

EXHIBIT F
PUBLIC HEARING PROCEDURES
F(1)
Legislative Public Hearing Procedures – Script

The procedure for Public Hearings involving a legislative matter shall be substantially as follows:

Opening [All statements by Mayor/Presiding Officer.]

1. The public hearing for the (*state name of matter*) is now open.
2. All persons wishing to be heard should have signed in at the sign-in at the table in front. If you have not done so, please do so now.

Rules of Order

3. The public hearing will proceed in an orderly fashion and I would like to ask your cooperation in the following procedures:
4. Everyone will be given an opportunity to be heard. All comments shall be made from the speaker's rostrum, and any individual making comments shall first give his or her name and address. Please speak slowly and clearly. This is required because an official recorded transcript of the hearing is being made. If there is an appeal, the court must make its decision on the basis of what was said here.
5. If anyone requires special accommodation in order to speak, please let me know and we will make arrangements.
6. In fairness to all in attendance, each person will be given an opportunity to address the Council for an initial period not to exceed 3 minutes. If more time is needed, it will be made available after everyone has had a chance to speak. I am requesting Councilmembers to hold their questions of the public until everyone is done.
7. It is not necessary to be a proponent or opponent in order to speak.
8. There should be no demonstrations (clapping, cheering) during or at the conclusion of anyone's presentation.
9. This is the time for presentation of testimony. No debate is allowed.
10. These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard and to ensure that no individual is embarrassed by exercising their right of free speech.
11. Do any Council members have any interests, financial or property, to disclose in connection with this matter?

Purpose of Hearing and Order of Speaking

12. The purpose of this hearing is for the Council to hear and consider pertinent facts and to take action relating to the *(name of action – from the agenda)*.
13. The order of speaking will be:
 - a. Staff presentation
 - b. Then comment from members of the public in attendance
 - c. Then response from staff
 - d. Then questions from Council members

Staff Presentation

14. Before hearing from members of the public, I am going to introduce _____ *(name in memo in agenda packet)* who will make the staff presentation.

Public Testimony and Comment

15. *(To Clerk)* Are there any written materials that have been submitted, or that anyone wishes to submit without speaking? *(Any documents are given to City Attorney, who will read or summarize the document.)*
16. At this time, the floor is open for comments from the public.

Questions and Answers

17. Does staff wish to respond to any subjects raised by any speaker, or make any additional statement?
18. At this time, any Council member may ask any questions of any speaker or staff. *(Any person recalled will speak from the rostrum.)*
19. Does anyone in the audience have any comments solely to clarify any item raised by a Council member's questions? Please, no new issues can be presented, and please do not repeat your or any other person's previous testimony. Your comments should be limited to clarifying any item raised by any Council member or staff.

Council Discussion

20. There being no further testimony, I will close the public testimony portion of the hearing. It is now in order for the Council to discuss this matter and for a Council member to make a motion to take action or postpone. *(Mayor calls on Council members wishing to be recognized.)*
21. Is there any further discussion by Council members?
22. Is there any further recommendation or comments from staff?
23. This concludes the public hearing for this matter.

F(2)

Quasi-Judicial Public Hearing Procedures – Script

The procedure for Public Hearings involving a Quasi-Judicial matter shall be substantially as follows:

Opening [All statements by Mayor/Presiding Officer.]

1. The public hearing for the (*state name of application*) is now open.
2. All persons wishing to be heard should have signed in at the sign-in at the table in front. If you have not done so, please do so now.

Rules of Order

3. The public hearing will proceed in an orderly fashion and I would like to ask your cooperation in the following procedures:
4. Everyone will be given an opportunity to be heard. All comments shall be made from the speaker's rostrum, and any individual making comments shall first give his or her name and address. Please speak slowly and clearly. This is required because an official recorded transcript of the hearing is being made. If there is an appeal, the court must make its decision on the basis of what was said here.
5. If anyone requires special accommodation in order to speak, please let me know and we will make arrangements.
6. In fairness to all in attendance, each person will be given an opportunity to address the Council for an initial period not to exceed 3 minutes. The applicant shall be given 5 minutes to make their initial presentation. If more time is needed, it will be made available after everyone has had a chance to speak. I am requesting Councilmembers to hold their questions of the public until everyone is done.
7. It is not necessary to be a proponent or opponent in order to speak.
8. There should be no demonstrations (clapping or cheering) during or at the conclusion of anyone's presentation.
9. This is the time for presentation of testimony. No debate is allowed.
10. These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard and to ensure that no individual are embarrassed by exercising their right of free speech.

