City of Santa Rosa

CITY COUNCIL

MANUAL OF PROCEDURES AND PROTOCOLS

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I. COUNCIL MEETINGS

A. Adoption of *Rosenberg's Rules of Order*

The Council adopts *Rosenberg's Rules of Order* as the general procedures for conducting its meetings unless otherwise specified in this manual or by applicable law. In the event of a conflict between this manual and *Rosenberg's Rules of Order*, the provisions of this manual shall control. When necessary to resolve issues that may arise over process, the Mayor will refer to the City Attorney who will act as the Parliamentarian. Upon such advice, the Council will vote and follow the decision of the majority.

B. Regular Meetings

The City Council shall hold regular meetings on each Tuesday, unless the Mayor determines a particular meeting shall not be held, at or after 12:00 noon as specified by the Mayor and set forth on the agenda. Regular meetings shall be held at City Hall, 100 Santa Rosa Avenue, Santa Rosa, or at another place within the City limits as determined by the Mayor. If by reason of natural disaster or other emergency it shall be unsafe to meet in the City Hall, the meetings may be held for the duration of the emergency at such other place as is designated by the Mayor or by four (4) members of the City Council. When the day for any regular meeting falls on a legal holiday observed by the City no meeting shall be held on such holiday, but a regular meeting may be held at the same hour on the following business day.

Council meetings will be broadcast live on the City's local government access channels and videostreamed live on the City's website. Council meetings will also be rebroadcast on the City's local government access channels.

C. Adjourned Meetings

Any regular or adjourned regular meeting may be adjourned to a time, place, and date specified in the order of adjournment but not beyond the next regular meeting. If no time is stated in the order of adjournment, it shall be the same time as for a regular meeting. An adjourned regular meeting is a regular meeting for all purposes.

D. Special Meetings

Special meetings may be called at any time by the Mayor, or by three members of the City Council. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. No ordinances, other than urgency ordinances, may be adopted at a special meeting.

E. Meetings to be Public

All regular, adjourned, and special meetings of the City Council shall be open and public and held in accordance with the Ralph M. Brown Act (Government Code

sections 54950, et seq.); provided, however, the City Council may hold closed sessions from which the public may be excluded as allowed by law.

F. Attendance

Councilmembers are expected to attend all meetings of the City Council. As set forth in Government Code section 36513(a) or successor statute, which applies to the City of Santa Rosa under City Charter section 51, if a Councilmember is absent without Council permission from all regular City Council meetings for sixty (60) days consecutively from the last regular meeting that Councilmember attends, the Councilmember's office becomes vacant and shall be filled as any other vacancy.

G. Quorum

The Council consists of seven members, one of whom is the Mayor. Four members of the Council shall constitute a quorum and shall be sufficient to transact business. If less than four (4) Councilmembers appear at a regular meeting, the members attending may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. In the alternative, the City Manager may adjourn the meeting to a stated day and hour.

II. AGENDA

A. Preparation of Agenda

An agenda shall be prepared for each regular meeting containing the time of commencement of the meeting, the specific items of business to be transacted and the order thereof. The Mayor shall meet with the City Manager, the City Attorney, and additional staff as deemed appropriate to establish those items appearing on the agenda. Whenever feasible, each item on the agenda shall contain a staff recommendation and the specific action requested to be taken by the Council. Regular meeting agendas shall be prepared and posted in accordance with City Council Policy 000-35, Early Council Agenda Policy.

B. Placement of Items on Agenda

Councilmembers wishing to have items placed on a future agenda may make a request during "Mayor's/Councilmembers' Reports" to add an item to a subsequent meeting agenda. A concurrence of one other Councilmember will be sufficient to place the item on a subsequent agenda in accordance with City Council Policy 000-35, Early Council Agenda Policy. The purpose of the City Council discussion on such a request will only be to determine whether it will be placed on a future agenda for deliberation and action.

C. Teleconferencing

Any Councilmember who wishes to participate by teleconference shall be required to advise the City Clerk at least ten calendar days prior to the City

Council meeting in order to properly agendize participation by teleconference as required by Government Code section 54953. Any location at which a Councilmember wishes to teleconference must be open to the public. The Councilmember shall take all necessary steps to comply with the provisions of the Ralph M. Brown Act related to teleconferencing as instructed by the City Clerk and/or City Attorney or the Councilmember shall not be allowed to participate in such meeting. This provision shall not apply if the Councilmember is appearing pursuant to a provision of the Ralph M. Brown Act or other applicable law that allows for Councilmember participation from a remote location without the posting of an agenda in the teleconference location.

D. Order of Business

At the time set for each regular meeting, the Mayor shall call the meeting to order and the business of the Council shall be taken up for consideration and disposition in the order set forth in Section E below except that items may be taken up out of order at the discretion of the Mayor as allowable by law, subject to appeal by the Council.

E. Agenda Contents

The agenda shall contain the title headings and shall be conducted in the order and manner as set forth below:

Call to Order and Roll Call

The City Clerk or their designee shall call the roll of the Councilmembers and the names of those present and absent shall be accordingly entered in the minutes.

