



City Council Rules of Procedure and Decorum

Adopted on May 17, 2016

Revised February 7, 2017 and December 5, 2017

Chapter 1. Authority of the City Council

1. The City Council is the policy and lawmaking body of the City. State and local laws define the powers and responsibilities of the City Council.

2. General Authorities and Applicability

When not in conflict with the Constitution, laws of the State of California, or local City ordinances, these City Council Rules of Procedure and Decorum (“Rules”) shall be in effect upon adoption by resolution of the Council.

3. Revisions to these Rules

The Council shall review and revise these rules as needed.

4. Rosenberg’s Rules of Order

To the extent these rules do not address an issue of parliamentary procedure for legislative body meetings, Rosenberg’s Rules of Order: Simple Parliamentary Procedures for the 21st Century, Revised 2011, shall apply.

Chapter 2. Duties

1. Duties of Mayor

- A. To conduct meetings of the City Council as its chairperson.
 - 1. Ensure that consideration of items on the agenda move along without delay.
 - 2. Ensure that petitioners, proponents, and opponents are heard but not allowed to disrupt the meeting.
 - 3. Ensure that decorum is maintained at the meeting.
 - 4. In presiding over matters where the public has provided testimony and/or raised questions, the Mayor should:
 - a. Direct questions or comments requiring a response to staff for a response.
 - b. Ensure that staff and members of the public direct their comments to the chair.
 - c. If necessary, help keep Councilmember questions relevant to the matter being considered by the Council.
 - d. If necessary, consider calling for a brief recess if orderly conduct of the meeting is being disrupted.
 - e. Announce the decision of the Council on all subjects.
 - 5. To ensure that each member of the Council is provided an opportunity to completely express their views on items of business, the Mayor should:
 - a. See that Councilmembers ask to be recognized by the Mayor before speaking.
 - b. Ensure that each Councilmember is given the opportunity to fully express their views.
- B. To represent City Government as its chief elected official at community functions, events, and meetings.
- C. On behalf of the City Council, to officially welcome dignitaries, officials, and gatherings.

- D. To correspond on behalf of the Council on subjects, issues, and legislative proposals provided that opinions expressed on behalf of the Council or City Government are not inconsistent with established policies or previously expressed Council consensus.
- E. To vote as the City's "voting delegate" at the League of California Cities Annual Conference and other similar meetings. This responsibility may be delegated to another Councilmember.
- F. To participate in the preparation of the agendas of meetings of the City Council as necessary.
- G. To recommend Councilmembers for liaison positions on various boards, commissions, and agencies. The Mayor's recommendations shall be discussed and confirmed by a majority vote of the Council and are subject to change.
- H. Nothing under the Mayor's duties shall limit any individual Councilmember's ability to interact with members of the public.

2. Duties of Vice Mayor

In the absence of the Mayor from the City or a Council meeting, the Vice Mayor shall possess all powers of the office of the Mayor, and be subject to all prescribed duties for that office.

3. Duties of Councilmembers

- A. Arrive on time for all Council meetings.
- B. Review all meeting materials in preparation for Council meetings.
- C. To fulfill the liaison assignments to legislators, external agencies, and the City's boards and commissions.

Chapter 3. Councilmember Conduct

1. Members shall:
 - A. put constituents foremost at all times;
 - B. treat each other, staff, and members of the public with dignity, courtesy, and respect;
 - C. encourage and / or ensure that the public treats the City Council, staff, and members of the public with dignity, courtesy, and respect;
 - D. maintain confidentiality of all closed session materials and discussion;
 - E. be attentive to others, limiting interruptions and distractions;
 - F. encourage diverse viewpoints in deliberations while being mindful not to prolong discourse or block consensus;
 - G. agree to respectfully disagree;
 - H. keep comments clear, concise, and on-topic;
 - I. start and end meetings on time, work from the agenda;
 - J. present problems in a way that promotes discussion and resolution.
2. Councilmembers are subject to all provisions of City Policies.

