

**RIO VISTA CITY COUNCIL**

**General Policies and  
Procedures**

**City of Rio Vista**

**One Main Street**

**Rio Vista, CA 94571**

**707.374.6451**

**Adopted by Resolution 2020-049 on 5/19/2020**

**RESOLUTION 2020-049**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO VISTA APPROVING  
THE REVISED CITY COUNCIL GENERAL POLICES AND PROCEDURES**

**WHEREAS**, the City Council of the City of Rio Vista wishes to approve the revised General Policies and Procedures to assist with the orderly conduct of the public's business; and

**WHEREAS**, such General Policies and Procedures are in compliance with the Ralph M. Brown Act, Public Records Act, Rio Vista Municipal Code and current practices, as applicable.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA** that the City Council does hereby adopt the revised General Policies and Procedures hereby **attached**.

**PASSED AND ADOPTED** this 19<sup>th</sup> day of **MAY 2020**. I, **JOSE JASSO, CITY CLERK OF RIO VISTA, HEREBY CERTIFY** the foregoing resolution was introduced and passed at a regular meeting of the Rio Vista City Council by the following roll call vote:

**AYES:** Council Members Dolk, Hampton, Roos, Vice Mayor Cohn and Mayor Kott

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**ATTEST:**

  
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Jose Jasso, MMC, City Clerk



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**CHAPTER 1****ROLES AND RESPONSIBILITIES**

The City Council is the Policy body of the city. As such, it is responsible to make decisions appropriate to a municipality and the general welfare of its citizens. The Council acts as a body, and no member has greater power than any other. The Mayor and Vice Mayor may have additional administrative and ceremonial responsibilities, but all members have equal say and vote, although individual members may disagree with decisions of the majority, which bind the Council to a course of action. It is the responsibility of City staff to ensure that the policies and decisions of the Council are upheld and implemented.

**Organization**

**Mayor:** The Mayor is elected to a 4-year term running independently of the Council, and is the presiding officer of the Council.

**Council Members:** The remaining four (4) members of the Council are elected to a 4-year term, two (2) each during alternating “general municipal elections” held in even numbered years.

**Vice-Mayor:** Per Resolution 2014-090, annually the Vice-Mayor is nominated and then affirmed by the majority approval of the rest of the Council.

**City Manager:** The City Manager is hired by the Council, generally following a formal search. The City Manager is an employee of the City and has an employment agreement that specifies the terms of employment, including an annual evaluation.

**City Attorney:** The City Attorney is hired by the Council following an RFP process.

**City Clerk:** The City Clerk is hired by the City Manager with the approval of the Council.

**Staff:** The City Manager is responsible for hiring all Department Heads and any line staff directly responsible to him. All other line staff is recommended by the responsible Department Head for approval by the City Manager (Rio Vista Municipal Code 2.08.070 (C)).

**Duties and Responsibilities****Duties of Mayor and Vice-Mayor**

**Mayor:** The Mayor presides at all meetings of the City Council and is responsible for communicating the will of the Council in matters of policy. As such, the Mayor is the official spokesperson of the City, in conjunction with the City Manager. The Mayor is the official head of the City for ceremonial purposes, although this duty may be assigned to the Vice-Mayor or another Council member if the Mayor is unable to attend any function.

Traditionally, the Mayor and the City Manager consult and coordinate in the development of meeting agendas. The scope focuses on the timing of items, the estimated time for each item, and the volume of business for each agenda that will get the City’s

business completed in a timely manner.

**Vice-Mayor:** The Vice-Mayor should have had some experience as a Council member. The Vice-Mayor shall perform the duties of the Mayor during the Mayor's absence or disability.

### **Duties of Council Members**

The duties of all Council members include, but are not limited to:

- Meet regularly with the City Manager to ensure any concerns from either party are thoroughly explored
- Preparation for discussion of current meeting topics through thorough preparation, study and discussion with the City Manager
- Attendance at Council meetings
- Attendance at meetings of local, area and regional committees, commissions and/or boards to which member is assigned. An alternate is assigned for most outside agency committees/boards and may attend with or in the absence of the assigned Council Member.
- Representation of the City in a positive and effective manner in public forums.
- Become knowledgeable about City operations and services so that Council members can effectively analyze reports of the City Manager, staff and consultants and evaluate the answers to questions.
- Give a report at regular Council meetings on any activities that are important for the Council and public to know.
- Participation in the annual evaluation of the City Manager.
- Participate in any evaluation of the City Attorney
- Participation in City workshops, including annual budget and strategic or goal planning workshops
- As appropriate, to be politically active on behalf of the City and its interests and needs.

