



---

## City Council Guidelines

---

Adopted on August 17, 2015  
by Resolution No. 82 (2015)  
Amended by Council action on:  
January 17, 2017, April 17, 2017, April 16, 2018, May 21, 2018, and May 3, 2021

# City of San Mateo, Council Guidelines

## Table of Contents

Chapter 1. Purpose and Overview .....	3
Chapter 2. Authority of the City Council.....	4
Chapter 3. Key Governance Principles.....	5
Chapter 4. Duties .....	7
Chapter 5. Selection of Mayor and Deputy Mayor.....	10
Chapter 6. Council Member Conduct .....	12
Chapter 7. Meetings .....	13
Chapter 8. Meeting Agendas .....	18
Chapter 9. Financial Matters .....	21
Chapter 10. Communication.....	26
Chapter 11. Legislative.....	31
Chapter 12. Council Liaison Roles.....	34
Chapter 13. Boards and Commissions .....	37
Chapter 14. References .....	40

## **Chapter 1. Purpose and Overview**

This handbook provides guidelines for the San Mateo City Council that describe the way the Council does its business. It is a compilation of all Council-related rules and procedures that have been formally adopted by Council.

The purpose of these guidelines is to set a standard of professionalism for the conduct of the City Council's business. San Mateo has a long and proud tradition of open government and civil, intelligent public discourse. These guidelines are intended to enhance public participation and Council debate so that the best possible decisions can be made for San Mateo.

### **Revisions to these Guidelines**

These guidelines, which must be approved by the City Council as a body, are subject to review and future modification as needed.

### **City Council Vision**

The City Council's vision and strategic goals can be found on the City's website:

<http://www.cityofsanmateo.org/index.aspx?nid=167>

## Chapter 2. Authority of the City Council

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

2. General Authorities and Applicability

Charter section 2.12 and the San Mateo Municipal Code provide that the City Council shall determine its own rules and order of business. When not in conflict with the Charter of the City of San Mateo, or the Constitution or laws of the State of California, these City Council Guidelines (“Guidelines”) shall be in effect upon adoption by resolution of the Council.

3. Revisions to these Rules

The Council shall review and revise these Guidelines as needed.

4. Rosenberg’s Rules of Order

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

## **Chapter 3. Key Governance Principles**

In 2022, the City will conduct its first by-district election for City Council members, with districts 1, 3, and 5 holding district elections in November 2022 and districts 2 and 4 holding their first district elections in November 2024. This new election process changes how council members are elected, but not how they govern. It is the intent of the City Council to continue the practice of governing with a citywide perspective. The City Council acts as a body, not as individuals. An overriding principle is that all members of the City Council continue to serve all of the people of San Mateo.

### **Key Governance Principles**

#### **1. Serving the Entire Community**

- A. The City Council wishes to remain united in its service to the community and will govern by considering the needs and interests of the community as a whole.
- B. Members of the City Council will continue to serve all residents, regardless of whether they live within their district. Any member of the City Council may be responsive to requests from anyone in the community.

#### **2. City Management and Governance**

Professional management in a Council-Manager form of government will continue, with all of the best management practices that the City Council currently receives.

#### **3. Use of City Resources**

- A. The City Council will strive to use taxpayer resources efficiently and effectively, while providing consistent services for all residents. Resources will be allocated based on the City's long-term strategic plan and citywide considerations of service levels and financial capacity.
- B. Budget allocations and financial considerations will not be made based on districts.

#### **4. Distribution of Council Duties and Events**

Fair distribution of duties and assignments is a priority. Long-standing practices regarding invitations to members of the City Council to events and activities, appointments to committees and various bodies, and the process for board and commission appointments will remain in effect.

#### **5. Communications and Access to Information**

- A. Council members will have equal access to information. Information necessary for the City Council to govern on a citywide basis will be shared with all City Councilmembers.
- B. Communication resources will be provided on a citywide and/or program-level basis with equitable distribution across districts.

## ~~Chapter 3.~~Chapter 4. Duties

### 1. Duties of the Council

- A. Refer to the City of San Mateo Charter for a detailed description of codified duties of the City Council.
- B. Disaster Responsibilities
  - 1. In the event of a disaster, the City Council holds the following roles:
    - a. Primarily, to make decisions that will enable the emergency operation to continue effectively.
    - b. To liaison to other governmental agencies that are responding to the disaster.
    - c. To assist in the conveyance of public information.
  - 2. See the “Elected Officials’ Guide to Managing Disasters” from the California Office of Emergency Services for a detailed description of the roles and responsibilities of Council Members in times of disaster.

