

**CITY OF ALBANY  
CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda Date: April 19, 2021  
Reviewed by: NA

**SUBJECT:** City Council Reorganization Policy and Policy for Appointments to Regional Bodies

**REPORT BY:** Anne Hsu, City Clerk  
Nicole Almaguer, City Manager

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**SUMMARY**

This report is provided as requested by the City Council on March 15, 2021 to conduct a review of the proposed policies regarding City Council reorganization and the appointments to regional bodies.

**STAFF RECOMMENDATION**

That the Council review the policies regarding City Council reorganization and the appointments to regional bodies and provide direction to staff on any updates to the existing policies for incorporation into the City Council Procedures and Policies.

**BACKGROUND/DISCUSSION**

The Council conducted a review of the City Council Procedures and Policies (formerly City Council Rules of Procedure and Order and City Council Policies) on February 1, 2021, February 16, 2021, and March 15, 2021. As part of the discussion on March 15, 2021, the Council requested a follow up agenda item to review proposed policy changes to the City Council Reorganization Policy and the appointments to regional bodies.

The previous proposed policy as introduced in November 2020 is provided as an attachment to this staff report.

**REORGANIZATION**

The current City Council Rules of Procedure and Order and City Council Policies includes a City Council Reorganization Policy as follows:

**L. CITY COUNCIL REORGANIZATION**

The City Council shall conduct a yearly reorganization at its first regular meeting of December, unless otherwise designated by the City Council. On election years, the reorganization of the City Council shall occur at the same meeting that the Council certifies the election results. At the time of the yearly reorganization of the City Council, the City Council shall elect one of its members to serve one year as Mayor and one of its members to serve one year as Vice Mayor. In making the selections, the City Council will consider

the principle of rotation to allow each of its members an opportunity to serve as Mayor. The election of Mayor and Vice Mayor shall be placed at the end of the Agenda. The Mayor will ask the Council for nominations for Mayor. Any Council Member wishing to make a nomination may do so. Nominations do not require a second. The Council will vote on the nominations in reverse order that the nominations were made, with the last nomination made voted on first. The nomination process will be repeated for the selection of a Council Member to serve as Vice Mayor.

#### **APPOINTMENTS TO REGIONAL BODIES**

To date, the Council has generally reviewed the appointment of members of the Council to represent the City on regional bodies on an annual basis (usually in December). The appointments (including alternates) to regional bodies typically have been based on interests expressed by individual Council Members. There is currently not a written policy or procedure for this item.

#### **FINANCIAL CONSIDERATIONS**

None.

#### **NEXT STEPS**

Pending direction by the City Council, staff will incorporate any changes into the City Council Procedures and Policies for final review and approval by the City Council at an upcoming meeting.

#### **Attachment:**

1. City Council Reorganization Proposed Policy – November 2020

# ALBANY CALIFORNIA



CITY OF ALBANY  
1000 SAN PABLO AVENUE  
ALBANY, CA 94706  
[www.AlbanyCA.org](http://www.AlbanyCA.org)

November 16, 2020

## MEMORANDUM

To: Albany City Council Members

From: Mayor Nick Pilch

Re: Proposed changes to Council Rules and Procedures

## RECOMMENDATION

That the Council give feedback as to desired changes to the proposal, or adopt the proposed changes

## BACKGROUND

### **Mayor and Vice-Mayor selection**

Albany does not directly elect its Mayor. Rather the Mayor is appointed by the Council from among its Members. This is common in small cities throughout California and the United States.

The Council has no formally adopted procedures for the selection of the Mayor and Vice-Mayor. The Council has no guidance upon which to draw when the reorganization of the Council occurs every December. In many years, there has been no or almost no discussion at the dais before the reorganization. Council Members have simply nominated, and then voted on the nominations. Prior to 2018, Robert's Rules of Order were not followed for this process with alternative nomination processes in place.

Other cities have formally adopted procedures for this process. Attached to this agenda item are some sample procedures from other small California cities that appoint their mayors.

## **Appointments to regional bodies**

Albany has nothing in its charter, nor Rules and Procedures, for the selection of Council Members to regional bodies. This may have resulted in uneven distribution of appointments, and Council Members not being able to serve on a body aligned with her/his/their interests, skills, and knowledge. Guidelines would aid the process and assure Albany maximizes its regional effectiveness on behalf of its residents.

## **DISCUSSION**

### **Mayor and Vice-Mayor selection**

Attached are examples of Mayor and Vice-Mayor (also referred to as Mayor Pro Tem or Deputy Mayor in some cities) selection procedures used in cities in California. The Bay Area cities of El Cerrito, San Pablo, Danville, San Mateo, Belmont, Millbrae, and Redwood City are represented, as well as other cities.

Policies for yearly Mayoral/Vice-Mayoral rotation are common, as is automatic appointment of Vice-Mayor to the Mayor position at the end of the Mayor's term. Another feature of many of these policies is a queue that determines who will be the next Vice-Mayor at the time of the Mayoral election.

Where a yearly rotation is specified, there are details that differ from policy to policy, such as what occurs should the Council Member in line to be Vice-Mayor decline the appointment, or where new Council Members enter the queue.

In recent years, and in previous times as well, some Mayors served for two years. Since term-limits limit Council Members to two four-year (usually) terms, then it's possible for a Council Member never to have a chance to be rotated into the position of Mayor.

The following criteria are suggested for Mayor/Vice-Mayor selection process:

- Yearly rotation to give every Council Member possible the chance to serve as Mayor.
- Automatic ascension of the Vice-Mayor to the Mayor role
- A queue to specify ascension
- Ability for a Council Member to decline ascension, and their order in the queue should they do so.
- Procedures in case of other circumstances

## **Appointments to regional bodies**

The City Council makes twelve appointments to regional bodies. These include two appointments which are routinely members of the public as they are not required to be Council Members, leaving ten appointments for Council Members to fill. These appointments could have been spread evenly amongst the Council Members. The Mayor must be appointed to the Mayors' Conference, 2x2x2 Meeting, and Police & Fire Pension Fund Board, while the Vice-Mayor must also be appointed to the 2x2x2 Meeting and as an alternate for the Police & Fire Pension Fund Board. Currently, the

Vice-Mayor effectively serves as the Police & Fire Pension Fund Board representative due to an agreement between the Mayor and Vice-Mayor. This leaves seven appointments that could be spread amongst the other Council Members.

Prior staff reports indicate that the appointing authority to certain bodies has been the Mayor, but this is not codified, and is only indicated as past practice.

Most appointments have a one-year term, but note that some appointments have multi-year terms, which has not always been reflected in staff reports.

The City benefits from allowing Council Members to serve multiple subsequent yearly terms with a body as it takes time for a Member to learn the functioning of that body, to gain sufficient technical knowledge regarding its jurisdictional domain, and to develop the relationships with other members of that body and the respective agency's staff in order to be effective.

It is suggested that the Council come to consensus as much as possible as to appointments, matching interest, knowledge and skills with the appointee body, and that appointments be spread out amongst all Council Members if each Council Member has interest in serving. It is further suggested that, subsequent to an election, the Council Members agree that most appointments will carry on for at least two years until the next election. Since the Mayor may change every year, some shuffling may be needed after the first year. Additionally, if there is contention for a body, a Council Member may choose to serve for a year on a body and cede that appointment to another Council Member the following year.

This change would reflect the best practices of the nearby small cities of Emeryville and Piedmont, who benefit from Council Members having served long terms on their bodies. Tim Rood from Piedmont and Dianne Martinez from Emeryville have served on EBCE since its inception, as has Mayor Pilch. Tim Rood has served at least 6 years on the Waste Management Authority (StopWaste), and was its chair for at least a year.

The Alameda County Transportation Commission is often seen as the most important regional body, and many mayors serve as the city representatives there - but they are not all Mayors. Of the city representatives, four out of fifteen are Council Members.

It is finally suggested that importance be placed on the interest and ability of the Council Member appointed to any regional body to be an active member, both contributing to the discussion at meetings and giving substantive reports back to the Council on important matters.

### **SUSTAINABILITY CONSIDERATIONS**

N/A

### **SOCIAL EQUITY AND INCLUSIVITY CONSIDERATIONS**

The suggested changes may allow the selections to be more equitable and inclusive.

## **CITY COUNCIL STRATEGIC PLAN INITIATIVES**

This item addresses the Goal, Facilitate Government Accountability, Objective 2, Enhance Communication and Transparency Programs, by making the selection of the Mayor and Vice-Mayor, and the appointments to regional bodies, more transparent and predictable.

## **FINANCIAL CONSIDERATIONS**

N/A

### **Attachments:**

1. Resolution No. 2020-111 with Exhibit A
2. Council Rules of Procedure and Order with proposed changes
3. Examples from other cities



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**NOW, THEREFORE, BE IT RESOLVED,** that the Albany City Council hereby approve the following changes in the CITY COUNCIL RULES OF PROCEDURE AND ORDER AND CITY COUNCIL POLICIES.

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NICK PILCH, MAYOR



displays admitted into evidence, shall be retained by the City Clerk for a period of one (1) year from the date of the close of the hearing. In lieu of retaining said recording, the City Clerk may prepare a typewritten transcript thereof which shall be retained for the same period of time. Said recordings or transcript and evidentiary documents shall be made available for public inspection and use at reasonable times and under such reasonable conditions as may be prescribed by the City Clerk.

## **K. URGENCY MATTERS AT CITY COUNCIL MEETINGS**

**K-1.** If the City Manager, City Attorney, or a Council Member desires a matter be taken up that has not been noticed as an agenda item, then the person making such a request should provide:

- (a) A detailed account that the need to take action came to his/her attention subsequent to the agenda being posted.
- (b) Sufficient information which sets forth why there is a need to take immediate action at the particular meeting rather than at a future meeting when it can be agendized with 72 hours notice.

**K-2.** The Council should then consider the matter, and may take action by 2/3 vote (or unanimous vote if less than 2/3 are present), in accordance with the provisions of the California Government Code.

## **L. CITY COUNCIL REORGANIZATION**

The City Council shall conduct a yearly reorganization at its first regular meeting of December, unless otherwise designated by the City Council. On election years, the reorganization of the City Council shall occur at the same meeting that the Council certifies the election results. At the time of the yearly reorganization of the City Council, the City Council shall elect one of its members to serve one year as Mayor and one of its members to serve one year as Vice Mayor. ~~In making the selections, the City Council will consider the principle of rotation to allow each of its members an opportunity to serve as Mayor.~~ The election of Mayor and Vice Mayor shall be placed at the end of the Agenda.

The City Council shall use the following rules when selecting the Mayor and Vice Mayor

- The Mayor and Vice-Mayor shall rotate every year.
- A queue will be established to govern the selection of the Mayor and Vice-Mayor upon adoption of the rules governing Mayor and Vice-Mayor selection. Any order may be established upon initial adoption.
- The first person in the queue will be the Mayor. The second person will be the Vice-Mayor. The third person in the queue will be the next Vice-Mayor at the next rotation.

