

Section 1: POLICY:

In order to encourage well-organized presentations and to minimize repetitive input, the City Council approved time limits on the length of presentations and public comments to the city Council. The time limits are intended to help streamline the Council meetings and to be fair to all who wish to speak.

Section 2: PROCEDURE

1. Public information included on the cover page for the agenda and the Notice of Procedures (placed in Council chambers, City Clerk's Office and sent with Public Hearing notifications):
 - Explains the time limits set for speakers;
 - Encourages individuals and groups to provide written comments for inclusion in the Council agenda;
 - Encourages groups to appoint a spokesperson;
 - Request that speakers present new material and avoid repetitive comments.

2. The following time limits will be strictly enforced by the Mayor to ensure equal opportunity and treatment of all speakers:
 - 3 minutes: All Speakers. This includes presentations of applicants, appellants, comments on individual agenda items, comments under Oral Communications and rebuttal in Public Hearings.

Exceptions: The proposed time limit can be extended by the Mayor. In addition, on all matters the City Council retains the discretion to extend these time limits through a vote of the Council, when deemed necessary.

3. The City Clerk, or designee, will operate a timer to assist with the implementation of the time limit.

STANDARD MANAGEMENT PROCEDURE

Section 1: PURPOSE

The purpose of this policy is to formally set an open, transparent, and fair process for conducting board, commission, and committee applicant interviews, providing the applicant an opportunity to address the city council to communicate why they are the best candidate for the position.

Section 2: POLICY

It is the declared policy of the city Council to conduct a fair, open, and transparent process for board, commission, and committee applicant interviews. The policy provides for consistency with Government Code Section 40605, fosters an open deliberation process, and offers purpose to the applicant.

Section 3: PROCEDURE

- A. City Clerk will invite the applicants to the next duly notices regularly scheduled or special City Council meeting to attend the Board and Commission Interviews and Appointments portion of the meeting.
- B. The Mayor will call up the applicant's one at a time and each member of Council will briefly have the opportunity to ask the applicant questions, if they choose.
- C. The Mayor may motion to make the appointment or ask Council how they wish to proceed. Council may ratify the Mayor's motion or let the motion die for lack of second. The Mayor may then ask the Council for appointment recommendations. Council discussion and deliberation may ensue. After one of the selection methods has run its course, the Mayor will then appoint the new Board, Commission, or Committee members once a majority vote of the City Council is obtained.

City Council Policy C-3: Council Meetings Time of Adjournment
City of Manteca – City Council Policy and Procedure

STANDARD MANAGEMENT PROCEDURE

Section 1: PURPOSE

The purpose of this policy is to formally set a normal time of adjournment of City Council Meetings at 10:00 p.m. In addition, this policy will allow all meetings to be conducted in a businesslike manner and ensure that decisions are given proper time for consideration at a reasonable hour.

Section 2: POLICY

It is the declared policy of the City Council to adjourn all Council Meetings at or before the normal time of adjournment. Normal time of adjournment is 10:00 p.m. In order to ensure that this hour is not exceeded, the following procedure shall be followed.

Section 3: PROCEDURE

- a. The City Council shall review remaining items on the agenda at 9:30 p.m. in order to potentially adjust the agenda to consider items of immediate concern. Items may be heard out of order depending on the sensitivity and urgency.
- b. The City Council shall not begin consideration of a new item at or after 10:00 p.m. unless an exception exists.
- c. The City Council shall continue all unfinished items to the next regularly scheduled Council meeting for consideration or it may adjourn any regular meeting to a date specified in the order of adjournment. When so adjourned, the adjourned meeting is a regular meeting for all purposes (Government Code Section 36805).

Section 4: EXCEPTIONS

Exceptions to this policy are permitted upon a 4/5 vote of the City Council.

***City Council Policy C-4: Travel/Expense Reimbursement
Policy & Procedure***
City of Manteca – City Council Policy and Procedure

Section 1: 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 officials attending conferences, training, meetings and other City-related business. Contract officials and consultants are not covered under this policy. It is the intent of the City of Manteca to assure compliance with IRS regulations. Reimbursement of business-related expenses paid to officials is generally tax-free; however, officials must substantiate the expenses with original receipts. This policy supersedes all previous policies.

