

2024-25 Mendocino County Civil Grand Jury

HEALING THE TOXIC CULTURE IN THE CITY OF WILLITS WORKPLACE

June 30, 2025



HEALING THE TOXIC CULTURE IN THE CITY OF WILLITS WORKPLACE

SUMMARY

The 2024-25 Mendocino County Civil Grand Jury (Grand Jury) received a complaint detailing multiple irregularities including an intimidating and toxic workplace culture for the employees of the City of Willits. The complaint called into question other specific issues and requested a formal Grand Jury investigation. This report addresses only the workplace environment.

METHODOLOGY

When the Grand Jury receives a complaint, it is presented in a Plenary session where it is confidentially discussed, after which a vote is taken to reject, table or investigate the complaint. If rejected, no other action is taken. If tabled, the complaint may be considered in the following year with a new Grand Jury. If the vote is to investigate, a committee is chosen to begin research and investigation. Interviews are conducted with complainants and other stakeholders.

In this instance, the Grand Jury reviewed documents including the written City of Willits Personnel Policies and Procedures Manual. This Policy and Procedures Manual was adopted by the City of Willits on July 22, 2009, and amended November 8, 2023. It was provided to the Grand Jury by Willits City Clerk as the version that is in use currently. Future references to this manual refer to this version. The Grand Jury also reviewed the Willits City Council Manual of Procedures and Protocols (adopted: April 26, 2017). Future references to this manual refer to this version.

The Grand Jury conducted fifteen interviews with employees, department directors and top management. The Grand Jury also interviewed three City Council members. Grand Jury committee members regularly attended Willits City Council sessions.

At its request, eight employees gave written reviews of top management to the City Council. Copies of these written reviews were shared with the Grand Jury by those who wrote them. The Grand Jury also conducted interviews with current and past employees who shared concerns about the actions of top management. All activities detailed in the complaint stemmed from top management actions.

The Grand Jury concluded the issues outlined in the complaint were important enough to warrant a Grand Jury investigation.

BACKGROUND

Willits has a long history in the logging and tourist industries. It is the eastern end of the famous Skunk Train line, originally a logging train that carried lumber and mail to and from the coast. The year 2025 marks the 99th year of Frontier Days, celebrating the history of Willits and Mendocino County's diversity. Community involvement in events is strong in Willits.

As of the 2020 census, the City of Willits has a population of 4,843 and covers 2.8 square miles in Mendocino County. It is governed by a publicly elected City Council comprised of a mayor and four other council members. The City Council Manual of Procedures and Protocols (page 18, Section 15. B & H) reads:

"B. The City Manager and the City Attorney are the only officials directly appointed by the City Council. All department heads (except for the City Attorney) are appointed and supervised by the City Manager.

"H. The City Manager shall receive performance reviews by the Council by April 30th of each year." See APPENDIX A for the Willits City Council Manual of Procedures and Protocols.

As of fiscal year 2024-25, there are 60 positions in the City of Willits (this includes 16 positions in the Police Department). The City Manager and Assistant City Manager form top management and have five positions reporting to them: one police chief, three directors and one analyst position. The five departments in the City of Willits are Police, Community Development, Finance, Services and Facilities and Human Resources. The investigation and the findings discussed in this report do not concern the Police Department or the Police Chief. *Refer to the following link to view the organization chart for the City of Willits:* <https://www.cityofwillits.org/127/Departments>

DISCUSSION

In its investigation, the Grand Jury found documented instances of activities contributing to a toxic workplace environment. The Grand Jury interviewed employees working under top management who stated they feared losing their jobs and were often subjected to ridicule, intimidation and angry outbursts by those same top managers. Employees

observed human resource practices that violated the current written City of Willits Personnel Policies and Procedures.

Specifically, according to employees interviewed, top management ignored the policy in the City of Willits Personnel Policies and Procedures Manual regarding harassment, discrimination and retaliation. This policy is expressly set forth in Section 2, page 10. That procedure instructs the employee to direct their complaint to the Director of Human Resources, a position that no longer exists because the former City Manager eliminated the position.

According to the provision regarding employee complaints, upon receiving a complaint, the Human Resources Director or designee was to investigate, interview the complainant, the accused and witnesses, review information and “[p]repare a summary report of the determination as to whether the conduct violated this Policy and provide such report to the appointing authority (i.e., City Manager)”. This procedure is not followed because there is no Human Resources Director. The policy, as written, also appears to have a built-in conflict as there is no one to whom a report or complaint about the City Manager could be directed.

In addition, the City of Willits Personnel Policy and Procedures Manual includes a policy specifically guarding against workplace bullying. It defines workplace bullying as:

“...conduct with malice that a reasonable person would find hostile, offensive, and unrelated to the City’s legitimate operational and other interests. Workplace bullying may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets, verbal, or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person’s work performance. A single act shall not constitute workplace bullying, unless especially severe and egregious. While discriminatory harassment may involve bullying, bullying is not limited to conduct against another person because of his or her membership in a protected classification.” (Section 2.6, page 17)

Women are a protected class and reported feeling bullied. With workplace bullying, the City recommends employees inform the offender of their conduct because they may not be aware that their conduct is offensive. If the offender continues the offensive conduct, or the complaining employee is not comfortable talking to the person directly, an individual who believes the policy has been violated is instructed to make a report to:

“...their supervisor, the Human Resources Manager, or any other supervisor, director, or other management in the City.”

