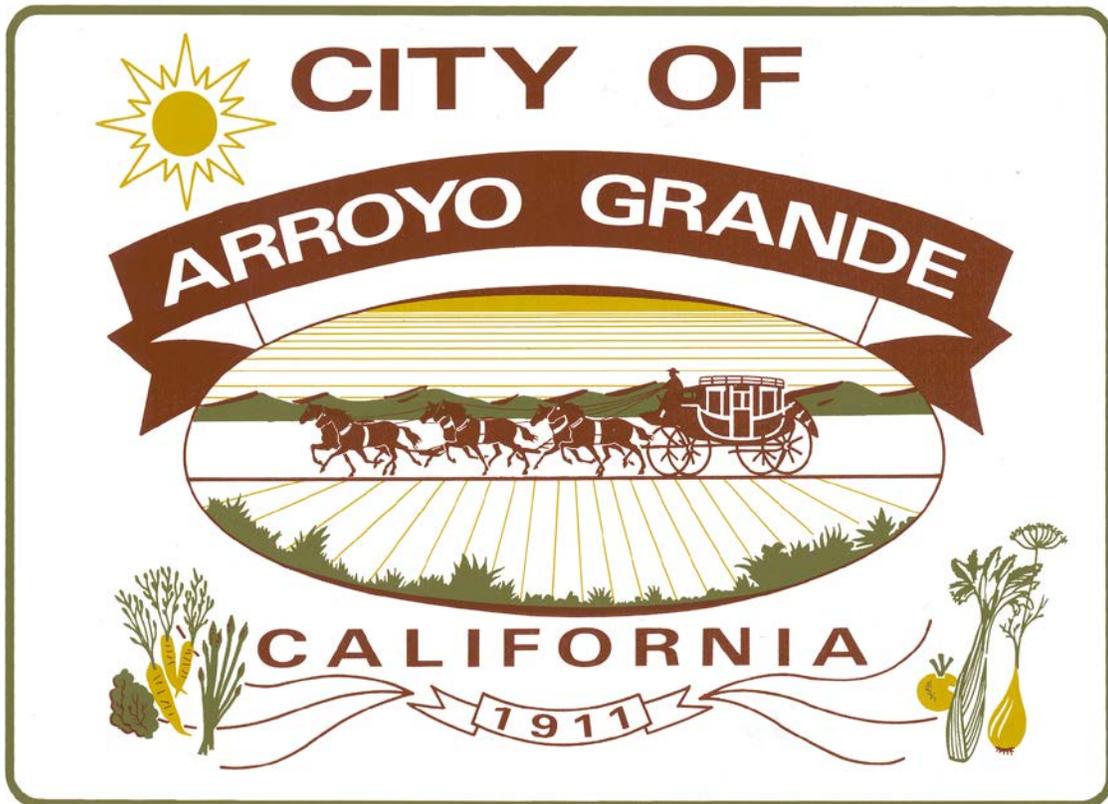


ARROYO GRANDE CITY COUNCIL

CITY COUNCIL OPERATIONS MANUAL



CITY OF ARROYO GRANDE CITY COUNCIL OPERATIONS MANUAL

CONTENTS

1. INTRODUCTION
2. POLICY PROCEDURE FOR CONDUCTING CITY COUNCIL BUSINESS
3. CITY COUNCIL/ CITY MANAGER MUTUAL EXPECTATIONS
4. CITY COUNCIL APPOINTMENTS
5. PROCESS FOR CITY COUNCIL APPEAL OF PLANNING COMMISSION DECISIONS
6. CITY COUNCIL PROTOCOL REGARDING COMMUNICATIONS WITH PROJECT APPLICANTS
7. ELECTRONIC COMMUNICATIONS DURING MEETINGS
8. GUIDELINES FOR COUNCIL DIRECTION ON ITEMS FROM APPOINTED BOARDS AND COMMITTEES
9. COUNCIL COMMUNICATIONS

1. CITY COUNCIL OPERATIONS MANUAL

INTRODUCTION

3/1/03

The City Council Operations Manual includes policies, procedures and guidelines that have been approved by the City Council regarding City Council activities. The objectives of the Manual are to:

1. Serve as a reference document for the Mayor and Council Members;
2. Provide comprehensive orientation information for new Council Members; and
3. Enable the City Council to effectively compile and maintain operational practices that are agreed upon.

Therefore, the Manual is intended to be modified, updated and added to on an ongoing basis.