### **Assignments to Area and Regional Boards and Commissions**

Council members are assigned (by interest and consensus) to various boards and commissions as representatives of the city. Changes in assignments are generally done in January following an election year. If necessary or desirable, changes in assignments may be done in January of the non-election year. An alternate is usually assigned at the same time. A list of these assignments is kept by the Administrative Assistant to the City Manager.

There may be other committees that Council members are interested in and volunteer to participate which are not required, such as State forums, League of California Cities policy committees and other non-Council appointed committee opportunities that may arise from time-to-time. The Council member is responsible for notifying the City Manager and Mayor of appointment to these positions. It is preferable that updates from these committees be provided to the Council and public.

**Public Appointments to City Commissions and Committees**

Commission appointments shall be in accord with Rio Vista Municipal Code 2.20.010 (D). Nominations for all commissions and committees are made by the Mayor and approved by a majority of the Council.

**City Committees**

The Council may, upon majority vote, establish various committees to further the work of the City, in addition to the standing Commissions. These committees do not have the formal standing of a commission; however, certain limited authority may be authorized by the Council.

**Relationship to City Staff**

The lines of communication between Council and City staff are through the City Manager. If a Council member desires to consult with Department Heads (usually relative to commission or committee business), the City Manager is to be informed. Questions regarding staff reports or requests for information are to be directed to the City Manager.

**Evaluation of City Manager and City Attorney**

**City Manager:** The City Manager shall receive a formal evaluation at least annually. The format is proposed by the Mayor and agreed upon by the Council informally. A separate procedure will be established for this evaluation. Less formal evaluations may take place quarterly or every six months at the pleasure of the Council. At the time of a formal evaluation, goals for the next period will be established by the Council.

**City Attorney:** Currently, the City contracts with an outside firm for City Attorney services. No formal evaluation is required, although the Council and the attorney may wish to conduct an informal evaluation annually, giving feedback on performance and needs for changes in process.

**Vacancies of Council /Mayor**

Vacancies for Mayor and Council shall be filled in accordance with the California Elections Code in effect at the time of a vacancy.

**CHAPTER 2****FINANCE****Compensation**

City Council members are compensated in accordance with California Government Code Sections 36516 and 36516.5. The stipend amount is memorialized in the Municipal Code. If a Council member wishes to take less salary, a letter requesting this reduction is to be given to the Finance Manager.

**Expenses**

Generally, City Council members receive no reimbursements for expenses such as mileage, parking, meals, meeting registration. However, Council members may request Council approval for reimbursement of such expenditures.

**Budget Review**

It is the responsibility of each Council member to become thoroughly informed about the budget process, the various funds, their uses and restrictions. Each Council member is expected to participate fully in the annual and mid-year budget review, and to review the reports received from the Finance Manager and the City Treasurer.



**CHAPTER 3****COUNCIL COMMUNICATIONS**

Perhaps the most fundamental role of a Council member is communication – communication with the public to assess community opinions and needs – communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives. Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

**Speaking for the City**

The Mayor and City Manager are the official spokespersons for the City. Occasionally a Council member will be contacted by a media organization for opinion or information on issues that the City may or may not have an official position. If responding, the Council member must reflect only the City position on an issue; if expressing his or her own opinion, it must be made clear to the reporter that what is being said is not the position of the City.

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.

**Correspondence from Council Members**

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

Members may occasionally wish to transmit correspondence on an issue upon which the Council has not taken a position or the Council has no position. In this situation, members must clearly indicate either within the letter or in a caption preceding the letter that they are not speaking for the City or the Council as a whole, but for themselves as a Council member. City letterhead and office support may be used in this situation.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, city letterhead, official Council title, and staff support may not be utilized. With the exception of the following paragraph concerning letters of recommendations, City letterhead and staff support cannot be utilized for personal or political purposes.

Council members are often asked to prepare letters of recommendation for students and others seeking employment or appointment (outside city government). It is appropriate for individual Council members to use City letterhead and their Council titles for such letters. No review by the full Council is required.

Copies of correspondence should be forwarded to the Administrative Assistant for the City Manager for filing.

