City Council Meeting
06-08-26
Item
1.A.2.

Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Reviewed by: Trevor Rusin, Interim City Attorney

Approved by: Joseph D. Irvin, City Manager

Date prepared: June 3, 2026 Meeting date: June 8, 2026

Subject: City Council Rules of Procedure and Decorum

RECOMMENDED ACTION: 1) Adopt Resolution No. 26-27 establishing the Rules of Procedure and Decorum for the conduct of City Council meetings, setting the start time and format for Regular City Council Meetings, and repealing Resolution Nos. 98-083 and 24-39; and 2) Adopt revised City Council Policy No. 28 Establishing the Procedure for Placement of Items by City Councilmembers on City Council Agendas.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

STRATEGIC PLAN IMPLEMENTATION: N/A.

DISCUSSION: On May 26, 2026, the City Council discussed the meeting format and Rules of Procedure and Decorum for City Council meetings. Following review of the proposed resolution, the City Council directed staff to return with revisions reflecting the following changes:

1. Maintain the start time for Regular City Council Meetings at 5:30 p.m.
2. Allow members of the public to submit audiovisual materials for General Public Comment (items not on the agenda).
3. Establish a deadline for written and audiovisual materials submitted by the public of one business day prior to the meeting, unless an amended agenda is posted on that day. If an amended agenda is posted one business day before the meeting, written comments and audiovisual materials will be accepted only on the new and modified items until the deadline noticed on the agenda. The exact time for these deadlines

will be specified on each agenda to allow sufficient time for staff to process materials.

4. Allow members of the public participating in-person to defer their speaking time to another speaker participating either in-person or remotely, up to a maximum of five (5) minutes total.
5. Establish a procedure to adjust General Public Comment speaker time based on the number of speakers to keep this item within approximately one hour. The resolution provides that:
    a. If there are more than 20 speakers, each speaker will be limited to two (2) minutes. Speakers receiving time deferrals may speak for up to four (4) minutes.
    b. If there are more than 30 speakers, each speaker will be limited to one (1) minute. Speakers receiving time deferrals may speak for up to three (3) minutes.
6. Allow modification of submittal deadlines for land use appeals and applications only for projects where a public entity is the applicant.
7. Reinsert language specifying that individual City Councilmember items shall be placed under the Council Items section of the agenda.

The May 26, 2026 agenda report and supporting materials are available on the City's website – May 26, 2026 City Council Regular Meeting Item No. 6.A. Supplemental Report.

ATTACHMENTS:

1. Resolution No. 26-27
2. City Council Policy No. 28

RESOLUTION NO. 26-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU ESTABLISHING RULES OF PROCEDURE AND DECORUM FOR THE CONDUCT OF CITY COUNCIL MEETINGS, SETTING THE START AND FORMAT FOR REGULAR CITY COUNCIL MEETINGS, AND REPEALING RESOLUTION NOS. 98-083 AND 24-39

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. The following rules of procedure and decorum are hereby adopted.

I. Rules for City Councilmembers.

A. Decorum: Members of the City Council shall conduct themselves in an orderly and business-like manner to ensure that the business of the City shall be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process of the City Council is maintained at all times. Members of the City Council shall maintain a polite respectful and courteous manner when addressing one another, the City staff and members of the public during Council meetings. Members of the City Council shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

B. Role of the Presiding Officer: The presiding officer of the City Council, who shall be the Mayor, or in the Mayor's absence the Mayor Pro Tempore, or in the absence of both the Mayor and Mayor Pro Tempore the remaining longest-serving member of the Council shall be responsible for maintaining the order and decorum of meetings. It shall be the duty of the presiding officer to ensure that these rules of procedure and decorum are followed at all times. The presiding officer shall maintain control of communication between Councilmembers, between the Council and the public and chair each meeting in a fair and impartial manner. It shall be the duty of each Councilmember to support the presiding officer in maintaining the order and decorum of Council meetings.

C. Communication between City Councilmembers: Councilmembers should request the floor of the presiding officer before speaking. Councilmembers shall speak in turn and no Councilmember shall speak again until all Councilmembers shall have had the opportunity to speak. Councilmembers shall remember that the purpose of the City Council meeting is to conduct the business of the City. Councilmembers shall avoid repetition and shall endeavor to limit their comments to the subject matter at hand. Councilmembers should endeavor to express their views without engaging in lengthy debates. When one Councilmember is speaking other Councilmembers shall not interrupt or disturb the speaker. During questions and deliberations the presiding officer shall vary the speaking sequence of Councilmembers from item to item.