In many instances, top management was often the offender of the policy but there was no one in management to whom a complaint or report could be made. The City of Willits Personnel Policy and Procedures Manual also states:

“The City is committed to preventing discrimination, harassment and retaliation in the workplace. The City has zero tolerance for any conduct that violates this Policy Against Harassment, Discrimination and Retaliation. Conduct need not violate either Federal or State law in order to constitute a violation of this Policy. A single act by a City employee may constitute a violation of this Policy and provide sufficient grounds for the City to discipline the City employee.”

Further,

“This policy prohibits harassment of a covered individual because of the individual’s actual or perceived protected classification. Harassment includes, but is not limited to, the following conduct:

Derogatory, offensive, or inappropriate speech, such as epithets, slurs or stereotypical comments, or verbal propositions made on the basis of the individual’s protected classification. This includes, but is not limited to, comments, stories, and jokes about appearances, dress, physical features, gender identification, and race.” (Section 2.5, Subsection 5(d)(i), pages 4-7) Refer to the following link to view the City of Willits Personnel Policies and Procedures Manual.

<https://web.archive.org/web/20250625182216/https://cityofwillits.org/DocumentCenter/View/1675/Personnel-Policies-and-Procedures-Manual-11-8-2023pdf>

The following examples of testimony to the Grand Jury from employees, or language taken from their written or verbal statements about top management, confirm an unprofessional, intimidating, intolerable and, at times, toxic workplace has been allowed to fester within the City of Willits.

- Staff do not feel they can bring concerns without fear of retaliation.
- Many staff were looking for new jobs because things were so bad.
- Numerous meetings and conversations included disparaging, negative or unprofessional language when referring to other employees
- One employee was shocked by the rude, hostile and unprofessional behavior.
- It was a normal pattern for top management to belittle, bully and talk badly about anyone they did not like no matter if it was unethical or morally wrong.
- Staff left working for the City of Willits because they were badly treated and forced out.

- People were let go in unfair and unethical ways.
- Top management placed themselves as acting Finance Director and Human Resources Director positions for which employees believed they had no experience or qualifications to do the jobs responsibly.
- Employees expressed a desire to be heard but are afraid of what will happen to them based on how other staff have been threatened and bullied. Employees feel respect and dignity are characteristics lacking in their workplace.
- Complaints made regarding top management fall on deaf ears; the complainant is perceived as the problem.
- Complaints by employees are routinely ignored, dismissed or used against them.
- In a fit of anger, top management swiped files off a desk instead of trying to calm down the situation.
- Complaints are “squashed” instead of heard, investigated and addressed.
- Some employees were criticized for the clothes they wore. One employee was told that top management discussed the type of bra that she wore. That employee was mortified.
- An employee was told by top management to change their personality and 'grow a pair.'
- Many employees expressed the view that if top management did not like them, they could end up targeted and out of a job.
- Employees felt it was hell at work, and mental health became more important to them than the job.
- One employee described the last four years as having been the hardest, most stressful, frustrating and challenging times experienced over multiple professions.
- Employees state that the leadership is fear-based. This causes disruptions and frustrations, taking away the ability to perform duties to the fullest.
- Constant belittling and condescending language is taking its toll on staff.
- Some employees personally witnessed derogatory comments about those who oppose top management.
- Qualified and competent employees have chosen to seek other employment.
- Blame is often placed by managers on others to avoid responsibility.
- Employees care about and love working for the City of Willits. They are hurt to see what is happening. There is so much division that has been caused by poor top management style.
- Many employees feel they work in a hostile place.

As referenced earlier, in 2024, the City Manager eliminated the Human Resources Director position and replaced it with a data-gathering Human Resources Analyst position. This action is in direct repudiation of language in the City of Willits Personnel Policy and Procedures Manual authorizing and directing the Human Resources Director to receive and investigate complaints/grievances.

The lack of confidence in top management has prompted the departure of several high-level, highly skilled employees. In addition, as referenced previously, the City Council solicited written input from employees that verified the findings in this report thus bringing the conditions in the workplace to the direct attention of the City Council.

During the drafting of this report, the former City Manager separated from employment with the City of Willits. Events mentioned in this report occurred before the current interim City Manager was hired.

CONCLUSION

With information gathered, the Grand Jury determined top management has allowed a toxic and intimidating workplace to develop by failing to follow or enforce written policies and procedures. Employees have no process available to address bullying or harassment by top management because there is no Director of Human Resources and because of the fear of retaliation. The City Council failed to provide effective oversight of top management. Specifically, the City Council has failed to follow express policies and procedures as identified in the Personnel Policies and Procedures Manual regarding oversight: *“The City Council shall exercise control over personnel only through the City Manager.” Section 3, 3.1, page 20.* The City Council also has not conducted the annual performance reviews as required by City Council Manual of Procedures and Protocols which reads, *“the City Manager shall receive performance reviews by the Council by April 30 of each year.” (page 18, Section 15. H)*

DISCLAIMER

One Grand Jury member was recused because of an employer/employee relationship with the City of Willits, and did not participate in interviews, meetings, investigations, discussions, voting or in writing this report.