### **California Public Records Requests**

Any records requests shall comply with the California Public Records Act (CPRA).

### **Role as Commission/Committee Liaison**

#### **Outside Agency Representation**

Each Council member serves as a representative of the City on a local agency board or subcommittee. When matters of particular interest are discussed in any meeting, the Council member should report on any decisions or issues during their Council meeting report. If the report is lengthy or requires discussion by the entire Council, the issue must be placed on the agenda as a discussion item. The Council member may vote on items requiring board/subcommittee approval, keeping in mind the interests of the City. A positive vote should not be given on an issue that may negatively impact the City.

#### **City Committee Liaison**

Members of the Council may be assigned to serve as a liaison to a City committee that has been established by the Council. The purpose of the assignment is to facilitate communication between the City Council and the advisory body. The liaison helps to increase the Council's familiarity with the membership, programs and issues of the advisory body. If a recommendation/plan/issue needs to be discussed by the Council as a whole, the liaison will facilitate putting the item on a regular Council agenda, and will work with appropriate staff to create the staff report (the Council member may wish to create the staff report or ask the chair to prepare the report in order to reduce impact on City staff).

Assignments to commissions or committees may be reviewed annually or following a regular election of the Council.

### **Taking positions on issues – Propositions, Legislation, Local Ballot Issues**

The City Council may occasionally take a position on legislation or ballot issues that could have an impact on the City by majority vote. Any approval should require an analysis of the issue, its pro's and con's, and how it will impact the City. There are restrictions on what actions a City Council or individual members may take on ballot measures, particularly those that affect prior City Council policy positions.

### **Proclamations**

Ceremonial proclamations are often requested of the City in recognition of an event or individual. Proclamations are not statements of policy but a manner in which the City can make special recognition of an event or individual. As part of his/her ceremonial responsibilities, the Mayor is charged with administration of proclamations. Individual Council members should coordinate proclamation requests through the Mayor.

**CHAPTER 4****CITY COUNCIL MEETINGS****Regular Meeting Dates and Times**

The regular meetings of the Rio Vista City Council are set by ordinance. The agenda for these meetings shall be posted at least 72 hours prior to the scheduled meeting. (Gov. Code 54954.2) Packets normally are distributed to the Council the week prior to the Council meeting.

Closed sessions usually precede the regular agenda. The Council may conduct a closed session as a special meeting prior to the regular meeting if circumstances require. Closed sessions will be noted on the agenda.

**Special Meetings/Study Sessions**

Special meetings may be requested by the City Manager and called by the Mayor for urgent matters that cannot wait for a regular meeting or a study session (Gov. Code 54956).

The purpose of this meeting is to allow for extensive discussion of issues and to give direction to staff for final action.

**Attendance/Absences**

Council members should inform the City Manager's Administrative Assistant or the City Manager as soon as possible if they must miss a Council meeting. A quorum of three Council members must be present to hold a meeting. If a quorum is not possible, the meeting must be cancelled and the agenda put off to another meeting. If necessary, a special meeting with a quorum present may be held to consider those items of urgency.

**Agendas****Placing Items on the Agenda**

*For items requiring preparation of a staff report:* Any Council member may request through the Mayor an item be placed on a regular or special meeting agenda. The Mayor will discuss with the member the time frame desired and any delays necessitated by crowded upcoming agendas. The Mayor may ask the Council member to obtain consensus from a majority of Council members at a meeting for an item to be placed on a future agenda during the report portion of a meeting.

*For items of discussion not requiring a staff report or research:* A Council member may request placement of this item on a future agenda during their report portion of a regular meeting. The item will be agendaized by agreement of a majority of the Council.

*For items requested by the public:* A member of the public may request an item be placed on a future agenda during public comment or through other communication with Council members. Upon agreement of a majority of the Council, the item will be agendaized for a future meeting and a staff report will be prepared and approved by the City Manager.

*Emergency and Non-agendaized items:* Emergency and non-agendaized items may be added to an agenda only in accordance with state law. Emergency items are only those matters affecting public health or safety such as work stoppages, disasters and other severe emergencies. Adding an emergency agenda item requires a majority vote. Emergency items are very rare. More likely, after the agenda is posted an item arises that the Council would like to act on. Non-agendaized items may be added to the agenda only if the Council makes findings that (1) the need to consider the item arose after the posting of the agenda and; (2) there is a compelling need to take immediate action at this particular meeting of the City Council. These findings must be approved by a  $\frac{4}{5}$ <sup>th</sup> vote; if fewer than four members of Council are present, the findings require a unanimous vote. Alternatively, if the matter is urgent, a special meeting for that particular item may be called for just prior or just after the current meeting. This requires a 24-hour notice.