Closed Session(s)

The City Council may meet in closed session as authorized under the Ralph M. Brown Act. Council may reconvene to Closed Session at the end of the regular meeting to complete discussion of any closed session items that were not concluded during the time allotted at the beginning of the meeting or if additional closed session items are required to be added and are authorized to be added to the agenda under the Ralph M. Brown Act.

Study Session(s)

Study sessions are items for in-depth discussion and possible direction to staff. No action shall be taken on a study session item.

Announcement of Roll Call (if location of meeting has changed from Study or Closed Sessions)

Report on Study Session(s) and Closed Session(s)

Proclamations/Presentations

Public Comments on Agenda Items

Public comment will be allowed on all agenda items at the time each item is called. Citizens wishing to speak are requested to fill out a speaker card identifying the agenda item about which they wish to address the Council and submit the card to the City Clerk. Each speaker may address the Council for up to three minutes regarding each action item that is a part of an agenda, except public hearings. The Mayor shall have the authority to limit public comments on an agenda item to less than three minutes based on the number of speakers wishing to address the council on a particular item. Speakers will be called in the order cards are submitted unless otherwise determined by the Mayor. The City Clerk will monitor the time for public comments and inform the speakers when the time limitation has been reached.

Staff Briefings
This time is reserved for City staff to brief the Council on departmental issues of interest. No action will be taken on these matters except to place a particular item on a future agenda for consideration by the Council.

City Manager's/City Attorney's Reports
The City Manager and City Attorney may, from time to time, give reports regarding matters of general interest to the Council. Council may take action as appropriate and permitted by law.

Statements of Abstention/Recusal
Abstention typically refers to a voluntary decision not to vote.

Recusal is a formal withdrawal from participation due to a conflict of interest or some other legal requirement. Councilmembers should consult with the City Attorney regarding any obligation to recuse, and the procedures necessary to do so.

Mayor's/Councilmembers' Reports
The Mayor and Councilmembers may, from time to time, give reports regarding matters of general interest to the Council brief one another on committees or boards on which Councilmembers serve and seek direction on items that they may be required to act upon as the City's representative, to share pertinent information, or to request future agenda items as permitted under section II.B above. Council may take action as appropriate and as permitted by law.

Approval of Minutes

Consent Items
Items that are routine in nature or have been previously reviewed by the Council and require little or no further discussion by the Council, public, or applicant, are considered as Consent Items. The Council may act on these items in one motion for each type of action shown on the agenda.

Public Comments on Non-agenda Matters (First Public Comment Period)
Any person desiring to address the Council on matters not listed on the agenda which are within the subject matter jurisdiction of the City may do so under Public Comments on Non-agenda Matters. The first public comment period will begin no earlier than 5:00 p.m. and will be limited to ten speakers selected randomly by the Mayor. Speakers who do not have an opportunity to speak during the first public comment period will be allowed to make public comment under the second public comment period.

Those wishing to speak are requested to fill out a speaker card and submit the card to the City Clerk. Each speaker may address the Council for up to three minutes at each Council meeting. The Mayor shall have the authority to limit public comments on non-agenda matters to less than three minutes based on the number of speakers wishing to address the Council. Speakers will be called in the order cards are submitted unless otherwise determined by the Mayor. The City Clerk will monitor the time for public comments and inform the speakers when the time limitation has been reached. The Council may not take immediate action on items presented under Public Comments on Non-agenda Matters but can refer the matter to staff or request its placement on a future meeting agenda.

Report Items
The Council shall consider items of City business and the introduction and adoption of ordinances and the adoption of resolutions or motions, as appropriate.

Public Hearings
The Council shall conduct all public hearings in accordance with the provisions of Sections X.A through X.G.

Written Communications
The Council shall consider all listed written communications from the public or other agencies. The agenda shall list all written communications requiring Council action.

Public Comments on Non-agenda Matters (Second Public Comment Period)

Adjournment of Meeting

III. PRESIDING OFFICER

A. Mayor to Preside

The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Vice Mayor shall preside.

In the absence of both the Mayor and Vice Mayor, the Councilmember with the longest period of continuous service shall serve as the Presiding Officer. Should there be two or more Councilmembers of equal length of service, the

Councilmember who received the highest number of votes in the most recent election shall function as the Presiding Officer.

B. Powers and Duties of Presiding Officer

1. Participation

The Presiding Officer may, upon passing the gavel, move or second from the Chair. They shall not be deprived of any of the rights and privileges of a Councilmember by reason of acting as Presiding Officer.

2. Questions to be Stated

The Presiding Officer, or such member of the City staff as they may designate, may verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer, in their discretion, may publicly explain the effect of a vote for the audience, or may direct a member of the City staff to do so, before proceeding to the next item of business.

3. Maintaining Order and Decorum

The Presiding Officer shall be responsible for the maintenance of order and decorum at all meetings. Any decision or ruling of the Presiding Officer may be appealed by request of any Councilmember. The Presiding Officer shall call for roll call to see if the Chair shall be upheld. If the roll call loses, the Presiding Officer is reversed.

4. Signing of Documents

The Presiding Officer shall sign all ordinances, resolutions, contracts, and other documents necessitating their signature, which were adopted in their presence, unless they are unavailable, in which case an alternate Presiding Officer may sign such documents.