Swearing-in

11. The City Attorney will now swear in all those who have signed in and who wish to testify. Please stand and raise your right hand.

Appearance of Fairness and Conflict of Interest Issues

12. This hearing is quasi-judicial in nature, and therefore the appearance of fairness and conflict of interest rules apply. Quasi-judicial actions are defined as actions of the Council which determine legal rights, duties, or privileges of specific parties in a hearing. The public hearing must be fair in three respects: form, substance and appearance.

13. [*Option A - Long Form*] All council members, and this includes the Mayor, should now give consideration as to whether they have (1) a demonstrated bias or prejudice for or against any party to the proceedings; (2) a direct or indirect monetary interest in the outcome of the proceedings; (3) a prejudgment of the issue prior to hearing the facts on the record, or (4) ex parte contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing. Does any Council member have an Appearance of Fairness or Conflict of Interest issue or disclosure to make? Seeing none, . . . (*to next item, or if there is a question or disclosure, refer to City Attorney.*)

[*Option B - Short Form*] Do any Council members, and this includes the Mayor, have an interest in this property or issue, or stand to gain or lose any financial benefit as a result of the outcome of this hearing, or have any disclosures to make? Seeing none, . . . [*to next item, or if there is a question or disclosure, refer to City Attorney.*]

14. Is there anyone in the audience who objects to my participation or any other Council member's participation in these proceedings? (*Refer any affirmative answer to City Attorney.*)

Purpose of Hearing and Order of Speaking

15. The purpose of this hearing is for the Council to hear and consider pertinent facts and to take action relating to the (*name of proposal – from the agenda*).

16. The order of speaking will be:

- a. Staff presentation
- b. Then comments from the applicant
- c. Then comments from proponents
- d. Then comments from opponents
- e. The comments from any others wishing to speak
- f. Then any comment from the applicant in response
- g. Then response from staff
- h. Then questions from Council members

Staff Presentation

17. Before hearing from the audience, I am going to introduce _____ (*name in memo in agenda packet*) who will make the staff presentation.

Public Testimony and Comment

18. (*To Clerk*) Are there any written materials that have been submitted, or that anyone wishes to submit without speaking? (*Any documents are given to City Attorney, who will read or summarize the document.*)

19. I will call upon the applicant to speak.

20. Is there anyone else who favors the item, or is neutral, who wishes to speak.

21. At this time, I will call upon opponents to speak.

22. Are there any other opponents, or anyone else who has not spoken, who wishes to speak.

23. I will now call upon the applicant to speak in rebuttal. You may not introduce new material.

Questions and Answers

24. Does staff wish to respond to any subjects raised by any speaker, or make any additional statement?

25. At this time, any Council member may ask any questions of any speaker or staff. (*Any person recalled will speak from the rostrum.*)

26. Does anyone in the audience have any comments solely to clarify any item raised by a Council member's questions. Please, no new issues can be presented, and please do not repeat your or any other person's previous testimony. Your comments should be limited to clarifying any item raised by any Council member or staff.

Council Discussion

27. There being no further testimony, I will close the public testimony portion of the hearing. It is now in order for the Council to discuss this matter and for a Council member to make a motion to take action or postpone. (*Mayor calls on Council members wishing to be recognized.*)

28. Is there any further discussion by Council members?

29. Is there any further recommendation or comments from staff?

30. *(Mayor states the motion and calls for a vote. Following a vote by the Council-)* Staff is directed to prepare findings and decision.
31. This concludes the public hearing for this matter.

Quasi-Judicial Closed Record Appeal Procedures – Script

The procedure for Public Hearings involving a Quasi-Judicial closed record appeal (for example, major CUPs, plats, PUDs) shall be substantially as follows:

Opening [All statements by Mayor/Presiding Officer.]

1. The closed record appeal for the (*state name of application*) is now open.
2. All persons who participated in the open record hearing on this matter before the Hearing Examiner wishing to be heard should have signed in at the sign-in at the table in front. If you have not done so, please do so now.