Section 2: POLICY

2.1 AB1234: All policies set forth for reimbursement of expenses incurred by City officials have been established in accordance with AB1234⁽¹⁾. AB1234 requires that all expenses be documented with receipts and be detailed on expense report forms.

2.1(a) If an Official seeks reimbursement for expenses in excess of those outlined within this policy, **prior** approval must be obtained from the appropriate governing body.

2.1(b) At the following City legislative body meeting, the reimbursed official shall briefly report on meetings attended at City expense. If multiple officials attended, a joint report may be made.

2.1(c) Some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act.

2.2 Travel Arrangements: Travel arrangements for Councilmembers shall be coordinated by the City Clerk's office.

2.3 Post Travel Expense Reconciliation: Within 10 business days after returning from the event, the Travel Request/Post Travel Expense Reconciliation Report (Exhibit A) must be completed for non-local travel and submitted to the Finance Department wherein actual travel expenses, including amounts advanced, must be reconciled. If actual costs, within the limits prescribed below are greater than the amount advanced, the difference will be refunded to the traveler. If the amounts advanced are greater than the actual expenses, the City official must return the funds to the City with Travel Request/Post Travel Expense Reconciliation Report.

2.4 Local Travel Reimbursement: City officials must complete the Travel Request/Post Travel Expense Reconciliation Report within 10 business days of event or date of purchase requiring reimbursement. "Local" shall be defined as travel not requiring an overnight stay.

City Council Policy C-4: Travel/Expense Reimbursement

Policy & Procedure

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2.5 Registration:

All registration fees for approved conferences, seminars, training or meeting shall be paid directly by the City whenever possible. If registration is paid directly by the official, reimbursement will be made with proper documentation **after** attendance at the conference, seminar, training, or meeting. Officials should register at the earliest time possible to avoid late registration charges. If an event needs to be cancelled, cancellation should be before the deadline to avoid a penalty when possible.

2.6 Lodging:

The cost of lodging accommodations for approved conferences, seminars, training or meetings shall be paid directly by the City when possible. If paid by the official reimbursement will be made with proper documentation **after** return from travel.

Hotel and motel charges shall be based on single occupancy rates. At no time will the cost of lodging be paid at a rate greater than the maximum group rate published for the event being attended. The City will not reimburse officials for lodging expenses incurred for additional guests. In instances where destination hotels are filled, the official should attempt to secure comparable rates at the nearest hotel.

Pre-destination lodging will be allowed for travel requiring extensive travel time and must be identified in the travel request, supported by a copy of the event. Note: Starting time is for actual event, not registration or optional tours or sponsored events.

Lodging will be allowed for travel if the following conditions are met:

- The length of the event is more than one day, extensive travel time is required or the distance is more than 75 miles from City Hall or the officials' residence, whichever is greater or,
- If the official's presence is required for activities before or after the regular event hours.

2.7 Transportation:

Use of air, train, private car or bus shall be selected on the basis of the most reasonable and appropriate method, taking into consideration distance, time and total costs to the City.

If an official elects to use a mode of transportation other than stated above, the City will pay only the cost of the most logical and least expensive mode. The difference between the selected mode and the most logical and least expensive mode shall be considered the official's personal expense.

2.8 Air Travel:

Officials shall endeavor to book air travel to take advantage of discounts and non-refundable ticket fares where practical. All flights shall be booked at coach class or equivalent level.

City Council Policy C-4: Travel/Expense Reimbursement

Policy & Procedure

City of Manteca – City Council Policy and Procedure

2.8(a) Mileage reimbursements for air travel shall be limited to the equivalent of the most economical fare. When approved, mileage will be reimbursed at the current rate set by the Internal Revenue Service.

2.8(b) Airline tickets shall be paid directly by the City wherever possible. If an official purchases tickets they will receive reimbursement with proper documentation **after** attendance of the event.