2. POLICY/PROCEDURE FOR CONDUCTING CITY COUNCIL BUSINESS

03/08/16

The following guidelines are to assist the City Council in the conduct of City business and are procedural only. Failure to strictly observe such procedures shall not affect the jurisdiction of the Council nor invalidate any action taken at a meeting that is otherwise held in conformance with the law.

Except as otherwise provided for in this Policy, any special rule adopted by the City Council, or as otherwise provided by state statute, the procedures of the City Council meetings shall be governed by the latest revised edition of "*Sturgis Standard Code of Parliamentary Procedure*", as modified by Council practices. The City Attorney is designated as the parliamentarian for City Council meetings. The City Manager shall preside as the parliamentarian in the City Attorney's absence.

1. MEETINGS

- A. The City Council shall meet in regular session on the second and fourth Tuesday of each month.
- B. Business at regular sessions shall be conducted from 6:00 PM to 11:00 PM only, unless extended by unanimous consent of the City Council Members present.
- C. A special meeting may be called at any time by the presiding officer or by a majority of the City Council.
- D. The order of business for the City Council shall be as arranged by the City Manager, except for matters set at a specific time by the Council.

2. ADDRESSING THE CITY COUNCIL

- A. Each person desiring to address the Council shall proceed to the speaker's stand upon invitation by the Mayor. Speakers shall be asked to voluntarily state their name for the record, but speakers will not be required to state their name as a condition of attendance or participation. Unless further time is granted by the Mayor, (unless overruled by a majority vote of the Council), the speaker shall limit his/her remarks to three (3) minutes unless special circumstances exist. All remarks shall be pertinent to the subject at hand. All remarks must be addressed to the Council as a whole and not to any Member individually. No questions shall be asked of a Council Member or member of City staff without the permission of the Mayor.
- B. In order to avoid repetitious presentations and delay in the business of the Council, whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Mayor to request a spokesperson be chosen by the group to represent its position. The

Policy / Procedure For Conducting City Council Business

Page 2

Mayor may, in his discretion, grant additional time for a speaker that has been recognized or designated by a group to present comments on their behalf.

- C. After a motion has been made and seconded, or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so from the Mayor or a majority vote of the Council.

3. DISTURBANCE OF CITY COUNCIL MEETINGS

The following procedure and format will be used by the City Council to address disruptive persons at a Council Meeting:

- A. The Presiding Officer shall make the following announcement:

As the Presiding Officer, I am advising you that your comments have violated the City Council's rules of procedure for addressing the City Council and you are causing a serious disruption to this meeting. I must ask you to immediately cease the disturbance before further action is necessary. At this time, I am going to recess the meeting for 10 minutes. We will then reconvene our meeting.

- B. Recess and call for police to be present when meeting reconvenes.

- C. If the disturbance continues after reconvening the meeting, the Presiding Officer shall make the following announcement:

As Presiding Officer, since you are continuing this disturbance, I must advise you that the Penal Code provides that every person who, without authority of law, willfully disturbs or breaks up any meeting, not unlawful in its character, is guilty of a misdemeanor. If you do not immediately cease this disturbance, I will request the police to arrest you under Penal Code Section 403.

- D. If the disturbance continues, request the police to come forward to make the arrest. (Government Code Section 54957.9)

4. PROCEDURES

- A. Council ordinances and resolutions must be reviewed in written form before binding action is taken on same.

- B. A Council order applies mainly as a directive to City officers or employees. It need not be in writing, as it generally applies to one specific act only.

