City Council
P R O T O C O L S

City of Rohnert Park • September 2010

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ROHNERT PARK CITY COUNCIL PROTOCOLS

I. COUNCIL MEETINGS

A. Regular Meetings

Regular Meetings of the Council will be held the second and fourth Tuesdays of each month commencing at 5:00 p.m. in the City Council Chamber, Rohnert Park City Hall, 130 Avram Avenue, Rohnert Park, California.

1. Other Locations

   The Council may, from time to time, elect to meet at other locations within the City and upon such election will give public notice of the change of location in accordance with provisions of the Government Code.

2. Location during Local Emergency

   If, by reason of fire, flood or other emergency, it will be unsafe to meet in the City Hall, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor or, if the Mayor does not so designate, by the Vice Mayor or City Manager.

3. Canceled Meetings

   When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that day will be deemed canceled unless otherwise provided by the Council. The Council must meet regularly, however, at least once each month.

B. Special Meetings and Emergency Meetings

Special meetings and emergency meetings of the Council may be called and held from time to time pursuant to the procedures set forth in the Ralph M. Brown Act (Government Code sections 54950, et seq.).

C. Adjourned Meetings

The Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Ralph M. Brown Act (Government Code sections 54950, et seq.).

D. Closed Sessions

Consistent with the Ralph M. Brown Act (Government Code sections 54950, et seq.), the Council may hold closed sessions during any regular or special meeting, or any time otherwise authorized by law to consider or hear any matter which is authorized by State law to be heard or considered in closed session.

1. The City Council may exclude from any such closed session any person or persons which it is authorized by State law to exclude from such closed sessions.

2. The general subject matter for consideration will be expressed in an open meeting before such session is held.

3. Council members may not reveal the nature of discussion or the decision from a closed session unless required by law or unless a majority of the Council agrees in closed session to disclose confidential closed session information, except that the Council must unanimously agree to divulge any confidential closed session information that is attorney/client privileged communications.

E. Cancellation of Regular Meetings

Any meeting of the Council may be canceled in advance by a majority vote of the Council.

F. Quorum

A majority of the Council will constitute a quorum, but a lesser number may adjourn a meeting.

G. Presiding Officer

The Mayor will preside over all Council meetings. The Mayor will have authority to preserve order at all Council meetings, to remove any person from any meeting of the Council for disorderly conduct, to enforce the rules of the Council and to determine the order of business under the rules of the Council.

1. Absence of Mayor

   The Vice Mayor will act as Mayor in the absence or disability of the Mayor.

2. Mayor and Vice Mayor Absence

   When the Mayor and the Vice Mayor are absent from any meeting of the Council, the members present may choose another member to act as Mayor pro tem, and that person will, for the time being, have the powers of the Mayor.

3. Election of Council Officers

   The Mayor and Vice Mayor will be elected by a majority vote of a quorum of the City Council. In years when members of the City Council are to be elected, the City Council shall consider the election of a Mayor and Vice Mayor for one (1) year terms at the first regular meeting after certification of the general election results has been received by the City. In years when no

members of the City Council are to be elected, the City Council shall consider the election of the Mayor and Vice Mayor for one (1) year terms at the second regular meeting in November of each year or no later than the succeeding meeting.

H. Attendance by the Public

Except as specifically provided by law for closed sessions, all meetings of the Council will be open and public in accordance with the terms, provisions and exceptions consistent with the Ralph M. Brown Act (Government Code sections 54950, et seq.).

I. Agenda Packets

The City Council agenda packet, including all reports, communications, ordinances, resolutions, contracts, documents, or other matters to be considered by the City Council at the regular meeting, will be delivered to members of the City Council no later than the Thursday preceding the Tuesday Council meeting to which the agenda packet pertains. The agenda packet will be made available for public inspection upon its distribution to the City Council. Any writings or documents subject to disclosure that are provided to all, or a majority of all, of the members of the City Council regarding any item on this agenda after the agenda has been distributed will also be made available for public inspection at City Hall during normal business hours.

J. Action Minutes

Minutes of Council meetings will be action minutes. Action minutes will include final motions with votes. The minutes will also reflect the names of public speakers. Council and staff discussion and comments will not be included in the minutes. The City Clerk will have exclusive responsibility for preparation of the minutes and directions for corrections to the minutes will be made only by majority action of the City Council.

1. Written Comments for the Record
   Written comments by a Council member may be read "for the record" and submitted to the City Clerk to be placed on file with archives of agenda items and, if requested, attached to the original set of minutes.

2. Reading of the Minutes
   Unless the reading of the minutes of a Council meeting is ordered by a majority vote of the Council, the minutes may be approved without reading if the City Clerk has previously furnished each Council member with a copy.

3. Approval of Minutes
   Minutes of meetings are generally submitted to the Council within two weeks for approval. Any Council member who was absent from the prior meeting

may participate and vote on the approval of the minutes and need not abstain on the approval of the minutes for that meeting.

4. Recordings of Meetings
   Digital recordings of proceedings are maintained by the City Clerk for a period of at least two years.

