

#151  
12/15

ORDINANCE NUMBER O- 20452 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 13 2015

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2,  
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 22.0101 RELATING TO THE  
PERMANENT RULES OF THE COUNCIL.

WHEREAS, San Diego Charter section 14 states that the Council shall determine its own rules and order of business; and

WHEREAS, the Council has adopted the Permanent Rules of the Council (Rules) which are codified in San Diego Municipal Code section 22.0101; and

WHEREAS, consistent with the Brown Act, Council meeting agendas provide an opportunity for members of the public to address the Council on any item of interest within the subject matter jurisdiction of the Council; and

WHEREAS, the Brown Act allows the Council to adopt reasonable regulations limiting the amount of time allocated for public testimony on particular issues and for each individual speaker; and

WHEREAS, the Council desires to amend the Rules relating to non-agenda public comment and meeting schedules to increase efficiency and transparency; and

WHEREAS, under Charter section 280(a)(1), this ordinance is not subject to veto by the Mayor because this matter is exclusively within the purview of the City Council and not affecting the administrative service of the City under the control of the Mayor; NOW,

THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 2, Article 2, Division 1 of the San Diego Municipal Code is amended by amending section 22.0101, to read as follows:

**§ 22.0101 Permanent Rules of the Council**

**Rule 1: TIME AND PLACE OF MEETINGS**

**1.1. through 1.2.** [No change in text.]

**1.3. Place**

Regular Council meetings shall be held in the Council Chambers of the City Administration Building, Community Concourse, in the City of San Diego, California. In addition thereto, the Council may also hold regularly scheduled night Council meetings starting no earlier than 6:00 p.m. in the Council Chambers of the City Administration Building or in various community facilities throughout the City of San Diego. Such night Council meetings will be scheduled as determined by the Council President with the specific date, time, and location of each meeting to be established by resolution of the Council. In the event a regular meeting shall fall on a legal holiday, the meeting may be held on the next business day.

**1.4. through 1.6.** [No change in text.]

**Rule 2: PROCEDURE FOR COUNCIL MEETINGS**

**2.1.** [No change in text.]

**2.2. Order of Business**

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

**Monday at 2:00 p.m.**

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Communications  
Mayor, Council, Independent Budget Analyst,  
City Clerk, City Attorney Comment
4. Requests for Continuances
5. Adoption Agenda
  - (a) Consent Items
  - (b) Committee Items
  - (c) Other Legislative Items
  - (d) Noticed Hearings and Special Hearings
6. Non-Agenda Public Comment
7. Public Comment on Closed Session Items
8. Public Notices
9. Non-Agenda Items
10. Adjournment

**Tuesday at 9:00 a.m.**

1. Closed Session

**Tuesday at 10:00 a.m.**

1. Roll Call
2. Pledge of Allegiance

3. Proclamations/Ceremonial Items
4. Non-Agenda Public Comment (30 minutes)
5. Special Orders of Business
6. Consent Items
7. Requests for Continuance
8. Adoption Agenda
  - (a) Noticed Hearings and Special Hearings
  - (b) Unfinished Business from Monday
9. Non-Agenda Items
10. Non-Agenda Public Comment (trailed from morning session)
11. Report Out from Closed Session
12. Adjournment

### **Night Meetings**

When a night meeting is scheduled in accordance with Rule 1.3, the Council President may determine the appropriate Order of Business for both Monday and Tuesday.

**2.3. through 2.5.** [No change in text.]

### **2.6. Non-Agenda Public Comment**

**2.6.1.** [No change in text.]

**2.6.2.** In order to ensure that the Council has time to consider all agenda items, non-agenda public testimony on particular issues and for each individual speaker will be as follows:

- (a) Each speaker must file a written request (speaker slip) with the Clerk at the meeting at which the speaker wishes to speak. Speaker slips may not be turned in prior to the meeting date or after completion of Non-Agenda Public Comment.
- (b) Each speaker will be limited to two minutes. Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come first-served basis, however, priority may be given to speakers who have not addressed the legislative body during Non-Agenda Public Comment at the last regularly scheduled Council meeting.
- (c) Non-Agenda Public Comment is limited to 30 minutes during the morning session of the Tuesday Council meeting per Rule 2.2. Any remaining speakers will be given an opportunity to speak after Council concludes the other agenda items for that day.

**2.6.3. through 2.6.4.** [No change in text.]

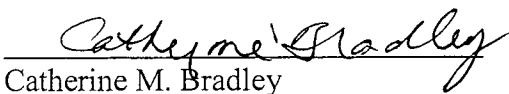
**2.7. through 2.13.** [No change in text.]