- Immediately after certification of the election, newly elected Council Members will be placed at the bottom of the queue in the order of the number of votes won in their election from most to fewest. If there is an appointment of Council Members instead of election, a random drawing will be held by staff to determine the order of placement in the queue.
- Every year, in the second regular meeting in December, the third person in the queue will become Vice-Mayor, the Vice-Mayor will be selected as Mayor, and the Mayor shall be placed at the bottom of the queue.
- In the event that the third person in the queue declines to become Vice Mayor, they will maintain their position and the next willing member in the queue will be appointed Vice Mayor
- In the event that the Vice-Mayor declines to become Mayor, that person will be placed in the bottom of the queue.
- Should all Council Members agree not to move up in the queue, then the Mayor and/or the Vice-Mayor may maintain their positions. Should either decline to maintain their position, they will be placed at the bottom of the queue and the others moved up.
- Should another situation arise which is not covered in the above rules, the Council will discuss and vote on the procedure to select the Vice-Mayor and Mayor.  
~~The Mayor will ask the Council for nominations for Mayor. Any Council Member wishing to make a nomination may do so. Nominations do not require a second. The Council will vote on the nominations in reverse order that the nominations were made, with the last nomination made voted on first. The nomination process will be repeated for the selection of a Council Member to serve as Vice Mayor.~~

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#### **M. CITY APPOINTMENTS TO REGIONAL BODIES**

In making appointments to regional bodies, Council Members shall use a consensus-based approach to fill the appointments, and take into account the following criteria:

- Appointments should be spread as evenly as possible amongst the Council Members, if there is equal interest amongst the Council Members to represent Albany. This may mean the Mayor will serve only on the bodies she/he/they is required to serve on.
- Appointments should be mostly considered to be two-year appointments until the next election, with possible shuffling occurring due to Mayoral rotation, or if there is significant contention for appointment to a certain body. In the latter case, Council Members may choose to take turns each year.
- Seniority on the Council should be taken into consideration. For example, if a Council Member has not been able to serve on a body she/he/they wish to serve on, she/he/they should be given the opportunity before the end of their term.
- Priority for appointment to a body shall be given to Council Members who are active members of their bodies, participating in meeting discussions, and reporting back substantively to the Council on important matters heard at the regional body.

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Q: If you have your Mayor and VM selection process written out, is it in your Municipal Code or in a separate policy?

City	Located	Excerpt and/or Comments
		A. Selection –
		1. The Belmont City Council shall rotate the office of Mayor and Vice Mayor annually.
		2. The City Council will choose a Mayor and Vice Mayor by a majority vote at the first regular meeting in December in non-election years, and at the meeting certifying the election of new councilmembers in election years, unless a special meeting is scheduled to install the Mayor and Vice Mayor.
		3. In order to provide the maximum opportunity for each member to serve as Mayor and Vice Mayor the Council should nominate as Vice Mayor the Councilmember with the longest contiguous tenure on the Council without serving as Mayor; if there should be a tie, the tie-breaker is as follows:
		a. If the Councilmembers were last elected to the Council in the same election, nominate the individual who received the most votes; If the election was an uncontested election, or the Councilmembers received the same number of votes, nominate the individual based on the alphabetical order of their last name; if there is still a tie, the tie-breaker should be based on the alphabetical order of their first name; or
		b. If the Councilmembers were not last elected to the Council in the same election, nominate the individual who has served fewest times as Mayor; if there is a tie, nominate the individual based on the alphabetical order of their last name; if there is still a tie, the tie-breaker should be based on the alphabetical order of their first name.
Belmont	Council Protocols	
Del Mar	Policy	Attachment
Fort Bragg	Muni Code	Attachment
Westlake	V Manual	Attachment
San Juan B.	Muni Code	<a href="https://www.codepublishing.com/CA/SanJuanBautista/#!/SanJuanBautista02/SanJuanBautista021.html#2-1-205">https://www.codepublishing.com/CA/SanJuanBautista/#!/SanJuanBautista02/SanJuanBautista021.html#2-1-205</a>
El Cerrito	Policy	Attachment
San Pablo	Policy	Attachment
Danville	Town Council Gu	Attachment
San Mateo	Guidelines	Attachment
		2.04.150 Selection of the mayor (presiding officer). Government Code Section 36801 provides as follows: “The city council shall meet on the Tuesday after the general municipal election and choose one of its number as mayor, and one of its number as mayor pro tempore.” At a regular meeting which falls approximately one year after the last general municipal election, the city council shall consider choosing a new mayor and a new mayor pro tempore. Any city council member is eligible for either of those two positions. Government Code Section 36802 reads as follows: “The mayor shall preside at the meetings of the council. If he or she is absent or unable to act, the mayor pro tempore shall serve until the mayor returns or is able to act. The mayor pro tempore has all of the powers and duties of the mayor.” (Ord. 768, 1994; Ord. 375 (part), 1974)
		2.04.160 Mayor pro tempore. In case of the temporary absence or inability of the mayor to act as presiding officer the mayor pro tempore shall preside. In case of the absence or disability of both the mayor and mayor pro tempore the council shall elect one of its members to act as mayor pro tempore. Upon the arrival of the mayor, the mayor pro tempore shall relinquish the chair upon the conclusion of the business immediately before the council. (Ord. 375 (part), 1974)
Capitola	Muni Code	
Redwood C	Policy	<a href="#">HERE</a>

Q: If you have your Mayor and VM selection process written out, is it in your Municipal Code or in a separate policy?

The city council shall appoint annually at a November meeting, from their membership, a mayor and mayor pro tempore. The mayor shall assume the duties of the presiding officer immediately following appointment.

B. The mayor shall preside at the meetings of the city council. If the mayor is absent or unable to act, the mayor pro tempore shall serve until the mayor returns or is able to act. The mayor pro tempore has all of the powers and duties of the mayor.

C. If both the mayor and mayor pro tempore are absent or unable to act, the majority of the city council shall appoint a temporary chair to exercise the powers and authority of the chair. Such appointment shall not continue beyond adjournment.

D. The mayor may make or second any motion and present and discuss any matter as a member of the city council.

E. The mayor shall preserve order and decorum at all meetings of the city council and confine members in debates to the question under discussion.

F. The mayor shall sign all ordinances and resolutions adopted by the city council.

G. The mayor shall sign:

1. All warrants drawn on the city treasurer;

2. All written contracts and conveyances made or entered into by the city;

3. All instruments requiring the city seal.

H. The legislative body may provide by ordinance that the instruments described above be signed by an officer other than the mayor.

I. The mayor may administer oaths and affirmations, take affidavits, and certify them under his or her hand.

(Ord. 95-92 § 2 (part), 1995)

Calabasas Muni Code

The Vice Mayor gets an automatic nomination for Mayor which does not require a second.

The full Council then votes for the appointment of Mayor and Vice Mayor to ratify the nomination. The Vice Mayor is usually selection on a rotational basis. It gets tricky when you have a new Council Member in the mix. Usually the new Council Member slips into the rotation in the position of the person they are replacing.

Chino Hills Policy

<https://www.ci.millbrae.ca.us/home/showdocument?id=13849> - See page 16, Section VIII. Rotation of the Offices of Mayor and Vice Mayor.

Millbrae Council Protocols

2.12.010 Election.

A. The city council shall elect a mayor and a mayor pro tem from its own membership, who will serve a one-year term or until such time as a new mayor or new mayor pro tem is elected; respectively.

B. Such election shall occur on the first Monday of each December or in the event of election years, it shall occur at such council meeting as the newly elected council members are sworn in, whichever shall last occur.

C. In order to hold such office a second consecutive term, the mayor or mayor pro tem must be elected by four-fifths of the members of the city council. (Ord. 1577 § 1, 2000; Ord. 1461 § 1, 1993; Ord. 1400 § 1, 1990; Ord. 1291, 1987; Ord. 1081, 1979; Ord. 940, 1976; Ord. 906 § 1, 1974; Ord. 837 § 1, 1972)

La Habra Muni Code

CITY OF SAN PABLO

ROTATION OF MAYOR AND VICE MAYOR

Rotation of Mayor and Vice Mayor's positions done annually at second Council meeting in November.

- A. Outgoing Mayor always drops to the bottom of the list if he/she is still in office.
- B. Vice Mayor is always person second from the top of list and succeeds to Mayor's role if still in office. If not, next person on list moves up to Mayor's position.
- C. If two or three new Councilmembers are elected, the one with the most votes gets highest vacant position on list.
- D. If only one new Councilmember elected, that person goes to bottom position on list unless previous Mayor stays in office in which case former-Mayor goes to bottom of list, and new Councilmember goes to fourth position on list.

Example: List for rotational selection of annual rotating Mayor's position.

<u>1980-81</u>	<u>1981-82</u>	<u>1982-83</u> (Mayor Jack resigns. Doe appointed.)	<u>1983-84</u>
A Jim	B Jack	C Jane	D Jess
B Jack	C Jane	D Jess	E Ja
C Jane	D Jess	E Ja	A Jim
D Jess	E Ja	A Jim	B Doe
E Ja	A Jim	B Doe	C Jane

Election 1984-85

Normal Rotation  
would have been

New Organization After  
Election

E Ja (Did not run)  
A Jim  
B Doe  
C Jane  
D Jess

A Jim (re-elected)  
B Doe  
C Jane  
D Jess (re-elected)  
E Dan  
(new Councilmember)

City Clerk keeps list up-to-date and presents same to Council prior to first meeting of November each year.

Hope this information is useful. Have a happy holiday.

jb 12-15-87

CITY OF SAN PABLO

MEMORANDUM

*File*

TO: City Council  
FROM: City Clerk  
DATE: July 6, 1990  
SUBJECT: Rotation of Mayor and Vice Mayor

Attached please find a copy of the procedure for Mayor/Vice Mayor rotation as agreed upon by the City Council during the December, 1987, Council retreat.

Also attached is a copy of the rotation per said procedure from 1986 to 1990.

Please notify the City Clerk if there are any inaccuracies or discrepancies.

