



Policy

CITY OF SAN MARCOS

SUBJECT: City Council Meeting Policy and Procedures

ADOPTED: ~~June 25, 2024~~ May 26, 2026, Resolution 202664-XXXX9320

SUPERSEDES: Policy No. 202413-06, adopted pursuant to Resolution 202413-93207748;
Policies A-6, A-11, and A016

Purpose

The City of San Marcos recognizes the need to establish guidelines and procedures for the orderly, reasonable, effective, and timely conduct of municipal business at both regular and special meetings of the City Council and ~~This City Council Meeting Policy and Procedures (Policy) will also apply to the conduct of any other meetings where the City Council sits as the Board, Commission, Authority, or Committee (collectively, "meetings"). This Policy, and supersedes and replaces Policy No. 202413-06, Policy No. A-6, Policy No. A-11, and Policy No. A-16, and each of them, in its~~ their entirety.

Policy

It shall be the policy of the City of San Marcos City Council to conduct municipal business at regular and special meetings pursuant to the following procedures.

Procedure

I. Notice

It is in the best interests of the entire community that adequate public notice be provided as required by law for any meeting of the City Council or any other meeting where the City Council sits as the Board, Commission, Authority, or Committee.

Regular City Council meetings are held on the 2nd and 4th Tuesday of each month. Council meetings traditionally start at 6:00 pm and conclude by or before 10:30 pm. No business shall be transacted unless it is placed on the agenda in accordance with the Ralph M. Brown Act ("Brown Act") and the administrative procedures adopted by the City Clerk. Matters deemed by the City Council to be an emergency or urgency item are exempted from the provisions relating to prior notice of an agenda item, provided the appropriate findings are made under Government Code section 54954.2 as may be amended from time to time. The Council shall attempt to limit emergency or urgency items to items affected by a time

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constraint such that action is required to be taken prior to the next regularly scheduled meeting.

Special meetings may be held from time to time as deemed necessary by the City Council. When determined appropriate, special meetings may be called at any time by the Mayor or a majority of the Council by delivering personally or by email, written notice to each member of the Council and to each local newspaper of general circulation, radio or television station requesting notice in writing. The notice must be delivered personally or by email, and shall be received at least twenty-four (24) hours before the time of the meeting as specified in the notice. The notice shall specify the time and place of the special meeting and identify the business to be transacted. Other than as identified in the notice, no other business shall be considered at the special meeting.

II. Location

Unless specifically designated otherwise by the City Council, meetings will be held in the City Council Chambers at 1 Civic Center Drive within the City of San Marcos.

III. Conduct of Meetings

1. General

The Mayor or other presiding officer of municipal business meetings (“Mayor”) has the authority to chair the meetings in accordance with the Brown Act and Roberts Rules of Order. In the event of any inconsistency or ambiguity between these sources, the Brown Act shall control. All Councilmembers as well as the City Manager and City Attorney are authorized to enforce the policies and protocols established for the conduct of Council meetings.

City Council meetings are for the conduct of municipal business and as such are not to be used for the purpose of providing forums for political campaigning or rhetoric by Councilmembers or members of the public which is inconsistent with orderly business functions.

Reserved areas are designated within the Council chambers specifically for staff and media representatives. All other visitors and members of the public should be seated in the general public seating area or in the overflow room.

2. Order of Agenda

Agenda items will be considered in the order in which they appear on the agenda. However, in particular circumstances, a member of the Council or staff may request that an agenda item be taken out of sequence due to the timeliness of the agenda

item, to accommodate the public in terms of saving time and effort, or to address a unique circumstance.

3. ~~3.~~ Presentations by Members of the Public Access and Participation

a. ~~a.~~ Access

i. Members of the public shall be permitted to attend meetings in-person or via two-way, telephonic conferencing at all times when such telephonic service is operational at the meeting location.

ii. Should the two-way telephonic service for public participation become disrupted due to any failure, outage, or other interruption in the service that prevents members of the public participating in the meeting via the telephonic service, the City Council shall follow the below procedures:

A If any member of City staff, or the City Council becomes aware that the service has been disrupted, they shall inform the City Clerk;

B The City Clerk or Mayor~~presiding officer~~ shall determine whether there has been a service disruption preventing the public from attending or observing the meeting via the service and, if so, will notify the Mayor;

C The Mayor or ~~presiding officer~~ shall announce the disruption publicly and recess the meeting and City staff shall then make good faith efforts to restore the service, and document those efforts;

D The Mayor or ~~presiding officer~~ shall reconvene the meeting after one hour, or after service is restored, whichever occurs first;

