

City Council P R O T O C O L S



City of Rohnert Park • 2023

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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 (Resolution 2019-13).

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. 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. Study/Work Sessions are less formal and for the purpose of hearing reports from the staff, receiving public comment, 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, Councilmembers 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.

E. 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. Councilmembers 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.

F. Cancellation of Regular Meetings

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

G. Quorum

A majority of the Council will constitute a quorum, but a lesser number may adjourn a meeting. If all Councilmembers are absent the clerk may declare the meeting adjourned to a stated time and place and shall post a notice of adjournment within 24 hours.

H. 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 three (3) affirmative votes 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.

I. 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.).

J. Agenda Packets

The City Council agenda packet, including all reports, communications, ordinances, resolutions, signed contracts/amendments, documents, powerpoint presentations, 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 Friday preceding the Tuesday Council meeting to which the agenda packet pertains..

The agenda packet will be made available for public inspection at the same time is distributed to the City Council.

Any writings or documents subject to disclosure relating to an agenda item that are provided to all, or a majority of all, of the members of the City Council will also be made available for public inspection on the City's Website and at City Hall during normal business hours. City staff shall ensure all materials that are delivered to Councilmembers in compliance with Government Code section 54957.5, which requires materials relating to a regular meeting agenda to be distributed at a time that they can be made available for public inspection.

K. Action Minutes

Minutes of Council meetings will be action minutes. Action minutes will include final motions and will note for the record how each Councilmember voted. 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 vote of the City Council.

1. Written Comments for the Record

Written comments by a Councilmember 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 Councilmember with a copy.

3. Approval of Minutes

Minutes of meetings are generally submitted to the Council within two weeks for approval.

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 a majority vote of the Council, 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. Presentations/Proclamations

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

Proclamations must be requested in writing two (2) weeks prior to event/Council meeting date and as set forth in section VI.B.1.

In order to expedite matters and to avoid repetitious comments, the Mayor or their designee shall present the proclamation and speak on behalf of the entire Council. Whenever any group is receiving a proclamation, they are encouraged to designate a spokesperson to address the City Council.

C. Consent Calendar

The Consent Calendar items are routine matters or non-controversial issues. All items on the Consent Calendar will be considered together by one action unless any Councilmember or anyone else interested in a consent calendar item requests that the item be pulled from the Consent Calendar.

Members of the public may comment on consent items prior to the Council's consideration of the consent agenda. Agenda items pulled from the Consent Calendar by Councilmembers, members of the public, or staff will be considered at the beginning of the Action Items section of the agenda. A Councilmember may vote "no" or "abstain" on any consent item without comment or discussion.

D. 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 consistent with the Ralph M. Brown Act (Government Code sections 54950, et seq.).

E. Council Committee and Other Reports

This time is set aside to allow members of the Council serving on Council

committees and regional boards, commissions or committees to present a verbal report to the full Council on activities of the respective commissions, committees or boards upon which they serve. The agenda may list any Council standing committees, liaison assignments, and outside agency or board appointments, including but not limited to, the Mayors' & Councilmembers' Association, City Selection Committee, and similar bodies, where a position is held by a councilmember or designee. No action may be taken by the Council on these reports unless an exception is made as permitted consistent with the Ralph M. Brown Act (Government Code sections 54950, et seq.).

As set forth in section VI.E.2., Councilmembers shall provide brief reports on meetings attended at the expense of the City.

F. Communications

Correspondence need not be read aloud at a Council meeting unless requested by a majority vote of the Council.

1. On an Item on the Agenda

Any person may submit written comments to the Council through the City Clerk or other City offices, and request that members of the Council receive copies of such materials in the agenda packet, provided that such materials are received in sufficient time to be included for distribution in the agenda packet. Otherwise, such materials shall be distributed prior to or at the meeting during which the subject matter will be considered.

2. On a non-Agenda Item

Councilmembers desiring to read or discuss any communication received on any matter not on the agenda or make a brief announcement may do so. No action may be taken except to place a particular item on a future agenda for Council consideration or as otherwise permitted by applicable law.

G. Adding Items to a Future Agenda

Item can be added to a future agenda by the following means:

1. Upon the Request of two City Councilmembers to the City Manager or Designee at a regular City Council meeting.
2. Upon request of the Mayor (or in their absence, the Vice-Mayor), to the City Manager.
3. The City Manager will be responsible for placement of requested items on the agenda after evaluation of all requests for, among other things, time-sensitivity, and number of items already agendized.

H. Standard Adjournment

The City Council will not hear any new agenda items past 11:00 p.m. without a majority vote of the City Council. If agenda items remain after 11:00 p.m., City Council may extend the meeting with a majority vote, a special meeting may be scheduled, or the items may be deferred until the next meeting.

III. RULES OF CONDUCT

A. Rosenberg's Rules of Order

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 *Rosenberg's Rules of Order*. Rosenberg's Rules are appended herein for reference.

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. Motion to Be Stated

The City Clerk will verbally restate each motion immediately prior to calling for the vote. The presiding officer in their discretion may publicly explain the effect of a vote for the audience, or they 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 their signature, which were adopted, unless they are unavailable in which case the signature of an alternate presiding officer may be used.

C. Rules of Decorum

1. Councilmembers

While the Council is in session, Councilmembers 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

Councilmembers are permitted to use laptop computers and other electronic devices such as iPads to access electronic agenda packets while in session.

While the Council is in session, to satisfy due process requirements, Councilmembers 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 unless an emergency or extraordinary circumstance exists.

3. Applicability to Committee, Commission, Boards, and Staff

City Committee, Commissions and Board Members, 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 themselves in a manner consistent with this rule, and warned the person that they will be removed if they continue 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 themselves, the Mayor may request, following consultation with City Attorney, that a law enforcement officer remove that person from the Council Chamber.

D. Rules of Debate

1. Getting the Floor

Every Councilmember desiring to speak will first address the presiding officer, gain recognition by the presiding officer, and will confine themselves to the question under debate, avoiding personalities and indecorous language.

2. Questions to Staff

Every Councilmember desiring to question the City staff will, after recognition by the presiding officer, address their questions to the City Manager, who will either answer the inquiry or designate a staff member for that purpose.

3. Interruptions

A Councilmember, 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 Councilmember or unless the speaker chooses to yield to a question by another Councilmember. If a Councilmember, while speaking, is called to order, they will cease speaking until the question of order is determined and, if determined to be in order, they 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 Councilmember 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 of the Council conclusively determines the question of order.

5. Point of Personal Privilege

The right of a Councilmember 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 Councilmember raising a point of personal privilege may interrupt another Councilmember who has the floor only if the presiding officer recognizes the privilege.

6. Limitation of Debate

No Councilmember will be allowed to speak more than once upon a particular subject until every other Councilmember 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 Documents – 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 City Manager or prepared by the City Attorney on their own initiative.
2. All ordinances, resolutions and contract documents will, before presentation to the Council, be approved as to form by the City Attorney and examined and approved for administration by the City Manager or their 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 Councilmember 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, (3) payment of money, (4) Commission, Committee, Board, and other appointment removals, or (5) City Council election of Mayor and Vice Mayor.