### 2. Duties of Mayor

- A. To conduct meetings of the City Council as its chairperson.
  - 1. Ensure that consideration of items on the agenda move along without delay.
  - 2. Ensure that petitioners, proponents and opponents are heard but not allowed to disrupt the meeting.
  - 3. Ensure that decorum is maintained at the meeting.
  - 4. In presiding over matters where the public has provided testimony and/or raised questions, the Mayor should:
    - a. Restate the question coming before the Council.
    - b. Direct questions or comments requiring a response to staff for a response.
    - c. Ensure that staff and members of the public direct their comments to the chair.

- d. If necessary, help keep Council Member questions relevant to the matter being considered by the Council.
  - e. If necessary, consider calling for a brief recess if orderly conduct of the meeting is being disrupted.
  - f. Announce the decision of the Council on all subjects.
- 5. To ensure that each member of the Council is provided an opportunity to completely express their views on items of business, the Mayor should:
  - a. See that Council Members ask to be recognized by the Mayor before speaking.
  - b. Ensure that each Council Member is given the opportunity to fully express their views.
- B. To represent City Government as its chief elected official at community functions, events, meetings, and business outreach and retention visits.
- C. On behalf of the City Council, to officially welcome dignitaries, officials, and gatherings.
- D. To vote on behalf of the Council at regional meetings such as the San Mateo County Council of Cities/City Selection Committee; provided that the vote is not inconsistent with established policies or previously expressed Council consensus. This is expected protocol for any Council Member who represents the City on any regional bodies.
- E. To correspond on behalf of the Council on subjects, issues, and legislative proposals provided that opinions expressed on behalf of the Council or City Government are not inconsistent with established policies or previously expressed Council consensus.
- F. To vote as the City's "voting delegate" at the League of California Cities Annual Conference and other similar meetings. This responsibility may be delegated to another Council Member.
- G. To review the agendas of meetings of the City Council and participate in their preparation as necessary.
- H. To recommend Council Members for liaison positions on various boards, commissions and agencies. The Mayor's recommendations shall be discussed and confirmed by a majority vote of the Council and are subject to change.
- I. To serve as the City's primary contact for the media.

- J. Nothing under the Mayor's duties shall limit any individual Council Member's ability to interact with members of the public.

### 3. Duties of Deputy Mayor

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

### 4. Duties of Council Members

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

## ~~Chapter 4.~~Chapter 5. Selection of Mayor and Deputy Mayor

1. City Council reorganization, including rotation of the office of Mayor and Deputy Mayor occurs annually at the regular meeting in December.
2. The City Council believes that experience as a Council Member will assist those who are selected to serve as Mayor or Deputy Mayor, and that it is in the City's best interest that these selections be made in a manner that permits the Mayor and Deputy Mayor to gain that experience in cycles of governing and to acclimate themselves to the jobs, tasks, and roles prior to assuming their respective offices.
3. It is appropriate to base such succession on rotation, seniority and election results according to the following:
  - A. Each Council Member has a specified position in the rotation sequence. In any year, the first person in the sequence is typically selected as Mayor, and the second in the sequence as the Deputy Mayor.
  - B. After serving as Mayor, that Council Member moves to the end of the rotation sequence, and the other four Council Members move forward.
  - C. When a Council Member is newly elected or appointed (as the result of a cancelled election), that new Council Member goes into the fourth position in the rotation, after all incumbents, but before the current outgoing Mayor.
  - D. If two or more Council Members are newly elected at the same time, the number of votes received in the election determines the position in the sequence, with the new Council Member receiving the highest number of votes being the first among the new Council Members.
  - E. If two or more Council Members are newly appointed at the same time, (as the result of a cancelled election), the newly appointed Council Members shall draw straws to determine their position relative to one another in the rotational sequence.
  - F. If a Council Member is appointed to fill a mid-term vacancy, that Council Member will go to the bottom of the rotational list.
  - G. Incumbent Council Members, when re-elected, do not begin anew at the bottom of the list, but rather retain their placement in the rotation.
  - H. If for any reason (death, resignation, recall, not seeking re-election, etc.) a Council Member is removed from the rotation, the remaining Council Members move forward in the sequence.