FINDINGS

F1. The Grand Jury found the existence of a toxic and intimidating workplace culture at the City of Willits office (excluding the Police Department). This has prompted highly qualified, dedicated workers to leave City employment.

F2. The Grand Jury found the Willits City Council failed to provide oversight of top management for compliance with personnel policies and procedures.

F3. The Grand Jury found the City of Willits employees do not have an effective avenue for bringing complaints to the attention of top management. This is due to the failure to follow the Willits Personnel Policies and Procedures Manual.

F4. The Grand Jury found the City of Willits presently does not have a Director of Human Resources. Portions of the Willits Personnel Policies and Procedures Manual expressly contemplate such a position as employees are instructed to seek help from the Director of Human Resources.

F5. The Grand Jury found that the Willits City Council had not conducted annual performance reviews of the Willits City Manager by April 30 of each year.

RECOMMENDATIONS

R1. The Grand Jury recommends the Willits City Council direct its City Manager to demonstrate compliance with the existing written Personnel Policies and Procedures Manual for the City of Willits, by July 31, 2025.

R2. The Grand Jury recommends the Willits City Council create a mechanism for compliance and oversight to ensure all personnel policies are being followed, by January 1, 2026.

R3. The Grand Jury recommends the Willits City Council direct the Willits City Manager to restore and fill the position of Human Resources Director by January 1, 2026.

R4. The Grand Jury recommends the Willits City Council conduct annual performance reviews of the Willits City Manager by April 30 of each year.

REQUESTS FOR RESPONSES

Pursuant to California Penal Code §§ 933 and 933.05, the Grand Jury requests each entity or individual named below to respond to the enumerated Findings and Recommendations within specific statutory guidelines.

Responses to Findings shall be either:

- The respondent agrees with the finding.
- The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons, therefor.

Responses to Recommendations shall be one of the following:

- The recommendation has been implemented, with a summary regarding the implemented action.
- The recommendation has not been implemented but will be in the future, within a specific period.
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency where applicable. This time shall not exceed six months from the date of the publication of the Grand Jury report.
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation, therefor.

REQUIRED RESPONSE – Within 90 days

Willits City Council – All Findings and All Recommendations

Responses are to be sent to:

The Honorable Judge Ann Moorman
Mendocino County Superior Court
100 North State Street, Dept. E
Ukiah CA 95482

Office of the County Counsel
County of Mendocino
501 Low Gap Road, Room 1030
Ukiah CA 95482

Mendocino County Civil Grand Jury
P.O. Box 939
Ukiah CA 95482

This report was issued by the Mendocino County Civil Grand Jury 2024-25.

IMPORTANT NOTE ABOUT CIVIL GRAND JURY FINDINGS

The Civil Grand Jury derives Findings from testimony and evidence. All testimony and evidence given to the Civil Grand Jury remains confidential by law, and it is the Civil Grand Jury's responsibility to maintain it. California Penal Code § 929 provides "... the name of any person, or facts that lead to the identity of any person who provided information to the Civil Grand Jury, shall not be released." Further, 86 Ops. Cal. Atty. Gen. 101 (2003) prohibits Civil Grand Jury witnesses from disclosing anything learned during their appearance including testimony given. This is to ensure the anonymity of witnesses and to encourage open and honest testimony.

APPENDIX A



CITY COUNCIL

MANUAL OF PROCEDURES AND PROTOCOLS

**Adopted: April 26, 2017
by Resolution No.: 2017-10**

APPENDIX A

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APPENDIX A

1. COUNCIL MEETINGS

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

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

B. **Regular Meetings**

The City Council shall hold regular meetings on the second and fourth Wednesdays of the month, unless the Mayor determines a particular meeting shall not be held, at or after 6:30 p.m. as specified by the Mayor and set forth on the agenda. Regular meetings shall be held at City Hall, 111 E. Commercial Street, Willits, or at another place within the City limits as determined by the Mayor. If by reason of natural disaster or other emergency it shall be unsafe to meet in the City Hall, the meetings may be held for the duration of the emergency at such other place as is designated by the Mayor or by four (4) members of the City Council.

Regular meetings of the City Council will adjourn no later than 10:30 p.m. Any Councilmember may make a motion to extend the meeting by thirty (30) additional minutes, in order to conclude the business before the Council. The motion will be carried by majority vote.

Council meetings will be broadcast on the local government access channels. Council meetings will also be rebroadcast on the local government access channels.

C. **Adjourned Meetings**

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

D. **Special Meetings**

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

E. **Meetings to be Public**

All regular, adjourned, and special meetings of the City Council shall be open in public and held in accordance with the Ralph M. Brown Act (Government Code sections 54950, et seq.); provided, however, the City Council may hold closed sessions from which the public may be excluded as allowed by law.

F. **Attendance**

Councilmembers are expected to attend all meetings of the City Council. If a Councilmember is absent without Council permission from four (4) consecutive

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regular City Council meetings, his/her office becomes vacant and shall be filled as any other vacancy.

G. Quorum

The Council consists of five members, one of whom is the Mayor. Three members of the Council shall constitute a quorum and shall be sufficient to transact business.