D. Communication with the Public Addressing the City Council: On specific agenda items Councilmembers may question any person addressing the City Council at the conclusion of all public testimony on that agenda item before the Council. Councilmembers shall not engage any member of the public in a dialogue with themselves other City Councilmembers, city staff or other members of the public. All requests to speak shall be made to the presiding officer. If a member of the public addresses the Council on a matter

not on the meeting's agenda (during public comment) Councilmembers shall refrain from a discussion of the matter. Public comments requesting specific Council discussion and/or action shall be summarized by the presiding officer following all public comments. Such matters may, at the direction of a majority of the City Council, be placed on a future agenda for discussion and/or action. Comments, proposals for future agenda items, and follow-up questions by Councilmembers should be brief and limited to no more than 10-minutes per Councilmember.

II. Rules for City staff.

A. Decorum: City staff shall not engage in dialogue with members of the public during Council meetings. When addressed by a City Councilmember the staff shall respond in a polite, respectful and courteous manner. All requests to speak shall be made to the presiding officer.

B. Role of the City Manager: The City Manager's duties during City Council meetings shall include keeping a record of actions requested by the City Council that require staff work. The City Manager shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

III. Rules for Members of City Commissions, Boards and Committees.

A. Decorum: Members of City Commissions, Boards and Committees, when addressed by a City Councilmember, shall respond in a polite, respectful and courteous manner.

B. Role: Each advisory Commission, Board or Committee shall send their Chairperson or other designated member to address the Council on any factual inquiries on recommendations made by their Commission, Board or Committee. Chairpersons or designated members should answer such Council questions promptly and specifically. Members of the City's Commissions, Boards, and Committees shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

IV. Rules for the Public.

A. Members of the Audience: Members of the audience shall not engage in disorderly or boisterous conduct, including clapping, whistling, stamping of feet, or other acts which disturb, disrupt, impede or otherwise disturb the orderly conduct of the City Council meeting.

B. Persons Addressing the City Council: Members of the public shall have the opportunity to address the City Council on any items on the City Council agendathat are heard. Public comment will be taken first by those physically in City Council Chambers at the time the item is called. Any person wishing to address the Council in-person should fill

out a speaker slip and submit that slip to the Recording Secretary prior to that agenda item being announced by the presiding officer. Members of the public shall have the opportunity to participate remotely. Remote speakers should identify themselves per the instructions on the meeting agenda. Speakers may elect not to provide their true name or other personal information.

No person shall address the City Council without first being recognized by the presiding officer. Members of the public addressing the City Council shall have three (3) minutes to speak on each item on the agenda and also during general public comment for items not on the agenda. In-person participants may also surrender their time to speak on an item on the agenda by deferring one (1) minute to an in-person or remote speaker, not to exceed a total of five (5) minutes. The speaker wishing to defer time must be present when the item is heard and their speaker slip must be submitted as indicated on the agenda. Individuals wishing to comment on the Consent Calendar items will have one opportunity to speak on the Consent Calendar as a whole; e.g. the items on the consent calendar shall be treated as a single item under these rules instead of as individual items.

For general public comment, speaking time is adjusted based on the number of speakers:

If there are more than 20 speakers, each speaker will be limited to two (2) minutes. Speakers with time deferrals may receive up to four (4) minutes.

If there are more than 30 speakers, each speaker is limited to one (1) minute. Speakers with time deferrals may receive up to three (3) minutes.

The Mayor or the Council, by majority vote, may alter these time limits.

Persons addressing the City Council on a specific agenda item shall confine their remarks to that agenda item. Any public requests for staff comment shall be made to the presiding officer who, in their discretion, may direct such inquiries to the City Manager or City Attorney. Persons addressing the City Council shall not engage in disorderly conduct which disrupts, or otherwise impedes the orderly conduct of, Council meetings. Any person who so disrupts a Council meeting may, at the discretion of the presiding officer or a majority of the City Council, be subject to ejection from that meeting and/or muting in compliance with State Law and the City's policies.

C. Submission of Written Comments and Presentation Materials: Written comments (including emails, letters, and other written materials) and audiovisual presentation materials may be submitted in advance of the meeting. Each submission should refer to an item listed on the agenda for a specific City Council meeting and be submitted per the instructions on the agenda.