Chapter 4. Meetings

1. All Council decisions must be taken at City Council meetings. Before taking action, the City Council may be informed by project applicants, interested members of the public, and City staff.
2. No business may be transacted by the Council at a regular or special meeting unless a quorum of the membership is present (50% plus one of those currently serving).
3. Council Meeting Dates
 - A. Once a year, in December, adopt a schedule of Council meetings for the following year identifying any regular meeting dates that need to move or be cancelled due to major holidays.
 - B. Meeting dates may be amended with the approval of the Council.
4. Types of Meetings
 - A. **Regular Meetings** are conducted at the Ted Adcock Community Center on the first and third Tuesday nights of each month. In February, July, and August, only one meeting is held during the month. It is also customary to cancel a meeting if it falls on Election Day. The meetings begin at 7:00 p.m. It is City policy to make every effort to complete and distribute the agenda and related reports by the preceding Friday.
 - B. **Special Meetings** are called at a non-regular meeting date and / or time. They are called with a minimum of 24 hours' notice, versus 72 hours' notice for regular meetings.
 - C. **Study Sessions** are special meetings that are held for the purpose of providing information to the City Council, particularly on issues that are more complex or more time-consuming than matters typically scheduled on a regular City Council meeting agenda. At study sessions, Councilmembers may state their individual responses and questions to the information provided and may collectively provide direction to City staff.
 - D. **Closed Sessions** can be part of either special or regular meetings. The Council conducts its business in public to the greatest extent possible. State law recognizes that public discussion of certain items could jeopardize the public interest, compromise the City's position, or cost the citizens of San Mateo financially; and, therefore, generally allows the City Council to hold closed session meetings for the consideration of certain personnel matters, labor negotiations, real property negotiations, matters of public security, and the discussion of litigation, among other things. These rules provide for strict confidentiality of City Council discussion

as required by State law. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after an opportunity for public comment, are excluded.

- E. **Emergency Meetings** are allowed per the Ralph M. Brown Act when an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of the public's well-being.

5. Voting

A motion, second, and a majority vote of the Council shall be required for any formal action of Council.

Any vote of abstention must clearly indicate for the record the basis for the abstention including any conflict of interest.

- 6. The Mayor, with the approval of a majority of the Council, can change the order of hearing of items on the agenda.

7. Public Participation

- A. Members of the public are encouraged and invited to participate in the legislative process by submitting written comments before the meeting or speaking in person at a meeting.
- B. It is the intent of these rules to allow everyone to be heard without fear of jeers or cheers that may discourage public participation. For this reason, these rules are taken seriously. Disruptive or unruly behavior may result in removal from the Council meeting.
- C. Time Limits for public comment:
 - 1. Individual Speakers - 3 minutes is customary. For public speakers in need of translation services, the speaker timer will be paused during translation.¹
 - 2. Applicants / Appellants on Planning Commission appeals – 10 minutes
 - 3. The Mayor may, at his/her discretion, limit the amount of time allotted to the speaker(s) when needed

¹ Revised on February 7, 2017

- D. Members of the public are invited to speak at the podium microphone to ensure all attendees can hear and so that the comments can be captured on the video recording.
 - E. Individuals who wish to speak should submit a speaker card to the “Speaker Cards” box to be called up at the appropriate time.
 - F. Members of the public are expected to respect other members of the public as well as the City Council and staff during public meetings by acknowledging and adhering to the rules for public comments and participation. Members of the public may not approach the dais during the meeting at any time for any reason. Disruption of a meeting may be cause for removal by a member of the Sheriff’s Department.
 - G. The public is welcome to address the City Council on Consent Calendar items and any item within the jurisdiction of the City Council and not listed on the agenda during the Public Forum section of the Agenda, which occurs directly before the Consent Calendar is approved. At the request of Councilmembers and at the Mayor’s discretion, he or she may pull an item off the Consent Calendar based on submitted speaker cards for the item from the public rather than accept public comments on the item during Public Forum. The Consent Calendar consists of matters that are routine in nature, such as minutes, budgeted agreements, and resolutions. They are approved under one blanket motion, except for items that are pulled off by Councilmembers for discussion. Those items are considered separately at the end of the Agenda.²
8. Agendized Discussion Items (Ordinances and Public Hearings, Staff Reports and Resolutions)
- A. Staff / applicant presentation
 - B. Council questions to applicant and/or staff
 - C. Open public hearing (or public comment section) for comments
 - D. Close public hearing (or public comment section)
 - E. Additional Council questions, if warranted
 - F. Response by staff to questions / concerns, if warranted