2. AGENDA

A. Preparation of Agenda

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

B. Placement of Items on Agenda

Councilmembers wishing to have items placed on a future agenda shall contact the Mayor directly or through the City Manager. In the alternative, any Councilmember may make a request during “Mayor’s/Councilmembers’ Reports” to add an item to a subsequent meeting agenda. The purpose of the City Council discussion on such a request will only be to determine whether it will be placed on a subsequent agenda for deliberation and action. A concurrence of one other Councilmember will be sufficient to place the item on a subsequent agenda.

C. Teleconferencing

Any Councilmember who wishes to participate by teleconference shall be required to advise the City Clerk at least ten calendar days prior to the City Council meeting in order to properly agendaize participation by teleconference as required by Government Code §54953. Any location at which a Councilmember wishes to teleconference must be open to the public. The Councilmember shall take all necessary steps to comply with the provisions of the Ralph M. Brown Act related to teleconferencing as instructed by the City Clerk and/or City Attorney or the Councilmember shall not be allowed to participate in such meeting.

D. Order of Business

At the time set for each regular meeting, the Mayor shall call the meeting to order and the business of the Council shall be taken up for consideration and disposition in the order set forth in Section E below except that with consent of a majority of the Councilmembers present, items may be taken up out of order.

E. Agenda Contents

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

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Call to Order and Roll Call

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

Public Communications on Non-agenda Matters

Any person desiring to address the Council on matters not listed on the agenda which are within the subject matter jurisdiction of the City may do so under Public Comments on Non-agenda Matters. Each speaker may address the Council for up to three minutes at each Council meeting. The Mayor shall have the authority to limit public comments on non-agenda matters to less than three minutes based on the number of speakers wishing to address the Council. The City Clerk will monitor the time for public comments and inform the speakers when the time limitation has been reached. The Council may not take immediate action on items presented under Public Comments on Non-agenda Matters but can refer the matter to staff or request its placement on a future meeting agenda.

Public Comments on Agenda Items

Public comment will be allowed on all agenda items at the time each item is called. Citizens wishing to speak are requested to record their name on the speaker's sign-in sheet. Each speaker may address the Council for up to three minutes regarding each action item that is a part of an agenda, except public hearings. The Mayor shall have the authority to limit public comments on an agenda item to less than three minutes based on the number of speakers wishing to address the council on a particular item. The City Clerk will monitor the time for public comments and inform the speakers when the time limitation has been reached.

Public Matters

Consent Items

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

Informational Reports

Matters that do not require action by the City Council but are of public interest.

Right to Appeal

Persons who are dissatisfied with the decisions of the City Council may have the right to a review of that decision by a court. The City has adopted Section 1094.6 of the Code of Civil Procedure, which generally limits to 90 days the time within which the decisions of the City boards and agencies may be judicially challenged.

Commissions, Agencies and Authorities

The Willits City Council meets concurrently as the City of Willits Planning Commission and the City of Willits Successor Agency to the Redevelopment Agency.

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City Manager's Reports

The City Manager, from time to time, gives reports regarding matters of general interest to the Council. Council may take action as appropriate and as permitted by law.

Department Recommendations

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

City Council and Committee Reports

The Mayor and Councilmembers will brief one another on committees or boards on which Councilmembers serve and seek direction on items that they may be required to act upon as the City's representative.

Mayor's/Councilmembers' Reports

The Mayor and Councilmembers may, from time to time, give reports regarding matters of general interest and may seek direction on items that they may be required to act upon as the City's representative, to share pertinent information, or to request future agenda items. Council may take action as appropriate and as permitted by law.

Enactment of Ordinances

The Council shall consider items of City business and the introduction and adoption of ordinances, as appropriate.

Good & Welfare

Closed Session(s)

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

Adjournment of Meeting

3. PRESIDING OFFICER

A. Mayor to Preside

The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Vice Mayor shall preside. In the absence of both the Mayor and Vice Mayor, the City Manager shall call the Council to order, whereupon a temporary Presiding Officer shall be elected by the Councilmembers present to serve until the arrival of the Mayor or until adjournment.

B. Powers and Duties of Presiding Officer

1. Participation

The Presiding Officer may, upon passing the gavel, move or second from the Chair. He/she shall not be deprived of any of the rights and privileges of a Councilmember

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by reason of his/her acting as Presiding Officer.

2. **Questions to be Stated**

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

3. **Maintaining Order and Decorum**

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

4. **Signing of Documents**

The Presiding Officer shall sign all ordinances, resolutions, contracts, and other documents necessitating his/her signature, which were adopted in his/her presence, unless he/she is unavailable, in which case an alternate Presiding Officer may sign such documents.

4. **ADDRESSING THE COUNCIL**

A. **Written Correspondence**

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

Written correspondence pertaining to an item on the agenda and submitted to the City Clerk's Office by 12:00 p.m. the Monday before the Council meeting will be distributed to the Council prior to the Council meeting. Written correspondence received after the Monday deadline and before noon the day of the meeting will be distributed to Councilmembers at the Council meeting. All written correspondence pertaining to matters on the agenda and received prior to 12:00 p.m. on the day of the meeting will be available for public review in the public meeting binder.

B. **Right to Address Council**

Subject to the provisions of Sections 4C, 4D, and 4E,, members of the public shall have the right to address the Council as provided by state law.