IV. ADDRESSING THE COUNCIL

A. Written Correspondence

The City Manager or their designee is authorized to receive and open all mail addressed to the City Council. They shall give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action may be disposed of between Council meetings. Any communication requiring Council action shall be placed upon the agenda. All correspondence requiring a response shall be answered or acknowledged as soon as practicable.

Written correspondence pertaining to an item on the agenda and submitted to the City Clerk's Office by 12:00 p.m. the Monday before the Council meeting will be distributed to the Council prior to the Council meeting. Written correspondence received after the Monday deadline and before noon the day of the meeting will

be distributed to Councilmembers at the Council meeting. All written correspondence pertaining to matters on the agenda and received prior to 12:00 p.m. on the day of the meeting will be available for public review in the public meeting binder.

B. Right to Address Council

Subject to the provisions of Sections 4C, 4D, and 4E, and 4F, members of the public shall have the right to address the Council as provided by state law and as set forth in Council Policy 000-34, Establishing Policy for Citizen Appearances and Addressing the Council on Agenda Items.

C. Public Hearings

Interested persons or their authorized representatives may address the Council, while a matter is open to public hearing, in regard to remarks or questions relevant to the matter under consideration.

D. Manner of Addressing Council

Any person desiring to address the Council shall stand and wait to be recognized by the Presiding Officer. After being recognized, they shall approach a podium, state their name and address for the record if they choose (identification is not required), and proceed to address the Council. All remarks and questions shall be addressed to the Council as a whole and not to any individual member thereof. No question shall be asked of a Councilmember or a member of the City staff without first obtaining permission of the Presiding Officer.

E. Time Limitation

Every person addressing the Council shall limit their address to such reasonable time as is granted by the Presiding Officer. When any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Presiding Officer to request that a spokesman be chosen to represent the group, as to avoid unnecessary repetition.

V. DEBATE AND DECORUM

A. Getting the Floor

Councilmembers wishing to speak during Council meetings shall raise their hand or otherwise indicate to the Mayor their desire to speak and gain recognition by the Presiding Officer. Councilmembers shall confine themselves to the question under debate.

B. Questions to Staff

Every Councilmember desiring to question the City staff shall, after recognition by the Presiding Officer, address their questions to the presenter of an agenda item, the City Manager or to the City Attorney. The City Manager or City Attorney shall be entitled either to answer the inquiry themselves, or to designate a member of their staff for that purpose.

C. Interruptions

A Councilmember, once recognized, shall 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 shall cease speaking until the question of order is determined; if determined to be in order, they may proceed. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks, or until recognition is withdrawn by the Presiding Officer.

D. Points of Order

The Presiding Officer shall determine all points of order subject to the right of any Councilmember to appeal to the Council. They may request an opinion of the City Attorney in making such determination. Council decision shall conclusively determine such question of order.

E. Point of Personal Privilege

The right of a Councilmember to address the Council of a question of personal privilege shall be limited to cases in which their integrity, character, or motives are questioned, or when the welfare of the Council is concerned. A Councilmember raising a point of personal privilege may interrupt another Councilmember who has the floor subject only to the power of the Presiding Officer to call him/her out of order.

F. Decorum and Order, Council and City Staff

While the Council is in session, the Councilmembers and City staff shall preserve order and decorum in accordance with Council Policy 000-51, Code of Conduct for Councilmembers, Board and Commission Members. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the directives of the Presiding Officer.

G. Decorum and Order, Audience

Public members attending Council meetings shall observe the same rules of order and decorum applicable to the Council and staff. 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 themself 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 and may recess the meeting if necessary. If the person does not remove

themself, the Mayor may request the Sergeant at Arms or any law enforcement officer who is on duty at the meeting to remove that person from the Council Chamber.

H. Enforcement of Decorum

The Chief of Police, or such member of the Police Department as they may designate, shall be Sergeant-at-Arms at the City Council meetings and shall attend meetings when requested by the Presiding Officer, City Manager, or City Council. They shall be available to respond to all meetings immediately upon call. They shall carry out all orders given by the Presiding Officer of Council for the purpose of maintaining order and decorum at the Council meetings. Any Councilmember may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the Councilmembers present shall require them to do so.

I. Failure to Observe Rules of Order

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

J. Serial Meetings

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

K. Use of Technology

Councilmembers may access their agenda materials on City provided electronic communication system devices (such as iPads) during Council meetings. In accordance with City Council Policy Council 000-49, Technology Use by City Council and Other Legislative Body Members, Councilmembers shall not send, receive or read electronic messages of any kind during a Council meeting, except under emergency circumstances as specified in Council Policy 000-49.

VI. MOTIONS

A. Presentation of Motions

A motion is the formal statement of a proposal or question to the Council for consideration and action. The Mayor, and each Councilmember, has the right to present a motion.

B. Second Required

A motion by any Councilmember shall not be considered by the Council and voted on unless it receives a second.