*CM*

Charlotte Maggard

jb

**CITY OF SAN PABLO**  
**ROTATION OF MAYOR AND VICE-MAYOR**

<u>1986</u> A – Carmignani B – Brown C – Koepke D – Gomes E – Daniels	<u>1987</u> A – Brown B – Koepke C – Gomes D – Daniels E – Carmignani	<u>1988</u> A – Gomes B – Daniels C – Carmignani D – McNeil E – Brown
<u>1989</u> A – Daniels B – Carmignani C – McNeil D – Brown E – Gomes	<u>1990</u> A – Brown B – McNeil C – Gomes D – Angela E – Wysinger	<u>1991 (Actual 11/90-11/91)</u> A – Brown B – McNeil C – Gomes D – Wysinger E – Angela
<u>1992 (Actual 11/91-11/92)</u> A – McNeil B – Gomes C – Wysinger D – Angela E – Brown	<u>1993 (Actual 12/92-12/93)</u> A – Gomes B – Wysinger C – Angela D – Brown E – Vigil	<u>1994 (Actual 11/93-12/94)</u> A – Wysinger B – Vigil C – Angela D – Brown E – Gomes
<u>1995 (Actual 12/94-12/95)</u> A – Vigil B – Brown C – Gomes D – Palmer E – Wysinger	<u>1996 (Actual 12/95-12/96)</u> A – Brown B – Gomes C – Palmer D – Wysinger E – Vigil	<u>1997 (Actual 12/96-12/97)</u> A – Gomes B – Palmer C – Wysinger D – Vigil E – Brown
<u>1998 (Actual 11/97-11/98)</u> A – Palmer B – Wysinger C – Vigil D – Brown E – Gomes	<u>1999 (Actual 11/98-11/99)</u> A – Wysinger B – Vigil C – Brown D – Gomes E – Palmer	<u>2000 (Actual 11/99-11/00)</u> A – Vigil B – Gomes C – Palmer D – Wysinger E – Brown
<u>2001 (Actual 11/00-11/01)</u> A – Gomes B – Palmer C – Wysinger D – Brown E – Vigil	<u>2002 (Actual 12/01-11/02)</u> A – Palmer B – Wysinger C – Brown D – Vigil E – Gomes	<u>2003 (Actual 12/02-12/03)</u> A – Brown B – Vigil C – Gomes D – Calloway E – Morris
<u>2004 (Actual 12/03-12/04)</u> A – Vigil B – Gomes C – Calloway D – Morris E – Brown	<u>2005 (Actual 12/04-12/05)</u> A – Gomes B – Calloway C – Morris D – Brown E – McNeil	<u>2006 (Actual 12/05-12/06)</u> A – Calloway B – Morris C – Brown D – McNeil E – Gomes

<u>2007 (Actual 12/06-12/07)</u> A – Morris B – Brown C – McNeil D – Gomes E – Calloway	<u>2008 (Actual 12/07-12/08)</u> A – Brown B – McNeil C – Gomes D – Calloway E – Morris	<u>2009 (Actual 12/08-7/10)</u> A – McNeil B – Calloway C – Morris D – Valdez E – Cruz
<u>2010 (Actual 07/10-12/10)</u> A – Calloway B – Morris C – Valdez D – Cruz E – McNeil	<u>2011 (Actual 01/11-12/11)</u> A – Morris B – Valdez C – Cruz D – McNeil E – Calloway	<u>2012 (Actual 12/11-12/12)</u> A – Valdez B – Cruz (resigned 3/12) McNeil (appointed as VM) C – Calloway D – Morris E – Chao Rothberg (appointed 4/12)
<u>2013 (Actual 12/12-12/13)</u> A – Calloway B – Morris C – Chao Rothberg D – Kinney E – Valdez	<u>2014 (Actual 12/13-12/14)</u> A – Morris B – Chao Rothberg C – Kinney D – Valdez E – Calloway	<u>2015 (Actual 12/14-12/15)</u> A – Chao Rothberg B – Kinney C – Valdez D – Calloway E – Morris
<u>2016 (Actual 12/15-12/16)</u> A – Kinney B – Valdez C – Calloway D – Morris E – Chao Rothberg	<u>2017 (Actual 12/16-12/17)</u> A – Valdez B – Calloway C – Morris D – Kinney E – Cruz	<u>2018 (Actual 12/17-12/18)</u> A – Calloway B – Morris C – Kinney D – Cruz E – Valdez
<u>2018 (Actual 12/18-12/19)</u> A – Kinney B – Cruz C – Pabon-Alvarado D – Xavier E – Pineda		





## CITY OF DEL MAR CITY COUNCIL POLICY BOOK

100	<b>SELECTION OF MAYOR AND DEPUTY MAYOR</b>	<b>DATE REVISED:</b>	12/15/14
		<b>BY RESOLUTION:</b>	2014-92
		<b>PAGES:</b>	1 OF 1

### POLICY:

Del Mar Municipal Code, Section 2.20.020 A and B, addresses when the City Council shall meet to install newly elected Council members and states that its members shall choose one of its members as Mayor and one of its members as Deputy Mayor by motion of the Council and three affirmative votes. It further states that the Mayor and the Deputy Mayor shall serve a term of one year, or until a successor for each position is chosen.

1. The Mayor and Deputy Mayor are members of the City Council and are annually elected by majority vote of the City Council at the first regular meeting in December or, in the case of an election year, upon certification of the election results. As a member of the City Council, the Mayor and Deputy Mayor shall have all the powers of a member.
2. In choosing the Mayor and Deputy Mayor, it is the tradition of the Council to place the top two vote getters in any one election into a queue to rotate into the position of Mayor and Deputy Mayor. In each City Council election, the person with the most votes shall be placed first in the rotation of that group, the second highest vote getter will be placed second, and in the years when there is a third seat contest, the third highest vote getter will be placed third in that rotation. However, the Council member who received the third most votes in an election year filling three seats will not be in the queue for either Deputy Mayor or Mayor but would be in rotation should the Council member traditionally rotating into the Deputy Mayor or Mayor position be unavailable to serve in that role.
3. In case of appointment to the City Council to fill a vacancy, that person will occupy the last position in the current rotation. Each new election will determine the rotation only for the group in that election. Should any City Council member not be available to take their regular place in the established rotation, the next person in the rotation will be elevated to the Deputy Mayor's position and the rotation will continue as previously set.
4. In the event there are members of the City Council appointed in lieu of an election, the appointed City Council members will go into a Mayoral rotation based on tenure (seniority) on the City Council. The City Council member with the most tenure on the City Council will be placed first in the rotation of that group. If no seniority exists (e.g. members have the same tenure), then the appointed City Council members will be rotated based on a coin toss conducted at a publicly noticed meeting.

**CHAPTER 2.04  
CITY COUNCIL**

Section

[2.04.010 Time](#)

[2.04.020 Place](#)

[2.04.025 Installation of officers](#)

[2.04.030 Mayor and Vice Mayor - election](#)

[2.04.031 Mayor and Vice Mayor - duties and authority](#)

[2.04.032 Mayor - office vacancy filling](#)

[2.04.033 Vice Mayor - office vacancy filling](#)

[2.04.036 Scope of §§ 2.04.030 through 2.04.033](#)

[2.04.040 Rules of procedure generally](#)

[2.04.045 Standing committees designated](#)

[2.04.050 Ad hoc committees](#)

[2.04.055 Bills - referral to Finance and Administration Committee](#)

[2.04.060 Salary designated](#)

[2.04.065 Benefits designated](#)

[2.04.070 Salary separate from reimbursement for expenses](#)

Statutory reference:

Salary schedules for City Councilmembers, see Cal. Government Code § 36516

Scheduling of City Council meetings, see Cal. Government Code §§ 36805 through 36809

The power of the Mayor in regard to City Council meetings, see Cal. Government Code §§ 36802 and 36803; for the provision indicating that the Council may establish rules for the conduct of its proceedings, see Cal. Government Code § 36813

**2.04.010 TIME.**

The City Council shall hold its regular meetings on the second and fourth Mondays of each month beginning at 6:00 p.m., or at such other time as the Council may establish by resolution no more frequently than on an annual basis. A resolution changing the regular meeting time of a City Council meeting shall become effective 30 days following adoption of such resolution. In the event that a regular City Council meeting falls on a recognized City holiday, the meeting shall be held on the next regular business day at 6:00 p.m., or at such other time as the Council may establish by resolution no more frequently than on an annual basis.

(Ord. 904 §2, passed 06-11-2012)

**2.04.020 PLACE.**

The regular meeting place of the City Council for the transaction of business as the City Council is fixed and established at the Town Hall, situated on the southwest corner of Laurel Street and North Main Streets, and commonly known as 363 North Main Street, Fort Bragg, California. The City Council may convene a regular or special meeting at any other location within the City limits as long as proper notice of such location is provided in accordance with applicable laws.

(Ord. 904 §2, passed 06-11-2012)

**2.04.025 INSTALLATION OF OFFICERS.**

Newly-elected City Councilmembers shall take and hold office for their prescribed terms following the declaration of the election results at the City Council meeting at which the declaration of the election results for a general municipal election is made, pursuant to Elections Code sections 10262 and 10263. If one or more City Councilmembers is/are appointed, pursuant to Elections Code section 10229, then the appointed City Councilmember(s) shall take and hold office for their prescribed terms either immediately or beginning with the first regular City Council meeting following the appointment.

(Ord. 904 §2, passed 06-11-2012)

**2.04.030 MAYOR AND VICE MAYOR - ELECTION.**

At the City Council meeting at which the declaration of election results for a general municipal election is made, pursuant to Elections Code sections 10262 and 10263, and following the declaration of the election results, the City Council shall choose one of its number to serve as Mayor, and one of its number to serve as Vice Mayor. If no general municipal election is held, pursuant to Elections Code section 10229, then at the first regular City Council meeting in December, the City Council shall choose one of its members to serve as Mayor and one of its members as Vice Mayor. The Mayor and Vice Mayor shall serve in their respective positions until the City Council chooses a successor Mayor and/or Vice Mayor. (Ord. 904 §2, passed 06-11-2012)

**2.04.031 MAYOR AND VICE MAYOR - DUTIES AND AUTHORITY.**

The Mayor shall preside over the meetings of the City Council and is the president of the Council. The Mayor

shall decide all questions of order. The Mayor may make or second any motion before the City Council and present and discuss any matter as a member of the City Council. The Mayor shall perform the duties as are prescribed by law in accordance with the California Government Code and other laws of the State of California or the United States Government governing the duties and responsibilities of the Mayor. If the Mayor is absent or unable to act for a period of 60 days or less but retains his or her position as a member of the Council, the Vice Mayor shall serve until the Mayor returns or is able to act. The Vice Mayor has all of the powers and duties of the Mayor in the absence of the Mayor.

(Ord. 904 §2, passed 06-11-2012)

#### **2.04.032 MAYOR - OFFICE VACANCY FILLING.**

If the Mayor dies, resigns, or otherwise vacates the Office of Mayor, or fails to perform the duties of Mayor for a period in excess of 60 days, the City Council shall declare the Office of Mayor to be vacant and shall select a new Mayor from one of its members at the next regularly scheduled City Council meeting or at a special City Council meeting called for this purpose.

(Ord. 904 §2, passed 06-11-2012)

#### **2.04.033 VICE MAYOR - OFFICE VACANCY FILLING.**

In the event that the Vice Mayor is selected as Mayor by the City Council, the City Council shall also select a new Vice Mayor at the same meeting at which it selects the Mayor. If for any reason the Office of Mayor continues to remain vacant and unfilled, the Vice Mayor shall exercise and have all of the powers and duties of the Mayor.

(Ord. 904 §2, passed 06-11-2012)

#### **2.04.036 SCOPE OF §§ 2.04.030 THROUGH 2.04.033.**

Sections [2.04.030](#) through [2.04.033](#) shall govern the selection of the Mayor and the Vice Mayor in accordance with the Government Code of the State of California or other statutes which may govern the selection process. The sections do not govern or control the appointment, election, or special election of an individual to fill the position of Councilmember but deal only with the selection of the Mayor or Vice Mayor from existing members of the City Council.

(Ord. 904 §2, passed 06-11-2012)

#### **2.04.040 RULES OF PROCEDURE GENERALLY.**

The City Council may establish (and amend, from time to time) rules for the conduct of its proceedings by adoption of a resolution.

(Ord. 904 §2, passed 06-11-2012)

**2.04.045 STANDING COMMITTEES DESIGNATED.**

A. There shall be four standing committees; each committee shall consist of two members of the City Council to be appointed by the Mayor.