II. ORDER OF BUSINESS

A. General Order

The business of the Council at its meetings will generally be conducted in accordance with the order of business as listed on the agenda. The Mayor may, with the concurrence of a majority of the Council members present, reorder items on the agenda to accommodate the public or to address other concerns. A closed session may be held at any time during a meeting consistent with applicable law.

B. Action Agenda Items

In accordance with the Ralph M. Brown Act, the Council may not take action on any item that did not appear on the posted Council agenda 72 hours prior to the Council meeting unless an exception is made as permitted under Government Code section 54954.2.

C. Presentations/Proclamations

All presentations will be calendared through the City Clerk in coordination with the Mayor and will be limited to a time period not to exceed 15 minutes for all presentations at each Council meeting, unless Council concurs to extend the time.

D. Consent Calendar

Agenda items removed from the consent calendar by Council members or staff will be considered at the beginning of the report items section of the agenda. Members of the public may comment on consent items prior to the Council's consideration of the consent agenda. A Council member may vote "no" on any consent item without comment or discussion. Any abstentions, comments, questions or discussion on an item will require the pulling of the item from the consent calendar.

E. Communications

Correspondence received in the City Clerk's Office or other City offices after distribution of the Council agenda and agenda packet shall not be placed on the agenda unless it concerns a matter to be considered by the Council at the next regular meeting or is determined by the Mayor or the City Manager to be an urgent matter that should be brought to the immediate attention of the Council. Correspondence need not be read aloud at a Council meeting unless requested by a majority vote of the Council.

F. Matters from/for Council

Any member of the City Council may place an Item on "Matters from/for Council" before the City Council meeting by providing the City Manager with the title of the item before the agenda is published. The purpose of the City Council discussion on such item will be to determine whether it will be placed on a subsequent agenda for deliberation and action. A concurrence of two Council members will be sufficient to add the item on a subsequent agenda. A Council member may not add an item under "Matters from/for Council" at the City Council meeting in accordance with the Brown Act (Government Code section 54954.2(a)), except for informational reports on the activities of the City Council member or on an event of community interest.

G. Council Committee and Other Reports

This time is set aside to allow members of the Council serving on Council subcommittees and regional boards, commissions or committees to present a verbal report to the full Council on the activities of the respective boards, commissions or committees upon which they serve. No action may be taken.

H. Travel Expenditures Quarterly Report

A quarterly report of funds expended for each Council member traveling for City business will be provided to the Council on the consent agenda of a regular meeting. The report will generally be provided to the Council within 30 days of the end of each quarter.

I. Standard Adjournment

The Council will not hear any new agenda items past 10:00 p.m. without a majority vote of the Council. A determination should be made by Council that any new item(s) can be discussed, deliberated and action taken before 11:00 p.m. If agenda items remain after the 10:00 p.m. adjournment, a special meeting may be scheduled or the items may be deferred until the next meeting. Deferred items will appear first under Report Items of the next agenda.

III. RULES OF CONDUCT

A. Roberts' Rules

Except as provided herein, other rules adopted by the City Council and applicable provisions of state law, the procedures of the City Council will be governed by the latest revised edition of *Roberts' Rules of Order*.

B. Powers and Duties of Presiding Officer of City Council

1. Participation
   The presiding officer may move, second, debate and vote from the chair.

2. Seating Arrangement for City Council
The presiding officer will, following each Council election of officers and at such other time as the presiding officer deems it necessary, establish the seating arrangement of the members of the Council. The Vice Mayor will always be seated immediately next to the Mayor.

3. Question to Be Stated
The presiding officer or such member of the city staff as he/she may designate will verbally restate each question immediately prior to calling for the vote. The presiding officer in his/her discretion may publicly explain the effect of a vote for the audience, or he/she may direct a member of the city staff to do so before proceeding to the next item of business.

4. Signing of Documents
The presiding officer will sign all ordinances, resolutions, contracts, and other documents necessitating his/her signature, which were adopted in his/her presence, unless he/she is unavailable in which case the signature of an alternate presiding officer may be used.

5. Sworn Testimony and Subpoenas
Pursuant to California Government Code section 40603 the presiding officer will have the power to administer oaths and affirmations, take affidavits and certify them under his/her hand. In addition and pursuant to Government Code section 37104, the City Council may issue subpoenas to require attendance of witnesses or production of books or other documents for evidence or testimony in any action or proceeding pending before the Council. The form of oaths administered by the presiding officer will be substantially in the following form:
Name of affiant.
"I hereby declare or affirm under penalty of perjury that the testimony I am about to give before the City Council is the truth."

C. Rules of Decorum

1. Council Members
While the Council is in session, Council members will preserve order and decorum, and a member will neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Council nor disturb a member while speaking or refuse to obey the orders of the presiding officer.

2. Use of Electronic Devices
While the Council is in session, Council members shall give their sole attention to the proceedings and shall refrain from using electronic devices such as computers, cell phones, pagers, PDAs and other electronic devices for the purpose of sending or receiving external communication. Council

members are permitted to use laptop computers to access electronic agenda packets while in session.