C. Precedence of Motions

When a main motion is before the Council, no motion shall be entertained except the following which shall have precedence, one over the other, in the following order:

1. Adjourn
2. Recess
3. Postpone temporarily or definitely (table)
4. Previous question (call the question)
5. Limit or extend debate
6. Refer to committee or staff
7. Amend
8. Postpone indefinitely

The above order of precedence is subject to the following restrictions:

1. A motion shall not be repeated without intervening business or discussion.
2. A motion shall not be in order when the previous question has been ordered.
3. A motion shall not be in order while a vote is being taken.

D. Particular Motions, Purpose and Criteria

The purpose and salient criteria of the above-listed motions are as follows:

Motion to Adjourn

Purpose:	To terminate a meeting.
Debatable or Amendable:	No, except a motion to adjourn to another time to which the meeting is to be adjourned.

Motion to Recess

Purpose:	To permit an interlude in the meeting and to set a definite time for continuing the meeting.
Debatable or Amendable:	Yes, but restricted as to time or duration of recess.

Motion to Postpone Temporarily

Purpose:	To set aside, on a temporary basis, a pending main motion provided that it may be taken up again for consideration during the current meeting or at the next regular meeting. It is also referred to as a motion to lay on the table.
Debatable or Amendable:	It is debatable but not amendable.

Motion for Previous Question (Call the Question)

Purpose:	To prevent or stop discussion on the pending question or questions and to bring such question or questions to vote immediately. If the motion fails, discussion shall continue. If the motion passes, a vote shall be taken on the pending motion or motions.
Debatable or Amendable:	No.

Motion to Limit or Extend Debate

Purpose:	To limit or determine the time that will be devoted to discussion of a pending motion or to extend or remove limitations already imposed on its discussion.
Debatable or Amendable:	Not debatable; amendments are restricted to the period of time of the proposed limit or extension.

Motion to Refer to Committee or Staff

Purpose:	To refer the question before the Council to a committee or to the City staff for the purpose of investigating or studying the proposal and to make a report back to the Council. If the motion fails, discussion or vote on the question resumes.
Debatable or Amendable:	Yes.

Motion to Amend

Purpose:	To modify or change a motion that is being considered by the Council so that it will express more satisfactorily the will of the members. If the motion fails, discussion or vote on the main motion resumes. If the motion passes, then the main motion should be voted on as amended.
Debatable or Amendable:	It is debatable unless applied to an undebatable main motion. It is amendable.

Motion to Postpone Indefinitely

Purpose:	To prevent further discussion and voting on the main motion. If the motion fails, discussion and

	voting on the main motion resumes. If it passes, the subject of main motion shall not be brought up again for the remainder of the meeting or the next regular meeting.
Debatable or Amendable:	It is debatable but not amendable.

Main Motion

Purpose:	The primary proposal or question before the Council for discussion and decision.
Debatable or Amendable:	Yes.

VII. VOTING

A. Voting Procedure

When any motion is in order for the question, a vote thereon shall be taken by use of the electronic voting system or roll call vote as appropriate and entered in full upon the record.

If a Councilmember is to appear remotely, a roll call vote shall be required in accordance with the Ralph M. Brown Act.

Unless otherwise required by the City Charter, City ordinance, state law, or this policy, the affirmative vote of a majority of the total membership of the Council (4 votes) shall be necessary for the Council to take any action.

B. Change of 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 Presiding Officer and prior to the time the next item in the order of business is taken up.

C. Failure to Vote

Every member should vote unless disqualified for legal cause or other valid reason. Self- disqualification, without valid cause, which results in a tie vote, should be avoided, but no Councilmembers can be forced to vote. A Councilmember who abstains understands that a majority of the quorum may act for them.

D. Conflict of Interest

Any Councilmember who has a financial interest or other conflict of interest in any matter coming before the City Council shall state the nature of the disqualification and disqualify themself from discussing or voting on that matter in accordance with City Council Policy 000-02, Public Announcement of Intent to Abstain/Recuse. Unless the matter in which the Councilmember has a conflict of interest is on the consent calendar, the Councilmember shall leave the Council Chamber before any discussion on the matter commences and shall remain outside of the Council Chamber until the matter is concluded. A Councilmember

stating such disqualification shall not be counted as part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

E. Reconsideration and Rescission of a Prior Action

A motion to set aside a vote (in essence to reconsider) or a motion to rescind (repeal, cancel, nullify) shall be permitted only as follows:

Any member who voted with the majority may move to reconsider or rescind any action at the same or next following meeting, providing no legal rights have intervened to create an estoppel. The seconder shall not be required to have voted with the majority. If the motion carries, the item shall be listed on the agenda, or placed on the agenda at the first available meeting or such other meeting as designated by the Council and in accordance with any requirements by law. After a motion to reconsider or to rescind any action has once been acted on, no other motion to reconsider or to rescind the same action shall be made without unanimous vote of the Council. This paragraph shall not affect any procedures provided for by ordinance.

F. Lost Motions

A lost motion is one that fails to receive the necessary number of votes to carry. Any item failing to receive the necessary number of votes results in a lost motion. Any item resulting in a lost motion may be acted on at any subsequent Council meeting unless the action is otherwise prohibited by law.

This procedure shall not apply to the appeal of a staff decision or board or commission decision to the City Council. If there are not sufficient votes to grant an appeal, the decision of staff or the board or commission shall become final.