² Revised on December 5, 2017

G. Council discussion and deliberation

H. Council votes

9. Appeals

A. Appeals are public hearings and will follow the order stated in #7 with the following time allocations, unless otherwise required or provided by law:

1. Applicant – 10 min
2. Appellant – 10 min
3. Individual Speakers – 3 min
4. Applicant Rebuttal – if reserved

B. Appeals from decisions of the City's Boards and Commissions shall appear on the Council agenda for discussion. Council has the options of affirming the action of the commission, modifying the action of the commission, referring the matter back to the commission, or reversing the decision, unless otherwise required or provided by law.

C. Any person that addressed the Council during one of the 10-minute periods (as an applicant or appellant) may not speak again during the public comment period for individual speakers on the appeal.

10. Items Considered after 11:00 p.m.

Unless a majority of the Council determines there is an urgent need to act, no items shall be continued or new items opened for discussion or action after 11:00 p.m.

11. Action Minutes

A. The City Council shall use Action Minutes (action minutes record the action taken by the City Council and contain very little, if any, narrative content) or light summary at the discretion of the City Clerk, to record their proceedings.

B. Motions and votes are shown in the record.

C. Media (video) recordings may be used in order to provide a verbatim record of meetings.

12. Conflict of Interest

- A. The Political Reform Act, implemented, regulated, and enforced by the Fair Political Practices Commission (FPPC), controls financial conflicts of interest.
- B. Government Code §1090 applies to prohibit the execution or approval of City contracts in which a public official has a financial interest.
- C. As soon as it appears to a Councilmember that they may have a prohibited financial interest in any City contract, or an item that may be presented to the City Council, the Councilmember should immediately consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists.
- D. With full consideration of the City Attorney's advice, it is up to each individual Councilmember to decide for him/herself whether there is a conflict of interest.
- E. A member shall not vote upon any matter on which s/he has a conflict of interest.
- F. A member shall openly state the reason for his/her conflict of interest.
- G. A member who is disqualified by a conflict of interest shall recuse him/herself, explain the basis for the recusal as required by law, step away from the dais and leave the room during the discussion and deliberation of the item, unless the item is agendaized under the Consent Calendar.

Chapter 5. Meeting Agendas

1. Agenda Item Submission
 - A. Persons who can place matters on the agenda: City Councilmember, City Manager, or City Attorney
 - B. Councilmember:
 1. A Councilmember may request an item be considered on a future agenda and, if a second Councilmember agrees with the request, staff will prepare a staff report.
 2. Councilmembers may make this request verbally during a meeting or may submit a written request.
 - C. Members of the Public
 1. A member of the public may request Council action in the following ways:
 - a. Write a letter to the City Council
 - b. Speak during the Public Comment period at a City Council meeting
 - c. Attend annual Council strategic workshop and provide input
 2. Upon agreement of a majority of the City Council, Council will determine whether to place on a future agenda an item requested by the public.

Chapter 6. Communication

1. All communications are public records.

All letters, memoranda, and email communications involving City Councilmembers and members of boards, commissions, committees and task forces, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records.

2. The Council, in adopting this policy, does not waive attorney-client-privilege or any other privilege associated with a closed session authorized under the Ralph M. Brown Act.

3. Ralph M. Brown Act

Each Councilmember should be mindful of all of the requirements of the Brown Act in communicating with each other.

4. Mail Processing

- A. Members of the City Council may receive mail and other materials through City Hall.
- B. General correspondence addressed to Councilmembers as a whole may be opened and delivered to all Councilmembers if appropriate.

5. Correspondence

- A. The City Clerk is authorized to receive and take administrative action on all correspondence directed to the City Council. The City Clerk may also respond to correspondence submitted to the full City Council on non-agenda items or authorize a staff member to respond. A courtesy copy is provided to each Councilmember.
- B. Generally, correspondence relating to a specific City Council agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packets is to be compiled and distributed to the City Council prior to the City Council meeting.
- C. After the City Council has taken a position on an issue, official correspondence should reflect this position. While Councilmembers who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official City Council title, and staff support should not be utilized. In addition, City letterhead and staff support cannot be utilized for personal or political purposes.