B. The committees are as follows:

1. Community Development Committee;
2. Finance and Administration Committee;
3. Public Safety Committee; and
4. Public Works and Facilities Committee.

(Ord. 904 §2, passed 06-11-2012)

**2.04.050 AD HOC COMMITTEES.**

The Mayor may also appoint ad hoc committees, whose composition and purpose shall be set by the Mayor.

(Ord. 904 §2, passed 06-11-2012)

**2.04.055 BILLS - REFERRAL TO FINANCE AND ADMINISTRATION COMMITTEE.**

All bills against the City, when presented, shall be approved by individual departments and the Finance Director prior to being paid. Once paid, a list of check warrants shall be referred to the Finance and Administration Committee for review and approval.

(Ord. 904 §2, passed 06-11-2012)

**2.04.060 SALARY DESIGNATED.**

Each member of the City Council shall receive, as salary, the sum of \$300 per month, as prescribed in Cal. Government Code § 36516 for cities with population under 35,000, which shall be payable at the same time and in the same manner as the salaries are paid to other officers and employees of the City.

(Ord. 904 §2, passed 06-11-2012)

**2.04.065 BENEFITS DESIGNATED.**

A. City Councilmembers and their dependents are eligible for health care insurance and dental insurance through plans offered by the Redwood Empire Municipal Insurance Fund (R.E.M.I.F.). The premiums for such health care insurance and dental insurance are paid by the City during the time that a Councilmember serves on the City Council.

B. The City agrees to provide a life insurance and accidental death and dismemberment policy in the amount of \$5,000 for each Councilmember.

C. The benefits as set forth in A. and B. above shall not be included for purposes of determining salary under Cal. Government Code § 36516, provided the same benefits are available and paid by the City for its employees.

(Ord. 904 §2, passed 06-11-2012)

**2.04.070 SALARY SEPARATE FROM REIMBURSEMENT FOR EXPENSES.**

The salaries prescribed in this article are and shall be exclusive of any amounts payable to each member of the City Council as reimbursement for actual and necessary expenses incurred by him or her in the performance of official duties for the City.

(Ord. 904 §2, passed 06-11-2012)



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## City Council Guidelines

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Adopted on August 17, 2015  
by Resolution No. 82 (2015)

Amended by Council action on January 17, 2017

Amended by Council action on April 17, 2017

Amended by Council action on April 16, 2018

Amended by Council action on May 21, 2018

# City of San Mateo, Council Guidelines

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## **Chapter 1. Purpose and Overview**

This handbook provides guidelines for the San Mateo City Council that describe the way the Council does its business. It is a compilation of all Council-related rules and procedures that have been formally adopted by Council.

The purpose of these guidelines is to set a standard of professionalism for the conduct of the City Council's business. San Mateo has a long and proud tradition of open government and civil, intelligent public discourse. These guidelines are intended to enhance public participation and Council debate so that the best possible decisions can be made for San Mateo.

### **Revisions to these Guidelines**

These guidelines, which must be approved by the City Council as a body, are subject to review and future modification as needed.

### **City Council Vision**

The City Council's vision and strategic goals can be found on the City's website:

<http://www.cityofsanmateo.org/index.aspx?nid=167>

## Chapter 2. Authority of the City Council

1. The City Council is the policy and lawmaking body of the City. State and local laws define the powers and responsibilities of the City Council.

2. General Authorities and Applicability

Charter section 2.12 and the San Mateo Municipal Code provide that the City Council shall determine its own rules and order of business. When not in conflict with the Charter of the City of San Mateo, or the Constitution or laws of the State of California, these City Council Guidelines (“Guidelines”) shall be in effect upon adoption by resolution of the Council.

3. Revisions to these Rules

The Council shall review and revise these Guidelines as needed.

4. Rosenberg’s Rules of Order

To the extent these Guidelines do not address an issue of parliamentary procedure for legislative body meetings, Rosenberg’s Rules of Order: Simple Parliamentary Procedures for the 21st Century shall apply.

## Chapter 3. Duties

1. Duties of the Council
  - A. Refer to the City of San Mateo Charter for a detailed description of codified duties of the City Council.
  - B. Disaster Responsibilities
    1. In the event of a disaster, the City Council holds the following roles:
      - a. Primarily, to make decisions that will enable the emergency operation to continue effectively.
      - b. To liaison to other governmental agencies that are responding to the disaster.
      - c. To assist in the conveyance of public information.
    2. See the “Elected Officials’ Guide to Managing Disasters” from the California Office of Emergency Services for a detailed description of the roles and responsibilities of Council Members in times of disaster.
2. Duties of Mayor
  - A. To conduct meetings of the City Council as its chairperson.
    1. Ensure that consideration of items on the agenda move along without delay.
    2. Ensure that petitioners, proponents and opponents are heard but not allowed to disrupt the meeting.
    3. Ensure that decorum is maintained at the meeting.
    4. In presiding over matters where the public has provided testimony and/or raised questions, the Mayor should:
      - a. Restate the question coming before the Council.
      - b. Direct questions or comments requiring a response to staff for a response.
      - c. Ensure that staff and members of the public direct their comments to the chair.

- d. If necessary, help keep Council Member questions relevant to the matter being considered by the Council.
  - e. If necessary, consider calling for a brief recess if orderly conduct of the meeting is being disrupted.
  - f. Announce the decision of the Council on all subjects.
- 5. To ensure that each member of the Council is provided an opportunity to completely express their views on items of business, the Mayor should:
  - a. See that Council Members ask to be recognized by the Mayor before speaking.
  - b. Ensure that each Council Member is given the opportunity to fully express their views.
- B. To represent City Government as its chief elected official at community functions, events, meetings, and business outreach and retention visits.
- C. On behalf of the City Council, to officially welcome dignitaries, officials, and gatherings.
- D. To vote on behalf of the Council at regional meetings such as the San Mateo County Council of Cities/City Selection Committee; provided that the vote is not inconsistent with established policies or previously expressed Council consensus. This is expected protocol for any Council Member who represents the City on any regional bodies.
- E. To correspond on behalf of the Council on subjects, issues, and legislative proposals provided that opinions expressed on behalf of the Council or City Government are not inconsistent with established policies or previously expressed Council consensus.
- F. To vote as the City's "voting delegate" at the League of California Cities Annual Conference and other similar meetings. This responsibility may be delegated to another Council Member.
- G. To review the agendas of meetings of the City Council and participate in their preparation as necessary.
- H. To recommend Council Members for liaison positions on various boards, commissions and agencies. The Mayor's recommendations shall be discussed and confirmed by a majority vote of the Council and are subject to change.
- I. To serve as the City's primary contact for the media.

- J. Nothing under the Mayor's duties shall limit any individual Council Member's ability to interact with members of the public.

3. Duties of Deputy Mayor

In the absence of the mayor from the City or a Council meeting, the Deputy Mayor shall possess all powers of the office of the Mayor, and be subject to all prescribed duties for that office.

4. Duties of Council Members

- A. Arrive on time for all Council meetings.
- B. Review all meeting materials in preparation for Council meetings.
- C. Fulfill the liaison assignments to external agencies, legislators, and the City's boards and commissions.

## Chapter 4. Selection of Mayor and Deputy Mayor

1. City Council reorganization, including rotation of the office of Mayor and Deputy Mayor occurs annually at the regular meeting in December.
2. The City Council believes that experience as a Council Member will assist those who are selected to serve as Mayor or Deputy Mayor, and that it is in the City's best interest that these selections be made in a manner that permits the Mayor and Deputy Mayor to gain that experience in cycles of governing and to acclimate themselves to the jobs, tasks, and roles prior to assuming their respective offices.
3. It is appropriate to base such succession on rotation, seniority and election results according to the following:
  - A. Each Council Member has a specified position in the rotation sequence. In any year, the first person in the sequence is typically selected as Mayor, and the second in the sequence as the Deputy Mayor.
  - B. After serving as Mayor, that Council Member moves to the end of the rotation sequence, and the other four Council Members move forward.
  - C. When a Council Member is newly elected or appointed (as the result of a cancelled election), that new Council Member goes into the fourth position in the rotation, after all incumbents, but before the current outgoing Mayor.
  - D. If two or more Council Members are newly elected at the same time, the number of votes received in the election determines the position in the sequence, with the new Council Member receiving the highest number of votes being the first among the new Council Members.
  - E. If two or more Council Members are newly appointed at the same time, (as the result of a cancelled election), the newly appointed Council Members shall draw straws to determine their position relative to one another in the rotational sequence.
  - F. If a Council Member is appointed to fill a mid-term vacancy, that Council Member will go to the bottom of the rotational list.
  - G. Incumbent Council Members, when re-elected, do not begin anew at the bottom of the list, but rather retain their placement in the rotation.
  - H. If for any reason (death, resignation, recall, not seeking re-election, etc.) a Council Member is removed from the rotation, the remaining Council Members move forward in the sequence.

- I. A Council Member may decline to serve as Mayor or Deputy Mayor. In this case, the office would pass to the next Council Member on the list. The Council Member who declined may drop back one position in the rotation.
4. When the Council reorganizes, the outgoing Mayor will nominate the Deputy Mayor to succeed him/her. The newly appointed Mayor will then nominate the next Council Member in the rotational sequence to serve as Deputy Mayor for the coming year.
5. The process described above shall guide the council's selection of the Mayor and Deputy Mayor; however, a majority of the City Council retains the authority to disregard the process and select any member of the City Council for these positions.
6. The City Clerk shall keep a list outlining the suggested rotational sequence and update it annually.

## Chapter 5. Council Member Conduct

1. Members shall:
  - A. put constituents first at all times;
  - B. treat each other, staff, and members of the public with dignity, courtesy, and respect;
  - C. maintain confidentiality of all closed session materials and discussion;
  - D. be attentive to others, limiting interruptions and distractions;
  - E. encourage diverse viewpoints in debate while being mindful not to prolong discourse or block consensus;
  - F. agree to respectfully disagree
  - G. keep comments clear, concise, and on-topic;
  - H. start and end meetings on time, work from the agenda;
  - I. present problems in a way that promotes discussion and resolution; and
2. Council Members shall not participate as a volunteer in any of the City's operating departments.
3. Council Members are subject to all the provisions of the City's *Harassment, Discrimination and Reasonable Accommodations for Disabilities Policy* (#301).