2.8(c) Automobile mileage shall be reimbursed when traveling to and from the airport, at the current mileage rate set by the Internal Revenue Service, provided, however, that a councilmember who receives a flat expense car allowance shall not be eligible for reimbursement for the first 100 miles of a trip as provided in section 2.10(b) of this policy. When available, courtesy shuttle services should be utilized between airports and meeting locations. Airport parking at the economy parking rate is reimbursable with the original receipt.

2.9 Rental Vehicles:

When rental vehicles are used, the least expensive vehicle practical will be used.

2.10 Car Allowances:

There are three options available to councilmembers with regard to car allowances for the performance of official duties. Councilmembers shall be authorized mileage reimbursement, be provided a flat expense allowance executed by an agreement for the use of his or her privately owned vehicle in the performance of City business, or car allowance stipend. Mileage is to be calculated based on information attained at mapquest.com or other equivalent Internet resource.

2.10(a) Mileage Reimbursement:

- Mileage driven is to be calculated based on information attained at mapquest.com or other equivalent Internet resources.
- If the distance from the councilmembers home to the event site is less than the distance from the work site, the mileage will be calculated from the councilmembers home. Private vehicle usage will be reimbursed at the current rate set by the Internal Revenue Service. Mileage reimbursement will be based on actual miles traveled for City business, via the most direct route.
- In compliance with section 3.2 of this policy, councilmembers shall provide a mileage log (Exhibit B) to include information about the location traveled to and nature of each activity.

2.10(b) Agreement for Flat Expense Car Allowance:

- Government Code Section 1223 authorizes flat expense allowances to compensate for the use of private vehicles providing that “*when traveling expenses are allowed by law to any state, county, judicial district, or city officer, he may contract with the appropriate authorities for an allowance or mileage rate for the use of vehicles owned or rented and used by him in the performance of duty, in lieu of the usual transportation charges*”.

City Council Policy C-4: Travel/Expense Reimbursement

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- Councilmembers may opt to execute an agreement (Exhibit “C”) with the City to receive a flat expense car allowance of \$300 per month. Such agreement will not require the submittal of a mileage log, information related to location and nature of travel, or receipts.
- Councilmembers who receive a flat expense car allowance shall not be eligible for reimbursement pursuant to section 2.10(a) of this policy for the first 100 miles of a trip. For purposes of this policy, a trip consists of the travel to and from a destination in the performance of City business.
- Car allowances provided by execution of an agreement are not considered compensation however car allowance amounts will be reported as wages for income tax purposes.

2.10(c) Stipend:

- Car Allowance Stipend: Government Code Section 36516(a) permits a city council to establish by ordinance a salary up to an amount determined by the city’s population in the last federal census. This amount may be increased either by voter approval or by an ordinance adopted by the City Council. A salary increase adopted by a City Council approved ordinance shall not exceed an amount equal to five percent for each calendar year from the operative date of the last adjustment of the salary. A car allowance stipend would be considered salary. The City Council may only adopt an ordinance approving a stipend to councilmembers for their cell phone usage if the amount of the proposed stipend and all other salary provided to the councilmember does not exceed the statutory limit on such salaries under Government Code Section 36516(a).
- Increases in salaries would not take effect until the beginning of the next term of office (after the next municipal election). Councilmembers receiving car allowance stipends would not need to provide any expense reports or receipts to the City.

2.11 Unauthorized expenses:

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

If unauthorized expenses have been paid by the City, the official will be responsible for reimbursement to the City within five business days.

City Council Policy C-4: Travel/Expense Reimbursement

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2.12 Family Members or Guests:

Travel arrangements and payment of costs for family members or guests are not eligible for payment by the City. Travel arrangements and payment of costs for family members or guests are to be handled directly by the official.

2.13 Phone Calls:

The City shall reimburse officials for all phone calls made which are directly related to City business. Officials should use discretion and use the most economical method available. There are three options available with regard to councilmember use of cell phones in the performance of official City business. Note that requests for reimbursement should be accompanied by documentation identifying the nature of the phone call. The reasonable reimbursement rate related to monthly cell phone data is \$50 per month [Govt. Code § 53232.2(c)].

