

ATTACHMENT 1

RESOLUTION No. 1463

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH ESTABLISHING
RULES FOR THE CONDUCT OF VOTING AT CITY
COUNCIL MEETINGS

WHEREAS, it is appropriate and convenient to set out, in resolution form, procedural rules for the City Council of the City of Huntington Beach, relating to voting on motions, resolutions and ordinances.

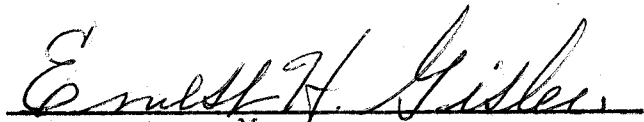
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Huntington Beach:

Section 1. Any vote of a member of the City Council, including a roll call vote, may be registered by a member of the City Council by answering "Yes" for an affirmative vote or "No" for a negative vote upon his name being called by the City Clerk, or any Councilman may vote upon any motion, resolution or ordinance, including a roll call vote, by pressing a switch to cause a green light to show for an affirmative vote or a red light to show for a negative vote, upon the vote being called for by the Mayor. The result of any vote registered by means of a lighting system shall be audibly announced by the City Clerk and recorded in the minutes as the vote of the City Council.

Section 2. The vote of each member of the City Council


voting, shall be recorded for each resolution and ordinance but the vote of the individual members on motions, shall not be recorded by the Clerk unless a roll call vote is requested by any member of the City Council or any member of the City Council requests that the vote of each councilman be recorded.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach, California, this 20th day of February, 1961.



Mayor

ATTEST:



City Clerk


STATE OF CALIFORNIA)
 County of Orange) ss
 CITY OF HUNTINGTON BEACH)

I, PAUL C. JONES, the duly elected, qualified and acting City Clerk of the City of Huntington Beach and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is five; that the foregoing resolution was passed and adopted by the affirmative vote of more than a majority of all the members of said City Council at a regular meeting thereof held on the 20th day of February, 1961, by the following roll call vote:

AYES: Councilmen:
 Wells, Lambert, Stewart, Gisler

NOES: Councilmen:
 None

ABSENT: Councilmen:
 Waite



 City Clerk and ex-officio Clerk of the
 City Council of the City of Huntington
 Beach, California

RESOLUTION No. 2539

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ESTABLISHING RULES OF ORDER AND PROCEDURE IN THE CONDUCT OF COUNCIL MEETINGS AND REPEALING RESOLUTION No. 2410.

WHEREAS, it has been determined by the Council that definite rules of order to conduct meetings should be passed; and

WHEREAS, it has been determined by the Council that definite rules of order should be defined to conduct the nomination and election of officers of this body; and

WHEREAS, it has been determined by the Council that definite procedures should be established to select members to any boards or agencies to which this Council has the power to appoint,

WHEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH DOES HEREBY RESOLVE:

Subject to any provisions in the City Charter to the contrary, the following Rules of Procedure are adopted:

1. When a motion is made it shall be stated by the Mayor before debate. A motion may be withdrawn by the mover thereof with the approval of the Council.

(a) Motions out of Order. The Mayor may at any time by majority consent of the members, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order.

(b) Division of Question. If the question contains two or more divisionable propositions, the Mayor may, and upon request of a member, shall, (unless appealed) divide the same.

(c) Second. No motion made shall require a second.

2. Precedence of Motions. When a motion is before the council, no motion shall be entertained except (a) to adjourn, (b) to fix hour of adjournment, (c) to lay on the table, (d) for the previous question, (e) to postpone to a certain day, (f) to refer, (g) to amend, and (h) to postpone indefinitely. These motions shall have precedence in the order indicated.

(a) Motion to Adjourn. (not debatable) A motion to adjourn shall be in order at any time, except as follows:

(a) When repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking; (c) when the previous question has been ordered; and (d) while a vote is being taken. A motion to adjourn "to another time" is debatable only as to the time to which the meeting is adjourned.

(b) Motion to fix hour of Adjournment. Purpose is to set a definite time at which to adjourn. Undebatable and unamendable except as to time set.

(c) Motion to Table. Purpose is to temporarily bypass the subject. A motion to lay on the table is undebatable and shall preclude all amendments or debate of the

subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

(d) Motion for Previous Question. Purpose is to close debate on main motion. Undebatable. Just shouting "question" does not accomplish the same thing. If motion fails, debate is reopened; if motion passes, then vote on the main motion.

(e) Motion to Amend. (debatable only as to amendment) A motion to amend an amendment is in order, but one to amend an amendment to an amendment is not. An amendment modifying the intention of a motion is in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject is acceptable. Amendments are voted first, then the main motion as amended.