I. Voting Procedure

“Majority Vote” refers to the majority of the quorum. “Majority Vote of the Membership” refers to a majority of the total membership. A four-fifths (4/5) Vote of the Council is 4/5 of the quorum. “Super-majority Vote” refers to 4/5 of the Membership.

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. The action taken must be publicly announced, reporting the vote or abstention of each Councilmember present, as required by the Ralph M. Brown Act (Government Code Sections 54950, et seq.).

J. Disqualification for Conflict of Interest

Any Councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest under the Political Reform Act 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 Councilmember affected, be decided by the other Councilmembers.

Councilmembers shall follow applicable requirements in FPPC regulations for recusal, including leaving the room when required.

A Councilmember stating disqualification under the Political Reform Act 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 and Abstention

Every Councilmember is encouraged to vote unless disqualified by reason of a conflict of interest. A Councilmember 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 their vote only if they make a timely request to do so immediately following the announcement of the vote by the City Clerk.

A Councilmember who publicly announces that they are abstaining from voting on a particular matter may not subsequently withdraw their 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 Councilmembers who voted with the prevailing side. This does not prevent a Councilmember from making or remaking the same or any other motion at a subsequent meeting of the Council.

O. Teleconferencing

Any Councilmember who participates by teleconference will take all necessary steps to comply with the provisions of the Brown Act related to teleconferencing. All votes taken during a teleconferenced meeting must be by roll call.

P. Remote Participation for Staff, Consultants and Members of the Public

Although allowing remote participation by staff, consultants and the public is not

required when the entire Council is meeting in person, the Council may permit remote participation by staff, consultants, and members of the public. All protocols related to the conduct of the meeting regarding public comments, presentations, etc. will apply whether the attendee is present at the meeting or participating remotely. The City Manager and the City Clerk, in consultation with the City Attorney, may develop necessary procedures to allow remote participation and remote public comments. Such information will be included on the meeting agenda.

IV. PUBLIC HEARINGS

A. General Procedure

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

1. Staff presents its report.
3. Councilmembers may ask questions of staff if they so desire.
4. The Mayor opens the public hearing. See Section V.C for comment time limits.
5. The applicant then has the opportunity to present comments, testimony, or arguments. However, in the case of an appeal when the appellant is different from the applicant, the appellant should be called upon first to provide comments or testimony followed by comments by the applicant.
6. Members of the public are provided with the opportunity to present their comments, testimony or argument.
7. The applicant is given an opportunity for rebuttal or concluding comments. However, in the case of an appeal when the appellant is different from the applicant, the appellant should be called upon first to provide closing comments followed by the applicant.
8. The public hearing is closed.
9. The Council deliberates on the issue.
10. 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.
11. The Council deliberates and takes action.
12. 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 or City Clerk 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 may 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 their 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. Project Applicant or Appellant

The project applicant, appellant or other person or entity with a substantial direct property interest, or their representative will have a total of 15 minutes for their presentations. The initial comments or presentation will be limited to ten (10) minutes and the rebuttal or concluding comments will be limited to five (5) minutes.

All other persons wishing to speak on the matter will be limited to three (3) 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 majority vote of the 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. 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. Councilmembers should avoid raising questions as a method to extend the allocated time for a speaker.

4. Due Process

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

5. Public Oral Presentations

All Council rules pertaining to public comment and oral presentation by members of the public apply during public hearings.

6. 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. Where the Council is acting as an adjudicatory or fact-finding body, all documentary evidence must be submitted at least five (5) days before the applicable hearing to enable adequate

consideration of the evidence.

7. Germane Comments

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

E. 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. Presentations

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

Presentations by outside public agencies, entities, or other organizations will be limited to 5 minutes unless a request for a longer presentation is approved by the Mayor or City Manager prior to the Council Meeting. Persons who anticipate such oral presentations will exceed five (5) minutes are encouraged to submit comments in writing at the earliest possible time for distribution to the Council and other interested parties.

B. Public Comments on Non-agenda Items

In compliance with the Ralph M. Brown Act (Government Code Section 54950, et seq.), 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. Although not required by law, Public Comment may be allowed at a special meeting when set forth on the special meeting agenda.

1. Timing

Public Comments on consent and non- agenda items are scheduled at the beginning of each Regular Council meeting just prior to the Consent Calendar and at the end of each Regular 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 officer will be authorized to establish a different time limit for public comments in order to allow equal access for all those wishing to address the City Council or defer speakers to the Public Comments period just prior to adjournment.

2. Speaker Cards

Persons wishing to speak during Public Comments may 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 their name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented.

3. Council Deliberations Prohibited

In compliance with the Brown Act, the Council may not deliberate or vote on any matter raised during Public Comments. However, the Council may request further action in accordance with the Brown Act.

4. 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 Councilmember believes that a material misstatement of fact has been made by a person during Public Comments, the Councilmember may ask the City Manager or City Attorney to correct or otherwise clarify the matter or the Councilmember 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. Public Comments on Agenda Items

The Mayor 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.

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. Speakers will be limited to three (3) minutes unless altered as provided for herein, and this time limit applies to any oral and visual presentations.

D. Power Point Presentations

Members of the public, other agencies, entities, and organizations 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 presenting person, agency, or organization." All Power Point presentations must be provided to the City Clerk via email or in a flash drive that is already formatted in PowerPoint and compatible with City equipment by noon on the business day before the Council meeting to allow for computer virus checks and compatibility with City equipment.

3. 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.
4. 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 his/her 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 allowed under the Brown Act 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 their 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

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.

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. The time allocation for a designated spokesperson may be altered as provided herein.

H. Waiver of Rules

Any of the foregoing rules may be waived by majority vote of the Councilmembers 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. COMMUNITY RELATIONS AND POLICIES

A. Mayor to Act as Council Ceremonial Representative and Spokesperson

The Mayor has been delegated the responsibility to act as the City Council's ceremonial representative at public events and functions. The Mayor is also designated to serve as the City's spokesperson to provide updates and other information as it relates to the state of the City. 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 Councilmember to assume this responsibility.

B. Honoring Residents and Other Worthy Persons

It is the policy of the City Council to honor people and organizations who have contributed to the improvement or to the welfare of the City. Recommendations may be made by Councilmembers or residents to an appropriate commission, board, or committee or directly to the City Council.

Recognition may also be given to individuals for their personal achievement or for enhancing the image of the City. The accolades could include a simple "*Honorable Mention*" during the Councilmembers "Communications," awards, certificates, resolutions or proclamations. In addition, perpetual plaques or awards can be bestowed on individuals. 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.