2.13(a) Cell Phone Bill Reimbursement: Councilmembers may submit a personal cell phone bill for reimbursement for phone calls that are directly related to City business. Each cell phone bill reimbursement request must include a copy of the phone bill that identifies which calls were made in the performance of official duties as well as a brief description of the nature of the call along with an affidavit (Exhibit D) acknowledging that he or she has reviewed the bill and identified business use from personal use. All documents related to such reimbursements are public records subject to disclosure under the California Public Records Act [Govt. Code § 53232.3(e)]. The councilmember may be eligible to receive a reimbursable amount of up to \$50.

2.13(b) Cell Phone Stipend: Government Code Section 36516(a) permits a city council to establish by ordinance a salary up to an amount determined by the city's population in the last federal census. This amount may be increased either by voter approval or by an ordinance adopted by the City Council. A salary increase adopted by a City Council approved ordinance shall not exceed an amount equal to five percent for each calendar year from the operative date of the last adjustment of the salary. A cell phone stipend would be considered salary. The City Council may only adopt an ordinance approving a stipend to councilmembers for their cell phone usage if the amount of the proposed stipend and all other salary provided to the councilmember does not exceed the statutory limit on such salaries under Government Code Section 36516(a).

Increases in salaries would not take effect until the beginning of the next term of office (after the next municipal election). Councilmembers receiving cell phone stipends would not need to provide any expense reports or receipts to the City.

2.13(c) City-Owned Phone/Smartphone: Councilmembers may opt to receive a City-owned cell phone that the councilmember would return to the City once he or she leaves office. The councilmember would complete the "City-Owned Phone Policy Acknowledgement" form (Exhibit E) acknowledging the following:

- The use of the phone is exclusively for the performance of official duties, except in the case of emergencies;

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- In the event that the councilmember makes any incidental personal use of the phone, he or she must reimburse the City for all expenses related to the personal use;
- The councilmember will be issued, on a monthly basis, a copy of the phone bill for his or her review. After reviewing the phone bill, the councilmember must sign an affidavit (Exhibit D) acknowledging that he or she has reviewed the bill, identified any incidental personal use, and reimburse the City for any such personal use. The City will also routinely audit/review the phone bill for each City-owned phone;
- Records maintained on the phone may be subject to disclosure under the California Public Records Act;
- The City reserved the right to inspect, at any time, the phone to ensure compliance with this policy; and
- Acknowledge the severe penalties associated with misuse of public resources, to potentially include civil penalties of up to \$1,000 per day, criminal prosecution, and a lifetime ban from public office.

2.14 Internet Usage:

When traveling on City business, officials must use the most economical method possible when accessing the Internet, such as a local Internet provider. Internet use will only be reimbursed if deemed necessary for City business.

2.15 Meal Allowance Standard:

Councilmembers shall be entitled to receive reimbursement for the actual costs of meals or a Per Diem shall be paid up to an amount not to exceed \$70 per day. Per AB1234 receipts are required to substantiate all meal expenses. Per IRS guidelines any amounts received in excess of the current IRS per diem will be reported as income. The following amounts represent the per meal breakdown of the IRS per diem rates in effect at the time of adoption of this policy. Per diem rates will be adjusted as necessary to equal current IRS regulations.

Breakfast - \$8	Lunch - \$11	Dinner - \$20
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2.16 Travel Advance:

The only payment that will be made to officials in “advance” will be for the IRS per diem, bridge toll, and mileage when documentation in writing is attached to the form. Payments in advance must be submitted to Finance no sooner than one month prior to departure.

2.17 Discretion:

This policy does not claim to have addressed all contingencies and conditions. Any necessary and reasonable expense that may from time-to-time be justified due to circumstances or opportunities for the City will be reimbursed to the traveler with adequate documentation and justification.

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Section 3: PROCEDURE

3.1 Non-Local Travel/Expense Reimbursement (requiring an overnight stay)

3.1(a) Complete the Travel Request/Post Travel Expense Reconciliation Report. Backup must be attached to the form including flight itinerary, car rental and hotel information. A complete schedule of the event must also be attached to the form. Submit the form to the Finance Department for the processing of checks for travel advance payments. It shall be customary that registration, lodging and travel shall be paid by a City check or credit card for reimbursement.