## Chapter 6. Meetings

1. All Council decisions must be taken at City Council meetings. Before taking action the City Council may be informed by project applicants, interested members of the public, and City staff.
2. No business may be transacted by the Council at a regular or special meeting unless a quorum of the membership is present (50% plus one of those currently serving).
3. Council Meeting Dates
  - A. If at any time any regular meeting of the Council falls on a holiday, the regular meeting shall be held on the next business day or the earliest business day within a week.
  - B. Once a year adopt a schedule of Council meetings for the following year identifying any regular meeting dates that need to move due to major holidays.
  - C. Meeting dates may be amended with the approval of the Council.
4. Types of Meetings
  - A. **Regular Meetings** are conducted at City Hall Council Chambers on the first and third Monday nights of each month. In July, August and December, only one meeting is held during the month. The meetings begin at 7:00 p.m. It is City policy to make every effort to complete and distribute the agenda and related reports by the preceding Thursday. For major complex projects and policies, the City will make every effort to distribute reports two weeks prior to the meeting when the item will be considered.
  - B. **Special Meetings** are called at a non-regular meeting date and time. They are called by the Mayor or Council with a minimum of 24 hours' notice, versus 72 hours' notice for regular meetings.
  - C. **Study Sessions** are special meetings that are held for the purpose of providing information to the City Council, particularly on issues that are more complex or more time-consuming than matters typically scheduled on a regular City Council meeting. At study sessions Council Members may state their individual responses and questions to the information provided and may collectively provide direction to City staff. No action is taken at the study sessions.
  - D. **Closed Sessions** can be part of either special or regular meetings. The Council conducts its business in public to the greatest extent possible. State law recognizes that public discussion of certain items could jeopardize the public interest, compromise the City's position, or cost the citizens of San Mateo financially, and,

therefore, generally allows the City Council to hold closed session meetings for the consideration of certain personnel matters, labor negotiations, real property negotiations, matters of public security, and the discussion of litigation, among other things. These rules provide for strict confidentiality of City Council discussion as required by State law. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after an opportunity for public comment, are excluded.

- E. **Emergency Meetings** are allowed per the Ralph M. Brown Act when an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of the public's well-being.

5. Voting

A motion, second, and a majority vote of the Council shall be required for any formal action of Council.

- 6. The Mayor with the approval of a majority of the Council, can change the order of hearing of items on the agenda.

7. Public Participation

- A. Members of the public are encouraged and invited to participate in the legislative process by submitting written comments before the meeting or speaking in person at a meeting.
- B. It is the intent of these rules to allow everyone to be heard without fear of jeers or cheers that may discourage public participation. For this reason, these rules are taken seriously. Disruptive or unruly behavior may result in removal from the Council meeting.
- C. Time Limits for public comment:
  - 1. Individual Speakers - 3 minutes
  - 2. Organized group (in lieu of individual speakers) – up to 15 minutes, for a group presentation, as many speakers are allowed as fit in that time allowance
  - 3. The Mayor may, at his/her discretion, limit the amount of time allotted to the speaker(s) when needed
- D. Members of the public are invited to speak at the lectern microphone to ensure all attendees can hear and so that it can be captured on the video recording.

- E. Individuals who wish to speak should submit a speaker card to the City Clerk to be called up at the appropriate time.
8. Agendized Discussion Items (Public Hearings, New Business, Old Business)
- A. Staff / applicant presentation
  - B. Council questions to applicant and/or staff
  - C. Open public hearing (or public comment section) for comments
  - D. Close public hearing (or public comment section)
  - E. Response by staff to public questions/concerns, if warranted
  - F. Council discussion and deliberation
  - G. Council votes
9. Appeals
- A. Appeals are public hearings and will follow the order stated in #7 with the following time allocations:
    - 1. Appellant – 15 min
    - 2. Individual Speakers – 3 min
    - 3. Rebuttal – 5 min
    - 4. If the appellant is not the applicant, the applicant shall also have 15 min
  - B. Appeals from decisions of the City’s Boards and Commissions shall appear on the Council agenda for discussion. Council determines whether to affirm the action of the commission, refer the matter back to the commission, or reverse the decision.
  - C. Any person that addressed the Council during one of the fifteen-minute periods may not speak again during the public comment period for individual speakers on the appeal.
10. Items Considered after 11:00 p.m.
- At 11 pm Council will determine with a majority vote or consensus whether to continue with an item or if they will take up any remaining unheard items.
11. Action Minutes

- A. The City Council shall use Action Minutes (action minutes contain very little, if any, narrative content) or light summary at the discretion of the City Clerk, to record their proceedings.
- B. Motions and votes are shown in the record.
- C. Media (audio/video) recordings will be used in order to provide a verbatim record of meetings as identified in the City's Records Retention Schedule.

12. Conflict of Interest

- A. The Political Reform Act (PRA), implemented, regulated and enforced by the Fair Political Practices Commission (FPPC), controls financial conflicts of interest.
- B. The other applicable law is Government Code §1090, which applies only to City contracts in which a public official has a financial interest.
- C. Whenever it appears to a Council Member they may have a prohibited financial interest in any City contract, or an item that may be presented to the City Council, the Council Member should consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists.
- D. If the City Attorney is consulted on such a matter, the City Attorney shall provide their advice in writing, and shall provide a copy of their opinion to the City Council, the City Manager and the City Clerk.
- E. With full consideration of the City Attorney's advice, it is up to each individual Council Member to decide for him/herself whether there is a conflict of interest.
- F. A member shall not vote upon any matter on which s/he has a conflict of interest.
- G. A member shall openly state the reason for his/her conflict of interest.
- H. A member who is disqualified by a conflict of interest shall recuse him/herself from the dais and leave the room unless it is during the Consent Calendar.

## Chapter 7. Meeting Agendas

### 1. Agenda Order

City Council agendas will be prepared by the City Clerk and presented to the City Council in the order described below.

#### A. Opening

1. Pledge of Allegiance
2. Roll Call

#### B. Ceremonial matters

The presentation and receipt of ceremonial resolutions and celebrations not requiring formal legislative action.

#### C. Consent Calendar

All matters listed under the Consent Calendar are considered by the Council to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed and considered separately.

#### D. Public Comment

Members of the public wishing to comment on any item not appearing on the agenda may address the City Council at this time. State law prevents Council from taking action on any matter not on the agenda. Comments may be referred to staff for follow up. Public comment is limited to a total of 15 minutes; however, an opportunity for additional public comment will be provided later in the agenda, if needed.

#### E. Public Hearing

Duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the Council.

#### F. Old Business

Non-routine items that have been presented before that require further oral presentation and/or discussion before action is taken.

#### G. New Business

Non-routine items requiring an oral presentation and discussion before action is taken.

H. Reports and Announcements

City Manager, City Attorney and Council Members report on their various assignments and liaison roles.

I. Additional Public Comment (if needed)

J. Adjourn

2. Agenda Item Submission

A. Persons who can place matters on the agenda: City Manager or City Attorney

B. Council Member:

1. A Council Member may request an item be considered on a future agenda and, upon agreement of a majority of Council, staff will prepare a staff report and place the item on a subsequent agenda.
2. Council Members may make this request verbally during a meeting or may submit a written request.

C. Members of the Public

1. A member of the public may request Council action in the following ways:
  - a. Write a letter to the City Council
  - b. Speak during the Public Comment period at a City Council meeting
  - c. Attend annual Council goal setting meeting and provide input
2. Upon agreement of a majority of the City Council, Council will determine whether to place on a future agenda an item requested by the public.

## Chapter 8. Financial Matters

1. Council Member Compensation
  - A. State law sets the overall level of compensation for City Council Members (California Government Code § 36516).
  - B. Compensation of Council Members is set by Resolution (see the San Mateo City Charter, [Section 2.03 Compensation](#)).
  - C. Council Member benefits are established in San Mateo City Charter, [Section 2.04 Benefits and Expenses](#).
  - D. A full explanation of Council Member compensation is available on the City's [website](#).
2. City Council Expense Reimbursement Policy
  - A. Authorized Expenses
    1. City funds, equipment, supplies, titles, and staff time must only be used for authorized city business. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:
      - a. Communicating with representatives of regional, state and national government on matters of interest to the City.
      - b. Meeting with City staff on matters relating to City business.
      - c. Attending educational seminars designed to improve officials' skill and information levels.
      - d. Participating in local, regional, state, and national organizations whose activities effect the City's interests; however, a member of the City Council shall not accept an elected or appointed position that would require anticipated costs to the City of more than \$100 annually without City Council approval.
      - e. Recognizing the service to the City (for example, thanking a longtime employee with a retirement gift of nominal value).
      - f. Attending fundraising events for nonprofit entities providing services of benefit to the City and /or its residents.
      - g. Attending City events.





4. Car Rental

Rental rates that are equal or less than those available through the State of California's website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

5. Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

6. Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for City business.

7. Lodging

Lodging expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay.

8. Meals

Reimbursable meal expenses and associated gratuities will not exceed the following rates per person:

Breakfast: \$12

Lunch: \$24

Dinner: \$45

When the meal function is an organized event, the official or employee shall be reimbursed the amount being charged by the event organizer for the meal. The City will not pay for alcohol/personal bar expenses.

9. Taxis/Shuttles

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency.

10. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business.

11. Transportation

Officials traveling on City business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

C. Expense Reports

1. Expense reimbursement requests must be submitted on an expense report form provided by the City. Reports must document how the expenditure met the requirements of this policy.
2. Expense reports must be submitted within 30 days of an expense being incurred, and must be accompanied by receipts documenting each expense.
3. Expense reports are a public record.

D. Audits of Expenses

All expenses are subject to verification that they comply with this policy.

E. Reports on Meetings

Each official shall briefly give an oral report on any Brown Act meetings they attended for which they receive expense reimbursement at their next City Council, Board, or Commission meeting.

F. Violation of this Policy

Under state law, use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

## Chapter 9. Communication

1. All communications are public records.

All letters, memoranda, and email communications involving City Council Members and members of boards, commissions, committees and task forces, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records.

2. The Council, in adopting this policy, does not waive attorney-client-privilege or any other privilege associated with a closed session authorized under the Ralph M. Brown Act.
3. Ralph M. Brown Act

Each Council Member should be mindful of all of the requirements of the Brown Act in communicating with each other.

4. Mail Processing

- A. Members of the City Council may receive mail and other materials through City Hall.
- B. City Clerk staff open all incoming mail for the Mayor and Council Members, unless it is labeled personal and confidential.
- C. City Clerk's Office staff disseminate these materials to individual Council Members. City Staff will scan and email correspondence and provide other materials in the Thursday packet delivered to Council Member's homes/offices.
- D. General correspondence addressed to Council Members as a whole may be opened and delivered to all Council Members if appropriate.

5. Correspondence

- A. The City Clerk is authorized to receive and take administrative action on all correspondence directed to the City Council. The City Clerk may also respond to correspondence submitted to the full City Council on non-agenda items or authorize a staff member to respond. A courtesy copy is provided to each Council Member.
- B. Generally, correspondence relating to a specific City Council agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packets is to be compiled and distributed to the City Council prior to the City Council meeting.

- C. After the City Council has taken a position on an issue, official correspondence should reflect this position. While Council Members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official City Council title, and staff support should not be utilized. In addition, City letterhead and staff support cannot be utilized for personal or political purposes.
  - D. City letterhead, logo, insignia and brand, as well as, staff support cannot be utilized for personal or political purposes.
6. Electronic Communication
- A. All emails sent and received through the City server are saved for at least two years on the City's network and are subject to the Public Records Act.
  - B. Communication on social media sites are saved for at least two years.
  - C. Text messages sent on any City-provided device are saved for at least two years.
7. Written Communications for Council Meetings
- D. The deadline for the receipt of written communications for inclusion in the agenda packet is up to 5:00pm the Wednesday before the Council meeting. This is to allow for adequate staff review and analysis, and to ensure public access to information, all plans, correspondence, and other documents supporting planning applications being heard by the City Council.
  - E. To be included in the addendum to the packet, items may be received up until noon the day of the scheduled meeting.
  - F. Materials distributed to Council Members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Council Member, or at the conclusion of the meeting if prepared by another person.
  - G. If a Council Member receives materials regarding an agenda item, s/he shall forward it the City Clerk and the City Manager as soon as possible.
  - H. If late correspondence is received, the City Council will determine at the meeting whether to continue or refer the item to the appropriate Board and/or Commission if significant changes to a project, or significant new information has become known.
8. Council Communication to Boards and Commissions

- A. Council Members should be mindful not to unduly influence—through their attendance—the decision at a Board or Commission meeting so as not to get ahead of the process.
- B. It is not appropriate for a Council Member to make public comments at a Board or Commission meeting.