Policy / Procedure For Conducting City Council Business

Page 3

- C. In the absence or inability of the Mayor and the Mayor Pro Tem to attend a meeting of the City Council, the Members present shall select one Member to temporarily preside.
- D. A motion shall not be debated or “put to vote”, unless the same is seconded. When a motion is seconded, if requested, it shall be stated by the Mayor or the City Clerk before debate.
- E. Upon a motion having been made and seconded, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time, before decision or amendment, with the assent of a second.
- F. A Member called to order should relinquish the floor, unless permitted to explain; and the Council, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Mayor shall be final.
- G. Upon demand of any Council Member, or at the discretion of the Mayor, the vote shall be by roll call, except that the vote on all ordinances or resolutions shall be by roll call vote.
- H. Tie votes shall be lost motions.
- I. Tie votes on the appeal of a Commission/Board/Committee or staff decision sustain the action of the Commission/Board/Committee, or staff.
- J. Every Council Member, unless disqualified by reason of a conflict of interest or as otherwise provided by law, shall cast his/her vote upon any matter put to vote by the legislative body.
- K. Any Council Member who abstains from voting without a valid reason shall be deemed to have voted with the majority on that particular issue.
- L. A Council Member who publicly announces that he/she is abstaining from voting on a particular matter for specified reasons shall not subsequently be allowed to withdraw that abstention.
- M. In order to avoid any attack on the validity of Council hearings, Council Members shall avoid forming final conclusions or making commitments with proponents and opponents during any meetings, conferences, or discussions regarding the merits of the matter or issue before the body, including but not limited to, specific zoning and related land-use proposals, comprehensive planning, and like matters.
- N. A motion to reconsider a legislative or quasi-legislative action taken by the Council may be made only at the same meeting at which the action was taken. Quasi-judicial actions shall not be subject to a motion to reconsider.

5. COMMITTEES

- A. The Council shall appoint committees as deemed necessary for the proper conduct of City business.
- B. No committee shall include in its membership more than two (2) Council Members.
- C. The City Manager, or his/her designee, shall be an ex-officio member of all committees.

6. AGENDAS

- A. Agendas for the Council will be prepared by the City Manager.
- B. The purpose of the agenda is to provide a framework within which Council meetings can be conducted and to effectively implement the approved Council Goals, Long Term Financial Plan and Budget, Critical Needs Action Plan and also work programs, objectives, and business of the City as established by the City Council. Agenda items may also include, but not be limited to, recommendations to the City Council from advisory bodies, public hearings for land use and zoning actions or appeals, awarding bids, contracts, agreements, and adoption of resolutions and ordinances establishing various City regulations or policies. Agenda items will be within the policy context established by the Council, the scope of existing work programs, and within the jurisdiction of the City.

For items that are of a regional, State, or Federal nature, including but not limited to proposed legislation, the item may be placed on the City Council agenda if it meets any of the following criteria:

- 1. Items that will result in any direct significant financial impact to the City;
 - 2. Items that involve new regulations, requirements or other impacts that will result in a significant impact to staff workload or adversely impact Arroyo Grande businesses or citizens;
 - 3. Items that will create or increase a fee, tax or other charge unique to Arroyo Grande residents.
- C. Agendas shall be posted on a bulletin board, publicly accessible, in City Hall and/or the Council Chamber, and posted on the City website.

7. COUNCIL MEMBER REQUESTS AND QUESTIONS

- A. Under the Council Communications portion of the meeting agenda, Council Members may ask a question for clarification, make an announcement, or report briefly on his or her activities. Council Members

Policy / Procedure For Conducting City Council Business

Page 5

may also request staff to report back to the Council at a subsequent meeting concerning any matter or request that staff place a matter of business on a future agenda. Any request to place a matter of business for original consideration on a future agenda requires the concurrence of at least one other Council Member.

B. Proper action will then be taken by staff.

8. MISCELLANEOUS

A. Items referred to departments for action by the City Council shall be routed through the City Manager's Office.

B. The City Council shall occasionally review this Policy/Procedure.

C. Amendments to this Policy/Procedure shall be by majority vote of the Council.

3. CITY COUNCIL/ CITY MANAGER MUTUAL EXPECTATIONS

9/26/00

The following mutual expectations have been agreed upon by the City Council and City Manager regarding their respective roles and support the successful operation of the City Manager/Council form of government. They serve as a general framework to foster a constructive working relationship and provide new Council Members an overall outline of how we have committed to operate. They may also serve as a basis for discussion to resolve potential problems or when changes in the expectations are desired.

1. EXPECTATIONS OF CITY MANAGER

- A. Promote a high level of customer service to be provided by the organization.
- B. Clearly communicate to the City Council the operational impacts of policy decisions and direction.
- C. Deal with the City Council, staff and community in an up front and honest manner at all times.
- D. Be responsive to Council direction and needs and keep Council members informed of key issues, activities and follow-up to requests. Take necessary steps to avoid surprises for Council in public.
- E. Provide information equally to all Council members.
- F. Provide complete information regarding an issue or item. Never manipulate information in order to promote one viewpoint.
- G. Ensure staff reports include alternatives, potential impacts of each alternative and staff's best recommendation.
- H. Be fully committed to successfully implementing City Council's decisions, whether or not they are consistent with staff's recommendations.
- I. Involve the community in planning activities regarding issues impacting the public and make every effort to develop a consensus on issues in which there are differing viewpoints.
- J. Demonstrate and insist from all staff the highest level of ethics and integrity.
- K. Be an active and visible member of the community.