3.1(b) Upon return from the event, within 10 business days, complete the Travel Request/Post Travel Expense Reconciliation Report. Submit to the Finance Department, whether or not any reimbursement is due.

3.2 Local Travel Advance/Reimbursement (not requiring an overnight stay):

Upon return from the event and within 10 business days, complete the Travel Request/Post Travel Expense Reconciliation Report. All receipts including a complete schedule of the event or mileage log (Exhibit B) which includes information related to the location traveled to and the nature of the activities must also be attached to the form. Submit the form to Accounts Payable for the processing of checks. It shall be customary that registration shall be paid by a City check or credit card for reimbursement.

3.3 Records:

Officials must maintain a detailed record of all expenses incurred during travel including meals, lodging, transportation, parking fees, registration fees, telephone and any other reasonable and necessary expenses. Credit card summary receipts are not considered to be a detailed record.

3.4 Certification of Expenses:

All City officials shall certify on a form provided by the Finance Department, and reviewed by external auditors, that travel and related expenses were conducted in the course of City of Manteca business. All funds shall be requested on an individual basis.

Section 1: PURPOSE

The purpose of this policy is to formally adopt a Code of Ethics promoting and maintaining the highest standards of personal and professional conduct in the City's government. All elected and appointed officials, as well as executive management staff, hereinafter referenced as "City Officials", are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its core values in their work. Public confidence in City's services and public trust of its decision-makers is critical, therefore, decisions and work efforts must meet the most demanding ethical standards and demonstrate the highest levels of achievement.

Section 2: POLICY

Local officials already must comply with an extensive set of laws that govern ethical aspects of public service such as disclosure of personal economic interests; receipt of loans, gifts, travel payments, and honoraria; campaign contributions; conflicts of interest; incompatible offices; and criminal misconduct in the office. The Manteca City Council adopts this Code of Ethics as a supplement to the above laws assuring that all City Officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of Manteca's City government.

A. Ethics

The Citizens and businesses of Manteca are entitled to have a fair, ethical, and accountable local government. The public should have full confidence that their elected and appointed officials:

- Comply with the letter and spirit of the laws and policies affecting the operations of government;
- Are independent, impartial, and fair in their judgment and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

Therefore, members of the City Council, City Manager, City Attorney, executive management staff, and all Boards, Commissions, and Committees shall conduct themselves in accordance with the following ethical standards:

1. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, City Officials will work for the common good of the people of Manteca and not for any private or personal interest, promoting the interests of the public and putting service to the public above service to oneself.
2. **Comply with the Law.** City Officials shall comply with the Constitution, Laws and Ordinances of the United States, the State of California and the City of Manteca in the performance of their public duties.
3. **Conduct of City Officials.** The Professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. City Officials shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards and Commissions, staff, or the public.
4. **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good, City Officials shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.
5. **Gifts and Favors.** City Officials shall not take any special advantages of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors, or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
6. **Proper Efficient Use of Public Resources.** City Officials shall not use public resources which are not available to the public in general for private gain or for personal purposes not otherwise authorized by law.
7. **Promote Democratic Participation.** Inform the public and encourage active engagement in governance. Be open, transparent and responsive, and respect and assist all persons in their dealings with public organizations.
8. **Conduct of Public Meetings.** City Officials shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal

comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

9. **Advocacy.** City Officials shall represent the official policies or positions of the City Council, Board, or Commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, City Officials shall explicitly state they do not represent their body or the City of Manteca, nor will they allow the inference that they do. Council, Board, and Commission decisions shall receive the support of all City Officials.
10. **Decisions.** City Officials shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
11. **Confidential Information.** City Officials shall respect the confidentiality of information concerning the property, personnel, or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
12. **Strengthen Social Equality.** Treat all persons with fairness, justice, equality, and respect individual differences, rights, and freedoms.
13. **Demonstrate Personal Integrity.** Adhere to the highest standards of conduct to inspire public confidence and trust in public service.
14. **Policy Role of City Officials.** City Officials shall respect and adhere to the council-manager structure of Manteca City government as outlined by the Manteca Municipal Code. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, boards and commissions, and City staff resulting in the City Manager implementing those policies. Except as provided by the City of Manteca Municipal Code, City Officials shall not interfere with the administrative functions of the City or the professional duties of City staff nor shall they impair the ability of staff to implement Council policy decisions.
15. **Independence of Boards and Commissions.** Because of the value of the independent advice of boards and commissions to the public decision-making process, City Officials shall refrain from using their position to unduly influence the deliberations or outcomes of boards and commission proceedings.
16. **Positive Work Place Environment.** City Officials shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City.

