments or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk before the Mayor calls for Public Comments or calls the particular agenda item.
- C. **Purpose.** The purpose of addressing the City Council is to communicate formally with the City Council regarding matters that relate to City Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the City Council.
- D. **Speaker Decorum.** Each person addressing the City Council shall do so in an orderly manner and shall not engage in conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the City Council meeting. Any person who so disrupts the meeting shall, at the discretion of the Mayor or a majority of the City Council Members, be subject to removal from that meeting.
- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker shall limit comments to three minutes. If a large number of people wish to speak, this time may be shortened by the Mayor so that the number of persons wishing to speak may be accommodated within the time available.



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F. **Public Comment Placement on Agenda and Overall Time Limit.** Public Comment will be heard at the end of the meeting under "Community Input".

G. **Speak Only Once.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law.

H. **Addressing the Council.** Comment and testimony are to be directed to the Mayor. Dialogue between and inquiries from citizens at the lectern and individual City Council Members, members of staff, or the seated audience is not permitted. City Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor.

I. **Yielding of Time.** It is understood that a person making a request to speak does so on his own behalf. For this reason and to guarantee all persons an ample opportunity to be heard, all speakers will be recognized for the same amount of time. No speaker will be allowed to yield part or all of his time to another, and no speaker will be credited with time requested, but not used, by another.

J. **Public Comments**

1. **Non-Agenda Items.** The Agenda shall provide for public comment about matters that are within the jurisdiction of the City but are not specifically listed on the Agenda. The Public Comments period shall be for a maximum of thirty minutes. A member of the public who wishes to speak under Public Comments must fill out a Public Comment Request to Speak form and submit it to the City Clerk before the Mayor calls for Public Comments. Persons may speak under Public Comments for a maximum of three minutes and shall not be allowed to defer any portion of their time to any other person.

State law prohibits the City Council from taking action on any item not listed on the Agenda unless the City Council makes a determination that an emergency exists or that the need to take immediate action on the item arose subsequent to the final posting of the Agenda. City Council Members or staff members may provide brief response to comments when recognized by the Mayor for the purpose of doing so.

2. **Agenda Items.** Public comment will be accepted on Agenda items. A member of the public who wishes to speak on an Agenda item, including items on the Consent Calendar, must fill out a Request to Speak form and submit it to the City Clerk before the Mayor calls the Agenda item. Persons may speak about an Agenda item for a maximum of three minutes and will not be allowed to defer any portion of their time to any other person.



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3. **Public Hearing Agenda Items.** At Public Hearings the property owner or the applicant has the burden of proof and, therefore, shall be allowed thirty minutes for an initial presentation and an additional ten minutes for rebuttal following the other comments on the matter. The Mayor may allow more time if required to provide due process for the property owner or applicant. An appellant, other than the property owner or applicant, and the spokesperson for an organized group of residents residing within the noticed area of the property which is the subject of the Public Hearing, may have up to ten minutes to speak and shall not be allowed to defer any portion of their time to other speakers. All other members of the public may speak during the Public Hearing for a maximum of three minutes and shall not be allowed to defer any portion of their time to other speakers. In the event the time required for members of the public to speak would exceed ninety minutes, the Mayor may reduce the maximum time limit for members of the public to speak.

K. **Violation of the Rules of Decorum.** Upon violation of the rules of decorum established in Items A or D above, the procedure to enforce the rules shall be as follows:

1. **Warning.** The Mayor shall first request that a person who is violating the rules cease such conduct. If, after receiving a request from the Mayor, the person persists in violating the rules, the Mayor shall order a recess. Any representative of law enforcement who is present at the meeting when the violation occurs shall be authorized to warn the person that his or her conduct is violating the rules and that he or she is requested to cease such conduct. If upon resumption of the meeting the violation persists, the Mayor shall order another recess, whereupon the Mayor shall have the authority to ask the law enforcement personnel to remove the person from the meeting and/or to cite the person as being in violation of Penal Code Section 403.
2. **Motion to Enforce.** If the Mayor fails to enforce the rules of decorum set forth herein, any City Council Member may move to require the Mayor to do so, and an affirmative vote of a majority of the City Council shall require the Mayor to do so. If the Mayor fails to carry out the will of the majority of the City Council in this matter, the majority may designate another City Council Member to act as Mayor for the limited purpose of enforcing the rules of decorum established herein.
3. **Clearing the Room.** Pursuant to Government Code Section 54957.9 in the event that any meeting is willfully interrupted by a person or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, by a majority vote of the City Council, the meeting room may be ordered cleared and the meeting shall continue in session. Only



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matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Government Code Section 54957.9.

- 4. Violation of the California Penal Code.** A person or persons who substantially impair(s) the conduct of a City Council meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

VI. Public Hearings

A. Process and Procedures. The City Council conducts Public Hearings on applications, projects, and other matters as required to provide due process of law. The following information outlines the process under which Public Hearings will be conducted.