E If service has not been restored when the meeting is reconvened, and the City Council desires to proceed with the meeting, it shall adopt a finding by rollcall vote that good faith efforts to restore the service, as detailed by the City Clerk, were made in accordance with this Policy, and that the public interest in continuing the meeting outweighs the public interest in remote public access; alternatively, the City Council may adjourn the meeting;

F The City Council may meet in closed session while open session is recessed due to the service disruption.

b. Participation

i. Requests to Speak

- A For the convenience of the public, the City Clerk will provide request to speak forms and a place for depositing completed speaker requests forms in the rear area of the Council chambers. Members of the public are to place their requests to speak in the area designated by the City Clerk so as not to disrupt or distract from the activities of the City Council or staff in the conduct of municipal business. Members of the public participating via two-way telephonic service shall follow the procedures noted on the published agenda and Ceity website for submitting comments and requesting to speak during the meeting. Such procedures will be promulgated in accordance with Government Code section 54953.4 (SB 707, 2025).
- B Members of the public shall deposit their requests to speak forms in the area designated by the City Clerk, or follow the published procedures for requesting to participate remotely, promulgated in accordance with, Government Code section 54953.4 (SB 707, 2025). prior to Council's initiation of the agenda item for which the request to speak has been made.
- C Members of the public will be permitted to submit only one request to speak for each agenda item they wish to address. Requests to speak will be submitted to the City Council by the City Clerk in random order. Unless specifically approved by the City Council, individual requests with respect to the order of speaker presentations will not be honored.

ii. Time Limitations for Public Speakers

Individual Speakers.—Public speakers addressing the Council are provided a maximum of three (3) minutes when speaking as an individual. Their time will be monitored by the City Clerk. The three (3) minute time limitation will be announced at the beginning of each hearing. Speakers may not cede their time to another speaker ~~except as provided in section 3.b.2, below.~~ There are three lights at the speaker podium. When the speaker begins, the green light appears; when only one minute remains for speaking, the yellow light appears to allow the speaker to conclude their comments. When the red light appears, the speaker's time has expired. For public speakers addressing the City Council via two-way telephonic service, the City Clerk will ensure that each speaker is advised when the speaker's time begins, when there is one minute remaining, and when the speaker's time has expired, pursuant to published procedures promulgated in accordance with, Government Code section 54953.4

(SB 707, 2025). Notwithstanding the foregoing, at least twice the allotted time will be provided to public speakers who utilize a translator, unless simultaneous translation equipment is utilized during the meeting in question. For purposes of this Policy, “simultaneous translation” means a translation being provided to the Council, staff, and members of the public at the same time that the person addressing the Council is speaking, and does not mean a post-utterance translation.

~~Group Speakers. A speaker qualified under the rules set forth in this section as representing members of a group may receive a maximum of ten (10) minutes to address the Council. Groups are encouraged to designate one (1) spokesperson to speak on behalf of the group, which helps streamline discussions and ensures meetings run efficiently. Groups are encouraged to designate one (1) spokesperson to speak on behalf of the group. For those groups that do not designate a spokesperson, the Mayor may request that one be chosen.~~

~~To receive the maximum allotted ten (10) minutes, all group members present at the Council meeting must cede their individual speaking time in favor of the group spokesperson, unless an individual group member desires to speak on a non-related issue or an element of the agenda item that will not be addressed by the group.~~

~~Groups are designated as either a formal or informal organization. The following documentation and information, which shall be retained by the group, must be presented to the City Clerk for review and verification purposes at least one (1) business day prior to the Council meeting at which the group desires to speak. The group is required to update all information annually; previous submissions will not suffice whether or not changes have been made to the applicable documents.~~

~~a) Formal Organization:~~

~~(i) current bylaws, including a statement of the organization's purpose and requirements for membership; and~~

~~(ii) a recently adopted resolution designating those individuals authorized to speak on behalf of the organization.~~

~~b) Informal Organization:~~

~~(i) organization's name;~~

~~(iii) a recently adopted resolution designating those individual(s) authorized to speak on behalf of the organization.~~

Upon conclusion of speaker comments, the Council, at its discretion, will determine whether Council questions and/or any Council and staff responses should be immediate or made at a later time in a more comprehensive approach. Speakers are not to engage Council or staff in a debate and/or question/answer period while at the podium.

c. Further Time Limitations. Pursuant to Government Code section 54954.3, as may be amended from time to time, this Policy constitutes the reasonable regulations adopted by the City Council which limit the total amount of time allocated for public testimony on particular issues and for each individual speaker. The Mayor has the discretion to set additional limitations to equally reduce speaking time for individuals and for groups when multiple persons have submitted a request to speak on any given agenda item, to accommodate a larger number of speakers.

4. Visual & Presentation Aids. Visual aids (slides, photographs, video) may be used by members of the public as part of an individual or group presentation under the following restrictions, but such use must be within the time per speaker set forth in the applicable provision of Section 3, above.