City Officials shall recognize their special role in dealing with City employees to in no way create the perception of inappropriate direction to staff.

Section 3: IMPLEMENTATION

The Code of Ethics is intended to be self-enforcing and is an expression of the City's standards of expected conduct for City Officials. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, this document shall be included in the regular orientations for candidates for City Council, appointees to Boards and Commissions, and newly elected and appointed officials. Members entering office shall sign a statement acknowledging they have read and understand the Code of Ethics and Conduct. In addition, the Code of Ethics shall be periodically reviewed by the City Council and updated as necessary.

MEMBER STATEMENT As a member of the City of Manteca City Council, a Board, Commission, or Committee member, or a member of executive management staff, I agree to uphold the Manteca Code of Ethics for elected and appointed officials adopted by the City and conduct myself accordingly.

I affirm that I have read and understood the City of Manteca Code of Ethics.

Name: _____

Signature: _____ Date: _____

Office/Position: _____

Section 1: PURPOSE

To establish a City Council policy for when it is appropriate to attend Council meetings via teleconference. The City Council provisions concerning teleconferencing shall also apply to all Boards, Commissions, and Committees.

Section 2: POLICY

A. Meetings

The City Council is authorized to connect less than a quorum of individual members of Council to any regular meeting or special meeting by “teleconferencing” (connecting the Councilmembers to the meeting by electronic means, through either audio or video, or both) pursuant to the requirements of the Brown Act (California Government Code Section 54953).

B. Acceptable Teleconference Reasons

Requests by Councilmembers to attend a Council meeting via teleconferencing is typically discouraged unless identified as an acceptable reason. Teleconferencing shall only be permitted in the event of extraordinary events such as a medical, family or similar emergency requiring a Councilmember's absence or in the event the Councilmember is out of the area on official City or work related business. Requests for teleconference attendance for planned vacations will need to be approved by the City Council (see section D. Exceptions). Every effort should be made by Councilmembers to schedule vacations opposite Council meetings to avoid scheduling conflicts.

C. Legal Requirements

All provisions in the Ralph M. Brown Act for open meetings must be complied with in order to hold a teleconference meeting including but not limited to noticing requirements and allowing the public access to attend at the teleconference location. At least a quorum of the City Council must participate from teleconferencing locations within the City's jurisdiction.

The following thresholds must be met:

- Meeting agenda identified the teleconference location and is posted at that location in an area that is accessible and visible 24 hours a day for at least 72 hours prior to the meeting;
- The teleconference location is open and fully accessible to the public, and fully accessible under the Americans with Disabilities Act, throughout the entire meeting. These requirements apply to private residences, hotel rooms, and similar facilities, all of which

must remain fully open and accessible throughout the meeting, without requiring identification or registration;

- Members of the public who attend the meeting at the teleconference location have the same opportunity to address the Council from the remote location that they would if they were present in the Council Chambers;
- The teleconference location must not require an admission fee or any payment for attendance.

If the Councilmember determines that any or all of these requirements cannot be met, he or she shall not participate in the meeting via teleconference.

D. Exceptions

The City Council may authorize exceptions to this policy. An individual member of City Council may request authorization from City Council to connect to a particular meeting by teleconferencing if the reason for absence is outside the acceptable teleconference parameters. If the City Council determines that teleconferencing is warranted for the benefit of the public and the City Council for that particular situation, the City Council may direct the City Manager to implement a teleconferenced meeting pursuant to the requirements of the Brown Act.

The City will provide reasonable accommodation as required by law.