If any commissioner, board member, committee member, Councilmember, or resident 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 shall be provided to the Mayor and City Manager for approval. All requests from any Councilmember or member of the public must be provided in writing two (2) weeks prior to event/Council meeting date and should include a draft proclamation or resolution. Content may be changed after submission at the discretion of the City Manager. Once the Mayor approves the request, the proclamation, certificate of recognition, 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 Councilmember will attend on behalf of the Council.
2. If a request for a proclamation or resolution is submitted with little verbiage, the requestor should be contacted and advised that a certificate of recognition is more appropriate for the occasion.
3. 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.
4. Requests for dedication of a municipal building, room, or facility, shall be considered in accordance with established written City Council Policy Number

C. Councilmember Participation in Community Activities and Use of City Logo

From time to time, Councilmembers may choose to participate in community activities, committees, events, and task forces. When a Councilmember participates in these types of activities, the Councilmember 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 Councilmember as its representative for the matter. In the event any Councilmember, who is not acting as a Council designated representative, wishes to participate in community activities, committees, events or task forces may not use the City logo for such event unless prior approval is received from the City Manager.

The City Clerk is the custodian of the Official City Seal. The City Seal shall not be altered and is to be used only on official City documents such as Ordinances, Resolutions, Oaths of Office, Certificate of Election, etc.

The City Logo may be used on City buildings, elected official pins, City business cards, City letterhead, calendars, public notices, resolutions, awards, and other formal places authorized by the City Council or City Manager.

The City Logo shall not be used for private or commercial purposes, or for any purpose other than for the official business of the City, without written authorization from the City Manager. If used by an outside organization upon the approved, written consent of the City Manager, the Logo must remain in its entirety with no alterations.

D. Ethics

The City Council is committed to conducting business ethically and to follow all state and local regulations, including the Political Reform Act and the Ralph M. Brown Act. The City has adopted a Code of Ethics by resolution appended herein for reference.

E. Expense Reimbursement

Pursuant to Government Code section 53232, et seq., the City Council Expense Reimbursement Policy provides guidance to elected and appointed officials on the use and expenditure of City resources and sets the standard of how those expenditures will be measured. The City Council Expense Reimbursement Policy is approved by the City Council via resolution and shall be appended herein for reference. Councilmembers shall refer to and adhere to the terms and conditions of the current City Council Expense Reimbursement Policy when incurring expenses using City resources. City Council Expense Reimbursement Policy is appended herein for reference.

1. Quarterly Expenditure Reports

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

2. Other Expenditure Reports

Per Government Code Section 53232.3(b), Councilmembers shall provide brief reports on meetings attended at the expense of the City at the next regular meeting of the legislative body.

F. Constituent Relations with a District Elected Council

City Councilmembers are elected by District but govern considering the needs of the entire community. However, when meeting with a resident voting in another District, councilmembers should encourage the resident to also communicate with their Councilmember from the constituent's District.

VII. COUNCILMEMBER ADMINISTRATIVE SUPPORT

A. Council Mail & Correspondence

When incoming mail is received addressed to a Councilmember, it is opened by staff. Mail marked "personal" or "confidential" will be provided to the Councilmember unopened.

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 personal letters will be copied to the full Council along with the original correspondence.

1. When communications are addressed to the full Council, the City Manager is authorized to respond on behalf of the full council.
2. At the discretion of the City Manager, on behalf of the Council, staff may prepare and mail thank you letters to boards, committees, congressional representatives, county supervisors, state assembly members and state senators amongst others.
3. If a Councilmember desires staff action regarding individually received correspondence, such as having it listed on the agenda or requesting a response from staff, the Councilmember shall submit the request to the City Manager or directly to staff so long as the City Manager is copied on any communication to staff.
4. When appropriate, the Mayor shall make representations on behalf of the entire Council as provided at a council meeting, and will sign any letters representing the position of the full City Council.
5. City Councilmembers shall avoid using City letterhead or other City resources when an objective person could construe that to do so would create the appearance of:
 - a. Using public office for personal gain or to promote personal business
 - b. Giving preferential treatment to any person or group

- c. Impeding governmental responsiveness or efficiency

6. Types of Correspondence

a. General Correspondence (Non-Agenda Items)

If the correspondence relates to a City matter not on a forthcoming agenda, it is routed by the City Manager to the appropriate Department Head or staff member who may draft a response with copies to Councilmembers and appropriate staff members.

b. City Council Meeting/Agenda-Related Correspondence

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 staff members.

c. Personal Correspondence

Upon request, City Councilmembers will be provided individual stationery and envelopes for use in communications reflecting their personal positions, not the position of the full Council. These communications (including e-mail responses) will be prepared by and sent at the expense of individual Councilmembers. Council Members may utilize the City's outgoing mail service; however, postage will be at the Councilmember's own expense.

d. 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 a majority vote of the Council, staff will send the letter to the appropriate State or Federal representatives.

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.

e. Correspondence Related to Mayors' & Councilmembers' Association and City Selection Committee 'Letters of Interest'

Upon request by City Councilmembers, full administrative support, including the use of letterhead, will be provided for use in submitting 'Letters of Interest' for appointment to the various committees/boards associated with the Mayors' & Councilmembers Association and City Selection Committee assignments. Administrative support shall include the distribution of these communications as required to meet submission deadlines.

f. Correspondence Related to Welcome Letters from the Mayor

Upon request by the Mayor, full administrative support, including the use of letterhead, will be provided to write welcome letters for any conferences/conventions/events held within Rohnert Park. Administrative support shall include drafting the message, submitting the welcome letter for the Mayor's signature, and sending the signed welcome letter to the requesting party to include within their brochure or program.

B. Master Calendar

A master calendar, maintained by the City Clerk's Office, of Council events, functions or meetings will be provided to the full Council. Functions, events or meetings to be attended by individual Councilmembers will only be included on the master calendar at the request of individual Councilmembers.

C. Requests for Research or Information

Councilmembers may request information or research from staff or the City Attorney on a given topic directly when it is anticipated that the request can be completed by staff or the City Attorney in less than an hour. Councilmember 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 legal review that are anticipated to take more than one hour to complete shall be directed to the Council for Consideration during a council meeting. Requests for new information or policy direction will be brought to the full Council at a regular meeting for consideration.

D. Council Notification of Significant Incidents

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

1. Major injury or death of a City employee, City Councilmember, City Commissioner, Committee or Board 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. Found or threat of bomb or explosive device
16. Terrorist threat
17. Person/child struck in a crosswalk
18. Any event resulting in substantial media coverage (e.g., discovery of improperly stored bodies by funeral home)
19. Any Public Safety event involving an elected official, City Manager, department head that comes to the attention of the Department of Public Safety
20. 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 restricted information. In cases where incidents not requiring Council action occur during the hours of 9:00 p.m. through 8:00 a.m., Councilmembers will be contacted the next morning or shortly thereafter.

At the discretion of the City Manager, bereavement offerings such as flowers and a card signed by Councilmembers, may be sent on behalf of the City and the City Council.

VIII. LIAISON ASSIGNMENTS

The Mayor assigns liaisons to various outside agencies, committees, commissions, boards, and taskforces.