C. **Public Hearings**

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

D. **Manner of Addressing Council**

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Any person desiring to address the Council shall approach the podium state his/her name for the record, and proceed to address the Council. All remarks and questions shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Councilmember or a member of the City staff without first obtaining permission of the Presiding Officer.

E. Time Limitation

Every person addressing the Council shall limit his/her address to three (3) minutes as granted by the Presiding Officer. When any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Presiding Officer to request that a spokesperson be chosen to represent the group, as to avoid unnecessary repetition.

5. DEBATE AND DECORUM

A. Getting the Floor

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

B. Questions to Staff

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

C. Interruptions

A Councilmember, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, unless a point of order or personal privilege is raised by another Councilmember, or unless the speaker chooses to yield to a question by another Councilmember. If a Councilmember, while speaking, is called to order, he/she shall cease speaking until the question of order is determined; if determined to be in order, he/she may proceed. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

D. Points of Order

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

E. Point of Personal Privilege

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

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F. Decorum and Order, Council and City Staff

While the Council is in session, the Councilmembers and City staff shall preserve order and decorum. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the directives of the Presiding Officer.

G. Decorum and Order, Audience

Public members attending Council meetings shall observe the same rules of order and decorum applicable to the Council and staff. No person shall use loud, profane, threatening, or personally abusive language, or engage in any other disorderly conduct so as to disrupt, disturb or otherwise impede the orderly conduct of any Council meeting. Persons who violate this rule may be barred from attendance for the remainder of the Council meeting, provided that the Mayor has notified the person to conduct himself/herself in a manner consistent with this rule, and warned the person that he/she will be removed if he/she continues to disrupt the Council meeting. If after notification and warning the person persists in disrupting the meeting, the Mayor shall order the person to leave the Council meeting and may recess the meeting if necessary. If the person does not remove himself/herself, the Mayor may request the Sergeant at Arms or any law enforcement officer who is on duty at the meeting to remove that person from the Council Chamber.

H. Enforcement of Decorum

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

I. Failure to Observe Rules of Order

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

J. Serial Meetings

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

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Councilmembers are encouraged to consider the possibility of serial meetings when engaging in discussion with their colleagues on a matter within the subject jurisdiction of the City.

K. Use of Technology

Councilmembers may access their agenda materials on City provided electronic communication system devices (such as tablets) during Council meetings. City Council shall not send, receive or read electronic messages of any kind during a Council meeting, except under emergency circumstances.

6. MOTIONS

A. Presentation of Motions

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

B. Second Required

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

C. Precedence of Motions

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

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

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

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

D. Particular Motions, Purpose and Criteria

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

Motion to Adjourn

Purpose:

To terminate a meeting.

Debatable or Amendable:

No, except a motion to adjourn to another time to which the meeting is to be adjourned.

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Motion to Recess

Purpose: To permit an interlude in the meeting and to set a definite time for continuing the meeting.

Debatable or Amendable: Yes, but restricted as to time or duration of recess.

Motion to Postpone Temporarily

Purpose: To set aside, on a temporary basis, a pending main motion provided that it may be taken up again for consideration during the current meeting or at the next regular meeting. It is also referred to as a motion to lay on the table.

Debatable or Amendable: It is debatable but not amendable.

Motion for Previous Question (Call the Question)

Purpose: To prevent or stop discussion on the pending question or questions and to bring such question or questions to vote immediately. If the motion fails, discussion shall continue. If the motion passes, a vote shall be taken on the pending motion or motions.

Debatable or Amendable: No.

Motion to Limit or Extend Debate

Purpose: To limit or determine the time that will be devoted to discussion of a pending motion or to extend or remove limitations already imposed on its discussion.

Debatable or Amendable: Not debatable; amendments are restricted to the period of time of the proposed limit or extension.

Motion to Refer to Committee or Staff

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

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Debatable or Amendable: Yes.

Motion to Amend

Purpose: To modify or change a motion that is being considered by the Council so that it will express more satisfactorily the will of the members. If the motion fails, discussion or vote on the main motion resumes. If the motion passes, then the main motion should be voted on as amended.

Debatable or Amendable: It is debatable unless applied to an undebatable main motion. It is amendable.

Motion to Postpone

Indefinitely

Purpose: To prevent further discussion and voting on the main motion. If the motion fails, discussion and voting on the main motion resumes. If it passes, the subject of main motion shall not be brought up again for the remainder of the meeting or the next regular meeting.

Debatable or Amendable: It is debatable but not amendable.

Main Motion

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

Debatable or Amendable: Yes.

7. VOTING

A. Voting Procedure

When any motion is in order for the question, a roll call vote thereon shall be taken by the City Clerk.

Motions may be passed by a simple majority of the members present at a properly quorumed meeting unless otherwise required by the City ordinance or state law.

The affirmative vote of a majority of the total membership of the Council (3 votes) shall be necessary to adopt any ordinance or resolution and for the Council to approve or settle a claim against the City unless otherwise required by City ordinance, or state law.

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

B. Change of Vote

A member may change his/her vote only if he/she makes a timely request to do so immediately following the announcement of the vote by Presiding Officer and prior to the time the next item in the order of business is taken up.

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C. **Failure to Vote**

Every member should vote unless disqualified for legal cause. Self-disqualification, without legal cause, which results in a tie vote, shall be avoided as thwarting Council action, but no Councilmembers shall be forced to vote. A Councilmember who abstains shall in effect consent that a majority of the quorum may act for him/her. Tie votes shall be lost motions and the question remains before the Council.