9. Council - Staff Relations

- A. Individual Council Members may make requests of City staff through the City Manager or Department Head for limited research and information without the formal concurrence of a majority of the member’s colleagues. Requests that will require significant staff time may be referred to the full Council and only pursued if supported by a majority of the Council.
- B. Council Members are encouraged to submit their questions on agenda items to the City Manager or Department Head (copying the City Manager) as far in advance of the meeting as possible so that Staff can be prepared to respond at the Council meeting.
- C. Council Members should direct any questions on staff reports to the City Manager or designee.
- D. Clarifications or technical questions will be answered before the meeting whenever possible.
- E. Questions and all Staff-prepared responses will be forwarded to all Council Members.

10. Speaking for “the City”

Similar to written correspondence, when Council Members are requested to speak to groups or are asked the City Council’s position on an issue, the response should reflect the position of the City Council as a whole. Of course, a member may clarify his/her vote on a matter by stating, for example, “While I voted against X, the City Council voted in support of it.” When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council’s position rather than that of an individual member.

11. Speaking as an Individual

On occasion, Council Members may wish to transmit correspondence on an issue upon which the City Council has yet to take a position or about an issue for which the City Council has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the City Council as a whole, but for

themselves as an individual member of the Council. City letterhead and office support may be utilized in these circumstances.

## Chapter 10. Legislative

### 1. Council Legislative Committee

- A. It is the policy of the City Council that the Council be involved in the development of the City's position on significant pending federal and state legislation that may directly impact the City of San Mateo
- B. The offices of Mayor and Deputy Mayor are the Council's Legislative Committee.
- C. The Legislative Committee shall meet annually or as needed to draft the City's annual legislative priorities, and shall meet when necessary to develop recommendations for the City's position on legislative matters.
- D. Pending legislation for consideration by the Legislative Committee can be submitted to the Committee by a Council Member, City Manager or by a Commission Staff Liaison if a majority of their commission voted in favor of submission to the Legislative Committee.
- E. The Committee's recommendations shall be presented to the City Council for its consideration.
- F. The Council shall direct the Mayor or other City official to communicate the City's position on legislative matters to the appropriate legislative bodies.

### 2. Ceremonial Matters

- A. There are several different types of action the Council may take to provide recognition or express appreciation:
  - 1. Certifications of Appreciation or Recognition  

Commendations typically issued to acknowledge the activities of a person or organization. These certificates may be issued by any member of the Council without formal action. Examples of traditional recipients would include departing Board and Commission Members, high school students with 4.0 grade point averages, Chamber of Commerce Outstanding Businesses Awards, winners of local art or speech contests, etc.
  - 2. Commendatory Resolutions  

Typically used to handle matters requiring some type of formal memorialization such as the retirement of a long-tenured employee, or outgoing Mayor or Council Member.
  - 3. Proclamations

Public announcements directing attention to a person, organization or event. Proclamations will be issued subject to the policy described below.

B. Preparation of City Proclamations

1. It is the policy of the City Council to issue proclamations for certain events or causes, when such a proclamation positively impacts the community and conveys an affirmative message to residents. Examples of causes for which proclamations are regularly and routinely issued include, but are not limited to: notable accomplishments by citizens, youth groups, schools, local organizations, non-profit groups, and local events that deserve special recognition. Discretion should be used in determining whether or not to issue a proclamation. Proclamations that are political in nature, are controversial, or that likely would not enjoy a high level of community interest and support, are discouraged.
2. It will be the policy of the City Council to process requests for proclamations in the following manner:
  - a. The City Clerk will review the request with the Mayor.
  - b. If the Mayor determines that the proclamation request is consistent with the policy stated above, the Mayor will direct the City Clerk to prepare the proclamation and the proclamation will be issued.
  - c. If the Mayor determines the proclamation request is not consistent with the policy stated above, the request will be routed to the other Council Members to determine if there is interest in issuing the proclamation.
  - d. If a Council Member has interest in issuing the proclamation that the Mayor determined was not consistent with this policy, that Council Member will sponsor the item and shall be responsible for drafting the language to be contained in the proclamation. The sponsor Council Member shall provide the draft proclamation language to the City Clerk.
  - e. Upon receipt of the draft proclamation language, the City Clerk will place the item on the Consent Calendar at the next available meeting. The proclamation will be issued upon a majority vote of the Council. Depending on the nature and time-sensitivity of the request, the Mayor and Deputy Mayor can act without full formal concurrence of the Council when the situation warrants.



## Chapter 11. Council Liaison Roles

1. The City Council will collectively review and approve liaison appointments. The recommended appointments will, to the best of the Council's ability, attempt to match the requested positions with the needs of the respective body and the experience of the Council Member, while also attempting to equitably balance the distribution of assignments.
2. It is generally suggested that newly-elected Council Members undertake a limited number assignments during their first year, to allow opportunity to gain familiarity with the obligations and expectations of the role.
3. The assignment of City Council liaisons is conducted annually according to the following process:
  - A. Following the reorganization in December, the City Clerk will distribute a memo to each Council Member which will include a list of potential liaison assignments.
  - B. Each Council Member will complete the list in a manner which prioritizes the assignments of interest to them, and will submit their list to the City Clerk in December.
  - C. The City Clerk will assemble responses into a table and provide to the Mayor.
  - D. The Mayor, working with the City Manager and City Clerk, will utilize the responses to present an Administrative Report and conduct a discussion at a study session in early January regarding the potential liaison appointments.
  - E. The Mayor and Deputy Mayor have traditionally been assigned to the following bodies:
    1. City Council Legislative Committee - ordered by Resolution 158 (1981)
    2. City Budget and Audit Committee
    3. Council of Cities – City Selection Committee (Mayor)
    4. Honorary Chair of Sister Cities Association (Mayor)
  - F. In the event that a liaison has not been identified for each commission, the Mayor will divide any remaining liaison positions amongst the Council, attempting to equitably balance the distribution of the assignments and associated workload.
  - G. Based on feedback and direction obtained, the final appointments will be placed on the Consent Calendar for confirmation by a majority vote of the Council at the next regular meeting following the study session

- H. The City Clerk shall maintain a list of all such appointments. The final liaison list will be distributed to all Council Members and posted on the City's website.
4. Liaison to the City's Boards and Commissions
- A. Each of the City's Boards and Commissions has a Council Member who serves as its Council liaison.
  - B. Council Members should act as an advisor and resource to commissioners and the commission's staff liaison when issues regarding process, procedure, attendance, interpersonal or public relations arise.
  - C. The Council liaison serves on the Appointment Subcommittee for the Commission they are assigned to.
5. Continuity Appointments to External Agencies
- A. The City Council has identified certain external appointments for which there is a strong need and desire for consistency and continuity in terms of Council participation and representation and the Mayor will maintain the current Council Member assigned as liaison to that body as much as possible:
    - 1. San Francisco Airport Community Roundtable
    - 2. City/County Association of Governments
    - 3. Emergency Services Council
    - 4. San Mateo Chamber of Commerce & Downtown San Mateo Association
    - 5. City of San Mateo Planning Commission
  - B. Liaison appointments to these bodies would not annually be re-assigned to another Council Member, as this would not provide the desired consistency. If it became necessary to re-assign the liaison for one of these bodies as the result of a vacancy or other reason, the liaison role would not typically be assigned to a newly-elected Council Member. A Council Member with an interest in serving as liaison to any of these continuity bodies should confer with the current representative, and consider acting as an alternate or "shadowing" the current liaison for a time to learn more about the body's functions and duties.
  - C. If a Council Member who is assigned as liaison to one of the aforementioned bodies anticipates leaving office, every effort should be made to mentor another Council Member so that those critical relationships can continue uninterrupted.

## 6. Council of Cities Appointments

- A. In the case of appointments made by the regional Council of Cities - City Selection Committee, upon receipt of the City Selection Committee agenda packet listing all positions and nominees to be voted on, the City Council will schedule a special meeting prior to the Council of Cities meeting to discuss and agree upon preferred appointees. So the Mayor, or his/her proxy, will have clear direction on whom to vote for that reflects the best interest of the City. In the case of nominations from the floor at the City Selection voting meeting, the Mayor, or his/her proxy, will vote their conscience based on the feedback previously given by the City Council as a whole. In December every year upon the Mayor's rotation a standing proxy shall be filled out and filed with the City Selection Committee for the year naming who may vote in the Mayor's absence. The Deputy Mayor will be given first priority followed by any Council Member who has the most latitude and ability to attend the meetings

## Chapter 12. Boards and Commissions

1. Refer to the San Mateo [City Charter Article VI](#) on Boards and Commissions.
2. Council Members should refrain from participation at Board and Commission meetings to avoid influencing the outcome of those meetings.
3. Reappointments, Vacancies and Appointments
  - A. The City Clerk's Office manages the Boards and Commissions (hereafter referred to as "Commission" for ease of reference) application process. The process begins with the Clerk contacting members who are eligible for appointment to a second term and finding out their interest in reappointment.
  - B. The City Clerk then schedules a special Council Meeting for Council to provide direction on reappointments. The default is that currently serving Commissioners will each be interviewed for reappointment. However, if it is determined that a commissioner's performance is outstanding, or that other factors necessitate keeping them in their role, then an automatic reappointment can occur with a majority vote or majority consensus of the City Council. Any commission seat selected for re-interviews, means the seat will be processed as part of the full annual recruitment and the currently sitting commissioner may be interviewed along with other applicants.
  - C. The City Clerk recruits for all open seats utilizing multiple avenues including: advertising, the media, and networking lists to present qualified candidates to the Council for consideration.
  - D. The interview and selection of candidates is an open process.
  - E. The City Clerk receives the applications (ideally a minimum of three applications is sought for each seat) and arranges for the appropriate sub-committee, in a noticed special meeting, to interview applicants and form their recommendation.
  - F. Commissioners, Board and committee members (hereafter referred to as "Commissioners" for ease of reference) serve staggered terms.
  - G. An "Appointment Subcommittee" may include up to five City Council members. The City Council shall appoint the members of the Appointment Subcommittee. As a minimum, the Appointment Subcommittee shall include and a quorum shall be established as: 1) the Mayor (or their Council designee) and the Council liaison to the Commission. The Department Head affiliated with that Commission shall participate as a non-voting member of the Appointment Subcommittee.