- a. No Use of or Connection of External Storage Devices on City Devices. No CD, CD-RW, DVD, DVD-RW, flash drive, usb drive, memory stick, thumb drive, or other external storage device or drives may be used on City-owned devices. Presentations and other materials that speakers wish to present electronically must be provided to the City Clerk in .pdf format at least twenty-four (24) hours prior to the City Council meeting at which the speaker will make their presentation. The file size of emailed presentation materials may not exceed ~~520~~mb, and should be sent to: ~~cityclerk@sanmarcos.net~~cityclerk@sanmarcosca.gov in .pdf form with the subject line noting the applicable City Council hearing date and using the words "Presentation Materials."
- b. Members of the public are prohibited from connecting their device(s) to the City's system for purposes of a presentation.
- c. If the presentation materials collectively exceed ~~5mb~~20mb in size, the materials should be submitted to the City Clerk in hard copy at least twenty-four (24) hours prior to the City Council at which the speaker intends to speak.
- d. Hard copies of presentation materials may be provided to the City Clerk for upload and/or distribution to the City Council. If provided in hard copy, at least ten (10) copies must be submitted.

5. Meeting Decorum. The City Council is committed to safe and orderly meetings for the conduct of City business. The public is encouraged to participate in meetings,

provided they abide by the rules of procedure and decorum that are set forth in this Policy. For purposes of this Policy, "meeting participant" includes all persons in attendance at a City Council meeting, whether attending in-person or telephonically.

- a. Placards, banners, signs, and/or other objects larger than 22" x 28" are prohibited in the City Council chambers, unless the item is part of a staff presentation, agendized presentation, and/or City Council proclamation item, which has been submitted to the City Clerk in advance of the meeting in question. Further, all placards, banners, signs, and/or other objects must be hand-held and supported throughout the meeting; that is, any placard, banner, sign, and/or other object secured and/or affixed to items including, but not limited to, stakes, poles, sticks, braces, or like support, is prohibited in the Council Chambers or other location for the City Council meeting. Additionally, no meeting participant may use such placards, banners, signs, and/or other objects to obscure the vision or block the location of any other meeting participant.
- b. Weapons and any object that may be used to inflict serious bodily injury are prohibited at City meetings except those lawfully in the possession of authorized City and law enforcement personnel.
- c. Meeting participants will interact in a mutually respectful manner and refrain from intimidating, threatening, demeaning, and/or insulting other participants.
- d. Conduct that disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the City Council meeting is prohibited. This includes, but is not limited to, uttering loud and/or threatening verbiage, whistling, clapping, stamping of feet, speaking over and/or interrupting the recognized speaker, repeated waving of arms or signs, or other disruptive acts such that the orderly conduct of the City Council meeting is disrupted, disturbed, impeded, or rendered infeasible. The failure to comply with the regulations set forth in this Policy, and/or engaging in behavior that constitutes the use of force or a true threat of force as described in Government Code § 54957.95.
- e. The Mayor has the authority to direct any meeting participant who is in violation of this Policy to cease their disruptive behavior and warn that their failure to cease disruptive behavior described in subsection (c), above, may result in their removal from the meeting. In the event that a meeting participant who has been issued such a warning continues to violate this Policy and continues to disrupt, disturb, impede, or otherwise render infeasible the orderly conduct of the City Council meeting, the Mayor may recess the meeting or require that participant to leave the meeting, whether in-person or telephonically, or be removed.
- f. If the meeting participant who is disrupting, disturbing, impeding, or rendering infeasible the orderly conduct of the City Council meeting does not timely leave the meeting following such warning and an order for removal, the Mayor may direct the Sheriff's Department personnel to remove the meeting participant in

- question from the meeting, or direct the City Clerk to discontinue the participant's telephonic participation.
- g. Any meeting participant who is removed from a meeting, or whose telephonic service is discontinued pursuant to (f), above, is precluded from attending the remainder of the meeting in question. Sheriff's Department personnel, or the City Clerk when participation is telephonic, will enforce this exclusion after having been so directed by the Mayor.
 - h. If a meeting is willfully interrupted by individuals, a group, or groups of persons and order cannot be restored by the removal of those meeting participants, the Mayor, subject to objection by a majority of Council Members in attendance, may order the cessation of telephonic participation and the meeting room cleared of all participants other than the press and such City staff members as are necessary for the conduct of City business, and the meeting may continue as provided by Government Code § 54957.9.
 - i. The Sheriff's Department personnel, as the law enforcement agency of the City, shall function as the sergeant-at-arms of the City Council, and shall enforce the order of the Mayor in a manner they deem reasonable under the circumstances.