D. **Conflict of Interest**

Any Councilmember who has a financial interest or other conflict of interest in any matter coming before the City Council shall state the nature of the disqualification and disqualify himself/herself from discussing or voting on that matter. Unless the matter in which the Councilmember has a conflict of interest is on the consent calendar, the Councilmember shall leave the Council Chamber before any discussion on the matter commences and shall remain outside of the Council Chamber until the matter is concluded. A Councilmember stating such disqualification shall not be counted as part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter

E. **Reconsideration and Rescission of a Prior Action**

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

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

F. **Lost Motions**

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

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

8. **MINUTES**

A. **Preparation of Minutes**

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

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B. Minutes of Hearings

Whenever the Council acts in a quasi-judicial proceeding, the minutes shall contain a summary of the evidence.

C. Reading of Minutes

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

9. ORDINANCES, RESOLUTIONS, AND CONTRACTS

A. Preparation of Ordinances, Resolutions, and Contracts

1. Ordinances

All ordinances shall be reviewed and approved by the City Attorney and shall be presented to the Council only when ordered by the Council or City Manager, or prepared by the City Attorney on his/her own initiative.

2. Resolutions

All resolutions shall be reviewed and approved by the City Attorney. In matters of urgency, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution.

3. Contracts

All contracts shall be approved as to form by the City Attorney and shall be presented to Council unless the Council has delegated that authority to the City Manager or other staff, or to the City Attorney.

B. Prior Approval by Administrative Staff

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

C. Enactment of Ordinances

1. Introduction

Ordinances shall be introduced for first reading by motion. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or adjourned regular meeting held at least five (5) days after alteration. Corrections or typographical or clerical errors are not considered alterations.

2. Passage

Ordinances shall be considered for adoption on second reading. Ordinances may be passed by motion and a majority vote of the Council, except for those ordinances which require a larger number of the Council for their approval. Ordinances, except for urgency ordinances, shall not be passed within five (5) days of their introduction.

3. Reading

After reading the title, further reading is waived.

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4. Urgency Ordinance

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

5. Publication

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

6. Effective Date

Ordinances take effect thirty (30) days after final passage, provided they are published at least once after passage. An ordinance takes effect immediately if it is an ordinance calling or otherwise relating to an election, of an urgent nature relating to the public peace, health or safety, relating to street improvement proceedings, relating to taxes for the usual and current expenses of the City, or by particular provisions of law prescribing the manner of its passage and adoption.

D. Adoption of Resolutions

Resolutions may be adopted by motion on the date they are first presented to the Council. It is not required that resolutions be read, either in full or by title only.

Resolutions may be adopted as amended by the Council on the date they are first presented unless the Council by majority vote directs the City Clerk to place an amended resolution on a subsequent meeting agenda for adoption.

10. PUBLIC HEARINGS

A. Application and Definition

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

B. Rights of Interested Persons

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

C. General Procedure

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

1. For quasi-judicial hearings, Councilmembers disclose any ex parte communications or information obtained outside the Council Chamber, such as field trips, views of the premises and discussions with individuals.
2. Staff presents its report.
3. Council members may ask questions of staff.
4. The Mayor opens the public hearing.
5. The applicant or appellant has the opportunity to present comments, testimony, or

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- arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called up first to provide comments or testimony.
6. Members of the public are provided with the opportunity to present their comments, testimony or argument.
 7. The applicant or appellant is given an opportunity for rebuttal or concluding comments. In the case of an appeal when the appellant is different from the applicant, the appellant is given the opportunity for closing comments.
 8. The public hearing is closed.
 9. The Council deliberates on the issue.
 10. If the Council raises new issues through deliberation and seeks to take additional public testimony (questions of the public, applicant or appellant), the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.
 11. The Council deliberates and takes action.
 12. The Mayor announces the final decision of the Council.

D. Presentation of Evidence

1. Oral Evidence

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

2. Exhibits and Documents

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

3. Communications and Petitions

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

4. Staff Reports

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

5. Large Maps and Displays

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

6. Admissible Evidence

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

E. Continuances

Any hearing being held, noticed, or ordered to be held by the Council may, by motion, be continued at the request of staff, an applicant or an appellant, or by majority vote of

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the Council to any subsequent regular or adjourned meeting of the Council provided that if the hearing is continued to a time less than 24 hours after the time specified in the order on notice of hearing, a copy of the order or notice of continuance shall be posted outside the Council Chamber forthwith following the meeting at which the order of continuance was made.

F. Decision

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

G. Record of Hearing

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

11. DECISION MAKING

- A.** Council members are expected to read staff reports and supporting information in their agenda packets and get necessary clarification on issues prior to the meetings.
- B.** In order to reach the best possible solutions, information is shared freely between Council members during Council meetings.
- C.** Council members treat each other, the public, and staff with respect at all times.
- D.** There is a respect for differing opinions.
- E.** The Council will deal with issues and not personalities.
- F.** The Council, overall, strives for consensus.
- G.** There are individual interests and areas of expertise of Council members – allowing the Council to rely on one another for information and positive action.
- H.** Council looks to boards, commissions, and committees for independent advice and possible legislative actions.