- H. Except when reappointment is recommended, the Appointment Subcommittee shall conduct candidate interviews and make a recommendation for Council approval. Interviews shall be conducted in a noticed public meeting with at least a quorum of the Appointment Subcommittee present.
- I. The full Council will receive the Appointment Subcommittee's recommendation and the full list of candidates and applications for each opening.
- J. The Appointment Subcommittee recommendations for new and reappointed Commissioners are confirmed by Council under the Consent Calendar at regular Council meetings. A staff report summarizing the Subcommittee's recommendations and including the full list of candidates and applications reviewed for each opening will be provided to the full City Council. Council may adopt the recommendations as presented or pull the item for further discussion. The City Council can consider for appointment any of the candidates interviewed.
- K. A majority vote of Council approves the appointees.
- L. Commission recruitment begins annually in the month of March, and completes in May, in order to ensure continuity on commissions before terms end June 10th.
- M. **Unscheduled Vacancies**
  - 1. Subject to the Maddy Act (California Government Code § 54970), if an unscheduled vacancy occurs on a commission, the Council may either appoint from the pool of applicants on file (the eligibility list if there is one available) or open up the position to new applications where the above process is followed.
  - 2. For such non-routine vacancies, the announcement for new applications is made as soon as possible in order to maintain viable memberships on the various boards and commissions.
  - 3. All appointments occur in an open public meeting.
- N. **Youth Activities Council (YAC) Selection Process**

The YAC is the only group not appointed directly by the City Council but through an application method administered by the Parks and Recreation Department. High school students from all of the City's public high schools, as well as Junipero Serra High School and Nueva Upper School, are recruited for potential participation starting in the late spring of each year.

## Chapter 13. References

1. San Mateo City Charter, §2.03, 2.04, 2.12, Article VI
2. [Ralph M. Brown Act](#) (California Government Code, § 54950 et seq.)
3. California Government Code, § [53234](#) et seq.
4. San Mateo Municipal Code
5. [California Public Records Act](#) (California Government Code, § 6250 et seq.)
6. [AB 1234](#) California Government Code, § 53232.3
7. [Rosenberg's Rules of Order](#)
8. Emergency Guide for Elected Officials

## **Chapter 4**

### **Selection of Mayor and Mayor Pro Tem**

#### **Sections:**

- 4.1 Selection of Mayor and Mayor Pro Tem**
- 4.2 Mayoral Duties and Roles**
- 4.3 Mayor Pro Tem Duties and Roles**

#### **4.1 Selection of Mayor and Mayor Pro Tem**

##### **4.1.1 Intent**

It is the intent of the Council that each Councilmember should have a fair and equal opportunity to serve as Mayor and Mayor Pro Tem. With that in mind, the following describes the guidelines for the selection of Mayor and Mayor Pro Tem.

##### **4.1.2 Election by Council Vote**

All five Councilmembers are elected at large to four year staggered terms. The Mayor is selected by the Council at the Council's annual reorganization meeting each year for a one year term, and serves at the pleasure of the Council. The Mayor can be changed at any time through a majority vote of the Council. The Mayor remains as one of the members of the Council and has no rights or authority different from that of any other Councilmember.

##### **4.1.3 Guidelines for Mayoral Rotation**

The order of mayoral succession is determined by the length of the current term of incumbency, as defined by the date of election. At the time of the annual reorganization, the outgoing Mayor's name will rotate to the bottom of the previous year's mayoral succession list, with all other names moving up one position allowing the outgoing Mayor Pro Tem to become the new Mayor as may be determined and voted upon by the Council, and the next Councilmember on the list to become the new Mayor Pro-Tem as may be determined and voted upon by the Council.

Newly elected Councilmembers are placed at the bottom of the mayoral succession list, following the outgoing Mayor in that election year's Council reorganization. When there are two or more newly elected Councilmembers, the order is determined by the person who received the highest number of votes at the election. Additionally, in cases where a Councilmember's position is vacated during the course of that position's term, that position will go to the back of the order.

#### **4.2 Mayoral Duties and Roles**

The following summarizes the Mayor's general duties and roles.

1. The Mayor represents the City and presides over all Council meetings.
2. The Mayor, as well as each Councilmember, recognizes and understands the unique role of representing the City, and takes both pride and care in ensuring that this representation always takes precedence over representing oneself or one's own personal views.
3. The Mayor is recognized as the official head of the City for all ceremonial purposes.
4. In conjunction with the City Manager, the Mayor reviews the agenda for each Council meeting in preparation of presiding over the meeting.
5. It is the Mayor's prerogative to submit recommendations regarding annual Council committee assignments from choices provided by Councilmembers, and the Mayor will strive to accommodate such choices whenever possible. The Mayor is also appointed as a member of specific Council committees and serves in the same capacity as all other Councilmembers. All committee assignments are ratified by the full Council.
6. At a public meeting, the Mayor has the discretion, subject to Council approval, to move agenda items and/or to take agenda items out of order to accommodate the needs of the public or the Council.
7. The Mayor serves in the capacity of a facilitator during public meetings, and ensures that all views are heard and that the flow of the meeting progresses in an orderly and timely fashion. The Mayor takes care in providing an equal opportunity for each Councilmember to be heard.
8. The Mayor manages and coordinates the procedure for calling on members of the public wishing to address the Council at meetings by: (a) ensuring that individual speakers come forward to the podium rather than speaking from the audience; and (b) requiring speakers to address their comments directly to the Council as opposed to the audience.
9. The Mayor is expected to be an advocate for his/her views, just as other Councilmembers are, but strives to not take advantage of the mayoral status on the dais to coerce or to advocate in excess of what is typically allowed to other Councilmembers.
10. The Mayor signs all official correspondence of the City, counter-signs all warrants and other financial documents as authorized by ordinance or resolution of the Council, and executes all legal instruments in which the City is a party upon their approval by the Council unless execution authority



has been delegated by the Council to the City Manager or another City official.

#### **4.3 Mayor Pro Tem Duties and Roles**

The following summarizes the Mayor Pro Tem's general duties and responsibilities.

1. The Mayor Pro Tem performs all the duties of the Mayor during his/her absence, disability or when so designated by the Mayor.
2. The Mayor Pro Tem is authorized to countersign all warrants upon their approval by the Council and any other legal documents as set forth by ordinance or resolution by the Council.



Agenda Item No. X(X)

## ELECTION OF CITY COUNCIL OFFICERS<sup>1</sup>

*Adopted: November 19, 1990*

*Revised: July 7, 1997*

In order to fairly rotate the offices of Mayor and Mayor Pro Tem of the City Council among the five members of the Council, this policy is established.

### CITY COUNCIL

A newly elected council member, who is not an incumbent, will serve a minimum of one year on the Council before qualifying to serve as Mayor.

Mayor Pro Tem will replace the outgoing Mayor.

Mayor Pro Tem will be the council member who has received the highest number of votes, compared to the other council members elected at the same time. This process continues until all council members elected in the same year have served as mayor.

An appointed council member shall join the rotation only after first being elected.

Newly elected and re-elected council members are added onto the existing order of rotation in the order of the number of votes received, from the highest number of votes to the lowest.

A council member may decline to serve as Mayor Pro Tem. This will drop the council member back one position in the rotation.

This format will be followed except in unusual or exceptional cases. The Council has the ultimate discretion to elect or not elect any council member for any office.

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<sup>1</sup> All references to election of Redevelopment Agency Officers has been deleted due to dissolution of the Redevelopment Agency by the State of California.

# CITY OF CHINO HILLS

## ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL

Date Adopted: 08/28/01

### CITY COUNCIL REORGANIZATION

Section: 1.1

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#### 1. PURPOSE

The purpose of this policy is to set forth the City Council's policy relating to reorganization of the City Council.

#### 2. POLICY

The City Council shall reorganize the Council and designate one of its members as Mayor and one as Vice Mayor on the fourth Tuesday of November of each year with terms commencing December 1st and ending November 30th of the following year. The Vice Mayor who has served the immediate prior year shall have an automatic nomination as Mayor. Such members shall be designated Mayor and Vice Mayor by duly adopted motion of the City Council at such meeting.

##### 2.1 Election Returns

In the event that the results of the canvass of election returns of the General Municipal Election cannot be certified and approved by the fourth Tuesday of November in even-numbered years, the City Council shall reorganize the Council and designate one of its members as Mayor and one as Vice Mayor in the manner described above on the second Tuesday in December with terms commencing that date and ending November 30th of the following year.

##### 2.2 Vacancy

In the event of a vacancy in the office of Mayor or Vice Mayor, the City Council shall designate one of its members to fill the vacancy for the unexpired term thereof. The current serving Vice Mayor shall receive an automatic nomination for the vacancy of Mayor.



## TOWN COUNCIL GUIDELINES

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These Guidelines were initially developed by the Town Council in October 2003. The Guidelines are reviewed annually and updated as directed by the Town Council.

### GROUND RULES

*The Town Council will follow four basic ground rules in order to work effectively together on an ongoing basis:*

1. Keep focused
2. Use inquiry vs. judgment - hear all points
3. Be respectful of one another
4. Focus on issues not people

### VALUES

*The top three values identified by the Town Council are:*

1. Honesty, Integrity, Trust, Ethical
2. Leadership/Clear Direction/Vision
3. Fiscal Responsibility

### NORMS AND COMMITMENTS

**A. When dealing with each other councilmember to councilmember, we expect... How will we resolve conflict among ourselves?**

At meetings:

1. Be prepared; read the packet thoroughly before the meeting.
2. Ask questions of staff in advance of the meeting.
3. Give credit and positive feedback.
4. Challenge issues rather than personalities; do not criticize fellow council members.
5. Be mindful of negative body language; minimize eye rolling, audible sighing.
6. Give the public three minutes without responding, but make sure due attention is given. Show respect.
7. Keep feedback constructive.
8. At meetings, disclose information that you have that is relevant.

9. Avoid the following:
  - a. surprises
  - b. grandstanding
  - c. side conversations
  - d. personal attacks
  - e. condescending/sarcastic tone
  - f. emotional escalation
10. The Town Manager will manage the agenda process. Individual councilmembers may request placement of items on the agenda, but only the Town Council may direct placement of items. Video recordings of televised public meetings constitute a public record and cannot be edited.
11. Each councilmember will have the opportunity to be heard and to present their respective views. Once a matter has been discussed and/or debated and the Town Council makes a decision (vote taken), that decision becomes the Town Council position. It is expected that individual councilmembers will respect this process and represent individual decisions that have been made by the full Town Council to the community and elsewhere as appropriate, regardless of their individual views.
12. To facilitate quality video recording for televised public meetings:
  - a. make sure that your microphone is turned on and speak directly into the microphone.
  - b. be mindful of verbal and non-verbal communication.

In General:

13. When invited to meet with a constituent or advocate to discuss a specific issue or project, inform the Town Manager and encourage the constituent or advocate to meet with all members of the Town Council to provide similar information.
14. In situations where conflicts arise that impede the function of the Town Council, councilmembers will attempt to resolve issues on a one on one basis. Depending upon the circumstances, it may also be appropriate for the Town Manager to facilitate resolution among the affected members.

**B. When dealing with the Town Manager and staff, we expect...**

1. Treat staff as professionals; do not publicly criticize an individual staff member.
2. The Town Council takes action as an elected body, rather than individually. Allow staff to handle administrative functions and limit individual requests for staff support. When interacting with the Town staff, remember:
  - a. Staff may be contacted for the purpose of asking questions or seeking information (asking). Whenever possible, direct questions to department heads or senior staff.
  - b. Work requests or assignments should only be directed to the Town Manager (directing).
  - c. Comments or concerns regarding staff should be directed to the Town Manager in private.