Rules of Order

3. The public hearing will proceed in an orderly fashion and I would like to ask your cooperation in the following procedures: This is a closed record appeal. There has been an open record hearing before the Hearing Examiner. Under state law, there is only one public hearing allowed in this proceeding. This closed record appeal means the Council bases its decision on the record developed at the public hearing before the Hearing Examiner; therefore no new testimony is allowed except in very limited circumstances. Comments from speakers must be in the nature of argument only, based on and limited to facts in the written and oral record developed before the Hearing Examiner. If anyone presents comments that are not based on facts in the record, anyone may make an objection. If an objection is made, the person speaking will stop until the issue of the objection is resolved.
4. All comments shall be made from the speaker's rostrum, and any individual making comments shall first give his or her name and address. Please speak slowly and clearly. This is required because an official recorded transcript of the hearing is being made. If there is an appeal, the court must make its decision on the basis of what was said here and the record.
5. If anyone requires special accommodation in order to speak, please let me know and we will make arrangements.
6. In fairness to all in attendance, each person will be given an opportunity to address the Council for an initial period not to exceed 3 minutes. The appellant shall be given 5 minutes to make their initial presentation. If more time is needed, it will be made available after everyone has had a chance to speak. I am requesting Councilmembers to hold their questions of the public until everyone is done.
7. It is not necessary to be a proponent or opponent in order to speak.
8. There should be no demonstrations (clapping or cheering) during or at the conclusion of anyone's presentation.

Appearance of Fairness and Conflict of Interest Issues

9. This hearing is quasi-judicial in nature, and therefore the appearance of fairness and conflict of interest rules apply. Quasi-judicial actions are defined as actions of the Council which determine legal rights, duties, or privileges of specific parties in a hearing. The public hearing must be fair in three respects: form, substance and appearance.

10. [Option A - Long Form] All council members, and this includes the Mayor, should now give consideration as to whether they have (1) a demonstrated bias or prejudice for or against any party to the proceedings; (2) a direct or indirect monetary interest in the outcome of the proceedings; (3) a prejudgment of the issue prior to hearing the facts on the record, or (4) ex parte contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing. Does any Council member have an Appearance of Fairness or Conflict of Interest issue or disclosure to make? Seeing none, . . . (to next item, or if there is a question or disclosure, refer to City Attorney.)

[Option B - Short Form] Do any Council members, and this includes the Mayor, have an interest in this property or issue, or stand to gain or lose any financial benefit as a result of the outcome of this hearing, or have any disclosures to make? Seeing none, . . . [to next item, or if there is a question or disclosure, refer to City Attorney.]

11. Is there anyone in the audience who objects to my participation or any other Council member's participation in these proceedings? (Refer any affirmative answer to City Attorney.)

Purpose of Hearing and Order of Speaking

12. The purpose of this hearing is for the Council to hear the appeal and to take action relating to the (name of proposal – from the agenda).

13. The order of speaking will be:

- a. Staff presentation
- b. Then argument from the appellant
- c. Then argument from opponents to the appeal, or those who are neutral.
- d. Then any argument from the applicant in response
- e. Then response from staff
- f. Then questions from Council members

Staff Presentation

14. Before hearing argument, I am going to introduce _____ (name in memo in agenda packet) who will make the staff presentation.

Public Testimony and Comment

15. *(To Clerk)* Are there any written materials that have been submitted, or that anyone wishes to submit without speaking? *(Any documents are given to City Attorney, who will read or summarize the document.)*

16. I will call upon the appellant to speak.

17. Is there anyone else who favors the item, or is neutral, who wishes to speak.

18. At this time, I will call upon opponents to speak.

19. Are there any other opponents, or anyone else who has not spoken, who wishes to speak.

20. I will now call upon the applicant to speak in rebuttal.

Questions and Answers

21. Does staff wish to respond to any subjects raised by any speaker, or make any additional statement?

22. At this time, any Council member may ask any questions of any speaker or staff. *(Any person recalled will speak from the rostrum.)*

23. Does any speaker have any comments solely to clarify any item raised by a Council member's questions. Please, no new issues can be presented, and please do not repeat your or any other person's previous testimony. Your comments should be limited to clarifying any item raised by any Council member or staff.

Council Discussion

24. There being no further comment, I will close this portion of the hearing. It is now in order for the Council to discuss this matter and for a Council member to make a motion to take action or postpone. *(Mayor calls on Council members wishing to be recognized.)*

25. Is there any further discussion by Council members?

26. Is there any further recommendation or comments from staff?

27. *(Mayor states the motion and calls for a vote. Following a vote by the Council-)* Staff is directed to prepare findings and decision.

28. This concludes the public hearing for this matter.

F(4)

Quasi-Judicial Closed Record Hearing Procedures – Script

The procedure for Public Hearings involving a Quasi-Judicial closed record hearing, where there is no appeal (for example, major CUPs, plats, PUDs), shall be substantially as follows:

Opening [All statements by Mayor/Presiding Officer.]

1. The closed record hearing for the (*state name of application*) is now open.
2. All persons who participated in the open record hearing on this matter before the Planning Commission [or Hearing Examiner] wishing to be heard should have signed in at the sign-in at the table in front. If you have not done so, please do so now.