1. Unless acting in an official liaison capacity, individual Councilmembers should refrain from attending meetings organized or chaired by City staff which are not open to the public.
2. Liaisons are obligated to keep Council well informed on activities pertaining to Rohnert Park via the Council Committee and Other Reports at Council meetings. It is encouraged that these presentations will be no longer than three minutes each.

3. City staff may serve as a liaison with the concurrence of the City Manager.

IX. OUTSIDE AGENCY APPOINTMENTS

The Mayor nominates and the City Council confirms by majority vote of the membership appointments to outside agencies, committees, commissions, boards, and taskforces.

1. An appointee's role is to represent the City on matters affecting the City of Rohnert Park. Appointees have no authority to appropriate City funds except as otherwise approved by the City Council.
2. Appointees are obligated to keep Council well informed via Council meetings or City staff.
3. Appointees are expected to attend meetings on a regular and consistent basis.
4. Each appointee serves at the pleasure of the City Council. Any City Councilmember may bring forward a proposal to remove an appointee. Three affirmative votes of the City Council are required to remove an appointee.
5. City staff may be appointed with the concurrence of the City Manager.

X. 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 these are standing committees and in other instances these 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 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.

1. Standing Committee is a committee that has a continuing subject matter jurisdiction or has a meeting schedule that is fixed by the Council.
2. Ad Hoc Committee is a committee that has a specific purpose and limited duration, does not have a continuing subject matter jurisdiction, and does not have a meeting schedule that is fixed by the Council.

C. Conflict of Interest

Should an appointee to a committee 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 residents 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 via the Council Committee and Other Reports at Council meetings, and will not purposely harbor or keep relevant information from other members.

F. Committee Materials: Agendas and Minutes

Committee meeting agendas will be compiled by staff for standing committees in accordance with requirements under the Brown Act. 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.

The Councilmember who is the appointee/alternate appointed to the standing committee will report on the committee meeting at a subsequent City Council Meeting. The report of the appointee/alternate provided at the City Council meeting will constitute the official record of said standing committee meeting.

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 their findings and recommendations separately to the City Council.

H. Staffing

Councilmembers 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.

XI. CITY COMMISSIONS, COMMITTEES, AND BOARDS

A. Appointments to City Commissions, Committees, and Boards

The following procedures will be used in considering appointments by the City Council to the various City commissions, committees, and boards 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, or committee must have on file with the City an application (fact-

sheet) or request for reappointment indicating an interest in serving. Councilmembers may not appoint city employees to serve in City Committees, Commissions and Board.

2. For City commissions, committees, and boards with five (5) members, each Councilmember shall be entitled to appoint one member. All other commissions, committees, and boards not divisible by five (5) shall be selected by the Council as a whole on an “at-large” basis.
3. At-large nominees must receive a majority vote of the City Council membership in order to be appointed.
4. Nominations/appointments are made on a rotation basis. Rotation order is by seniority, based on 1) the date first elected to City Council to present continuous period of service and 2) the number of votes received in the event of a tie in period of service. In circumstances in which two members have the same tenure on the City Council, the number of votes received in the election determines the position in the sequence, with the Councilmember receiving the highest number of votes being first. If a Councilmember is appointed to fill a mid-term vacancy, that Councilmember will go to the bottom of the rotational list. The City Clerk shall keep a record of the appointments and the Councilmembers’ rotation order. The rotation order shall stay intact for future appointments unless amended or rescinded.
5. Whenever an appointed member of a commission, committee, or board vacates a term of office, the Councilmember who nominated/appointed said person, or the Councilmember’s successor in office, shall be entitled to make the appointment to complete the term of office.
6. Whenever a vacancy occurs on a City commission, committee, or board, the City Clerk shall post a notice of the vacancy notifying the public of the vacancy to be filled and the date that applications will be considered to fill the vacancy in compliance with the Maddy Act.
7. The City Council may establish committees, commissions, boards, or other taskforces with a nomination/appointment process as the Council deems appropriate.

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

1. Attendance

Members of commissions, committees, and boards are expected to attend meetings on a regular and consistent basis. Board members, commissioners, and committee members should inform the staff liaison in advance if they are unable to attend a meeting. Absence without cause from three consecutive regular meetings or more than three regular meetings within a twelve-month period shall be deemed an automatic resignation. Cause means “illness or other unavoidable circumstance of which the staff is notified prior to the meeting.” Vacations and other travel are not cause. The City clerk shall notify the appointing Councilmember and issue a notice of automatic resignation and post the vacancy.

2. Removal

Each member of a board, commission, or committee created and appointed by the City Council serves at the pleasure of the City Council. Any Councilmember may bring forward a proposal to remove a board, commission, or committee member. Three (3) affirmative votes of the City Council are required to remove a member of a board, commission, or committee.

3. Role

Most commissions, committees, and boards established by the City Council are advisory to the City Council. The role of all such commission, committee, or board 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. Commissions, committees, and boards have no authority to appropriate funds or make policy except as otherwise approved by the City Council.

4. Conflict of Interest and Training

All members of commissions, committees, and boards 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. All city council members and designated Conflict of Interest filers, including those serving on any City board or commission, shall complete any Brown Act training and Ethics (AB1234) trainings provided by the City.

XII. COUNCIL VACANCY

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

XIII. 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 resident 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 paragraph:
- D. The City shall allow the use of the Council Chamber for the conduct of election forums, whether for city, county, state, or national offices/ballot measures under the following circumstances:
 - 1. When the 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. (Candidates' forum only.)
 3. When the event is chaired and moderated in an impartial and objective way which is fair to all candidates/ballot measures.
 4. In accordance with Government Code section 54964, staff shall ensure that any use of city funds to promote or host a forum on any ballot measure complies with the following requirements: (1) any use of funds for informational activities related to the forum is not prohibited by the Constitution or laws of the State of California, and (2) any informational materials provided through the use of city funds constitutes an accurate, fair, and impartial presentation of relevant facts to aid the voters in reaching an informed judgment regarding the ballot measure. In accordance with Government Code section 54964, staff shall also ensure that funds are not used for the purpose of supporting or opposing the election or defeat of any candidate.
- 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.

XIV. 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.

XV. APPENDIX

<u>Document Description</u>	
1.	Resolution No. 2019-013 - Establishing the Start Time for Regular Meetings
2.	Rosenberg's Rules of Order
3.	Resolution No. 97-32 – Code of Ethics
4.	Policy 1.02.004 – Expense Reimbursement for City Council

RESOLUTION NO. 2010-47

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
ESTABLISHING 5:00 P.M. AS THE START TIME FOR REGULAR MEETINGS
OF THE ROHNERT PARK CITY COUNCIL**

WHEREAS, on October 28, 2008, the City Council by Resolution No. 2008-173 adopted City Council Protocols and re-established the time and place for its meetings as the second and fourth Tuesdays of each month commencing at 6:00 p.m. in the City Council Chamber, Rohnert Park City Hall, 130 Avram Avenue, Rohnert Park, California;

WHEREAS, City Council Protocols section II.I, Standard Adjournment, establishes 11:00 p.m. as the hour of adjournment;

WHEREAS, the City Council recognizes that due to recent budget and staff reductions, late meeting adjournments create an additional burden on staff members required to attend City Council meetings; and

WHEREAS, for the reasons stated herein, the City Council desires to establish its regular meeting start time as 5:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that Regular Meetings of the Council shall 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.