12. MAYOR AND VICE MAYOR: ELECTION/RESPONSIBILITY

- A.** The Mayor is elected for a one-year term immediately following the installation of

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newly-elected Councilmembers. If a Mayor fails to complete a full term, the Council member elected to fill out the remainder of the unexpired term shall not be barred from serving a consecutive term as Mayor thereafter if the remaining term filled was one year or less.

- B.** The Vice Mayor is elected annually for a one-year term. The Vice Mayor is not a natural ascendancy to Mayor and there is no rotation system for selecting the Mayor or the Vice Mayor. Nominations for and election of the Vice Mayor shall follow the procedures set forth in paragraph C below.
- C.** At the same meeting and immediately following the installation of newly-elected Councilmembers, the Mayor shall call for nominations from the floor for Mayor. The nomination must receive a second and be accepted by the nominee prior to a vote on the nomination. Nominations will be voted upon in the order made. Once a nomination receives a majority vote of Councilmembers present, no further action will be taken on subsequent nominations. The Mayor shall then pass the gavel to the newly-elected Mayor, who shall assume the role of Presiding Officer. Immediately following election of the Mayor, the same procedure shall be followed for election of the Vice Mayor.
- D.** Following the election of the Mayor and Vice Mayor, and at such other times as the Mayor deems it necessary, the Mayor shall establish the dais seating arrangement of the Councilmembers. The Vice Mayor shall always be seated immediately next to the Mayor.
- E.** The Mayor and Vice Mayor are peers of, and serve at the pleasure of, the other Councilmembers.
- F.** Council committee and liaison assignments are reviewed and made annually by the Mayor. The Mayor may, subject to the approval of the Council, appoint such committees of Councilmembers, City staff, and private citizens, or a combination thereof, as he/she deems necessary and expedient to assist and advise the Council in its work.
- G.** In January of each year, the Mayor will submit his/her recommendations for Chairs of the boards, commissions, and advisory committees for ratification by the Council. The Chairs will take their seats at their first meeting on or after February 1st.
- H.** Prior to March 1st of each year, the Mayor will develop a “State of the City” report for presentation to civic groups and posting on the City’s web site.
- I.** The Mayor will meet with the Chairs of the boards, commissions, and advisory committees on a monthly basis in an effort to share information and coordinate efforts.
- J.** Proclamations are issued and/or scheduled for presentation at a City Council meeting at the discretion of the Mayor.

13. COUNCIL GOALS

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

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- B. Staff will prepare an update on City issues, trends, and demographics to assist the City Council with preparations for their goal setting process.
- C. In December, the Mayor shall determine the process and facilitator he/she wishes to use for the annual review for the goal setting. The goal setting session shall be held as early in the year as possible to allow for development of work plans and allocation of resources through the budget process. Goals shall be established for two fiscal years starting on July 1 and ending on June 30.
- D. In December, the Mayor shall determine the process and facilitator he/she wishes to use for the annual review for the goal setting. The goal setting session shall be held as early in the year as possible to allow for development of work plans and allocation of resources through the budget process. Goals shall be established for two fiscal years starting on July 1 and ending on June 30.
- E. The purpose of the goal setting process is to establish a limited number of high priority consensus goals that the City will focus on for the next year.
- F. Staff will develop draft work plans for each goal for approval by the City Council.
- G. The City Manager and City Attorney are active participants in the goal setting process. Other staff may also participate in goal setting at the direction of the City Council.
- H. Staff will take steps to distribute Council goals to staff and the public.
- I. The City Council will review progress on the goals quarterly.

14. COMMUNICATIONS

- A. The City Clerk handles all correspondence for the Council. Copies of appropriate correspondence are disseminated to the entire City Council.
- B. All written informational material requested by an individual Councilmember shall be distributed by staff to all Councilmembers with a notation indicating which Councilmember requested the information.
- C. Mail that is addressed to the Mayor and City Council shall be distributed to all Councilmembers mailboxes, which are located in the City Clerk's Office. Any communication requiring Council action shall be placed on the agenda. All correspondence requiring a response shall be answered or acknowledged as soon as practicable.
- D. Correspondence directed to the City Council and/or the City Manager relating to Council business is available to the public.
- E. In an effort to increase communications with the community, every effort will be made to notify residents (i.e., media releases, social media, and/or the City's website) of issues that will affect their neighborhood that will be coming before the Council or any of the

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City's boards, commissions, and advisory committees.

15. COUNCIL/STAFF RELATIONS

- A. City staff shall acknowledge the Council as the policy makers, and the City Council shall acknowledge staff as administering the Council's policies.
- B. The City Manager and the City Attorney are the only officials directly appointed by the City Council. All department heads (except for the City Attorney) are appointed and supervised by the City Manager.
- C. Council relies on staff for technical work and reports.
- D. Staff handles all labor negotiations.
- E. Council shall not attempt to coerce or influence staff in the making of appointments, the awarding of contracts, the selection of consultants, the processing of development applications, or the granting of licenses or permits. The Council shall not attempt to change or interfere with the operating policies and practices of any City department.
- F. A Councilmember shall not direct staff to initiate any action or prepare any report that is significant in nature or initiates any project or study without the approval of a majority of the City Council.
- G. Councilmembers should confer with the City Manager on issues of concern. The City Manager shall report to the City Council on all matters of major impact.
- H. The City Manager shall receive performance reviews by the Council by April 30th of each year.
- I. Staff provides support to Councilmembers serving on regional agencies, boards or commissions or on any League affiliated committee or body.