3. Staff
   Members of the City staff and employees will observe the same rules of order and decorum applicable to the City Council.

4. Conduct of Speakers
   No person shall use loud, profane, threatening, or personally abusive language, or engage in any other disorderly conduct so as to disrupt, disturb or otherwise impede the orderly conduct of any Council meeting. Persons who violate this rule may be barred from attendance for the remainder of the Council meeting, provided that the Mayor has notified the person to conduct himself/herself in a manner consistent with this rule, and warned the person that he/she will be removed if he/she continues to disrupt the Council meeting. If after notification and warning the person persists in disrupting the meeting, the Mayor shall order the person to leave the Council meeting. If the person does not remove himself/herself, the Mayor may request any law enforcement officer who is on duty at the meeting to remove that person from the Council Chamber.

D. Rules of Debate

1. Getting the Floor
   Every Council member desiring to speak will first address the presiding officer, gain recognition by the presiding officer, and will confine himself/herself to the question under debate, avoiding personalities and indecorous language.

2. Questions to Staff
   Every Council member desiring to question the City staff will, after recognition by the presiding officer, address his/her questions to the City Manager, the City Attorney, or the City Clerk, who will either answer the inquiry or designate a member of his/her staff for that purpose.

3. Interruptions
   A Council member, once recognized, will not be interrupted when speaking unless called to order by the presiding officer, unless a point of order or personal privilege is raised by another Council member or unless the speaker chooses to yield to a question by another Council member. If a Council member, while speaking, is called to order, he/she will cease speaking until the question of order is determined and, if determined to be in order, he/she may proceed. Members of the City staff after recognition by the presiding officer will hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

4. Points of Order
   The presiding officer will determine all points of order subject to the right of any Council member to appeal to the Council. If an appeal is taken, the question will be, "Will the decision of the presiding officer be sustained?" A majority vote conclusively determines the question of order.

5. Point of Personal Privilege
   The right of a Council member to address the Council on a question of personal privilege is limited to cases in which his/her integrity, character or motives are questioned or where the welfare of the Council is concerned. A Council member raising a point of personal privilege may interrupt another Council member who has the floor only if the presiding officer recognizes the privilege.

6. Limitation of Debate
   No Council member will be allowed to speak more than once upon a particular subject until every other Council member desiring to do so has spoken.

E. Motions – Second Required

A motion by a member of the Council, including the presiding officer, may not be discussed or acted on without receiving a second.

F. Preparation of Ordinances – Approval

1. The City Attorney will prepare or approve all ordinances. No ordinance will be prepared for presentation to the Council unless ordered by a majority vote of the Council or requested by the Mayor or City Manager or prepared by the City Attorney on his/her own initiative.

2. All ordinances, resolutions and contract documents will, before presentation to the Council, be approved as to form and legality by the City Attorney and examined and approved for administration by the City Manager or his representative.

G. Reading of Ordinances and Resolutions

Motions offering ordinances or resolutions are deemed to include waiver of full reading and title of the ordinance or resolution unless otherwise specifically stated. If a Council member so requests the ordinance or resolution will be read in full. Ordinances that have been introduced by unanimous vote of the Council may be placed on the consent calendar and adopted by a roll call vote for consent calendar approval.

H. Required Votes

Three affirmative votes are required for (1) ordinances, (2) resolutions granting franchises, or (3) resolutions and motions for payment of money.

I. Voting Procedure

A vote of the Council, including a roll call vote, may be registered by the members by answering "Yes" or "Aye" for an affirmative vote or "No" or "Nay" for a negative vote upon his/her name being called by the City Clerk.

J. Disqualification for Conflict of Interest

Any Council member who is disqualified from voting on a particular matter by reason of a conflict of interest will publicly state or have the presiding officer state the nature of the disqualification in open meeting. Where no clear disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Council member affected, be decided by the other Council members. A Council member who is disqualified by reason of a conflict of interest in any matter may not remain in his/her seat during the debate and vote on the matter, but will request and be given the permission of the presiding officer to step down from the dais and leave the Chamber during discussion and action on the matter. A Council member stating disqualification will not be counted as a part of a quorum and will be considered absent for the purpose of determining the outcome of a vote on the matter.

K. Failure to Vote

Every Council member should vote unless disqualified by reason of a conflict of interest. A Council member who abstains from voting in effect consents that a majority of the quorum may decide the question voted upon.

L. Tie Vote

Tie votes will be lost motions and may be reconsidered at a subsequent meeting upon a motion passed by the Council to reconsider the item at a subsequent meeting.

M. Changing Vote

A member may change his/her vote only if he/she makes a timely request to do so immediately following the announcement of the vote by the presiding officer and prior to the time that the next item in the order of business is taken up. A Council member who publicly announces that he/she is abstaining from voting on a particular matter may not subsequently withdraw his/her abstention.