City Council/City Manager Mutual Expectations

Page 2

- L. Be an effective problem solver.
- M. Provide strong leadership in the organization, but also promote participation and responsibility on the part of the executive staff in accomplishing the City's goals
- N. Promote professional development of staff in the organization.
- O. Be accessible.

2. EXPECTATIONS OF THE CITY COUNCIL

- A. Recognize that the City Council gives direction only as a convened body. Share opinions and views, but refrain from providing direction without the participation of the full Council. Do not individually attempt to influence the decisions or recommendations of staff.
- B. Conclude discussions requiring staff follow-up or action with specific direction agreed upon by the City Council.
- C. Make an effort to let staff know concerns and questions prior to public meetings so staff can be prepared as best possible.
- D. Share in staff's commitment to the highest ethical standards and avoid any appearances of impropriety.
- E. Direct questions or requests for information to the City Manager or Department Directors only. Make requests that will require staff to prepare information to the City Manager.
- F. Treat staff in a respectful manner at all times. Recognize good work by staff. Communicate any concerns involving staff to the City Manager. Refrain from criticizing staff in public.
- G. Prevent disagreements with each other, the City Manager or staff from becoming personal. Commit to and support teambuilding efforts when necessary and appropriate.
- H. Provide feedback on an ongoing basis.
- I. In addition to ongoing communications, meet individually with the City Manager at least monthly for Council members and twice a month for the Mayor.
- J. Seek and provide honesty, directness and openness.

City Council/City Manager Mutual Expectations
Page 3

- K. Immediately communicate to the City Manager any items that are perceived not to be handled in accord with these expectations.
- L. Respect staff's impartiality involving elections and campaign activities.

4. CITY COUNCIL APPOINTMENTS

1/14/14

The procedure for making appointments to various boards, commissions and committees is as follows:

1. APPOINTMENT OF MAYOR PRO TEM

- A. The City Council appoints a Council Member as Mayor Pro Tem to serve the duties of Mayor in his/her absence.
- B. The Mayor Pro Tem shall serve a term of one year.
- C. The appointment of the Mayor Pro Tem takes place at the first meeting in December of each year.
- D. It is the City Council's policy to rotate appointment of the Mayor Pro Tem based upon the seniority of City Council Members that have not yet served in the position of Mayor Pro Tem. City Council Members become eligible to serve as Mayor Pro Tem after serving on the City Council for a period of one year. If two Members of the City Council have the same seniority, the order of rotation will be based upon time served on a City Council appointed Commission and/or Committee prior to being elected to the City Council.

2. APPOINTMENT OF COUNCIL MEMBERS TO VARIOUS REGIONAL BOARDS, COMMISSIONS AND COMMITTEES

- A. There are a number of regional boards, commissions and committees that either require a member of the City Council as the City representative or it has been established practice for a Council Member to serve as the representative. They include, but may not be limited to, the following:
 - 1. South County Area Transit (SCAT) Board of Directors
 - 2. Council of Governments/Regional Transit Authority Board of Directors (SLOCOG/SLORTA)
 - 3. City Selection Committee (enabling legislation requires the Mayor to be the primary representative)
 - 4. South San Luis Obispo County Sanitation District Board of Directors (enabling legislation requires the Mayor to be the primary representative)
 - 5. Integrated Waste Management Authority Board (IWMA)
 - 6. Zone 3 Water Advisory Board
 - 7. County Water Resources Advisory Committee (WRAC)
 - 8. Economic Vitality Corporation Board of Directors (EVC)
 - 9. Air Pollution Control District Board of Directors (APCD)

CITY COUNCIL APPOINTMENTS

PAGE 2

10. Economic Opportunity Commission (EOC)
11. South County Youth Coalition

- B. The City Council makes these appointments at the first regular meeting in December following a municipal election.
- C. Appointments include selection of a primary representative and alternate.