(f) Motion to Postpone. A motion to postpone indefinitely is fully debatable and if the same is adopted, the principal question shall be declared lost. Motions to postpone to a definite time are amendable and debatable as to propriety of postponement and time set. Motions to "Refer" are similarly not debatable for the propriety of referring.

3. Voting. On the passage of every motion, the vote shall be taken by voice or roll call, or in accordance with Resolution No. 1463, and entered in the record.

(a) Roll Call. Upon demand of any member, made before the negative has been put, the roll call shall be called for yeas and nays upon any question before the council,

It shall not be in order for members to explain their vote during the roll call. Any member may change his vote before the next order of business.

(b) Failure to Vote. Every member should vote unless disqualified for cause accepted by vote of the council or by opinion of the City Attorney. Self-disqualification without approval, which results in a tie vote should be avoided as thwarting council action, but no councilmen can be forced to vote.

- (1) The abstainer, in effect, 'Consents' that a majority of the quorum may act for him.
- (2) Tie votes are 'lost' motions, and may be reconsidered later.

4. Reconsideration. Any member who voted with the majority may move a reconsideration of any action at the same, (or "having entered on the minutes" for vote at the next succeeding) meeting, providing no legal rights have intervened to create an estoppel. After a motion for reconsideration has once been acted on, no other motion for a reconsideration thereof shall be made without unanimous consent.

5. Personal Privilege. The right of a member to address the council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are questioned, or to where the welfare of the council is concerned; may interrupt another speaker if the chairman recognizes the "privilege".

6. Appeal. Any decision or ruling of the Mayor may be appealed by request of any member. The Mayor shall call for roll call to see if the Chair shall be upheld. If the roll call loses, the Mayor is reversed.

7. The following chart will show this type of action which may be taken on the specific motions therein mentioned.

CHART OF PROCEDURE
(selected motions only)

Type of Motion	Debatable	Amendable	Priority Over Pending Motion	Reconsidered	Interrupt Speaker
Adjourn 'sine die'	:	:	: Y	:	:
Amend or Substitute	: Y	: Y	: Y	: Y	: Y
Appeal	: Y	:	:	: Y	: Y
Limit Debate	:	:	: Y	: Y	:
			except "table"		
Main Motion	: Y	: Y	:	: Y	:
Nominations	: Y	:	:	:	:
Personal Privilege or Point of Order	:	:	: Y	: Y	: Y
Postpone to Time Certain	: Y	: Y	: Y	: Y	:
Previous Question	:	:	: Y	: Y	:
Recess or Adjourn to Time Certain	: Y	: Y	:	:	:
Reconsider	: Y*1 *2	:	:	:	: *3
Table or Take from Table	:	:	: Y*4	:	:
Take Up Out of Order	:	:	:	:	:
Withdraw a Motion *5	:	:	: Y	: Y	: Y

Y - Indicates that this action can be taken, is necessary, is required or is applicable.

No Mark - Indicates that this action cannot be taken, is unnecessary or is inapplicable.

*1 - This motion may only be made by a person who voted on the prevailing side and is not applicable to 'table' motions.

*2 - if prior motion was.

*3 - except for request for later action.

*4 - highest subsidiary motion - takes precedence over all actions except adjourn and privilege.

*5 - must be voted unless no objection.

7a. In all matters of procedure which are not covered and provided for in any resolution or ordinance of the City, the procedure as contained in 'Roberts Rules of Order', as Revised, shall control.

8. NOMINATION AND ELECTION. Nomination and election for the offices of Mayor and Vice-Mayor to serve the City for any ensuing year shall be held during the second regular meeting of the City Council of Huntington Beach, in the month of April, each year.

(a) At the time set for nomination and election, the Mayor and Vice-Mayor shall vacate their respective offices as such, and the City Clerk or other presiding officer shall call the Council to order, and proceed to conduct nominations for the office of Mayor.

(b) Any member may nominate any other member, no seconds being required, and nominations shall be open until a motion to close shall be passed and adopted.

(c) The vote shall then be conducted on the nominees by secret ballot and if no nominee secures a majority of votes cast, the two nominees with the highest number of votes shall be voted on by secret ballot. If this second alternative is in effect, no "write in" vote may be cast, and the nominee securing the highest number of votes shall be declared the Mayor and shall then preside over the session.

(d) A Vice-Mayor shall then be selected by the same process as set forth in sub-section (c) of this section.

(e) The Mayor and Vice-Mayor, following such proper election, shall serve for terms of one year and until such time as their successors have been elected and qualified and installed.