VIII. MINUTES

A. Preparation of Minutes

The Council has adopted the use of action minutes. The City Clerk shall have exclusive responsibility for preparation of the minutes. Any directions for alterations in the minutes shall be made only by action of the City Council. Corrections of typographical or clerical errors are not considered alterations.

B. Reading of Minutes

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

IX. ORDINANCES, RESOLUTIONS, AND CONTRACTS

A. Preparation of Ordinances, Resolutions, and Contracts

1. **Ordinances**
   All ordinances shall be reviewed and approved by the City Attorney and shall be presented to the Council only when ordered by the Council or City Manager, or prepared by the City Attorney on their own initiative.
2. **Resolutions**
   All resolutions shall be reviewed and approved by the City Attorney. In matters of urgency, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution.
3. **Contracts**
   All contracts shall be approved as to form by the City Attorney and shall be presented to Council unless the Council has delegated that authority to the City Manager, City Attorney or other staff.

B. Prior Approval by Administrative Staff

All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been approved as to form by the City Attorney and shall have been examined and approved for administration by the City Manager or their authorized representative, where there are substantive matters of administration involved.

C. Enactment of Ordinances

1. **Introduction**
   Ordinances, other than urgency ordinances, shall be introduced for first reading by motion. No ordinance, other than an urgency ordinance, shall be passed by the Council on the day of its introduction, nor within five days thereafter, nor at any time other than a regular meeting. A proposed ordinance may be amended or modified, and typographical and clerical errors corrected, between the time of its introduction and the time of its final passage, providing its general scope and original purpose are retained.

2. **Passage**
   Ordinances, other than urgency ordinances, shall be considered for adoption on second reading. Ordinances may be passed by motion and a majority vote of the Council, except for those ordinances which require a larger number of the Council for their approval.

~~**3. Reading**~~
~~After reading the title, further reading is waived.~~

~~4.~~3. Urgency Ordinance

An urgency ordinance is an ordinance for the immediate preservation of the public peace, health or safety of the City. It may be passed immediately upon introduction either at a regular or special meeting. It must declare the facts constituting the urgency and it shall be passed by five affirmative votes.

~~5.~~4. Publication

The City Clerk shall cause each ordinance to be published as required by City Charter and state law.

~~6.~~5. Effective Date

Ordinances take effect the thirty-first (31) day after final passage or on a later date as provided in the ordinance, provided they are published at least once after passage. An ordinance takes effect immediately if it is an ordinance calling or otherwise relating to an election, of an urgent nature relating to the public peace, health or safety, relating to street improvement proceedings, relating to taxes for the usual and current expenses of the City, or by particular provisions of law prescribing the manner of its passage and adoption.

D. Adoption of Resolutions

Unless otherwise provided by law, resolutions may be adopted by motion on the date they are first presented to the Council. It is not required that resolutions be read, either in full or by title only. Resolutions may be adopted as amended by the Council on the date they are first presented unless the Council by majority vote directs the City Clerk to place an amended resolution on a subsequent meeting agenda for adoption.

X. PUBLIC HEARINGS

A. Application and Definition

The following procedural rules shall apply to all hearings before the City Council. As used herein, the word hearing shall include all public hearings required by State law or City ordinance, and proceedings for the revocation, suspension or reinstatement of permits, licenses, and franchises.

B. Rights of Interested Persons

On the date and at the time and place designated in the notice, the Council shall afford any interested person or their authorized representative, or both, the opportunity to present documentary evidence, and/or to present statements, arguments, or contentions orally and/or in writing, subject to the rules on addressing the Council and rules hereinafter stated.

C. General Procedure

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

1. For quasi-judicial hearings, Councilmembers disclose any ex parte communications or information obtained outside the Council Chamber, such as field trips, views of the premises and discussions with individuals.
2. Staff presents its report.
3. Council members may ask questions of staff.
4. The Mayor opens the public hearing.
5. The applicant or appellant has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called up first to provide comments or testimony.
6. Members of the public are provided with the opportunity to present their comments, testimony or argument.
7. The applicant or appellant is given an opportunity for rebuttal or concluding comments. In the case of an appeal when the appellant is different from the applicant, the appellant is given the opportunity for closing comments.
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.

D. Presentation of Evidence

1. Oral Evidence

All oral statements which are relevant to the subject matter of the hearing may be considered by the Council. Oral evidence may be taken on oath or affirmation at the request of any interested party or their authorized representative.

2. Exhibits and Documents

Exhibits and documents used by the City staff and any persons participating in the hearing may be considered as evidence.

3. Communications and Petitions

All communications and petitions may be considered as evidence by the Council.

4. **Staff Reports**
   Whenever practicable, a written staff report shall be prepared and summarized aloud as part of the staff presentation. Said report shall be considered as evidence.

5. **Large Maps and Displays**
   Large size maps and displays presented for use at the hearing shall, whenever practicable, be displayed in full view of the participants and the audience. Said maps or displays, or authentic reductions thereof, may be considered as evidence.

6. **Admissible Evidence**
   The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence in civil actions.