BE IT FURTHER RESOLVED by the City Council of the City of Rohnert Park that noticed public hearings and appeals before the City Council may not begin prior to 6:00 p.m.

DULY AND REGULARLY ADOPTED by the City Council of the City of Rohnert Park this 11th day of May 2010.

CITY OF ROHNERT PARK

ATTEST:

Debbie Higgins
City Clerk



BELFORTE: <u>AYE</u>	BREEZE: <u>AYE</u>	CALLINAN: <u>AYE</u>	MACKENZIE: <u>AYE</u>	STAFFORD: <u>AYE</u>
AYES: (5)	NOES: (0)	ABSENT: (0)	ABSTAIN: (0)	



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.


The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:



First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move ... ”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”



The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate


The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.



Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.


Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.



Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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RESOLUTION NO. 97-32
A RESOLUTION OF THE COUNCIL OF THE CITY OF ROHNERT PARK
AMENDING THE CODE OF ETHICS FOR PUBLIC OFFICIALS AND EMPLOYEES
OF THE CITY OF ROHNERT PARK

BE IT RESOLVED by the Council of the City of Rohnert Park as follows:

Section 1. FPPC. Public officials and employees agree that they will be governed by and shall follow the Political Reform Act of 1974 (Government Code 81000, et seq.), including the regulations promulgated thereunder. Specific attention is directed to Chapters 4, 5, 7 and 9.5 regarding campaign disclosure, limitations and contributions, conflict of interest, and ethics, respectively.

Section 2. Brown Act Provisions. The City Council agrees that it will become familiar with and shall follow the Ralph M. Brown Act (Government Code 54950, et seq.) and the lawful regulations and interpretations of the Brown Act.

Section 3. Dedicated Service. Public officials and employees should not exceed their authority or breach the law or ask others to do so and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or officially recognized confidentiality of their work.

Section 4. Fair and Equal Treatment. Preferential consideration of the request or petition of an individual citizen or group of citizens shall not be given. No person shall receive special advantages beyond that which are available to any other citizen.

Section 5. Use of Public Property. No official or employee shall request or permit the use of city-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official business. No public official or employee shall use the time of any city employee during working hours for personal convenience or profit.

Section 6. Obligations to Citizens. No public official or employee shall grant any special consideration, treatment, or advantage to any citizens beyond that which is available to every other citizen in the same circumstances.

Section 7. Disclosure of Interest and Disqualification. Any council member who has a conflict of interest in any matter before the City Council, shall disclose that fact on the records of the City Council and refrain from participating in any discussion or voting on the matter.

The member of an official board, commission or committee who has a conflict of interest in any matter before that board, commission or committee, of which he or she is a member, shall disclose that fact on the records of the board, commission or committee and refrain from participating in any discussion or voting.

An employee who has a financial or other special interest in a matter before the City Council or board, commission or committee and who participates in discussion with, or gives an official opinion relating to that matter shall disclose on the records of the council or such board, commission or committee, as the case may be, the nature and extent of his interest.

Section 8. Rohnert Park Code of Conduct.

Adherence to Council policies. Public officials are expected to follow formally-adopted City Council policies in the conduct of their duties. They are free to state their personal opinions and may attempt to change or modify any given policy provided it is done with proper public notice and posting of agendas.

Each public official has the obligation to be informed and prepared, recognizing all sides of an issue.

Each public official shall perform his or her duties with courtesy and respect, both for colleagues and for those who may appear before them.

Each public official or employee when exercising oversight with respect to any city agency, board or committee, shall act in an informed fashion with attention to the underlying policies being implemented and with due respect for the independence and purpose of the agency, committee or board.

Each public official has an obligation to treat every officer and employee of the city with fairness and without discrimination, and to ensure that each officer and employee performs only those tasks for which there is a city governmental purpose.

BE IT FURTHER RESOLVED that this Resolution amends and supersedes Resolution No. 94-86, adopted May 10, 1994.

DULY AND REGULARLY ADOPTED this 11th day of February, 1997.

ATTEST:


CITY MANAGER/CLERK

AYES: (5) Councilmembers Flores, Mackenzie, Reilly, Vidak-Martinez and Mayor Spiro

NOES: (0) None

ABSENT: (0) None

(jh/resol:97ethics)

CITY OF ROHNERT PARK


MAYOR



RESOLUTION NO. 2015- 151

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
APPROVING AND ADOPTING AN AMENDED EXPENSE REIMBURSEMENT
POLICY FOR CITY COUNCIL AND REPEALING CURRENT EXPENSE
REIMBURSEMENT AND USE OF PUBLIC RESOURCES POLICY**

WHEREAS, Government Code section 36514.5 provides that city council members may be reimbursed for actual and necessary expenses incurred in the performance of official duties; and

WHEREAS, reimbursement for these expenses is further regulated by provisions set forth in Government Code Sections 53232.2 and 53232.3; and

WHEREAS, on January 27, 2004, the City of Rohnert Park ("City ") adopted Resolution 2004-19, which established a "Policy for Reimbursement of Expenses for City Council Members"; and

WHEREAS, on January 24, 2006, the City adopted Resolution 2006-42, which adopted a Policy for "Expense Reimbursement and Use of Public Resources"; and

WHEREAS, on August 8, 2006, the City adopted Resolution 2006-206, which adopted an "Expense Reimbursement and Use of Public Resources Policy" and repealed Resolutions 2004-019 and 2006-42; and

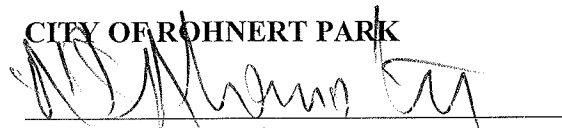
WHEREAS, the City Council wishes to make certain changes and clarifications to the Expense Reimbursement and Use of Public Resources Policy adopted through Resolution 2006-206.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Rohnert Park hereby repeals Resolution No. 2006-206; and

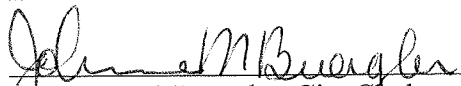
BE IT FURTHER RESOLVED, that the Policy entitled "Expense Reimbursement for City Council," attached as "Exhibit A" to this Resolution, is hereby adopted.

DULY AND REGULARLY ADOPTED this 8th day of September, 2015.