- D. City letterhead, logo, insignia and brand, as well as staff support, cannot be utilized for personal or political purposes.
6. Electronic Communication
- A. All emails sent and received through the City server are retained per the City's Records Retention Schedule and are subject to the Public Records Act.
 - B. All emails regarding City business should be sent from the Councilmember's official City email address.
7. Written Communications for Council Meetings
- A. The deadline for the receipt of written communications for inclusion in the agenda packet is 5:00 p.m. the Wednesday before the Council meeting. This is to allow for adequate staff review and analysis, and to ensure public access to information, plans, correspondence, and other documents supporting planning applications being heard by the City Council.
 - B. Materials distributed to Councilmembers during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Councilmember, or at the conclusion of the meeting if prepared by another person.
 - C. If a Councilmember receives materials regarding an agenda item, s/he shall forward it the City Clerk and the City Manager as soon as possible.
 - D. If late correspondence is received, the City Council will determine at the meeting whether to continue or refer the item to the appropriate Board and/or Commission if significant changes to a project, or significant new information has become known.
8. Council Communication to Boards and Commissions
- A. Councilmembers should be mindful not to unduly influence—through their attendance—the decision at a Board or Commission meeting so as not to get ahead of the process.
 - B. It is not appropriate for a Councilmember to make public comments at a Board or Commission meeting.
9. Council - Staff Relations
- A. Individual Councilmembers may make requests of City staff through the City Manager or Department Head for limited research and information without the

formal concurrence of a majority of the member's colleagues. Requests that will require significant staff time may be referred to the full Council and only pursued if supported by a majority of the Council. The City Manager should be kept aware of all requests.

- B. Councilmembers should direct any questions on staff reports to the City Manager or designee.
- C. Councilmembers are encouraged to submit their questions on agenda items to the City Manager or Department Head (copying the City Manager) as far in advance of the meeting as possible so that staff has sufficient time to research and can be prepared to respond at the Council meeting.
- D. Clarifications or technical questions will be answered before the meeting whenever possible.
- E. Questions and all staff-prepared responses will be forwarded to all Councilmembers.

10. Speaking for "the City"

Similar to written correspondence, when Councilmembers are requested to speak to groups or are asked the City Council's position on an issue, the response should reflect the position of the City Council as a whole. Of course, a member may clarify his/her vote on a matter by stating, for example, "While I voted against X, the City Council voted in support of it." When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual member.

11. Speaking as an Individual

On occasion, Councilmembers may wish to transmit correspondence on an issue upon which the City Council has yet to take a position or about an issue for which the City Council has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the City Council as a whole, but for themselves as an individual member of the Council.

Chapter 7. Legislative

1. Ceremonial Matters

- A. There are several different types of action the Council may take to provide recognition or express appreciation:

1. Certifications of Appreciation or Recognition

Commendations are typically issued to acknowledge the activities of a person or organization. Examples of traditional recipients would include departing Board and Commission Members, high school students with 4.0 grade point averages, Chamber of Commerce Awards, winners of local art or speech contests, etc.

2. Proclamations

Public announcements directing attention to a person, organization or event. Proclamations will be issued subject to the policy described below.

B. Preparation of City Proclamations

1. It is the policy of the City Council to issue proclamations for certain events or causes, when such a proclamation positively impacts the community and conveys an affirmative message to residents. Examples of causes for which proclamations are regularly and routinely issued include, but are not limited to: notable accomplishments by citizens, youth groups, schools, local organizations, non-profit groups, and local events that deserve special recognition (Bicycle Month, Public Works Month, Red Cross Month, Immigrant Heritage Month, etc.). Discretion should be used in determining whether or not to issue a proclamation. Proclamations that are political in nature, are controversial, or that likely would not enjoy a high-level of community interest and support, are discouraged.

2. It will be the policy of the City Council to process requests for proclamations in the following manner:

- a. If the Mayor determines that the proclamation request is consistent with the policy stated above, the Mayor will direct the City Clerk to prepare the proclamation and the proclamation will be issued.
- b. Upon receipt of the draft proclamation language, the City Clerk will place the item on the next available meeting agenda. Depending on the nature and time-sensitivity of the request, the Mayor and Vice Mayor can act without full formal concurrence of the Council when the situation warrants.