E. Continuances

Any hearing being held, noticed, or ordered to be held by the Council may, by motion, be continued at the request of staff, an applicant or an appellant, or by a member of the Council, to any subsequent regular or adjourned meeting of the Council provided that if the hearing is continued to a time less than 24 hours after the time specified in the order on notice of hearing, a copy of the order or notice of continuance shall be posted outside the Council Chamber forthwith following the meeting at which the order of continuance was made in accordance with state law. A request for continuance by an applicant or appellant may only be made in accordance with City Council Policy 000-13, Granting Continuances of Agendaed Items Noticed for a Public Hearing.

F. Decision

The Council shall consider all evidence properly presented in accordance with the rules stated herein and, unless otherwise provided by law, said decision or determination shall be made by motion, resolution, or ordinance, as appropriate. Action may be taken thereon at a subsequent meeting of the Council. Any Councilmember who failed to hear significant portions of the hearing and who did not familiarize themself with the hearing or conduct thereof so as to be able to publicly state that they are familiar with the issues and evidence presented at the hearing shall disqualify themself from discussing or voting on such matter.

G. Record of Hearing

A verbatim electronic recording shall be made of the oral evidence presented at the hearing. Said recording, together with all documents, maps, exhibits, and displays admitted into evidence, shall be retained by the City Clerk for a period of at least one year from the date of the close of the hearing. In lieu of retaining said

recording, the City Clerk may prepare a typewritten transcript thereof which shall be retained for the same period of time.

XI. DECISION MAKING

A. Council members are expected to read staff reports and supporting information in their weekly agenda packets and get necessary clarification on issues prior to the meetings.

B. Study sessions are held frequently to help educate the Council and for staff to receive comments and direction to bring items back on a later agenda for possible action.

C. In order to reach the best possible solutions, information is shared freely between Council members during Council meetings.

D. Council members treat each other, the public, and staff with respect at all times.

E. There is a respect for differing opinions.

F. The Council will deal with issues and not personalities.

G. The Council, overall, strives for consensus.

H. There are individual interests and areas of expertise of Council members – allowing the Council to rely on one another for information and positive action.

I. Council looks to boards, commissions, and committees for independent advice and possible legislative actions.

XII. MAYOR AND VICE MAYOR: ELECTION/RESPONSIBILITY

A. The Mayor is elected for a two-year term immediately following the installation of newly-elected Councilmembers. In accordance with the City Charter, a Councilmember may not serve consecutive terms as Mayor. If a Mayor fails to complete a full term, the Council member elected to fill out the remainder of the unexpired term shall not be barred from serving a consecutive term as Mayor thereafter if the remaining term filled was one year or less.

B. The Vice Mayor is elected annually for a one-year term. The Council, at the time it selects a Mayor and during each November in odd numbered years, shall choose one of their number Vice-Mayor, who shall serve as Mayor in the absence, sickness, or other disability of the Mayor. The Vice Mayor is not a natural ascendancy to Mayor and there is no rotation system for selecting the Mayor or the Vice Mayor. Nominations for and election of the Vice Mayor shall follow the procedures set forth in paragraph C below.

C. ELECTION OF MAYOR AND VICE MAYOR

1. Presiding Officer for Election of Mayor
   The officer presiding over the election process shall serve as Mayor Pro Tempore and preside over Council meetings until a Mayor is elected. The individual functioning as Presiding Officer for the election of Mayor shall be in the following order:
   a. The incumbent Mayor if still on the Council.
   b. The incumbent Vice Mayor if still on the Council.
   c. The Councilmember with the longest period of continuous service. Should there be two or more Councilmembers of equal length of service, the Councilmember who received the highest number of votes in the most recent election shall function as the Presiding Officer.
2. Nominations
   At the same meeting and immediately following the installation of newly-elected Councilmembers, the Presiding Officer shall call for nominations from the floor for Mayor. The nomination must receive a second and be accepted by the nominee prior to a vote on the nomination.

3. Voting
   If only one Councilmember has been nominated, the Presiding Officer shall declare that individual to be elected Mayor by unanimous consent. If two or more Councilmembers have been nominated, election of the Mayor will be by process of elimination. Each Councilmember shall vote by ballot for a number of nominees that equals one less than the total number of nominees. For transparency purposes, ballots will be read after all votes are cast for each successive vote. Those nominees receiving one vote or less shall be eliminated. Subsequent votes shall be taken by ballot with each Councilmember voting for one less nominee than voted for in the previous round. Only nominees not eliminated may be voted upon. Once a single nominee receives a majority vote, the Presiding Officer shall declare that individual to be elected Mayor. The Presiding Officer shall then pass the gavel to the newly-elected Mayor, who shall assume the role of Presiding Officer. Immediately following election of the Mayor and during each November in odd numbered years, the same procedure shall be followed for election of the Vice Mayor.

D. Following the election of the Mayor and Vice Mayor, and at such other times as the Mayor deems it necessary, the Mayor shall establish the dais seating arrangement of the Councilmembers. The Vice Mayor shall always be seated immediately next to the Mayor.