N. Reconsideration

A motion to reconsider action taken by the Council may be made only on the day the action was taken. It may be made either immediately during the same session or at a recessed or adjourned session. The motion may be made only by one of the Council members who voted with the prevailing side. This does not prevent a Council member from making or remaking the same or any other motion at a subsequent meeting of the Council.

O. Serial Meetings

Serial meetings are meetings that at any one time involve only a portion of a legislative body, but eventually involve a quorum. Serial meetings yield a process which deprives the public the opportunity for a meaningful contribution to the decision-making process. Serial meetings may be a chain, in which member A contacts member B, B then contacts C, C contacts D and so on, until a quorum is involved. An elected official has the right to confer with a colleague about public business. But if and when a "collective concurrence as to action to be taken" is reached, the Brown Act is violated. Council members are encouraged to consider the possibility of serial meetings when engaging in discussion with their colleagues on a matter within the subject jurisdiction of the City.

P. Teleconferencing

Any Council member who participates by teleconference will take all necessary steps to comply with the provisions of the Brown Act related to teleconferencing.

IV. PUBLIC HEARINGS

A. General Procedure

The Council procedure for the conduct of public hearings is generally as follows:

1. Staff presents its report.
2. Council members may ask questions of staff if they so desire.
3. The Mayor opens the public hearing.
4. The applicant or appellant then has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called up first to provide comments or testimony.
5. Members of the public are provided with the opportunity to present their comments, testimony or argument.
6. The applicant or appellant is given an opportunity for rebuttal or concluding comments. In the case of an appeal when the appellant is different from the applicant, the appellant is given the opportunity for closing comments.
7. The public hearing is closed.
8. The Council deliberates on the issue.
9. If the Council raises new issues through deliberation and seeks to take additional public testimony (questions of the public, applicant or appellant), the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.
10. The Council deliberates and takes action.
11. The Mayor announces the final decision of the Council.

B. Time for Consideration

Matters noticed to be heard by the Council will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and will

continue until the matter has been completed or until other disposition of the matter has been made.

C. Continuance of Hearings

Any hearing being held or noticed or ordered to be held by the Council at any meeting of the Council may, by order or notice or continuance, be continued or re-continued to any subsequent meeting.

D. Public Discussion at Hearings

When a matter for public hearing comes before the Council, the Mayor will open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor will inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence respecting the matter.

1. Public Member Request to Speak
   Persons wishing to speak or present evidence during Public Hearings should submit a speaker card to the City Clerk in a timely fashion. Speakers will be called by the Mayor in the order by which they submit speaker cards. When called upon, the person should come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented. A member of the public may only address the Council upon recognition by the Mayor.

2. Council Questions of Speakers
   Members of the Council who wish to ask questions of the speakers or each other during the public hearing portion may do so but only after first being recognized by the Mayor. Interaction with the speaker will be limited to a question or questions, rather than an ongoing dialogue. Council members should avoid raising questions as a method to extend the allocated time for a speaker.

3. Due Process
   The Mayor will conduct the meeting in such a manner as to afford due process.

4. Public Oral Presentations
   All Council rules pertaining to oral presentation by members of the public apply during public hearings.

5. Materials for Public Record
   All persons interested in the matter being heard by the Council will be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the City Clerk as part of the Clerk's record of the hearing, unless otherwise directed.

6. Germane Comments
   No person will be permitted during the hearing to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance will be made by the Mayor, but may be appealed to the full Council.

E. Communications and Petitions

Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Mayor. A reading in full will take place if requested by any member of the Council.

F. Admissible Evidence

Hearings need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs.

V. ADDRESSING THE CITY COUNCIL

A. Staff Presentations

Staff presentations will be limited to 10 minutes. Longer staff presentations must be approved by the City Manager prior to the Council Meeting.

B. Public Comments

In compliance with Government Code Section 54954.3, Public Comments is that portion of City Council meetings set aside for members of the public to address the City Council on items within the subject matter jurisdiction of the City of Rohnert Park that are not otherwise scheduled as a regular agenda item on the City Council agenda. Any person wishing to address the City Council on an item that is scheduled on the City Council agenda will be encouraged to make comments during the discussion of that agenda item.

1. Timing
   Public Comments are scheduled at the beginning of each Council meeting just prior to the Consent Calendar and at the end of each Council meeting just prior to adjournment, as specified on the City Council agenda. The first Public Comments period is limited to no more than thirty (30) minutes total for all speakers, with each speaker given no more than three (3) minutes. If there are more than ten (10) Public Comments speakers, the presiding officerwill be authorized to establish a different time limit for public comments and/or defer speakers to the Public Comments period just prior to adjournment in order to allow equal access for all those wishing to address the City Council.

2. Speaker Cards
   Persons wishing to speak during Public Comments should submit a speaker card to the City Clerk in a timely fashion. Speakers will be called by the Mayor in the order by which they submit speaker cards. When called upon, the person should come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented.

3. City Business
   Presentations under Public Comments are limited to items within the subject matter jurisdiction of the City and are limited to no more than three minutes.