Section 3: APPLICATION

This policy and procedure applies to all City Councilmembers.

Section 1: PURPOSE

To establish a clear, transparent procedure for City Councilmembers and members of the public to request items be placed on a future agenda ensuring compliance with the Brown Act requirement that only agendaized items be discussed at length or acted upon during a Council meeting.

Section 2: POLICY

A. **Members of the City Council**

During the "Council Comments" portion of the City Council meeting, any member of the City Council may request that an item be placed on a future City Council agenda for initial consideration by the City Council. Initial consideration will allow Council to discuss the item during an open and public meeting and determine by a simple majority vote whether to direct the City Manager to add the item to a future agenda and provide specific direction. No motion, second, or vote or other action shall be required of the City Council to have the item placed on a future City Council agenda for initial consideration so long as the item is to be on an agenda thirty or more days later. If a City Councilmember desires to add an item to a future agenda, for initial consideration, in less than 30 days this shall require a motion, second, and a simple majority vote of the City Council. The vote to expedite the item is simply to initially consider the item on an expedited basis and not an expression of support or non-support on the merits of the item thereof.

B. **Members of the Public**

Any member of the public may raise any issue within the subject matter jurisdiction of the City Council and request an item be included on a future agenda during the "Public Comment" portion of the City Council's regular meeting, whether in person, electronically, or by letter. After an item is raised by a member of the public, if any member of the City Council desires to have the item scheduled for initial consideration by the entire City Council, at least thirty days following the item being raised, the Councilmember shall request the item to be placed on a future agenda. Initial consideration will allow Council to discuss the item during an open and public meeting and determine by a simple majority vote whether to direct the City Manager to add the item to a future agenda and provide specific direction. If the requesting City Councilmember desires to add an item to a future agenda for initial consideration, in less than 30 days, this shall require a motion, second, and a simple majority vote of the City Council. The vote to expedite the item is simply to initially consider the item on an expedited basis and not an expression of support or non-support on the merits of the item thereof.

Section 3: PROCEDURE

A. Members of the City Council and the Public

Other than simple administrative report describing the nature of the request, no work on an item added by a member of the City Council shall be undertaken by City staff, including but not limited to, fiscal review, legal review, and policy review for consistency with existing City policies, until the City Council has had the opportunity to have a discussion and provide direction as provided herein. For the purposes of this section, work will be defined as generating, compiling, analyzing, researching, or writing new information, new policies, laws or plans and specifically excludes meetings or discussions with the city manager and department heads jointly to obtain their comments on a Councilmember requested item. However, the City Councilmember requesting that the item be added for initial consideration shall have the right and privilege of submitting a letter or memorandum (and any other related materials) describing their item and the reasons therefore which shall be included in the City Council agenda packet so long as the letter or memorandum (and any other related materials) is submitted to the City Clerk at least one week prior to the City Council meeting.

Any other Member of the City Council or the public may also submit written materials on the item which shall be included in the City Council agenda packet by sending the same to the City Clerk at least one week prior to the City Council meeting. If any letter or memorandum (and any other related materials) is submitted to the City Clerk through the use of email, it is understood that the email should not be copied to other Members of the City Council in order to avoid inadvertent violations of the Brown Act by replies indicating support or opposition outside of the City Council meeting itself.

At the meeting where the item is initially considered, if a majority of the City Council supports further study of the item by way of motion, second, and simple majority vote, then a full staff analysis shall be prepared thereafter for consideration by the City Council. The date set for further consideration shall be set in light of legal notice requirements, existing City Council priorities, the urgency of the item, and the advice of the City Manager and staff as to its impact on the timing of existing work and/or projects of the City.

The same procedure shall apply to a request by a member of the public that has been sponsored or requested by a City Councilmember as described in Section 2(B) of this policy.

B. Exceptions

The City Council may from time to time request brief updates or follow up

reports on current Council Priorities or current City projects. These requests shall not be subject to the same policy and procedure stated above but shall be added to a future agenda that allows staff time to prepare the report or update.

Section 3: APPLICATION

This policy and procedure applies to all City Councilmembers.