E. The Mayor and Vice Mayor are peers of, and serve at the pleasure of, the other Councilmembers.

F. The City Charter gives the Mayor additional authority and responsibility.

G. Council committee and liaison assignments are reviewed and made annually by the Mayor. The Mayor may, subject to the approval of the Council, appoint such committees of Councilmembers, City staff, and private citizens, or a combination thereof, as they deem necessary and expedient to assist and advise the Council in its work

H. In January of each year, the Mayor will submit their recommendations for Chairs of the boards, commissions, and advisory committees for ratification by the Council. The Chairs will take their seats at their first meeting on or after February 1st.

I. Prior to March 1st of each year, the Mayor will develop a "State of the City" report for presentation to civic groups and posting on the City's web site.

J. The Mayor will meet with the Chairs of the boards, commissions, and advisory committees on a monthly basis in an effort to share information and coordinate efforts.

K. Proclamations are issued and/or scheduled for presentation at a City Council meeting at the discretion of the Mayor.

XIII. COUNCIL GOALS

A. Council Goals are set every two years by the City Council and reviewed annually.

B. Staff will prepare an update on City issues, trends, and demographics to assist the City Council with preparations for their goal setting process.

C. In December, the Mayor shall determine the process and facilitator they wish to use for the annual review for the goal setting. The goal setting session shall be held as early in the year as possible to allow for development of work plans and allocation of resources through the budget process. Goals shall be established for two fiscal years starting on July 1 and ending on June 30.

D. The purpose of the goal setting process is to establish a limited number of high priority consensus goals that the City will focus on for the next year.

E. Staff will develop draft work plans for each goal for approval by the City Council.

F. The City Manager and City Attorney are active participants in the goal setting process. Other staff may also participate in goal setting at the direction of the City Council.

G. Staff will take steps to distribute Council goals to staff and the public.

H. The City Council will review progress on the goals quarterly.

XIV. COMMUNICATIONS

A. The City Manager handles all correspondence for the Council. Copies of appropriate correspondence are disseminated to the entire City Council.

B. All written informational material requested by an individual Councilmembers shall be distributed by staff to all Councilmembers without a notation indicating which Councilmember requested the information.

C. Mail that is addressed to the Mayor and City Council shall be included in each Councilmember's weekly packet. Any communication requiring Council action shall be placed on the agenda. All correspondence requiring a response shall be answered or acknowledged as soon as practicable.

D. Correspondence directed to the City Council and/or the City Manager relating to Council business is available to the public.

E. In an effort to increase communications with the community, every effort will be made to notify residents of issues that will affect their neighborhood that will be coming before the Council or any of the City's boards, commissions, and advisory committees.

XV. COUNCIL/STAFF RELATIONS

A. City staff shall acknowledge the Council as the policy makers, and the City Council shall acknowledge staff as administering the Council's policies.

B. The City Manager and the City Attorney are the only officials directly appointed by the City Council. All department heads (except for the City Attorney), Assistant City Manager, Deputy City Manager and their subordinates are supervised by the City Manager.

C. Council relies on staff for technical work and reports.

D. Staff handles all labor negotiations.

E. Council shall not attempt to coerce or influence staff in the making of appointments, the awarding of contracts, the selection of consultants, the processing of development applications, or the granting of licenses or permits. The Council shall not attempt to change or interfere with the operating policies and practices of any City department.

F. A Councilmember shall not direct staff to initiate any action or prepare any report that is significant in nature or initiates any project or study without the approval of a majority of the City Council.

G. Councilmembers should confer with the City Manager on issues of concern. The City Manager shall provide written notice to the City Council on all matters of major impact to the City in accordance with Council Policy 000-19, Notification of Santa Rosa City Council about Issues with Significant Impact to the City.

H. The City Manager and the City Attorney shall receive performance reviews by the Council by April 30th of each year.

I. Staff provides support to Councilmembers serving on regional agencies, boards or commissions or on any League affiliated committee or body.

XVI. COUNCIL COMMITTEES

A. The Council operates through a number of ad-hoc and standing committees.

B. Committee areas belong to the whole Council. Committees may overlap on issues and address them from different perspectives.

C. Committee members are responsible to keep the rest of the Council informed via the Mayor's and Councilmembers' reports at regular meetings of the Council. It is particularly important to update all members on the activities of the individual committees on which Councilmembers serve. If individual Councilmembers want more in-depth information or to give input, they are responsible for obtaining the information.

D. Any Councilmember may attend a subcommittee meeting in accordance with City Council Policy 000-46, Attendance by Council Members at Council Committee Meetings. When a majority of the City Council wishes to attend a subcommittee meeting, it shall be noticed as a special meeting of the City Council. To allow posting of the meeting notice, more than three business days' notice should be given to the City Clerk's Office if a Councilmember is attending a meeting of a subcommittee of which they are not an appointed member. If a majority of the Council attends a subcommittee meeting that has not been noticed as a meeting of the City Council, the non-subcommittee members may observe but may not participate in any discussion or vote.

XVII. CITY BOARDS, COMMISSIONS, AND COMMITTEES

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A. All appointments to City boards, commissions, and advisory committees shall be made in accordance with the City Charter and Council Policy 000-06, Appointments to Boards / Commissions / Committees. All applicants for City

boards, commissions, or advisory committees shall complete and file a standard application form with the City Clerk at least five days before assuming office.