CITY OF ROHNERT PARK


Mayor Amy O. Ahanotu

ATTEST:


JoAnne M. Buergler, City Clerk

Attachment: Exhibit A

CALLINAN: Aye MACKENZIE: Aye STAFFORD: Aye BELFORTE: Aye AHANOTU: Aye
AYES: (5) NOES: (0) ABSENT: (0) ABSTAIN: (0)



CITY OF ROHNERT PARK

CITY COUNCIL POLICY

SUBJECT/TITLE:	POLICY NO:	DATE APPROVED:	REVISION NUMBER:
EXPENSE REIMBURSEMENT FOR CITY COUNCIL	1.02.004	9/8/2015	

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CITY OF ROHNERT PARK CITY COUNCIL POLICY

SUBJECT/TITLE:	POLICY NO:	DATE APPROVED:	REVISION NUMBER:
EXPENSE REIMBURSEMENT FOR CITY COUNCIL	1.02.004		

1. PURPOSE

To establish City of Rohnert Park ("City") policy and prescribe guidelines related to expenses incurred on behalf of, or reimbursed to, elected City Councilmembers.

2. SCOPE

This policy applies to all elected City Councilmembers.

3. BACKGROUND

Government Code section 36514.5 provides that City Councilmembers may be reimbursed for actual and necessary expenses incurred in the performance of official duties. Assembly Bill 1234, which took effect on January 1, 2006, adds Article 2, 3, commencing with Government Code section 53232, to the Government Code, addressing expense reimbursement to public officials. In addition, City of Rohnert Park Municipal Code Section **2.12.050 – Reimbursement**, provides for reimbursement to councilmembers for actual and necessary expenses incurred during the performance of official City duties.

4. PROVISIONS

The City takes its stewardship over the use of limited public resources seriously and acknowledges that public resources should only be used when there is substantial benefit to the City from those actions. Such benefits include:

1. The opportunity to discuss the community's concerns with state and federal officials;
2. Participating in regional, state and national organizations whose activities affect the City;
3. Attending educational seminars designed to improve officials' skill and information level; and
4. Promoting public service and morale by recognizing such service.

Legislative and other local, regional, state and federal agency business is frequently conducted over meals; sharing a meal with regional, state and federal officials is frequently the best opportunity for a more extensive, focused and uninterrupted communication about the City's policy concerns; and each meal expenditure must comply with the limits and reporting requirements of local, state and federal law.

This policy provides guidance to elected and appointed officials on the use and expenditure of City resources, as well as the standards against which those expenditures will be measured. This policy supplements the definition of actual and necessary expenses for purposes of state laws relating to permissible uses of public resources and supplements the definition of necessary and reasonable expenses for purposes of federal and state income tax law. This policy also applies to any councilmember-related charges made to a City credit card or other line of credit with the exception of expenses incurred for city-related event participation fees, and educational and/or training programs.



CITY OF ROHNERT PARK

CITY COUNCIL POLICY

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5. AUTHORIZED EXPENSES

1. Examples of Authorized Expenses

City funds, equipment, supplies (including letterhead, note cards, and printer cartridges), and staff time must only be used for authorized City business. Any questions regarding the propriety of a particular type of expense should be resolved by the City Council before the expense is incurred.

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 local, regional, state and national government on City adopted policy positions;
- b. Attending educational seminars designed to improve officials' skill and information levels;
- c. Participating in local, regional, state and national organizations whose activities affect the City's interests;
- d. Recognizing service to the City (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
- e. Attending City events;
- f. Implementing a City-approved strategy for attracting or retaining businesses to the City typically involving at least one staff member; and
- g. Other actual and necessary expenses incurred for city-related business.

2. Expenses Requiring City Council Approval

- a. International and out-of-state travel; and
- b. Expenses which exceed the annual budget limits established for each City Councilmember.

3. Personal Expenses - Examples of personal expenses that the City will not reimburse include, but are not limited to:

- a. The personal portion of any trip;
- b. Political or charitable contributions or events;
- c. Family expenses, including partner's expenses when accompanying official on agency-related business, as well as children or pet-related expenses;
- d. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and /or golf related expenses), or other cultural events;
- e. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
- f. Personal losses incurred while on City business.



CITY OF ROHNERT PARK

CITY COUNCIL POLICY

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6. COST CONTROL

To conserve City resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. In the event that expenses are incurred which exceed these guidelines, the cost borne or reimbursed by the City will be limited to the costs that fall within these guidelines.

1. **Budgeting Practices** - City will budget an equal amount for each councilmember including the seated mayor. To control costs, a councilmember may not incur costs or receive reimbursements in excess of the budgeted amount. The City Council may increase the budgeted amount for a councilmember during the fiscal year.
2. **Mayor's Supplemental Budget** - In addition to amounts allocated for each councilmember, the City will budget an equal amount for the mayor serving the first half of the fiscal year and for the mayor serving the second half of the fiscal year. Only the sitting mayor may incur costs or receive reimbursements charged to this respective budget line item.

7. TRANSPORTATION

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

1. **Airfare** - The City will pay only the costs for the most direct route and least expensive travel necessary to accomplish the purpose of City-related travel. Travelers shall fly coach class on the lowest cost flight/s available at the time travel is needed for the most direct route to the final destination. This could include reasonably scheduled layovers up to 1 and 1/2 hours when in route to the final destination. Any additional cost resulting from deviation from the most direct route will not be reimbursed unless incurred for the benefit of the City, as determined by the Approving Official. Travelers that choose to use their personal frequent flyer miles for City business shall not be reimbursed for the value of the tickets. Only out of pocket costs for City-related air travel will be reimbursed.
2. **Automobile** - Automobile mileage is reimbursed at Internal Revenue Service rates in effect at the time the expense is incurred. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable.
3. **Car Rental** - Rental cars are only allowed for business reasons (i.e., travel to and from a hotel and a conference if this service is not included in the event/conference registration) and with prior approval by the Finance Director. Cars rentals shall only be approved, if other methods of ground transportation (such as shuttles or taxis) are more expensive during the stay at the destination. If a rental car is approved, it is the traveler's responsibility to only rent a Compact, or equivalent rental car, and to reduce



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the total cost of the car rental by reducing optional costs such as vehicle options and refueling charges. Traveler shall refuel the rental car prior to returning the rental car if additional charges apply for refueling. A rental car level above Compact requires prior approval by the Finance Director and is only authorized for group travel.

Car insurance for rental cars is not necessary if the rental car is being used for City business. The City, as the employer, bears responsibility for damage or injury arising from a traveler's use of the rented vehicle, provided that the use is within the scope and course of their employment. Presently the City covers this responsibility through self-insurance.

When travelers on City business are renting vehicles and use the rental car for personal transportation, any liability arising from personal use will be the responsibility of the traveler. Because of this liability, the traveler may purchase additional insurance coverage, but it will be at the traveler's sole expense (i.e., non-reimbursable by the City).