Rules of Order

3. The public hearing will proceed in an orderly fashion and I would like to ask your cooperation in the following procedures: This is a closed record hearing. There has been an open record hearing before the Planning Commission [or Hearing Examiner]. Under state law, there is only one public hearing allowed in this proceeding. This closed record hearing means the Council bases its decision on the record developed at the public hearing before the Planning commission.

Therefore no new testimony is allowed except in very limited circumstances. Comments from speakers must be in the nature of argument only, based on and limited to facts in the written and oral record developed before the Planning Commission. If anyone presents comments that are not based on facts in the record, anyone may make an objection. If an objection is made, the person speaking will stop until the issue of the objection is resolved.

4. All comments shall be made from the speaker's rostrum, and any individual making comments shall first give his or her name and address. Please speak slowly and clearly. This is required because an official recorded transcript of the hearing is being made. If there is an appeal, the court must make its decision on the basis of what was said here and the record.
5. If anyone requires special accommodation in order to speak, please let me know and we will make arrangements.
6. In fairness to all in attendance, each person will be given an opportunity to address the Council for an initial period not to exceed 3 minutes. The applicant shall be given 5 minutes to make their initial presentation. If more time is needed, it will be made available after everyone has had a chance to speak. I am requesting Councilmembers to hold their questions of the public until everyone is done.
7. It is not necessary to be a proponent or opponent in order to speak.

8. There should be no demonstrations (clapping or cheering) during or at the conclusion of anyone's presentation.

Appearance of Fairness and Conflict of Interest Issues

9. This hearing is quasi-judicial in nature, and therefore the appearance of fairness and conflict of interest rules apply. Quasi-judicial actions are defined as actions of the Council which determine legal rights, duties, or privileges of specific parties in a hearing. The public hearing must be fair in three respects: form, substance and appearance.
10. [*Option A - Long Form*] All council members, and this includes the Mayor, should now give consideration as to whether they have (1) a demonstrated bias or prejudice for or against any party to the proceedings; (2) a direct or indirect monetary interest in the outcome of the proceedings; (3) a prejudgment of the issue prior to hearing the facts on the record, or (4) ex parte contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing. Does any Council member have an Appearance of Fairness or Conflict of Interest issue or disclosure to make? Seeing none, . . . (*to next item, or if there is a question or disclosure, refer to City Attorney.*)

[*Option B - Short Form*] Do any Council members, and this includes the Mayor, have an interest in this property or issue, or stand to gain or lose any financial benefit as a result of the outcome of this hearing, or have any disclosures to make? Seeing none, . . . [*to next item, or if there is a question or disclosure, refer to City Attorney.*]

11. Is there anyone in the audience who objects to my participation or any other Council member's participation in these proceedings? (*Refer any affirmative answer to City Attorney.*)

Purpose of Hearing and Order of Speaking

12. The purpose of this hearing is for the Council to take action relating to the (*name of proposal – from the agenda*).
13. The order of speaking will be:
 - a. Staff presentation
 - b. Then presentation from the applicant
 - c. Then presentation from the public
 - d. Then any response from the applicant
 - e. Then response from staff
 - f. Then questions from Council members

Staff Presentation

14. Before hearing from the applicant and the public, I am going to introduce _____ (*name in memo in agenda packet*) who will make the staff presentation.

Public Testimony and Comment

15. *(To Clerk)* Are there any written materials that have been submitted, or that anyone wishes to submit without speaking? *(Any documents are given to City Attorney, who will read or summarize the document.)*
16. I will call upon the applicant to speak.
17. Now I will call on members of the public who have signed up. If you have not signed up and wish to speak, you will be given an opportunity after all who have signed up have spoken.
18. I will now call upon the applicant to speak in rebuttal.

Questions and Answers

19. Does staff wish to respond to any subjects raised by any speaker, or make any additional statement?
20. At this time, any Council member may ask any questions of any speaker or staff. *(Any person recalled will speak from the rostrum.)*
21. Does any speaker have any comments solely to clarify any item raised by a Council member's questions. Please, no new issues can be presented, and please do not repeat your or any other person's previous testimony. Your comments should be limited to clarifying any item raised by any Council member or staff.

Council Discussion

22. There being no further comment, I will close this portion of the hearing. It is now in order for the Council to discuss this matter and for a Council member to make a motion to take action or postpone. *(Mayor calls on Council members wishing to be recognized.)*
23. Is there any further discussion by Council members?
24. Is there any further recommendation or comments from staff?
25. *(Mayor states the motion and calls for a vote. Following a vote by the Council-)* Staff is directed to prepare findings and decision.

This concludes the public hearing for this matter.