**Rule 3 through Rule11** [No change in text.]

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Catherine M. Bradley  
Deputy City Attorney

CMB:sc  
11/20/14  
Or.Dept: Council  
Doc. No.: 900475

**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck Out~~**

**NEW LANGUAGE: Double Underline**

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AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2,  
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 22.0101 RELATING TO THE  
PERMANENT RULES OF THE COUNCIL.

**§ 22.0101 Permanent Rules of the Council**

**Rule 1: TIME AND PLACE OF MEETINGS**

**1.1. through 1.2.** [No change in text.]

**1.3. Place**

Regular Council meetings shall be held in the Council Chambers of the City Administration Building, Community Concourse, in the City of San Diego, California. In addition thereto, the Council ~~shall~~ may also hold regularly scheduled night Council meetings starting no earlier than 6:00 p.m. in the Council Chambers of the City Administration Building or in various community facilities throughout the City of San Diego. Such night Council meetings will be scheduled ~~at least six times during each legislative calendar year,~~ as determined by the Council President, with the specific date, time, and location of each meeting to be established by resolution of the Council. In the event a regular meeting shall fall

on a legal holiday, the meeting may be held on the next business day.

**1.4. through 1.6.** [No change in text.]

**Rule 2: PROCEDURE FOR COUNCIL MEETINGS**

**2.1.** [No change in text.]

**2.2. Order of Business**

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

**Monday at 2:00 p.m.**

1. Roll Call
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  - (c) Other Legislative Items
  - (d) Noticed Hearings and Special Hearings
6. Non-Agenda Public Comment
- ~~6.~~ 7. Public Comment on Closed Session Items
- ~~7.~~ 8. Public Notices
- ~~8.~~ 9. Non-Agenda Items



~~9.~~ 10. Adjournment

**Tuesday at 9:00 a.m.**

1. Closed Session

**Tuesday at 10:00 a.m.**

1. Roll Call

2. Pledge of Allegiance

3. Proclamations/Ceremonial Items

~~3.~~ 4. Non-Agenda Public Comment (30 minutes)

~~4.~~ 5. Special Orders of Business

~~5.~~ 6. Consent Items

~~6.~~ ~~Non-agenda Public Comment~~

7. Requests for Continuance

8. Adoption Agenda

(a) Noticed Hearings and Special Hearings

(b) Unfinished Business from Monday

9. Non-Agenda Items

10. Non-Agenda Public Comment (trailed from morning session)

~~10.~~ 11. Report Out from Closed Session

~~11.~~ 12. Adjournment

### **Night Meetings**

When a night meeting is scheduled in accordance with Rule 1.3, the Council President may determine the appropriate Order of Business for both Monday and Tuesday.

**2.3. through 2.5.** [No change in text.]

### **2.6. Non-Agenda Public Comment**

**2.6.1.** [No change in text.]

**2.6.2.** ~~Speakers shall be limited to three minutes each and comments shall be limited to three minutes per subject regardless of the number of people in attendance. Anyone desiring to speak shall reserve time at the meeting by filing a written request with the Clerk. Speakers will be called in the order reserved within the available time. In order to ensure that the Council has time to consider all agenda items, non-agenda public testimony on particular issues and for each individual speaker will be as follows:~~

(a) Each speaker must file a written request (speaker slip) with the Clerk at the meeting at which the speaker wishes to speak. Speaker slips may not be turned in prior to the meeting date or after completion of Non-Agenda Public Comment.

(b) Each speaker will be limited to two minutes. Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the

issue will be 16 minutes. The order of speaking generally will be determined on a first-come first-served basis, however, priority may be given to speakers who have not addressed the legislative body during Non-Agenda Public Comment at the last regularly scheduled Council meeting.

(c) Non-Agenda Public Comment is limited to 30 minutes during the morning session of the Tuesday Council meeting per Rule 2.2. Any remaining speakers will be given an opportunity to speak after Council concludes the other agenda items for that day.

**2.6.3. through 2.6.4. [No change in text.]**

**2.7. through 2.13. [No change in text.]**

**Rule 3 through Rule 11 [No change in text.]**

CMB:sc  
11/20/14  
Or.Dept: Council  
Doc. No.:898919

Passed by the Council of The City of San Diego on JAN 13 2015, by the following vote:

Council Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 13 2015.

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on JAN 13 2015, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20452