4. Council Deliberations Prohibited
   In compliance with the Brown Act, the Council may not deliberate or vote on any matter raised during Public Comments. The Mayor, however, may request the City Manager to provide additional information on a matter of general interest to the full Council or the public at large.

5. Council Interaction with Public
   Questions during Public Comments, if any, should be directed to the Mayor who will determine whether, or in what manner, an answer will be provided If a Council member believes that a material misstatement of fact has been made by a person during Public Comments, the Council member may ask the City Manager or City Attorney to correct or otherwise clarify the matter or the Council member may provide a direct response at that time. If an immediate response is not possible, correction or clarification will be provided at the next regular meeting of the Council.

C. Agenda Item Oral Presentations

Any member of the public wishing to address the Council orally on City business matters appearing on the Council agenda may do so when that item is taken up by the Council, or as otherwise specified by the Mayor.

1. Time Limit
   Oral presentations may not exceed three minutes unless otherwise provided.

2. Project Applicant or Appellant
   The project applicant, appellant or other person or entity with a substantial direct property interest, or his/her representative will have a total of 15 minutes for his/her presentations. The initial comments or presentation will be limited to 10 minutes and the rebuttal or concluding comments will be limited to 5 minutes.

   All other persons wishing to speak on the matter will be limited to three minutes unless changed by City Council action. Speaker time limits are

inclusive of oral and visual presentations and will constitute the cumulative three-minute time limit for each speaker for the meeting. The Mayor, with the concurrence of the City Council, may alter any of the enumerated time allocations based on the complexity of the item and the number of persons wishing to speak on the item.

3. Presentation Submitted in Writing
   Persons who anticipate oral presentations exceeding five minutes are encouraged to submit comments in writing at the earliest possible time for distribution to the Council and other interested parties. Comments should be submitted sufficiently in advance of the scheduled meeting date to insure distribution to the Council prior to the meeting.

D. Power Point Presentations

Members of the public may present a PowerPoint software presentation to the Council utilizing the City's audio/visual equipment.

1. All PowerPoint presentations must comply with applicable time limits for oral presentations and cumulative time limits. Presentations should be planned with flexibility to adjust to any changes in these time limits.

2. Each slide of the PowerPoint presentation must identify that this is the "Personal Comments of Private Citizen [first and last name]."

3. All Power Point presentations must be contained on a CD or flash drive already formatted in PowerPoint and submitted to the City Clerk no later than noon on the day of the Council meeting to allow for computer virus checks, compatibility with City equipment, and making photocopied handouts of the presentation.

4. Any electronic media submitted that is thought to contain computer viruses or is unable to be scanned for computer viruses by City equipment will not be permitted to be used.

5. If compatibility or computer viruses are at issue, a member of the public may provide a printed hard copy of the PowerPoint presentation to be scanned and projected onto the screen via the visual projector during their presentation.

E. Comments in Writing Encouraged

Members of the public may submit, and are encouraged to submit, comments in writing to the City Council relating to any items of City business, whether on the City Council agenda or otherwise. Such written comments will be distributed to members of the Council and considered and acted upon, or not acted upon, as the City Council in its judgment may deem appropriate.

F. Comment Cards

Speaker cards may also be used as comment cards by members of the public who do not wish to or cannot verbally address the Council during a meeting. A person may indicate his/her comments and opposition or support for an agenda item on a speaker/comment card. During the public testimony of the item, the Mayor will indicate that the Council has received comment cards from (name of person) in support of the project or issue and comment cards from (name of person) in opposition of the project or issue. The minutes will reflect the Council's receipt of comment cards in opposition and support of the project or issue.

G. Repetitious or Dilatory Comments Prohibited

1. A speaker will not present the same or substantially same items or arguments to the Council repeatedly or be repetitious or dilatory in presenting their oral comments. If a matter has been presented orally before the Council, whether the Council has taken action, or determined to take no action, the same or substantially same matter may not be presented orally by the same person any further. Nothing in the foregoing precludes submission of comments to the City Council in writing for such action or non-action as the Council, in its discretion, may deem appropriate.

2. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged. Whenever any group of persons wishes to address the Council on the same subject matter, those persons are encouraged to designate a spokesperson to address the City Council. With the consent of the City Council, the Mayor may extend the time allocation for a designated spokesperson.

H. Waiver of Rules

Any of the foregoing rules may be waived by majority vote of the Council members present when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.

I. Non Exclusive Rules

The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the Council, or of its presiding officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time or in particular circumstances for purposes of orderly and effective conduct of the affairs of the City.

VI. POLICY DECISION-MAKING PROCESSES

A. Mayor to Act as Council Ceremonial Representative

The Mayor has been delegated the responsibility to act as the City Council's ceremonial representative at public events and functions. In the Mayor's absence, the Vice Mayor assumes this responsibility. In both the Mayor and Vice Mayor's absence, the Mayor will appoint another Council member to assume this responsibility.