### **Finalizing the Agenda**

The Mayor and City Manager meet weekly to discuss upcoming items to be placed on the agenda and the best schedule to get city work accomplished. Agenda items may be moved from one meeting to another based on completeness of staff reports, urgency items needing approval and number of discussion items on the proposed agenda.

As a matter of policy, the City Clerk has overall responsibility for preparing the agenda, gathering the staff reports and arranging for copying in time for distribution to the Council, staff and public. The City Clerk will establish deadlines for submitting reports. If a report is not submitted and approved by the City Manager and, when necessary by the City Attorney, by the established deadline, it may be deemed not ready and listed on another meeting agenda.

### **Public Comment**

All persons wishing to speak during a Council meeting are encouraged to complete a speaker's card prior to speaking and give it to the City Clerk. Written statements may be turned into the City Clerk and will be distributed to staff, Council, and made part of the record. Speakers need to address the Council not the general public, speakers may not yield time to another speaker, a speaker must speak when called upon in the order called by the Chair, speaker only gets one opportunity per agenda item, rebuttals are not permitted.

### Items Not on the Agenda

The public comment period is intended to allow the public to address the City Council on matters not listed on the agenda. The comment period occurs at the beginning of the meeting. Each person shall be limited to five (5) minutes unless time is extended by the presiding officer. A person may only speak once during public comments. The Public Comments period prior to the Consent Calendar shall not exceed a total of 25 minutes. If the presiding officer decides that more time is warranted, public comment shall be continued to the end of the agenda. The presiding officer shall not permit the public to address items which are listed elsewhere on the agenda, or which are not within the jurisdiction of the City Council. Other than to ask a brief, clarifying question, the City Council shall not engage in debate, nor take any action on any matter brought to their attention under public comments, except to refer the matter to staff or to determine that the matter should be included on a future agenda for debate and action. It is not appropriate for a Council member to then proceed to discuss the item during the Council report period; any discussion should be placed on the agenda for a future meeting to allow staff time to research and respond to the issue. The Council, through the Mayor, may request that staff bring back a report during the staff report time at the next or future regularly scheduled Council meeting.

### Agenda Items

The public may comment on any item on the agenda at the time that item is being considered by the Council, following the staff report and preliminary Council questions or comments. Speakers will be limited to five (5) minutes per agenda item unless extended by the presiding officer. Speakers needs to address the Council not the general public, speakers may not yield time to another speaker, a speaker must speak when called upon in the order called by the Chair, speaker only gets one opportunity per agenda item, rebuttals are not permitted. Speakers shall not be allowed to “split” their time, nor be allowed to “reserve” all or any portion of their allotted time. If there is a spokesperson for a group, the presiding officer may allow an extension of the time; however, in this case, no other persons in the group will be allowed to speak. During public testimony, where questions are asked of staff, the Mayor may hold answers until the end of the discussion.

In certain situations – such as a group or organization making a formal presentation to the Council, a project applicant or appellants of a Planning Commission or City Manager decision – the speakers’ time may be extended by the presiding officer and the consent of the Council. All presentations shall have a specific, reasonable time limit, but generally should not exceed 20 minutes.

If any person fails or refuses to abide by these rules, the presiding officer may state that the person has exhausted all their permitted time to present and ask the person to sit down.



## **Standards of Decorum – Council Members, Staff, and the Public**

Per Resolution 2017-041 adopted by the City Council on June 6, 2017, the Council adopted “Rosenberg’s Rules of Order” as the official rules of parliamentary procedures.

Public participation is an essential element of democratic processes, including Council proceedings. Therefore, the Council actively promotes input from the public on all City matters under its consideration. However, this fact must be balanced by the need to conduct an orderly meeting which allows for the productive resolution of City business. Recognizing these dual interests, the Council provides designated time and space for public participation during Council meetings, including, for instance, following each agenda item and at the conclusion of each Council meeting.