16. COUNCIL COMMITTEES

- A. The Council operates through a number of ad-hoc and standing committees.
- B. Committee areas belong to the whole Council. Committees may overlap on issues and address them from different perspectives.
- C. Committee members are responsible to keep the rest of the Council informed via the Mayor's and Councilmembers' reports at regular meetings of the Council. It is particularly important to update all members on the activities of the individual committees on which Councilmembers serve. If individual Councilmembers want more in-depth information or to give input, they are responsible for obtaining the information.
- D. Any Councilmember may attend a subcommittee meeting of the City Council. The non-subcommittee members may observe but may not participate in any discussion or vote.
- E. If the Mayor chooses not to appoint an Ad Hoc Committee, one may be appointed by a

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simple majority vote of the City Council.

17. CITY BOARDS, COMMISSIONS, AND COMMITTEES

- A. All appointments to City boards, commissions, and advisory committees shall be made by the City Council; when needed, subcommittees will be established by the primary committee. All applicants for City boards, commissions, or advisory committees shall complete and file a standard application form with the City Clerk; applications will then be forwarded to the City Council for appointment.
- B. Councilmembers have the right to attend meetings of Council-appointed boards, commissions, and advisory committees but are prohibited from becoming involved in the meeting's discussion or business.

18. CONFIDENTIAL INFORMATION

- A. Councilmembers shall keep all written materials and verbal information provided to them on matters that are confidential under State law in complete confidence to ensure that the City's position is not compromised. No mention of information in these materials should be made to anyone other than Councilmembers, the City Attorney, or the City Manager.
- B. Councilmembers shall avoid disclosing information, which is confidential or not generally known or readily available to the public, concerning the business or property of the City for the purpose of benefiting any private interest.
- C. If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations whether it be related to property acquisition or disposal, a proposed or pending claim or litigation and/or employee negotiations, all contact with the other party should be by the designated City staff representative handling the negotiations or litigation. Unless otherwise authorized by the City Council, a Councilmember shall not have any contact or discussions with the other party or its representatives involved with the negotiations during this time nor communicate any discussion conducted in closed session. All public statements, information, and press releases should be handled by the designated staffspokesperson.

19. STATIONERY USE AND RELATED GUIDELINES

- A. Official use of City letterhead shall be guided by the following criteria:
 - 1. City letterhead: shall be used by the Mayor, Vice Mayor, and City Council for official City business, communication of adopted City policies and positions, correspondence and any overall communications.
 - 2. Personal Stationery without City Logo: shall be used by any member of the City Council to communicate individual positions, conduct personal correspondence, or communicate positions that may be in opposition to established City Council positions or decisions. Personal stationery shall be printed at the expense of the individual Councilmember. It is the policy of the City Council that the use of City letterhead and/or title on personal matters is not permitted.

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- B. The use of the City Seal, logo, or other insignia, on personal matters is not permitted.
- C. All business cards printed hereafter will contain only the person's name, title, City Hall address, City telephone number, and City email address, with home and/or business telephone numbers optional. Business names and/or addresses are prohibited.
- D. All documents using the City letterhead are public documents. All documents shall be provided to the City Clerk.
- E. Whenever a Councilmember other than the Mayor wishes to write a letter on City letterhead, he/she should inform the Council (in writing or verbally at an open meeting) what the letter is about and seek Council concurrence that the letter may be written on City letterhead.
- F. All Councilmembers are copied on correspondence signed by the Mayor or other Councilmember.

20. GENERAL

- A. Councilmembers will inform the City Clerk as early as possible when they will be out of town or absent from a meeting by completing an Absence from City form.
- B. Travel arrangements for City related business is coordinated with the City Clerk.
- C. For eligible expenses (i.e., any events outside of Mendocino County), receipts and travel expense reports are to be submitted no later than 30 days after the date of the expenditure.

21. CONDUCT BY COUNCILMEMBERS

- A. The citizens of the City of Willits expect and are entitled to a local government that reflects uncompromising integrity and serves the public interest. All City activities shall be conducted fairly and impartially. Councilmembers shall not for any reason show favoritism in carrying out the City's business. The receipt of political contributions should not in any circumstance constitute a basis for preferential treatment.
- B. Other than in the discharge of his or her official duties, no Councilmember shall disclose any confidential information which was acquired by virtue of his or her position and would not normally be available to the public (i.e., Closed Session). No Councilmember shall use any confidential information for any personal use.
- C. No Councilmember should attempt to interfere with decisions of City personnel involving the administration of City laws as they pertain to particular citizens. Councilmembers shall avoid any action which could be construed by an objective person to create the appearance of: 1) using public office for personal gain including use of City stationery or other City resources to obtain or promote personal business or for campaign purposes; 2) giving preferential treatment to any person or group; or 3) impeding governmental responsiveness or efficiency.
- D. Councilmembers shall identify personal opinions and recommendations, avoiding any

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implication that personal opinions and recommendations are those of the Council unless such position has been duly voted.

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

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ROSENBERG'S RULES OF ORDER