- I. A Council Member may decline to serve as Mayor or Deputy Mayor. In this case, the office would pass to the next Council Member on the list. The Council Member who declined may drop back one position in the rotation.
4. When the Council reorganizes, the outgoing Mayor will nominate the Deputy Mayor to succeed him/her. The newly appointed Mayor will then nominate the next Council Member in the rotational sequence to serve as Deputy Mayor for the coming year.
5. The process described above shall guide the council's selection of the Mayor and Deputy Mayor; however, a majority of the City Council retains the authority to disregard the process and select any member of the City Council for these positions.
6. The City Clerk shall keep a list outlining the suggested rotational sequence and update it annually.

## ~~Chapter 5.~~Chapter 6. Council Member Conduct

1. Members shall:
  - A. put constituents first at all times;
  - B. treat each other, staff, and members of the public with dignity, courtesy, and respect;
  - C. maintain confidentiality of all closed session materials and discussion;
  - D. be attentive to others, limiting interruptions and distractions;
  - E. encourage diverse viewpoints in debate while being mindful not to prolong discourse or block consensus;
  - F. agree to respectfully disagree;
  - G. keep comments clear, concise, and on-topic;
  - H. start and end meetings on time, work from the agenda; and
  - I. present problems in a way that promotes discussion and resolution; and.
2. Council Members shall not participate as a volunteer in any of the City's operating departments.
3. Council Members are subject to all the provisions of the City's *Harassment, Discrimination and Reasonable Accommodations for Disabilities Policy* (#301).

## ~~Chapter 6.~~Chapter 7. Meetings

1. All Council decisions must be taken at City Council meetings. Before taking action, the City Council may be informed by project applicants, interested members of the public, and City staff.
2. No business may be transacted by the Council at a regular or special meeting unless a quorum of the membership is present (50% plus one of those currently serving).
3. Council Meeting Dates
  - A. If at any time any regular meeting of the Council falls on a holiday, the regular meeting shall be held on the next business day or the earliest business day within a week.
  - B. Once a year, adopt a schedule of Council meetings for the following year identifying any regular meeting dates that need to move due to major holidays.
  - C. Meeting dates may be amended with the approval of the Council.
4. Types of Meetings
  - A. **Regular Meetings** are conducted at City Hall Council Chambers on the first and third Monday nights of each month. In July, August, and December, only one meeting is held during the month. The meetings begin at 7:00 p.m. It is City policy to make every effort to complete and distribute the agenda and related reports by the preceding Thursday. For major complex projects and policies, the City will make every effort to distribute reports as early as possible before the meeting when the item will be considered.
  - B. **Special Meetings** are called at a non-regular meeting date and time. They are called by the Mayor or Council with a minimum of 24 hours' notice, versus 72 hours' notice for regular meetings.
  - C. **Study Sessions** are special meetings that are held for the purpose of providing information to the City Council, particularly on issues that are more complex or more time-consuming than matters typically scheduled on a regular City Council meeting. At study sessions Council Members may state their individual responses and questions to the information provided and may collectively provide direction to City staff. No action is taken at the study sessions, but direction may be given.
  - D. **Closed Sessions** can be part of either special or regular meetings. The Council conducts its business in public to the greatest extent possible. State law recognizes that public discussion of certain items could jeopardize the public interest, compromise the City's position, or cost the citizens of San Mateo financially, and,

therefore, generally allows the City Council to hold closed session meetings for the consideration of certain personnel matters, labor negotiations, real property negotiations, matters of public security, and the discussion of litigation, among other things. These rules provide for strict confidentiality of City Council discussion as required by State law. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after an opportunity for public comment, are excluded.

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

- F. **Adjourned Meetings due to Power Outages**

In the event a quorum of the City Council loses electrical power or suffers an internet connection outage not corrected within 15 minutes, the meeting will be adjourned to a date certain. Any items noticed as public hearings will be continued to the next regularly scheduled meeting of the City Council. Any other agenda items the Council has not taken action on will be placed on a future agenda.

- 5. **Voting**

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

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

- 7. **Public Participation**

- A. Members of the public are encouraged and invited to participate in the legislative process by submitting written comments before the meeting or speaking in person at a meeting.
- B. It is the intent of these rules to allow everyone to be heard without fear of jeers or cheers that may discourage public participation. For this reason, these rules are taken seriously. Disruptive or unruly behavior may result in removal from the Council meeting.
- C. Time Limits for public comment:
  - 1. Individual Speakers - 3 minutes
  - 2. Organized group (in lieu of individual speakers) – up to 15 minutes, for a group presentation, as many speakers are allowed as fit in that time allowance