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

8. **LODGING**

Lodging expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay. 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 group rates are not available, reimbursement shall not exceed available government rates established at time of travel. If government rates are not available, reimbursement for lodging expense shall not exceed 150% of the GSA per diem limits (see www.gsa.gov)

9. **MEALS**

Meal expenses and associated gratuities will be reimbursed at the rates specified in City Administrative Policy 128.8 – Travel/Expense Policy (meals).

10. **TELEPHONE/FAX/CELLULAR**

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. As necessary, officials will be provided a City-owned fax machine and any other equipment as the full City Council determines necessary to use in the conduct of its official business.



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11. AIRPORT PARKING

Long-term parking, as opposed to short-term parking, must be used for travel exceeding 24 hours.

12. OTHER EXPENSES

1. **Baggage Handling Fees** – Baggage handling fees are reimbursable up to \$1 per bag and up to 15 percent for associated gratuities.
2. **Outside Agency Reimbursement** - Expenses for which City Councilmembers receive reimbursement from another agency are not reimbursable by the City.
3. **Parking Fees** - Parking fees for City-related business and associated activities will be reimbursed.
4. **Spreckels Performing Arts Center** – Each official shall be issued one complimentary ticket for each performance at the Spreckels Performing Arts Center.

13. CASH ADVANCES

Cash advances are prohibited by the City.

14. CREDIT CARD USE

The City does not issue credit cards to individual office holders but does have an agency credit card for selected City expenses. City office holders may request City administrative support staff to use the City's credit card for such purposes as purchasing airline tickets and making hotel reservations. In compliance with this policy, receipts documenting expenses incurred on the City credit card must be submitted to the Finance Department by the cardholder when received.

City credit cards may not be used for personal expenses, even if the official subsequently reimburses the City. Cash advances on credit cards are not permitted.

15. EXPENSE REPORT CONTENT AND SUBMISSION DEADLINE

All Councilmember reimbursement requests must be submitted on an expense report form provided by the City. This form shall include the following advisory:

"All expenses reported on this form must comply with the City's policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the City's policies include loss of reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability."



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Expense reports must document that the expense in question met the requirements of this policy. For example, if the meeting is with a legislator, the local agency official should explain whose meals were purchased, what issues were discussed and how those relate to the City's adopted legislative positions and priorities.

Officials must submit their expense reports within 30 days of an expense being incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation.

Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.

16. AUDITS OF EXPENSE REPORTS

All expenses are subject to policy compliance verification.

17. REPORTS TO GOVERNING BOARD

Each Councilmember shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body (GC Section 53232.3(d)). Such reports shall be made under the Council Committee/Liaison/Other Reports section of City Council meeting agendas. If multiple officials attended, a joint report may be made. In addition, staff shall submit Council expense summary reports for acceptance by the Council on a quarterly basis.

18. COMPLIANCE WITH LAWS

City officials should keep in mind that some expenses may be subject to reporting under the Political Reform Act and other laws. All documents related to reimbursable agency expenditures are public records subject to disclosure under the Public Records Act (Chapter 3.5 commencing with Section 6250 of Division 7, Title 1).

19. VIOLATION OF THIS POLICY

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 City reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties of up to \$2,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

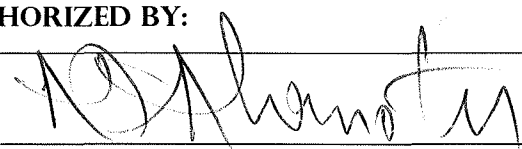
APPENDIX

1. Policy 128.8 – City of Rohnert Park Travel/Expense Policy (meals)



CITY OF ROHNERT PARK
CITY COUNCIL POLICY

SUBJECT/TITLE:	POLICY NO:	DATE APPROVED:	REVISION NUMBER:
EXPENSE REIMBURSEMENT FOR CITY COUNCIL	1.02.004		

APPROVED BY:	AUTHORIZED BY:
<input type="checkbox"/> MINUTE ORDER DATE: _____	Sign: <u></u>
<input checked="" type="checkbox"/> RESOLUTION NO. <u>2015-151</u>	Date: <u>9/8/15</u> Mayor
<input type="checkbox"/> MINUTE ORDER DATE: _____	

CITY OF ROHNERT PARK TRAVEL/EXPENSE POLICY

PURPOSE

The purpose of this policy is to establish guidelines for the expenditure of public funds for authorizing attendance, travel and reimbursement of expenses for City employees, attending conferences, training, meetings and other City related business. Council Members, Commissioners and Board Members, Contract Employees and Consultants are not covered under this policy.

Business travel is defined as authorized attendance at conferences, meetings and seminars or authorized travel for any other purpose in connection with official City responsibilities. Business travel includes day trips and trips requiring one or more overnight stays.

GENERAL

The City of Rohnert Park encourages and promotes training and education of its staff. However, personal business should not be mixed with official business if it will cost the City anything in dollars and lost time, or if it will harm the City's interests in any way. This policy assumes mutual trust between the City and its employees.

These guidelines are not intended to address every issue, exception or contingency that may arise in the course of City travel. Accordingly, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of the City's resources. Many of these guidelines simply reaffirm values in judgment that we already practice.

POLICY

This policy is to assure that City employees adhere to procedures when arranging travel, lodging, meals and other expenses. The City expects to pay all reasonable expenses incurred for travel, conferences, meetings and meals as a result of conducting authorized City business. This policy also assures that City employees will receive advances/reimbursements in a timely manner.

Travel and Authorization: Travel is distinguished between local and overnight. Funds must have been approved in the adopted budget for both. Local travel must be completed within one day and only automobile travel is authorized for these trips unless previously noted in the budget. (The City's Vehicle Use Policy outlines the guidelines for all vehicle use for conducting City business.)

Each Department Head shall be held responsible and accountable for the interpretation and administration of the Travel and Expense policy within his/her department. Department Heads will be expected to consult with the Director of Administrative Services and/or the City Manager on any questions related to this policy. An individual may not authorize or approve

reimbursement for his/her travel; claim forms/expense reports must be approved by the individual's supervisor.

Overnight travel by a Department Head must be approved in advance by the City Manager. All temporary employees, contract employees or consultants must receive express authorization in advance from the City Manager for all travel and conferences. The City Manager may authorize the request subject to his/her discretion and subject to City Council approval.

Travel and meeting expenses are not intended for reimbursement of meals for departmental meetings, which are attended by City staff only, especially when a meeting can be scheduled during normal business hours.

Travel Arrangements: Travel arrangements shall be made as far in advance as possible to obtain the best possible fares and rates. If travel arrangements must be cancelled for any reason, the person who made the arrangements shall cancel them in sufficient time to prevent the City from incurring unnecessary costs.

If travel involves the purchase of airline tickets, all arrangements must be made through the City Manager's office. Cooperative purchase agreements will be utilized in the purchase of tickets whenever feasible, price and other factors considered. If necessary, the City will contract with a local travel agent chosen through a competitive bid process.

Any discount coupons, frequent flyer miles, etc., are the property of the City of Rohnert Park and should be surrendered upon return to the City.