B. Honoring Residents and Other Worthy Persons

It is the policy of the City Council to honor citizens who have contributed to the improvement or to the welfare of the City. Recommendations may be made by citizens to an appropriate commission, board, or committee or directly to the City Council. The Council may request the advice of a commission, board or committee to determine merit or, if desirable, to hold a public hearing prior to a formal dedication. Recognition may also be given to individuals for their personal achievement or for enhancing the image of the City. The accolades could include awards, certificates, resolutions or proclamations. In addition, perpetual plaques or awards can be bestowed on individuals. If any commissioner, board member, committee member, Council member, or citizen requests an accolade, the following procedure should be followed:

1. Incoming requests for a proclamation or resolution to be presented at an event or Council Meeting are provided to the Mayor for approval. All requests are provided in writing two weeks prior to event/Council Meeting date and should include a draft proclamation or resolution. Once the Mayor approves the request, the proclamation or resolution is either scheduled at an upcoming Council meeting, presented at an event or is picked up/mailed. In the event that the Mayor is unable to attend an event, the Vice Mayor or a Council member will attend on behalf of the Council.

2. If a request for a proclamation or resolution is submitted with little verbiage, the requestor is contacted and advised that a certificate of recognition is more appropriate for the occasion.

3. If a request for a proclamation or resolution is submitted where the subject matter is questionable as to its appropriateness, the Mayor will forward the request to the full Council for a vote.

4. If a request for a perpetual plaque or award is submitted, the request will be directed to the appropriate commission, board or committee for consideration and recommendation to the Council.

5. If a request for dedication of a municipal building, room, or facility, is submitted, the request will be directed to the appropriate commission, board or committee for public hearing. If after the public hearing the commission, board or committee recommends dedication to the Council, the Council will hold a public hearing prior to taking action on the dedication request.

C. Council Member Participation in Community Activities

From time to time, Council members may choose to participate in community activities, committees, events, and task forces. When a Council member participates in these types of activities, the Council member is acting as an interested party rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the Council has formally designated the Council member as its representative for the matter.

D. Council Member Appointments and Assignments

The Mayor appoints and the City Council confirms Council member assignments to outside agencies, committees, taskforces and liaison roles.

1. Unless acting in a Council appointed liaison capacity, individual Council members should refrain from attending meetings organized or chaired by City staff which are not open to the public.

E. Study/Work Session

The Council may meet in a study/work session at such times or at such places as may be determined by the Council for the purpose of hearing reports from the staff and reviewing, discussing and debating matters of interest to the City. These sessions will be noticed as provided by law and open to the public and the press. No official action may be taken at a study session. However, Council may refer the item to staff with specific requests for information or provide specific direction to staff. During study/work sessions, Council members may ask questions of staff. For those questions that staff cannot immediately answer, responses will be provided for the Council in writing or at a future Council meeting.

VII. COUNCIL COMMITTEES

A. Purpose

The City Council from time to time forms committees. These committees are formed to study, investigate, and make recommendations to the full Council regarding specific topics. In some instances there are standing committees and in other instances there are ad hoc committees. In order for the committees to serve effectively, it is necessary to establish certain policies for the conduct of City business by committees.

B. Appointment

Council committees and subcommittees will be appointed by the Mayor. Committee members will be promptly notified of their selection and the scope of the committee assignment. The Mayor will designate the term of the committee and identify whether it is a standing appointment (on-going) or a short-term (ad hoc) assignment.

C. Conflict of Interest

Should an appointee to a committee or subcommittee discover a conflict of interest with their appointment to the committee, that discovery will be communicated to the Mayor immediately.

D. Committee Meetings

Council committee meetings will be scheduled at times which allow for each member to attend. Each member should make an effort to accommodate the committee meeting schedule. The schedule of committee meetings will be promptly communicated to each committee member. Individual committee members will not meet with other citizens or organizations during a fact finding process or other reason associated with the scope of the committee's purpose without the knowledge of all committee members.

E. Communications

Committee members are obligated to keep all members well informed, and will not purposely harbor or keep relevant information from other members.

F. Committee Materials

Meeting agendas will be compiled by staff with input from each committee member. Committee materials will be provided to each committee member. These materials will be distributed to each committee member at the same time. Special arrangements may be made with committee members who are out of town when materials are distributed.

G. Committee Recommendations

Generally, committee members should reach agreement on findings and recommendations to present to the City Council. When the opinions of committee members are divergent, each member may submit his/her findings and recommendations separately to the City Council. Although written minutes of each committee meeting are not required, committee findings and recommendations should be presented to the City Council in a written document.

H. Staffing

Council members assigned to committees will observe the City Council Protocols regarding staff assignment of duties. Only the City Manager will assign staff to

committees for the purposes of administrative services, to attend committee meetings, and to assist with committee presentations to the City Council.