9. Appointments. When a vacancy occurs for any reason on any board or agency over which the Council has the power to fill by appointment, the following procedures shall be followed to fill said vacancy.

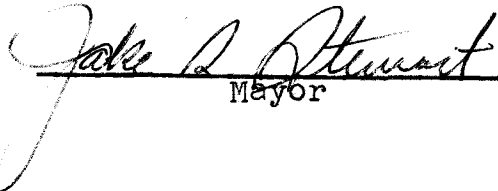
(a) At the first council meeting following notification to the Council of such vacancy, a public announcement shall be made of said vacancy and a request made for any interested persons to submit a resume of their qualifications to the council prior to the next regular meeting of the council.

(b) The Council shall as soon as is reasonably

possible, fill any such vacancies but nothing herein shall be construed to limit their choice to a person who has submitted an application as outlined above.

10. That Resolution 2410 is hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach, California, this 20th day of March, 1967.



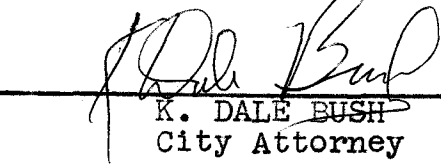
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



K. DALE BUSH
City Attorney

STATE OF CALIFORNIA)
 COUNTY OF ORANGE)
 CITY OF HUNTINGTON BEACH) ss:

I, PAUL C. JONES, the duly elected, qualified and acting City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of more than a majority of all the members of said City Council at a regular _____ meeting thereof held on the 20th day of March, 1967, by the following vote:

AYES: Councilmen:


Coen, Bartlett, Gisler, Kaufman, Shipley, Green, Stewart

NOES: Councilmen:

None

ABSENT: Councilmen:

None



 City Clerk and ex-officio Clerk
 of the City Council of the City
 of Huntington Beach, California

RESOLUTION NO. 3164

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AMENDING SECTION 8 OF RESOLUTION NO. 2539 ENTITLED, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ESTABLISHING RULES OF ORDER AND PROCEDURE IN THE CONDUCT OF COUNCIL MEETINGS AND REPEALING RESOLUTION NO. 2410"

The City Council of the City of Huntington Beach does hereby amend Section 8 of Resolution No. 2539 to read as follows:

8. NOMINATION AND ELECTION. Nomination and election for the offices of mayor and ~~mayor pro-tempore~~, pursuant to Section 504 of the Charter, shall follow the following procedure:

(a) At the time set for nomination and election, the mayor and vice mayor shall vacate their respective offices as such, and the City Clerk or other presiding officer shall call the Council to order and proceed to conduct an election for the office of mayor.

(b) Any member may nominate any other member, no seconds being required, and nominations shall be open until a motion to close shall be adopted.

(c) The vote shall then be conducted on the nominees by secret ballot and if no nominee secures a majority of votes cast, the two nominees with the highest number of votes shall be voted on by secret ballot.

(d) All votes on nominees shall be by secret ballot.

(e) No write-in votes shall be counted and any such write-in votes shall be considered as failure to vote.

(f) In case of a tie for the second highest vote, run-off ballots on such tie nominees shall be cast to break the tie. The tie is broken when one tie nominee receives the highest number of votes cast on such ballot. When such tie is broken, a vote shall be taken on the nominee who has the highest vote and the tie-breaking nominee.

(g) In case of a tie of more than two (2) nominees for the highest vote, a vote shall be taken on such tie nominees, eliminating all others.

(h) All run-off or tie-breaking ballots are subject to the same elimination rules as apply to the first ballot.

(i) Successive ballots shall be cast until a nominee is elected.

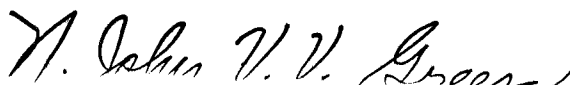
(j) A nominee shall be elected at any time such nominee has a majority of votes cast on any ballot in which all nominees eligible for a final ballot are in competition.

(k) Each member shall be entitled to nominate one nominee for each office. No member shall nominate himself.

(l) A **mayor pro-tem shall then be selected by the same** process as set forth in this section for the office of mayor.

(m) The mayor and **mayor pro-tem, following such proper** election, shall serve for terms of one year and until such time as their successors have been elected and qualified and installed.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at an adjourned regular meeting held on the 21st day of April, 1970.