Transportation: Travelers shall use whatever mode of transportation is the most logical and overall least expensive. These guidelines do not require you to take a bus, stay in a cheap motel or eat at only fast food restaurants. A bus or train may cost less than a plane, but the added time away from work can make this slower option more expensive to the City overall.

You are responsible for exercising good judgment in requesting, arranging and making a trip. If an employee elects to use a mode of transportation other than the most logical and overall least expensive, the City will pay only the cost of the most logical and overall least expensive. The difference between the selected mode and the overall least expensive mode shall be considered the employee's personal expense; and any additional lodging and meal expenses resulting from the employee's selection shall be also paid by the employee. In addition, the employee shall charge any additional time spent in route during normal work hours to vacation or a similar leave. This paragraph does not apply to special accommodations made to qualified employees under the American with Disabilities Act provided that the alternate mode of transportation is approved in advance by the Department Head or City Manager.

If the most logical and overall least expensive mode of transportation is determined to be a City vehicle or the traveler's private vehicle, the traveler shall comply with the City's Vehicle Use Policy. Employees will be compensated for the use of their private vehicle at the current IRS standard mileage rate. The Employees mileage shall be calculated from their designated work

site to the destination. The Employees who receive a car allowance will be compensated at the current IRS standard mileage rate for all miles in excess of 75 miles in a single roundtrip.

To drive a privately owned vehicle on City business you must:

- Possess a valid California Driver's License
- Carry liability insurance limits requested by the City's Risk Management Manual
- Realize that any damage to the car, needed service or repair occurring on the trip will be your responsibility.

The City will pay all expenses, such as bridge tolls and parking fees, incurred on City business.

Air travel on City business should be coach class. Take advantage of lower airfares by booking flights as early as possible. You may sometimes avoid higher airfare by staying over a Saturday night. In some instances, an extra night in a hotel/motel can be much less than the added cost of the airfare.

Department Heads may consider taking different flights in case an emergency may occur in flight. A generally accepted rule is to have no more than two members on the same flight, if there is a strong possibility of danger while traveling.

Lodging: The City will pay lodging expenses for City employees during business travel requiring one or more overnight stays. The City will pay for lodging for the evening preceding or subsequent to a meeting or business event when the employee would have to travel at unreasonable early or late hours to reach his/her destination. Such overnight stays shall be preauthorized by the Department Head or City Manager.

Employees shall make an effort to obtain lodging at or near the facility where official City business is to take place to minimize travel time and transportation costs. The City will only pay for standard single rooms for individual employees. Single standard rooms at conference, government or corporate rates shall be requested. Also, when making reservations, be sure to ask about local transient occupancy tax (TOT): some cities exempt travelers on City business, some do not.

The City will pay for a double room only if two employees share a room. If a double room is requested by an employee because he/she is accompanied by family members or guests, the difference between the single and double room rate shall be considered the employee's personal expense.

Employees shall cancel any reservations for lodging they will not use. Any charge for an unused reservation shall be considered the employee's personal expense unless failure to cancel the reservation was due to circumstances beyond the employee's control.

Meals: City will pay for an employee's meals during business travel and incidental expenses (including snacks, tips and non-business telephone calls, etc. at a rate of \$60.00 per day.)

The following per diem amounts (including beverages, taxes and gratuities) are allowed for meals:

Breakfast	\$12.00
Lunch	\$18.00
Dinner	\$25.00
Incidental	<u>\$ 5.00</u>
Total Per Diem	\$60.00

Because of reimbursement limitations by other agencies (such as P.O.S.T.) or other budget constraints, Department Head or the City Manager may authorize lower meal allowances. Any reimbursements exceeding these allowances require approval by the Department Head or City Manager,

In calculating meal allowances for partial days, the following guidelines should be used:

Departure

- If you depart after 8:00 a.m., you may not claim meal for breakfast allowance for that day.
- If you depart after 2:00 p.m., you may not claim meal for breakfast and lunch allowance for that day.
- If you depart after 8:00 p.m., you may not claim all meal allowances for that day.

Return

- If you return after 8:00 p.m., you may claim the full per diem meal allowance for that day.
- If you return between 2:00 p.m. and 8:00 p.m., you may claim the breakfast and lunch allowance.
- If you return between 8:00 a.m. and 2:00 p.m., you may claim the breakfast allowance.

General

- If meals are provided without charge at a meeting or while in transit (meals served on a plane, for example), appropriate deductions must be made from the per diem meal allowance.

Alcoholic Beverages: City funds should not be used to purchase alcohol or reimburse employees for alcohol related costs. The City Manager may approve exceptions to this policy on a case-by-case basis for special receptions or other unique circumstances. This discretion applies primarily to non-travel related expenditures such as special receptions and not routine travel or meetings by City employees.

Spouses and Guests: Spouses and guests are welcome to accompany you on City travel and at conferences, seminars and meetings. However, any additional costs associated with the participation of your spouse or other guests are your responsibility.

Guests as passengers in City vehicles: Due to liability concerns, non-City employees should not ride as passengers in City vehicles when it is not directly related to City business. However, Department Heads or the City Manager may approve exceptions on a case-by-case basis, subject to review by the Risk Manager.

Unauthorized Expenses: Items of a personal nature are not reimbursable including: movies, entertainment, premium television services, alcoholic beverages, dry-cleaning, spas, gyms, barber/hairdresser, magazines, shoe shines, travel insurance, purchase of clothing or toiletries, loss of tickets, fines or traffic violations, excess baggage costs, spouse and/or guests accommodations, repairs to personal vehicles, office equipment and other items of personal nature. Optional tours, banquets or other activities not related towards professional advancement offered through the conference, but at an additional cost to registration, are solely at the discretion of the employee and will be considered as a personal expense.

If unauthorized expenses have been paid by the City by credit card, cash advance or petty cash, the employee will be responsible for reimbursement within 10 days to the City.

Accounting for Expenses: When you return from your trip or official function, a final accounting of all expenses must be approved by your Department Head or City Manager and submitted to the Finance Department within ten (10) working days. An expense report is required in all cases with all required receipts attached.

Payment for allowable travel expenses may be in the form of prepayment by City check, City credit card payment, travel advances in an amount equal to estimated expenses and/or out-of-pocket payments by the employee.

Any unused amount of travel advance shall be returned to the City. Non-allowable expenses shall be deducted from any reimbursement due to the employee for out-of-pocket expenses.

Discretion: This policy does not claim to have addressed all contingencies and conditions. Expenses will be reviewed for reasonableness based on price differentials in different cities. Any necessary and reasonable expense that may from time-to-time be justified due to circumstances or opportunities for the City, will be honored upon approval by the Department or the City Manager. Those expenses will be reimbursed to the traveler with adequate documentation and justification. Unnecessary or exorbitant expenses will be disallowed.

Original receipts and copies of the conference schedule will be required to substantiate ALL expenses. No reimbursement will be granted without a receipt or outside the 10-day submittal restriction.