VIII. COUNCIL MEMBER ADMINISTRATIVE SUPPORT

A. Council Mail

When incoming mail is received addressed to a Council member, it is opened by the Secretary to the City Manager. Mail marked "personal" or "confidential" will be provided to the Council member unopened. If the correspondence relates to an item on a forthcoming City Council meeting agenda, it is provided to the City Clerk for inclusion in the Council packet for that business item and copied to the City Manager and appropriate Department Head and staff members. If it relates to a City matter not on a forthcoming agenda, it is routed by the City Manager to the appropriate Department Head, and the Department Head will draft a response for the Mayor's signature, with copies to Council members and staff.

All correspondence, including E-mail, addressed to the City Council or to individual Council members relating to the conduct of the City's business is a public record as defined in Government Code section 6252 and will be retained by the City in accordance with its retention schedule.

B. Council Correspondence

All Council member correspondence written with City resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full Council, not an individual Council member's position. All Council member correspondence using City resources will be copied to the full Council. For example, responses to citizen letters will be copied to the full Council along with the original citizen correspondence.

1. <u>Personal Correspondence</u>
   Upon request, City Council members will be provided individual stationery and envelopes for use in communications reflecting their personal positions, not the position of the full Council. These communications will be prepared and sent at the expense of individual Council members. Council members may utilize the City's outgoing mail service; however, postage will be at the Council member's expense.

C. Correspondence Responding to Proposed State or Federal Legislation

In responding to correspondence from the City to State or Federal government representatives regarding proposed State or Federal legislation, the following process will be followed:

1. On longer-term policy issues as time permits:

a. The proposed legislation, along with a draft letter for the Mayor's signature, will be placed on an upcoming City Council agenda for consideration by the full Council.

b. After Council concurrence, staff will send the letter to the appropriate State or Federal representatives.

c. At a City Council meeting, a City Council member may suggest that the City take a position on a proposed State or Federal legislative matter and, with Council concurrence, the letter will be prepared and sent.

2. On matters of urgency, when there is insufficient time for the above process:

a. If the proposed legislation is considered extremely beneficial or extremely detrimental to the City's interests, and after consultation between the Mayor and City Manager, a letter may be prepared immediately for the Mayor's signature, with copies being provided to the whole Council.

b. This procedure is particularly appropriate if the City's position is similar or identical to a past City position on this matter and/or is consistent with the position taken by the League of California Cities.

D. Clerical Support

The City Manager's Office will coordinate the typing of correspondence requested by individual Council members. All correspondence typed for Council members will be on City letterhead and will reflect the position of the full Council, not individual Council members, and will be copied to the full Council.

E. Master Calendar

A master calendar of Council events, functions or meetings will be provided to the full Council. Functions, events or meetings to be attended by individual Council members will only be included on the master calendar at the request of individual Council members.

F. Requests for Research or Information

Council members may request information or research from staff on a given topic directly when it is anticipated that the request can be completed by staff in less than an hour. Council member requests for research or information that are anticipated to take staff more than one hour to complete should be directed to the City Manager. Requests for new information or policy direction will be brought to the full Council at a regular meeting for consideration. All written products will be copied to the full Council.

G. Council Notification of Significant Incidents

To ensure the City Council is aware of significant public safety incidents, the following incidents will be briefed to the City Council by the City Manager or the Director of Public Safety:

1. Major injury or death of a City employee, an employee's immediate family member, or a prisoner in custody by the Department of Public Safety
2. Officer-involved shooting
3. Traffic collision involving a City vehicle resulting in a serious injury requiring hospitalization
4. Hostage or barricaded subject
5. Riot or other major disturbance (e.g., violent protest)
6. City participation in disaster response to other jurisdictions (e.g., strike teams sent to the San Diego fires)
7. Homicide or any unusual event leading to death
8. Major fire resulting in the loss of a structure
9. Assault where the victim may expire
10. Robbery with serious injury
11. Major sex crime with bodily injury
12. Kidnapping
13. A substantial school-related incident
14. Felony arrest of any City employee, or political figure
15. Any event resulting in substantial media coverage (e.g., discovery of improperly stored bodies by funeral home)
16. Any Public Safety event involving an elected official, City Manager, department head that comes to the attention of the Department of Public Safety
17. Activation of the City's Emergency Operations Center

Requirements in existing law (e.g., juvenile information, notification of immediate family members) or the need to protect crime victims may restrict the ability to provide information. This policy is not intended to circumvent legal limits to law enforcement restricted information. In cases where incidents not requiring Council action occur during the hours of 9:00 p.m. through 8:00 a.m., Council members will be contacted the next morning or shortly thereafter.

H. Expense Reimbursement

A written policy for the reimbursement of Council member expenses will be established by resolution of the City Council pursuant to Government Code section 53232, et seq.

IX. USE OF CITY COUNCIL CHAMBER

A. The primary purpose of the City Council Chamber, a portion of Rohnert Park City Hall, is for the use of the City Council, Planning Commission, other City Council advisory bodies, and other groups and committees of the City and such other intergovernmental or citizens groups as the City may convene.

B. A calendar of use shall be maintained by the City Clerk's office, and all requests for use should be regularly calendared or scheduled through that office.