Any written comments or audiovisual materials from members of the public, including any

that they intend to present at the meeting, must be submitted one (1) business day in advance, as indicated on the agenda. If an amended agenda is posted one (1) business day before the meeting, written comments and audiovisual materials will be accepted only on the new and modified items until the deadline noticed on the agenda. No additional materials will be accepted after the deadlines indicated on the agenda.

Written comments and presentation materials for Public Hearings for Land Use Appeals/Applications follow the procedures and deadlines described in Section VIII(A).

V. Enforcement: Upon violation of these Rules, the presiding officer shall request that person violating these rules cease such conduct. If, after a warning from the presiding officer, the person persists in disrupting the meeting, the presiding officer may order the person to leave the City Council meeting and/or mute or remove from remote participation such person in compliance with State Law and the City's policies. If the person does not leave the meeting, the presiding officer may order any law enforcement officer on duty to act as Sergeant-at-arms and remove the person from the City Council chambers in compliance with State Law and the City's policies. Any person who resists removal by the Sergeant-at-arms may be charged with a violation of these rules as well as any other applicable ordinance or law. If the presiding officer of the City Council fails to enforce these Rules, a majority of the City Council may vote to designate another Councilmember to act as presiding officer who may then enforce these rules. If a meeting of the City Council is disrupted in such a manner as to make infeasible the restoration of order, the presiding officer or a majority of the City Council may exercise the authority granted by State Law and order the meeting room cleared and then continuing the meeting in such a manner as authorized by State Law. Should a remote participant who has been muted or removed pursuant to this Resolution re-enter the meeting, including through a different name or phone number, they may be immediately removed or muted as applicable.

VI. City Council Agendas.

A. Format: The format of the City Council agendas shall be as follows, unless otherwise re-ordered by Council at a specific meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Closed Session Report
5. Report on Posting of the Agenda
6. Approval of the Agenda
7. Consent Calendar
8. Ceremonial/Presentation(s)
9. Commission/Committee/City Manager Updates
10. Written and Oral Communications from the Public (This and subsequent items to be heard at 6:30 p.m. or later)

i. General Public Comment – Matters not on the Agenda
ii. City Council Meeting Attendance Reports and Inquiries

11. Ordinances and Public Hearings
12. Old Business
13. New Business
14. Council Items
15. Adjournment

General Public Comment, City Council Reports and Meeting Attendance Reports, and all subsequent items listed on the agenda shall be heard at 6:30 p.m or later. Any member of the public who wishes to comment on Ceremonial/Presentation matters shall do so during the time reserved for the Consent Calendar.

Councilmember reports and inquiries will be limited to ten (10) minutes per Councilmember. This time is reserved for the Councilmembers to report on their activities, ask staff follow-up questions from public comment, make a brief comment regarding public comments received or request an item be added to a future agenda. Discussion and comments that are not brief are prohibited.

Ceremonial and Presentation items shall be limited to no more than three items at one meeting, and presentations should take no more than ten (10) minutes each, unless otherwise approved by the City Manager.

B. The schedule for regular City Council meetings is governed by Malibu Municipal Code Section 2.08.010. This section allows the meeting time to be changed by resolution of the City Council. The regular meeting time of the City Council is hereby adopted as follows:

1. Regular meetings of the City Council shall be held on the second and fourth Mondays of each month at 5:30 p.m. Closed session may be held between 4:30 p.m. and 5:30 p.m. No closed session will be held during said hours unless the posted agenda of the regular meeting indicates that such sessions will take place; in the absence of such notification, the regular meeting shall commence at the hour of 5:30 p.m.

2. Prompt Call to Order at 5:30 p.m. and adjournment by 10:30 p.m.

    a. The City Council shall start their regular meetings promptly at 4:30 p.m. The City Council shall not hear any new items of business after 10:30 p.m. unless two-thirds of City Councilmembers vote to do so.

C. Placement of Items on a City Council Meeting Agenda by a Councilmember: All items to be placed on a City Council meeting agenda must be submitted to the City Manager not later than twelve days preceding the City Council meeting. All such

individual Councilmember agenda items shall be placed under the Council Items section. Individual City Councilmembers must submit a brief report to the Council explaining their item and supporting materials for the items by this deadline. To avoid overloading the staff or the Council agenda, individual Councilmembers should not submit more than one agenda item per Council meeting. The City Manager shall be responsible for scheduling all other agenda items submitted by City staff, consultants or recommendations from City Commissions, Boards or Committees unless otherwise specifically directed by a majority of the City Council at a public meeting.