B. Council hosts an Annual Luncheon to recognize and thank members serving on Council-appointed board, commissions and advisory committees. Any retiring Board members will be recognized and acknowledged at this event.

C. Councilmembers have the right to attend meetings of Council-appointed boards, commissions, and advisory committees but are cautioned about becoming involved in the meeting's discussion or business.

XVIII. CONFIDENTIAL INFORMATION

A. Councilmembers shall keep all written materials and verbal information provided to them on matters that are confidential under State law in complete confidence to ensure that the City's position is not compromised. No mention of information in these materials should be made to anyone other than Councilmembers, the City Attorney, or the City Manager.

B. Councilmembers shall avoid disclosing information, which is confidential or not generally known or readily available to the public, concerning the business or property of the City for the purpose of benefiting any private interest.

C. If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations whether it be related to property acquisition or disposal, a proposed or pending claim or litigation and/or employee negotiations, all contact with the other party should be by the designated City staff representative handling the negotiations or litigation. Unless otherwise authorized by the City Council, a Councilmember shall not have any contact or discussions with the other party or its representatives involved with the negotiations during this time nor communicate any discussion conducted in closed session. All public statements, information, and press releases should be handled by the designated staff spokesperson.

XIX. STATIONERY USE AND RELATED GUIDELINES

A. Official use of City letterhead shall be guided by the following criteria:

1. Office of the Mayor/City letterhead: shall be used by the Mayor for official City business and communication of adopted City policies and positions.

2. Individual City Council/City letterhead: shall be used by the Vice-Mayor and Councilmembers for official City correspondence and communications.

3. Personal Stationery without City Logo: shall be used by any member of the City Council to communicate individual positions, conduct personal

correspondence, or communicate positions that may be in opposition to established City Council positions or decisions. Personal stationery shall be printed at the expense of the individual Councilmember. It is the policy of the City Council that the use of City letterhead and/or title on personal matters is not permitted.

B. Pursuant to City ordinance, the use of the City Seal, logo, or other insignia, on personal matters is not permitted.

C. All business cards printed hereafter will contain only the person's name, title, City Hall address and telephone number, with home and/or business telephone numbers optional. Business names and/or addresses are prohibited.

D. All documents using the City letterhead are public documents. All documents shall be provided to the City Manager.

E. Whenever a Councilmember other than the Mayor wishes to write a letter on City letterhead, they should inform the Council (in writing or verbally at an open meeting) what the letter is about and seek Council concurrence that the letter may be written on City letterhead.

F. All Councilmembers are copied on correspondence signed by the Mayor or other Councilmembers.

XX. GENERAL

A. After regular meetings, the Council may go to dinner at a local restaurant with the City Manager, City Attorney, and/or additional staff as deemed appropriate by the Council.

B. Councilmembers will inform the City Clerk as early as possible when they will be out of town or absent from a meeting by completing an Absence From City form.

C. Travel arrangements for City related business are coordinated with the designated person in the City Manager's Office.

D. Receipts and travel expense reports are to be submitted no later than 30 days after the closing date of the meeting. Expenses shall be reimbursed in accordance with City Council Policy 000-50, Travel and Expense Reimbursement Policy for Expenses Incurred by City Council Members and Council-Appointed Members of City Boards, Commissions, and Advisory Committees.

XXI. CONDUCT BY COUNCILMEMBERS

A. Councilmembers shall conduct themselves in accordance with Council Policy 000-51, Code of Conduct for Councilmembers, and Board and Commission Members.

B. Councilmembers shall avoid any action which could be construed by an objective person to create the appearance of: 1) using public office for personal gain including use of City stationery or other City resources to obtain or promote personal business or for campaign purposes; 2) giving preferential treatment to any person or group; or 3) impeding governmental responsiveness or efficiency. Councilmembers shall adhere to Council Policy 000-03, Presentations to Boards, Commissions, and Council Made by Members of Any Body of City of Santa Rosa.

C. Councilmembers shall identify personal opinions and recommendations, avoiding any implication that personal opinions and recommendations are those of the Council unless such position has been duly voted.

D. No elected official, officer, appointee or employee shall engage in any enterprise or activity which shall result in using time, facilities, equipment, or supplies of the City for the private gain or advantage of themselves or another.

APPENDIX A

ROSENBERG'S RULES OF ORDER

APPENDIX B
REFERENCE TABLE OF CITED COUNCIL POLICIES

Policy No.	Title
000-02	Prior Announcement of an Intent to Abstain Based on Conflict of Interest
000-03	Presentations to Boards, Commissions, and Council Made by Members of Any Body of City of Santa Rosa
000-13	Granting Continuances of Agendaed Items Noticed for a Public Hearing
000-19	Notification of Santa Rosa City Council about Issues with Significant Impact to the City
000-34	Establishing Policy for Citizen Public Appearances and Addressing the Council on Agenda Items
000-35	Early Council Agenda Policy
000-46	Attendance by Council Members at Council Committee Meetings
000-49	Technology Use by City Council and Other Legislative Body Members
000-50	Travel and Expense Reimbursement Policy for Expenses Incurred by City Council Members and Council-appointed Members of City Boards, Commissions, and Advisory Committees
000-51	Code of Conduct for Councilmembers, and Board and Commission Members