3. In study sessions or regular meetings, the Town Council will summarize and clarify direction (action items/next steps).
4. As an individual councilmember, do not ask the Town Manager to do something that is contrary to the direction of the Town Council.
5. Do not draw staff members into disagreements among councilmembers.
6. Do not solicit political support from staff or involve staff in any political activity.
7. Try to give credit and positive feedback (on behalf of the Council).
8. Provide questions for staff ahead of time so staff can prepare. Ask early, ask often.
9. When dealing with the press, the public or anyone external to the Town government, staff's role is to communicate the policy, direction or action determined by the Town Council. Staff does not speak for the Town Council, nor will the staff speculate as to what action the Town Council may take on any issue or subject.
10. Staff occasionally conducts or attends working meetings that councilmembers are not invited to attend due to the nature of the meeting (e.g. - meetings to discuss development proposals and/or conditions and special event wrap-up meetings). Should other meeting participants invite a member of the Council, that council member should talk to the Town Manager before attending.

*(Please refer to Attachment A for additional material describing the roles of the Town Council and Town staff)*

**C. When dealing with media and public, we expect...**

1. State your view, avoid repeating a reporter's terms.
2. Try to speak in sound bites.
3. Clarify the position: "the Town's decision is....", "My opinion is...."
4. Once a decision is made, don't discredit the decision or criticize your colleagues for having made it. Also, don't influence the media to.
5. Identify issues where it may be appropriate to develop a "party line" for presentation to the press or public to assure that a consistent message is delivered, and key points are covered.
6. Inform the Town Manager when you've spoken to the media.

**D. When representing the Town in other forums, we expect...**

1. Present and support decisions or positions made by the full Town Council – i.e. "the Town Council's position is X, and this issue been decided."
2. If you are presenting a personal point of view or opinion, make it clear: "the Town Council hasn't discussed or decided this issue, my opinion is Y."
3. When appointed to or assigned a sub-committee, committee, or liaison role, councilmembers are representing the Town rather than themselves.
4. Make sure to distinguish between political activity and Town business.
5. If invited to attend a function as a Town representative, don't campaign.

**E. Role of the Mayor**

1. The Mayor always represents the Town and the Town Council.
2. At the beginning of their mayoral term, the Mayor makes Town liaison appointments.
  - a. The Mayor first meets or speaks with each councilmember to determine areas of interest.
  - b. If more than one councilmember is interested in a specific role or position, and it is not possible to resolve the matter through compromise, the Mayor may take the appointment to the full Town Council at a study session.
3. Designate alternates for external committees/liaisons to provide exposure to subject matter and experience in preparing for the primary position.
4. Consider rotation of assignments every couple of years to afford other council members the opportunity to serve in different capacities. Consider the impact to the Town of rotation.
5. Every councilmember has the right and obligation to serve as representatives.
6. Time permitting, the Mayor will bring issues back to the full Town Council for direction or a vote (e.g., appointments by the Mayors' Conference or positions taken by the Mayors' Conference).
7. Mayoral Rotation
  - a. The position of Mayor is rotated annually. Each council member has the right to serve (barring Council changes) every five years.
  - b. The Vice-Mayor is next in line of succession.
  - c. Mayoral Rotation for the next 5 years is agreed upon as follows:

2019 - Robert Storer	2022 - Renee Morgan
2020 - Karen Stepper	2023 - Newell Arnerich
2021 - Lisa Blackwell	
  - d. If one new councilmember is elected or appointed, they are placed at the end of the rotation and incumbent members move up one year.
  - e. If more than one new councilmember is elected, they are placed at the end of the rotation in an order determined by the number of votes that each new council member received (highest # of votes goes first, etc.) Incumbent council members move up by a number of years equivalent to the number of new council members elected (i.e. 2 new members means that the others move up 2 years).
8. Provides direction to the Town Manager on use of the annual 'Mayor's Discretionary Fund', which is intended to be used for a public improvement, program, or event that is located within the town, and accessible to the general public.

**F. Appointments of advisory commissions and boards; Council appointments; Council resignations.**

1. The Town Council will adhere to Resolution No. 11-2005, regarding selection and appointment of Town commissioners.
2. The Town Council expects that commissioners will abide by the same ground rules for dealing with the Town staff as have been agreed to herein. The Town Council will use the annual Town Council/Commission workshop to review and reinforce these expectations.
3. The Town Council agrees that the selection process used to fill prior Town Council vacancies in 2003 and 2009 was appropriate and effective. The need to fill future Town Council vacancies will be dealt with on a case-by-case basis, considering the circumstances and conditions present at that time, and the need to adhere to all applicable laws.

#### **G. Orientation of new councilmembers**

1. A successful orientation process can facilitate the transition of new council members into their roles as elected officials. The following items were cited as being helpful in this process.
  - a. Good documentation
  - b. Tours
  - c. Historical perspective
  - d. Legal orientation
  - e. Meeting with incumbent
  - f. Visit commission meetings
  - g. Overview of regional issues
  - h. Opportunity to observe meetings
  - i. Provide calendar of meetings
  - j. "Buddy System" mentoring by other council members

#### **H. Town Council Expenses and Reimbursements**

Certain expenses are necessary in order to assist council members in discharging the duties of their office. Events or activities for which the Town may expend funds are described and listed in Attachment B (excerpted from Resolution No. 17-2006). The Town Council will consider such needs on an annual basis, as part of adopting the annual operating budget.

#### **I. Follow up Actions**

The Town Council may re-visit these guidelines periodically to see how the process is working and determine whether any additional steps are appropriate to further facilitate how council members work together in an appropriate manner to conduct the Town's business.

#### **Attachments:**

- A - Roles and Responsibilities of the Town Council and Town Manager/Staff
- B - Events and Activities qualifying for reimbursement (from Resolution No. 17-2006)



## ATTACHMENT A

*(This material has been assembled from various sources and is provided to the Town Council for information purposes).*

### **ROLES & RESPONSIBILITIES OF TOWN COUNCIL, TOWN MANAGER & STAFF**

The degree to which policy and administration mix in a given community can sometimes become an issue. There is no clear demarcation between the two – but there is the need for everyone involved to be cognizant of roles. The opportunity to periodically revisit this subject provides an opportunity to ask questions, address issues and better define the process for the Town Council and the Town Manager.

As the elected body who represents the community, the Town Council must be able to communicate the vision of the Town and set the tone. The Town Manager and staff are responsible for seeing that the vision is carried out.

#### **A. Role of the Town Council:**

1. **Representational:** The Town Council is directly accountable to constituents. The Town Council must balance individual and group demands with the needs of the entire community.
2. **Governmental:** The Town Council makes policy, adopts legislation, establishes/adopts budgets and adjudicates issues. The Town Council sets the mission and goals for the organization. They explain and promote programs. Individual council members are expected to:
  - a. Interact with constituents
  - b. Serve on Town Council sub-committees
  - c. Serve in a liaison role
  - d. Attend public events and ceremonies
2. **Financial Oversight:** The Town Council adopts an annual operating and capital budget and is responsible for appropriating funds and approving contracts pursuant to Town policy. The Town Council adopts an investment policy and assures adherence to that policy.
3. **Intergovernmental:** Council members represent the Town on various intergovernmental and regional boards.
4. **Supervisory:** The Town Council appoints and evaluates the Town Manager and City Attorney, as well as advisory commissions and boards.
6. **Business Management:** Council members sit as members of the Financing Authority and Civic Improvement Corporation.

#### **B. Role of the Town Manager:**

1. **Communication:** The Town Manager must develop a rapport with council members through maintaining frequent contact with each member. The Town Manager must provide equal information to each member and provide early warning on problems.

2. **Policy Implementation:** The Town Manager assists the Town Council in identifying and focusing on goals. The Town Manager is responsible for interpreting policies set by the Town Council for staff and making sure Town Council intent is implemented after a decision is made.
3. **Professionalism:** The Town Manager (through the Town staff) is responsible for:
  - a. Providing professional recommendations and making sure that all viable options are presented for Town Council consideration.
  - b. Maintaining a professional position despite political pressure.
  - c. Providing good customer service and follow-up.
4. **Organizational:** The Town Manager is responsible for developing leadership abilities among the staff, building a decisive and responsive management team and holding staff accountable for results. The Town Manager is also expected to maintain good relationships with employee groups.
5. **Foster Teamwork:** The Town Manager fosters teamwork with the Town Council by becoming knowledgeable on key issues that are important to the Town Council, expressing views and providing perspective to the Town Council on key issues. The Town Manager can also coach council members and help to refine their skills, and buffer the Town Council when appropriate.
6. **Financial Stewardship:** The Town Manager submits an annual budget for Town Council consideration and is responsible for keeping the Town in sound financial condition.

## TWENTY WAYS TO OFFEND TOWN COUNCIL COLLEAGUES

The responsibility for the effectiveness and success of an elected body ultimately lies with the members of that body. If you don't really care about working cooperatively with your colleagues, here are some surefire ways to agitate them:

1. Attempt to dominate meetings.
2. Cut off statements of colleagues.
3. Magnify errors of colleagues.
4. Make fun of colleague's statements.
5. Tell colleagues they are wrong.
6. Insist upon pontificating.
7. Appeal directly to the audience.
8. Amend a motion and then don't vote for it.
9. Don't show up at scheduled events.
10. Request a special meeting or meeting time and fail to attend.
11. Commit to a position before the meeting.
12. Take individual credit for group accomplishments.
13. Fail to actively listen to colleagues.
14. Pressure colleagues to take a position before the meeting.
15. Pack the meeting for pressure purposes.
16. Violate a colleagues' confidence.
17. Covertly use the media to achieve your agenda.
18. Force a vote on a key issue before the group is ready.

19. Criticize staff in public.
20. Fail to prepare for meetings.

Excerpted from the "*Elected Officials Little Handbook.*"

## **ATTACHMENT B**

### **Events and Activities Qualifying for Reimbursement**

Government Code Section 53232.2(b) requires that each local agency adopt a written policy specifying the types of events or activities qualifying for reimbursement of expenses. Following is a list of events and activities for which the Town Council may expend Town funds or seek reimbursement:

1. Attending educational seminars or conferences designed to improve officials' skill and information levels regarding municipal governance;
2. Participating in and attending meetings of regional, state and national organizations whose activities affect the Town's interests (including, but not limited to, the League of California Cities, the National League of Cities, the U.S. Conference of Mayors and the Contra Costa Mayors' Conference);
3. Meeting with representatives of regional, state and national government to present information or testimony related to proposed or pending legislation or administrative actions that may impact the Town and its operations;
4. Attending functions of local civic or community organizations where there is a clear nexus between the event and the official's function or job, i.e., not purely social events;
5. Attending meetings, seminars or similar functions regarding economic development or attracting or retaining businesses to the Town where there is a clear nexus between the event and the official's function or job and the event is consistent with Town policy; and
6. Any other event or activity related to the public official's duties and approved in advance by the Town Council at a public meeting.