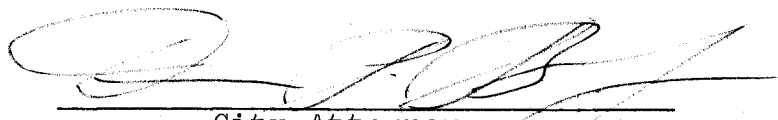
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, PAUL C. JONES, the duly elected, qualified and acting City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of more than a majority of all the members of said City Council at a regular adjourned meeting thereof held on the 21st day of April, 19 70, by the following vote:

AYES: Councilmen:
Shipley, Bartlett, McCracken, Matney, Coen, Green

NOES: Councilmen:
None

ABSENT: Councilmen:
Kaufman

Paul C. Jones
City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California

RESOLUTION NO. 3306

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AMENDING SECTION 8 OF RESOLUTION NO. 3164 RELATIVE TO CONDUCT OF COUNCIL MEETINGS AT WHICH THE ELECTION OF MAYOR AND MAYOR PRO TEMPORE IS HELD

The City Council of the City of Huntington Beach does hereby amend Section 8 of Resolution No. 3164 to read as follows:

8. NOMINATION AND ELECTION. Nomination and election for the offices of mayor and mayor pro tempore pursuant to Section 504 of the Charter, shall follow the following procedure:

(a) At the time set for nomination and election, the mayor and mayor pro tempore shall vacate their respective offices as such, and the City Clerk or other presiding officer shall call the Council to order and proceed to conduct an election for the office of mayor.

(b) Any member may nominate any other member, no seconds being required, and nominations shall be open until a motion to close shall be adopted.

(c) The vote shall then be conducted on the nominees by secret ballot and if no nominee secures a majority of votes cast, the two nominees with the highest number of votes shall be voted on by secret ballot.

(d) All votes on nominees shall be by secret ballot.

(e) No write-in votes shall be counted and any such write-in votes shall be considered as failure to vote.

(f) In case of a tie for the second highest vote, run-off ballots on such tie nominees shall be cast to break the tie. The tie is broken when one tie nominee receives the highest number of votes cast on such ballot. When such tie is broken, a vote shall be taken on the nominee who has the highest vote and the tie-breaking nominee.

(g) In case of a tie of more than two (2) nominees for the highest vote, a vote shall be taken on such tie nominees, eliminating all others.

(h) All run-off or tie-breaking ballots are subject to the same elimination rules as apply to the first ballot.

(i) Successive ballots shall be cast until a nominee is elected.

(j) A nominee shall be elected at any time such nominee has a majority of votes cast on any ballot in which all nominees eligible for a final ballot are in competition.

(k) Each member shall be entitled to nominate one nominee for each office. No member shall nominate himself.

(l) A mayor pro tempore shall then be selected by the same process as set forth in this section for the office of mayor.

(m) The mayor and mayor pro tempore following such proper election, shall serve for terms of one year and until such time as their successors have been elected and qualified and installed. The annual election of mayor and mayor pro tempore shall be held at the time specified in Section 504 of the Charter, or, in years when no general or special municipal election is held, at the second regular council meeting in April.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 5th day of April, 1971.



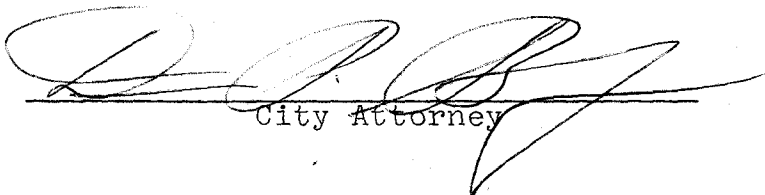
Mayor Pro Tempore

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, PAUL C. JONES, the duly elected, qualified and acting City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of more than a majority of all the members of said City Council at a regular _____ meeting thereof held on the 5th day of April, 1971, by the following vote:

AYES: Councilmen:

McCracken, Bartlett, Gibbs, Green, Coen, Matney

NOES: Councilmen:

None

ABSENT: Councilmen:

Shipley

Paul C. Jones
City Clerk and ~~ex~~-officio Clerk
of the City Council of the City
of Huntington Beach, California

RESOLUTION NO. 3664

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AMENDING SECTION 8 OF RESOLUTION NO. 3164 RELATIVE TO CONDUCT OF COUNCIL MEETINGS AT WHICH THE ELECTION OF MAYOR AND MAYOR PRO TEMPORE IS HELD

The City Council of the City of Huntington Beach does hereby amend Section 8 of Resolution No. 3164, as amended by Resolution No. 3306, to read as follows:

8. NOMINATION AND ELECTION. Nomination and election for the offices of mayor and mayor pro tempore pursuant to Section 504 of the Charter, shall follow the following procedure:

(a) At the time set for nomination and election, the mayor and mayor pro tempore shall vacate their respective offices as such, and the City Clerk or other presiding officer shall call the Council to order and proceed to conduct an election for the office of mayor.