Each person, inclusive of councilmembers, who addresses the council shall not make personal, impertinent, slanderous or profane remarks to any member of the council, staff or general public. Any person who makes such remarks, or who utters threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct (hereinafter "disruptive activity") of any council meeting shall, at the discretion of the presiding officer or a majority of the council, first be provided a notice to cede from such disruptive activity, second, the council may take a brief recess, or, the disruptive member of the public may be asked to leave the meeting if that person is creating an actual disruption or posing a threat.

### **Reports**

**Staff Reports:** Department Heads, the City Manager and City Attorney will be given time at each meeting to provide updates on their departments/City to the Council and public. The Council may ask questions following each report. If a follow-up report is requested from a Council member, it should be requested through the City Manager.

**Council Reports:** This time is an opportunity for Council members to update the public, staff and other Council members of meetings or other activities they have attended in the course of their duties. It is not appropriate to discuss an item brought up by the public except to make a request that a report be given or the item is agendized at a future meeting. Council members shall display appropriate decorum and courtesy toward staff during their reports.

**Commission/Committee Reports:** Each City commission and committee shall be given an opportunity to give a report of the last meeting and to formally provide the Council with requests for action, such as discussion of a project the commission/committee would like to see accomplished. As an alternative, if a Council-appointed committee chair does not wish to make a report, the Council member liaison may bring projects needing further discussion to the attention of the Council for future agendas.

### **Discussion of Agenda Items**

The following procedures are designed to promote the orderly flow of discussion of agenda items.

Following the staff presentation and any presentations by consultants, the Council will have an opportunity to ask questions and make preliminary comments. The public will be invited to speak on the issue, followed by Council discussion and decision.

**Obtaining the floor:** If a signaling system is available, the member shall turn on the light and wait for recognition before speaking. Otherwise, the member will raise a hand and if necessary, address the presiding officer, and wait for recognition before speaking. The presiding officer will keep track of members who wish to speak and call on them in order. Members should avoid cross-exchange with the public.

**Questions to staff:** A Council member shall, after recognition by the presiding officer, address questions to the staff member giving the report or to the City Manager. If a Council member has lengthy, complex or multiple questions, they should be addressed to the City Manager prior to the meeting to allow time to research a response when necessary.

**Interruptions:** Once recognized, a Council member is considered to have the floor, and another Council member may not interrupt except to ask a question on procedure. Again, if a signaling system is available, the member shall turn on the light and wait for recognition. Or: "The general policy of obtaining the floor should be followed to prevent interruptions." Once recognized, members of the staff shall hold the floor until completion of their remarks.

**Discussion limit:** A Council member should not speak more than once on a particular subject until each Council member has had the opportunity to speak. During the discussion period (following public input) the general policy of obtaining the floor should be followed to prevent interruptions. However, a give and take atmosphere should be promoted. The Mayor will allow other members to speak first then give his/her views, summarize the discussion and facilitate a vote on the item.

### **Closed Sessions**

Closed sessions are those portions of a meeting not open to the public. Generally, these are scheduled at the end of the regular meeting. However, in certain instances they may be held at the beginning of the meeting if, for instance, an outside attorney, insurance representative, etc., needs to be present. In these situations, the closed session would best be held ½ to 1 hour prior to the regularly scheduled meeting time. There are defined circumstances wherein a Council may meet in closed sessions. These include:

**Real Property:** The purchase, sale, exchange or lease of real property with the city's negotiator. The property to be considered and the negotiator must be announced in open session and listed on the agenda. (Gov. Code 54956.8)

**Litigation:** Pending or significant exposure to litigation, or the decision for the City to initiate litigation. The litigation title must be identified in open session prior to the closed session.

**Compensation:** Salaries and benefits of employees. Council meets in closed session to review its position and instruct designated city representatives. (Gov. Code 54957.6)

**Personnel:** A closed session is held to discuss the appointment, employment, evaluation of performance, or dismissal of a public employee, or to hear a complaint against an employee, unless the employee requests a public session. (Gov. Code 54957)

It is critical that there shall be NO violation of closed session confidential information. Members of the Council, employees of the city, or anyone else present shall not disclose to any person, including affected/opposing parties, the press, or anyone else, the content or substance of any discussion which takes place in a closed session without Council direction and concurrence. Written reports or documents received for closed session items will be turned in at the end of the closed session.

A report out is given at the end of closed session pursuant to the Ralph M. Brown Act.