VII. Robert's Rules Of Order.

In all matters and things not otherwise provided for herein, the proceedings of the City Council shall be governed by "Robert's Rules Of Order, Newly Revised." as amended by State law. Councilmembers should familiarize themselves with rules concerning making main motions, making motions to amend, postpone (continue to date certain or indefinitely), table or refer to staff, subcommittee or another body, calling the previous question (to close debate) or recess (break), rising to points or order (procedure), personal privilege (too noisy, personal insult) or information and motions to reconsider a matter already decided by the Council, divide motion(s), ask for a roll call vote, suspend the rules, overrule the chair, move the agenda and adjourn. However, no action of the City Council shall be invalidated or the legality thereof affected by the failure or omission to observe or follow Robert's Rules of Order.

VIII. Public Hearings.

A. Public Hearings for Land Use Appeals/Applications

At the start of each public hearing required by law, the presiding officer shall announce the item for the public hearing and then introduce the staff report. Following the staff report, the applicants, appellants, and/or their representatives shall speak first and have fifteen (15) minutes to do so, any portion of which may be used for rebuttal. When more than one separate appeal is filed, the applicant shall receive an additional 10 minutes, for each appeal, that may be allocated between their presentation and rebuttal. Following the initial presentations from the appellant and applicant, members of the public shall have the opportunity to address the City Council following the normal rules for public comment. Following all public testimony, the presiding officer shall recognize Councilmembers who have questions for any of the speakers, members of the public in attendance, chairpersons or a designated representative of city commissions, boards or committees, city staff or consultants. Following the conclusion of such questions, the presiding officer shall allow the appellant and the applicant their remaining time for rebuttal. Following the rebuttal, the presiding officer shall close the public hearing and then allow each Councilmember to state his/her opinion on the item before asking for a motion to decide the matter.

Agenda reports for land use appeals/applications shall be posted thirty (30) days in advance of the hearing. Any written comments or audiovisual materials for the hearing from the applicants, appellants, and/or their representatives, including any that they intend to present at the hearing, must be submitted ten (10) business days in advance, as indicated on the agenda. Any written comments or audiovisual materials from members of the public, including any that they intend to present at the hearing, must be submitted three (3) business days in advance, as indicated on the agenda. These deadlines may be modified at the discretion of the City Manager and City Clerk only for projects where the applicant is a public entity. Modifications to the deadlines shall be indicated on the meeting agenda. No additional materials from any party or the public will be accepted after the deadlines indicated on the agenda.

B. Other Public Hearings Required by Law

Ordinances and other legislative actions which require noticed public hearings will be scheduled accordingly. When a matter for public hearing comes before the City Council, the presiding officer shall open the public hearing and follow the process as legally required.

IX. Suspension of the Rules.

Any provision of these Rules not already governed by the City ordinance or State Law may be suspended by majority vote of the City Council.

SECTION 2. This resolution supersedes and replaces Resolution Nos. 98-083 and 24-39.

SECTION 3. This resolution shall take effect July 1, 2026.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this __th day of ____ 2026.

_____
BRUCE SILVERSTEIN, Mayor

ATTEST:

_____
KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney

City of Malibu

City Council Policy

Policy #28

Title: Placement of Items by City Councilmembers on City Council Agendas

Purpose: To establish the means by which individual members of the City Council may place an item on a City Council agenda for consideration

Policy Statement:

Individual members of the City Council may place an item on a City Council agenda for consideration by the Council when less than one hour of staff work is involved in preparing the item by providing agenda back-up material to the staff. When more than one hour of staff work is to be required to prepare necessary back-up materials, the individual member may submit a written or verbal request at the City Council meeting for a vote to have the matter placed on a future agenda for consideration.

Implementation:

Resolution No. 26-27 requires that items to be placed on the agenda must be submitted to the City Manager not later than twelve days before the regular City Council meeting. A written request for the item to be placed on the agenda, in the case where it is estimated that staff work to prepare background material will exceed one hour, shall be forwarded to each member of the City Council and included in the final agenda packet available to the general public at the meeting. In the case of back-up material submitted for an item which will take less than one hour of staff time to prepare, both the back-up material and the staff work related to the item will be forwarded to each member of the City Council and included in the final agenda packet available to the general public at the meeting.

Date Adopted:

January 12, 1998

Date Amended:

May 26, 2026