3. APPOINTMENT OF CITY BOARDS, COMMISSIONS AND COMMITTEES

- A. The City Council appoints representatives to the following City boards, commissions and committees:
 1. Downtown Parking Advisory Board
 2. Traffic Commission
 3. Planning Commission
 4. Parks and Recreation Commission
 5. Architectural Review Committee
 6. Historic Resources Committee
- B. The Mayor and each Council Member shall appoint one representative to each respective Commission/Board/Committee, subject to approval by a majority of the Council.
- C. Members of each respective Commission/Board/Committee shall serve for a term ending the January 31st following the expiration of the term of the respective appointing Mayor or Council Member, as applicable. Members of each respective Commission/Board/Committee may be removed prior to expiration of their term by a majority vote of the Council.

5. PROCESS FOR CITY COUNCIL APPEAL OF PLANNING COMMISSION DECISIONS

12/1/10

Pursuant to Municipal Code Section 1.12.050, the City Council may appeal decisions of the Planning Commission. The following procedure has been established for such appeals:

1. City Council will receive the Planning Commission Agenda the Friday prior to the Planning Commission meeting.
2. The Wednesday following the Planning Commission meeting, staff will distribute to the City Council an annotated copy of the Planning Commission Agenda with the action of the Commission highlighted if any final actions were taken.
3. City Council Members may determine if an appeal is desired after reviewing the annotated Agenda.
4. Any Council Member that desires to appeal a decision shall contact the City Manager or City Clerk by 2:00 p.m. on Thursday following the Planning Commission meeting to direct that the request be placed on the next City Council Agenda under "City Council Member Items."
5. In order to proceed with an appeal, the City Council shall adopt a motion to appeal the action of the Planning Commission.
6. If approved by the City Council, the City Clerk will set a date for the hearing within 60 days of the City Council's decision to appeal the action and notifies the affected applicant and Planning Commission.

6. CITY COUNCIL PROTOCOL REGARDING COMMUNICATIONS WITH PROJECT APPLICANTS

10/5/01

The following are informal protocol guidelines and procedures regarding meetings between developers and City Council members to discuss upcoming projects.

1. When meeting with a project applicant, a council member should state that they represent one vote on the City Council and any statements represent the opinion of the individual council member only. Formal direction or action requires consideration and approval by a majority of the City Council at a lawfully scheduled and notified meeting.
2. A council member should encourage the applicant to meet with all other members of the City Council and to seek their input.
3. When a council member meets with an applicant regarding a potential project, the council member should attempt to notify the City Manager when possible. When appropriate, the City Manager will contact the applicant and request they meet with other members of the City Council.
4. If any materials are provided by an applicant, the council member should provide them to the City Manager, who will forward copies to each of the other members of the City Council.
5. A council member may request staff to attend a meeting if desired. If staff attends, it should be communicated to the applicant that staff is present to answer any process or technical questions. It is not appropriate for staff to participate in discussion regarding the merits of the project at such a meeting.
6. While the meeting is an appropriate opportunity to express concerns, ask questions and identify issues, the council member should refrain from stating how he/she intends to vote on a project and should avoid making representation or commitments regarding future actions. A vote should be based upon information presented as part of the formal application process.
7. Council members are encouraged to disclose ex parte contacts with a project applicant before consideration of the project.

7. ELECTRONIC COMMUNICATIONS DURING MEETINGS

08/14/12

The following policy shall define electronic communications and establish guidelines and procedures regarding electronic communications during public meetings that have implications under the Ralph M. Brown Act ("Brown Act") and/or the Public Records Act.

1. Electronic Communications shall mean electronic text or visual communications and attachments distributed via e-mails, websites, instant messaging, text messages, Twitter or comparable services.
2. Electronic devices (i.e., iPads issued by the City to Council Members for use of storing agenda materials and accessing agenda materials during City Council meetings shall be the property of the City and returned to the City when a Council Member is no longer serving in his or her elected capacity. Agenda packets will be distributed through the City's Paperless Agenda Program so that Council Members receive their agenda packets electronically. Council Members may access agendas and agenda packets using City issued iPads or other electronic devices (including, but not limited to personal computers and smart phones).
3. City Council Members shall not use electronic devices or electronic communications at any time during a meeting of the City Council at which he or she is in attendance to access the internet or to receive or send emails, text messages or other communications.
4. The limitations on use of electronic devices and electronic communications during meetings contained herein shall not apply to the receipt of telephone calls or text messages from family members in the event of an urgent family matter. A Council Member wishing to respond to such a message during a meeting shall do so during a recess or shall excuse him or herself from the meeting to place the return call or text in a manner that does not disrupt the meeting.