1. Staff will review the application/project/matter, will prepare a staff report, and may make a recommendation or propose alternatives to the City Council prior to the Public Hearing.
2. A notice of the Public Hearing will be posted, published, and mailed as required by law.
3. The members of the City Council will receive the staff report for the application/project/matter in the Agenda packet prior to the meeting. This provides the City Council with an opportunity to study the staff report, which will become part of the hearing record, and to become familiar with the project prior to the Public Hearing.
4. When the Public Hearing is called, staff will summarize the application/project/matter as contained in the staff report or request a continuance to a future meeting. The City Council may ask questions for clarification.
5. Once the Public Hearing is opened, the applicant/property owner is entitled to present the application/project/matter in person or through a representative.
6. Following this presentation, all other proponents/supporters of the application/project/matter are provided the opportunity to speak.
7. After the proponents finish, the Mayor will ask any opponents or other concerned citizens to speak.



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8. Once all opponents or concerned citizens have spoken, the applicant/property owner will be provided an opportunity to rebut any testimony or evidence provided by opponents or by staff. The rebuttal shall be limited to answering or refuting testimony of opponents or staff.
9. Following each presentation, members of the City Council may question the speakers.
10. Following rebuttal, the item is then before the City Council for discussion and clarification.
11. When all parties have been heard and there are no additional requests to speak, the Mayor may close the Public Hearing and/or any member of the Council may make a motion to:
 - a. Continue the Public Hearing to a date certain to allow for further study/discussion; or
 - b. Close the Public Hearing and do one of the following
 1. Approve the application/project/matter as submitted;
 2. Conditionally approve the application/project/matter with certain revisions;
 3. Deny the application/project/matter; or
 4. Deny the application/project/matter without prejudice (this action will allow applicant to refile without waiting a specified time period and will permit the waiver of the required fees).
12. The applicant may withdraw the application/project/matter at any time before a vote is taken by the City Council.

B. Mayor's Guidelines for the Conduct of Public Hearings

1. The Mayor states "This is the time for the Public Hearing on Agenda item #____" (describe generally from Agenda).



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2. The Mayor opens the Public Hearing by calling on the City Manager for the Staff Report. The City Manager will then call on the appropriate staff member to give the report. City Council Members may ask clarifying questions of staff.
3. The Mayor calls on:
 - a. Applicant/property owner and asks him to state his name and address for the record,
 - b. Others in favor of the matter and asks them to state their name and address for the record,
 - c. Those in opposition to the matter or concerned about the application/project/matter and asks them to state their name and address for the record,
 - d. The applicant/proponent for rebuttal,
 - e. Staff for any closing clarification.

Following each presentation, the City Council may question the speakers.

4. The Mayor declares that the Public Hearing is closed and states: "The issue is now before the City Council for discussion."
5. The Mayor calls upon individual City Council Members who request recognition to speak.
6. Following discussion, the Mayor or any City Council Member may make a motion to
 - a. Continue the Public Hearing to a date certain to allow for further discussion or study; or
 - b. Close the Public Hearing and do one of the following:
 1. Approve the application/project/matter as submitted;
 2. Conditionally approve the application/project/matter with certain revisions;



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3. Deny the application/project/matter; or
4. Deny the application/project/matter without prejudice (this action will allow applicant to refile without waiting a specified time period and without repaying all of the required fees).

7. The City Council votes on the motion.

VII. City Council Powers

A. Role of the Mayor

1. The Mayor is responsible for conducting the meeting and should not actively participate in discussion. The Mayor should reserve comment until all of the City Council Members have spoken.
2. All comment should be directed to the Mayor. Cross talk between City Council Members should be ruled out of order by the Mayor.

- B. City Council Seating Order.** The City Council seating order shall be at the discretion of the Mayor.

- C. Selection of City Council Officers.** At the last regular City Council Meeting in December of each year, the City Council shall select from among its members a Mayor and Mayor Pro Tem to serve for the following year. The Mayor and Mayor Pro Tem shall take office on January 1 of each year, unless circumstances arise that office must be assumed earlier because the current Mayor and/or Mayor Pro Tem can no longer serve as an Elected Official. The term of office for the Mayor and the Mayor Pro Tem shall be a calendar year from January 1 through December 31.

VIII. City Council Authority

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



City of Aliso Viejo

COUNCIL POLICY

SUBJECT	RES. NO.	POLICY NO.	EFF. DATE	PAGE
City Council Meeting Rules of Order and Procedures	2005-056	400-2	11/2/2005 revised on 8/15/2007	15 of 15

Reference: Resolution No. 2001 – 007
Resolution No. 2002 – 028
Resolution No. 2001 – 006 (repealed)
Resolution No. 2003 – 035
Resolution No. 2004 – 026
Government Code Section 1090 - 1098
Section 18702.5 of the Regulations of the Fair Political Practices Commission
Penal Code Section 403
Government Code Section 54957.9