C. The City Council Chamber shall not be used for political or commercial purpose except as outlined in the following point:

D. The City shall allow the use of the Council Chamber for the conduct of candidate forums for election, whether for city, county, state, or national office under the following circumstances:
   1. When the candidates' forum is sponsored by a 501(c)3 non-profit agency, a legitimate non-partisan group, or a governmental agency.
   2. When all candidates for that public office have been invited to participate, and a majority of the candidates have indicated that they will do so.
   3. When the event is chaired and moderated in an impartial and objective way which is fair to all candidates.

E. Use of City-owned and operated television and broadcasting capability shall be limited to broadcast of City Council, Planning Commission , and other City advisory body meetings, for use every two years by the League of Women Voters for a Council Candidate Forum, and for City-related emergency or informational purposes as authorized by the City Manager. Use of the video broadcasting system by an outside agency is not allowed except with the permission of the City Council at least two weeks prior to the event. If such use is granted it is subject to appropriate personnel – equipment – overhead charges as established by the City Manager.

F. Approval for use of City Council Chamber for uses other than the above would have to be approved by the City Council at least two weeks prior to the event.

X. CITY BOARDS, COMMISSIONS, AND COMMITTEES

A. Appointments to City Boards, Commissions, and Committees

The following procedures will be used in considering appointments by the City Council to the various City boards, commissions, and committees which extend for a term in excess of six (6) months:

1. All persons interested in being considered for service on a City board, commission, committee or group must have on file with the City an application indicating an interest in serving (fact sheet).

2. For each separate appointment, individual Council members will be allowed, on a rotation basis, to nominate persons for the opening being considered.

3. Each person nominated for a position on a board, commission, committee or group must receive a majority vote of the City Council in order to be appointed.

4. Whenever an appointed member of a board, commission, committee or group vacates his or her term of office, for whatever reason, then the Council member who nominated said person shall be entitled to nominate a successor to complete the term.

5. The City Council may establish a committee or other group with appointments "at large" by the whole Council and not follow the nomination rules as outlined in these Protocols. This procedure would be used for committees or groups the City Council deems appropriate.

6. For boards, commissions, committees or groups with memberships divisible by five (5), each Council member shall be entitled to nominate one member for appointment. All other nominees for appointment in excess of the number divisible by five (5) shall be selected by the whole Council on an at-large basis. Any nomination made by a Council member must be approved by a majority of the Council.

7. Whenever deemed appropriate and necessary by the Council. Rotation order for making nominations will be determined by lot unless the Council agrees otherwise, provided however, that for boards, commissions, committees or groups whose term is to extend over several years, those appointments selected by individual councilpersons shall have a term of office of four or less years which corresponds to the term of office of the councilperson appointing the person.

8. The City Clerk shall keep a record of the appointments and the Council members' rotation order. The rotation order shall stay intact for future appointments until amended or rescinded.

9. Whenever a membership vacancy occurs on a City board, commission, committee, or group, the City Clerk shall post a notice of the vacancy notifying the public of the vacancy to be filled, that applications will be considered and the date that the applications will be considered to fill the

vacancy.

B. Policy for Service on City Boards, Commissions, and Committees

1. Attendance

   Members of boards, commissions, and committees are expected to attend meetings on a regular and consistent basis. An automatic vacancy shall occur on a board, commission, or committee if a board member commissioner, or committee member is absent from three consecutive regular meetings without cause. Cause means "illness or other unavoidable circumstance of which the chair of the board, commission or committee is notified prior to the meeting." The chair of the commission or committee shall notify the City Manager promptly of all absences that are excused for cause.

2. Removal

   Each member of a board, commission, committee and other group created and appointed by the City Council serves at the pleasure of the City Council. Any member of the City Council may bring forward a proposal to remove a board, commission, or committee member when behavior, viewpoint, or commitment to the City of Rohnert Park no longer reflect the views and attitudes of the City Council. Three affirmative votes of the City Council are required to remove a member of a board, commission, or committee.

3. Role

   Boards, commissions and committees established by the City Council are advisory to the City Council. The role of all such boards, commissions, and committees is to make recommendations to the City Council on matters affecting the City of Rohnert Park. Except as otherwise provided in state or local law, commissions and committees have no independent role separate and apart from their role as advisory to the City Council. ~~Boards,~~ commissions, and committees have no authority to appropriate funds except as otherwise approved by the City Council.

4. Conflict of Interest

   All members of boards, commissions, and committees shall abide by the provisions of the Political Reform Act of the State of California and provisions of the common law relating to conflicts of interest.

XI. COUNCIL VACANCY

Whenever a vacancy occurs in the office of City Council member, the City Council will fill the vacancy by appointment or special election in accordance with the procedures set forth in Government Code section 36512.

XII. FAILURE TO OBSERVE COUNCIL PROTOCOLS

These protocols are adopted to expedite the transaction of the business of the Council in an orderly fashion and are procedural only and the failure to strictly observe such rules does not affect the jurisdiction of the Council or invalidate action taken at a meeting that is otherwise held in conformity with law.