8. GUIDELINES FOR COUNCIL DIRECTION ON ITEMS FROM APPOINTED BOARDS AND COMMITTEES

9/11/12

After each election year, the City Council appoints members of the City Council to serve on regional and local boards and committees that request Council representation. Appointees represent the City on these various boards and committees and are granted authority to make decisions in the best interest of the City of Arroyo Grande, as well as the general public and interests served by the specific agency. However, it is appropriate to seek City Council input and/or direction on items meeting criteria that has been established by the City Council. The following guidelines outline the criteria and process.

1. When time permits prior to an item scheduled to be voted on by a board or committee that a member of the City Council has been appointed to by the City Council, City Council Members are advised to place items on the City Council agenda for direction and/or input if they meet any of the following criteria:
 - a. Items that will result in a one-time or annual direct financial impact to the City of over \$10,000.
 - b. Items that involve new regulations, requirements or other impacts that will result in a significant impact to staff workload or adversely impact Arroyo Grande businesses or citizens.
 - c. Items that will create or increase a fee, tax or other charge to Arroyo Grande residents.
 - d. Items of a controversial nature that have been frequently reported in the media and have resulted in vocal opposition from the public and/or diverse vocal opinions from interest groups and the public.
 - e. Items involving issues that the City Council has received a significant number of comments or correspondence from members of the community.
2. If time permits, City Council Members are advised to brief the remainder of the City Council on any item that may meet any of these criteria under "City Council Reports" and request whether the City Council would like the item to be placed on the next agenda for formal direction.
3. If an upcoming item meets any of these criteria, and there is not sufficient time to brief the City Council under the next scheduled "City Council Reports," Council Members are advised to notify the City Manager or City Clerk/Director of Information and Legislative Services to place the item on the next City Council agenda. If there is not time available, referral of items from other boards and committees may bypass the normal requirement for Council Members to first place under "City Council Items" the request that the item be

placed on a future agenda. The City Manager will determine where on the agenda the item will be placed depending upon the nature of the item.

4. If an item is scheduled to be decided by the board and committee prior to the next City Council meeting, Council Members are advised to request the item be continued until feedback from the entire City Council can be placed on an agenda. If postponement of the item is not possible or is refused by the board or committee, Council Members are advised to vote on the item independently and report to the full City Council during the next "City Council Reports."

9. COUNCIL COMMUNICATIONS

5/24/16

COMMUNICATION GENERALLY

A fundamental role of a Councilmember is communication – communication with the public to assess community opinions and needs –communication with members of the legislature and other public agencies to represent the community’s interests – and, communication with the media to inform the public about the functions of government.

Because the City Council functions as a body, i.e., acting on a majority vote, it is important that members represent the City’s official position, or if expressing personal views, the public is so advised. To ensure that accurate City communications reach the public in a timely manner, the following shall apply.

CORRESPONDENCE

Members of the City Council will often be called upon to write letters to citizens, businesses or other public agencies. Typically, the Mayor will be charged with transmitting the City’s position on policy matters to outside agencies on behalf of the City Council. Individual members of the Council will often prepare letters for constituents in response to inquiries or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

On occasion, members may wish to transmit correspondence on an issue upon which the Council has yet to take a position or about an issue for which the Council has no position. In these circumstances, members should clearly indicate either in correspondence or verbally that they are not speaking for the City Council as a whole, but for themselves as one member of Council. City letterhead and office support may be utilized in these circumstances.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Council title, and staff support should not be utilized. In addition, City letterhead and staff support cannot be utilized for any personal or political purposes.

Council members are often asked to prepare letters of recommendation for students and others seeking employment or appointment. It is appropriate for individual Council members to utilize City letterhead and their Council titles for such letters.

All Council member correspondence using City letterhead shall be copied to the full Council, the City Manager, the City Attorney, and the City Clerk. In addition, all Council correspondence to public agencies in which the Mayor or Council Member identifies themselves as such, shall be copied to the full Council.

SPEAKING ENGAGEMENTS

Council members may accept public speaking invitations.

Presentations shall clearly articulate the Council's adopted policy position.

A Councilmember may indicate that their individual position differs from that which was adopted.

MEDIA RELATIONS

Typically, the Mayor is the designated representative of the Council to speak on official City positions.

Individual Council members may comment to the media but should be clear about whether their comments represent the official City position or a personal viewpoint.

Generally, press releases shall be prepared and routed to the City Manager for approval before release to the media.

Police and Fire responses to, and/or press releases regarding, emergencies may be reported directly to the media by the designated department spokesperson.