(b) Any member may nominate any other member, no seconds being required, and nominations shall be open until a motion to close shall be adopted.

(c) The vote shall then be conducted on the nominees by secret ballot and if no nominee secures a majority of votes cast, the two nominees with the highest number of votes shall be voted on by secret ballot.

(d) All votes on nominees shall be by secret ballot.

(e) No write-in votes shall be counted and any such write-in votes shall be considered as failure to vote.

(f) In the case of a tie for the second highest vote, run-off ballots on such tie nominees shall be cast to break the tie. The tie is broken when one tie nominee receives the highest number of votes cast on such ballot. When such tie is broken, a vote shall be taken on the nominee who has the highest vote and the tie-breaking nominee.

(g) In case of a tie of more than two (2) nominees for the highest vote, a vote shall be taken on such tie nominees, eliminating all others.

(h) All run-off or tie-breaking ballots are subject to the same elimination rules as apply to the first ballot.

(i) Successive ballots shall be cast until a nominee is elected.

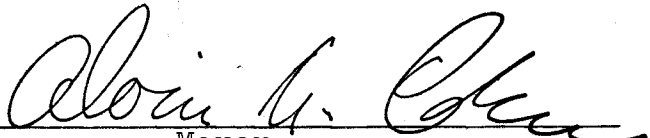
(j) A nominee shall be elected at any time such nominee has a majority of votes cast on any ballot in which all nominees eligible for a final ballot are in competition.

(k) Each member shall be entitled to nominate one nominee for each office. No member shall nominate himself.

(l) A mayor pro tempore shall then be selected by the same process as set forth in this section for the office of mayor.

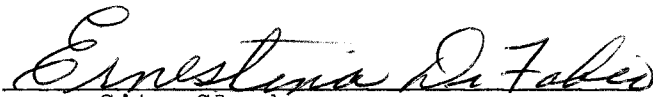
(m) The mayor and vice mayor pro tempore, following such proper election, shall serve for a term of one year and until such time as their successors have been elected, qualified and installed. The annual election of the mayor and mayor pro tempore shall be held at the time specified in Section 504 of the Charter, or, in years when no general or special municipal election is held, at the second regular council meeting in April, or at such time on the day of the second regular council meeting in April as shall be publicly announced at the next immediately preceding regular council meeting.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 2nd day of April, 1973.




Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ERNESTINA DI FABIO, the duly appointed, qualified Acting City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of more than a majority of all the members of said City Council at a regular _____ meeting thereof held on the 2nd day of April, 19 73, by the following vote:

AYES: Councilmen:
Shipley, Bartlett, Gibbs, Green, Matney, Duke, Coen

NOES: Councilmen:
None

ABSENT: Councilmen:
None

Ernestina Di Fabio
Acting City Clerk and ex-officio
Clerk of the City Council of the
City of Huntington Beach, Calif-
ornia

RESOLUTION NO. 4227

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AMENDING RESOLUTION NO. 2539 ENTITLED, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ESTABLISHING RULES OF ORDER AND PROCEDURE IN THE CONDUCT OF COUNCIL MEETINGS AND REPEALING RESOLUTION NO. 2410," BY REPEALING SUBSECTION (c) OF SECTION 1

The City Council of the City of Huntington Beach does hereby resolve as follows:

That Resolution No. 2539, entitled, "A Resolution of the City Council of the City of Huntington Beach Establishing Rules of Order and Procedure in the Conduct of Council Meetings and Repealing Resolution No. 2410," is hereby amended by repealing subsection (c) of Section 1.

All other parts of said Resolution No. 2539 shall remain in full force and effect.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at an adjourned regular meeting thereof held on the 26th day of April, 1976.

Harriet M. Wreath

Mayor

ATTEST:

APPROVED AS TO FORM:

Alicia M. Kentworth
City Clerk

D. J. Boy
City Attorney

APPROVED AS TO CONTENT

BY *David D. Rowlands*
CITY ADMINISTRATOR

NO FISCAL IMPACT

FISCAL IMPACT -- BUDGETED _____

FISCAL IMPACT -- NOT BUDGETED _____

REQUIRES FINANCIAL IMPACT REPORT _____

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ALICIA M. WENTWORTH, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of more than a majority of all the members of said City Council at a regular adjourned meeting thereof held on the 26th day of April, 19 76, by the following vote:

AYES: Councilmen:
Bartlett, Pattinson, Gibbs, Siebert, Shenkman, Wieder

NOES: Councilmen:
None

ABSENT: Councilmen:
Coen

Alicia M. Wentworth

City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California