- 3. The Mayor may, at their discretion, limit the amount of time allotted to the speaker(s) when needed.
  - D. Members of the public are invited to speak at the lectern microphone to ensure all attendees can hear and so that it can be captured on the video recording.
  - E. Individuals who wish to speak should submit a speaker card to the City Clerk to be called up at the appropriate time.
8. Agendized Discussion Items (Public Hearings, New Business, Old Business)
- A. Staff / applicant presentation
  - B. Council questions to applicant and/or staff
  - C. Open public hearing (or public comment section) for testimony
  - D. Close public hearing (or public comment section)
  - E. Response by staff to public questions/concerns, if warranted
  - F. Council discussion and deliberation
  - G. Council votes
9. Appeals
- A. Appeals are public hearings and will follow the order stated in #8 with the following time allocations:
    - 1. Appellant – 15 min
    - 2. Individual Speakers – 3 min
    - 3. Rebuttal – 5 min
    - 4. If the appellant is not the applicant, the applicant shall also have 15 min, following the Appellant
    - 5. Tenant Relocation Appeals Hearings – both the Landlord and the Tenant shall each be given 15 minutes to present, and each shall have a 5-minute rebuttal
  - B. Appeals from decisions of the City’s Boards and Commissions shall appear on the Council agenda for discussion. Council determines whether to affirm the action of the commission, refer the matter back to the commission, or reverse the decision.

- C. Any person that addressed the Council during one of the fifteen-minute periods may not speak again during the public comment period for individual speakers on the appeal.

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

At 11:00 pm Council will determine with a majority vote or consensus whether to continue with an item or if they will take up any remaining unheard items.

11. Action Minutes

- A. The City Council shall use Action Minutes (action minutes contain very little, if any, narrative content) or light summary at the discretion of the City Clerk, to record their proceedings.
- B. Motions and votes are shown in the record.
- C. Media (audio/video) recordings will be used in order to provide a verbatim record of meetings as identified in the City's Records Retention Schedule.

12. Conflict of Interest

- A. The Political Reform Act (PRA), implemented, regulated and enforced by the Fair Political Practices Commission (FPPC), controls financial conflicts of interest.
- B. The other applicable law is Government Code §1090, which applies only to City contracts in which a public official has a financial interest.
- C. Whenever it appears to a Council Member they may have a prohibited financial interest in any City contract, or an item that may be presented to the City Council, the Council Member should consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists.
- D. If the City Attorney is consulted on such a matter, the City Attorney shall provide their advice in writing, and shall provide a copy of their opinion to the City Council, the City Manager, and the City Clerk.
- E. With full consideration of the City Attorney's advice, it is up to each individual Council Member to decide for him/herself whether there is a conflict of interest.
- F. A member shall not vote upon any matter on which they have a conflict of interest.
- G. A member shall openly state the reason for their conflict of interest.

- H. A member who is disqualified by a conflict of interest shall recuse him/herself from the dais and leave the room unless it is during the Consent Calendar.

## ~~Chapter 7.~~Chapter 8. Meeting Agendas

### 1. Agenda Order

City Council agendas will be prepared by the City Clerk and presented to the City Council in the order described below.

#### A. Opening

1. Pledge of Allegiance
2. Roll Call

#### B. Ceremonial matters

The presentation and receipt of ceremonial resolutions and celebrations not requiring formal legislative action. In order to ensure the business of the meeting can be handled timely, no more than three (3) items will be scheduled under ceremonial in any meeting; only one speaker representing the group; and no more than three (3) presentation slides may be used.

#### C. Consent Calendar

All matters listed under the Consent Calendar are considered by the Council to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed and considered separately.

#### D. Public Comment

Members of the public wishing to comment on any item not appearing on the agenda may address the City Council at this time. State law prevents Council from taking action on any matter not on the agenda. Comments may be referred to staff for follow up. Public comment is limited to a total of 15 minutes; however, an opportunity for additional public comment will be provided later in the agenda, if needed.

#### E. Public Hearing

Duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the Council.

#### F. Old Business

Non-routine items that have been presented before that require further oral presentation and/or discussion before action is taken.

G. New Business

Non-routine items requiring an oral presentation and discussion before action is taken.

H. Reports and Announcements

City Manager, City Attorney, and Council Members report on their various assignments and liaison roles, and Council Members may make individual requests to schedule future items for consideration. A majority vote of Council is required to place a request on a future agenda. If a Council Member is going to make a request to agendaize an item, such as a resolution of support, a copy of the proposed resolution should be sent no later than the time of the agenda packet issuance in order to give the other Council Members adequate time to review and determine if it is something they would like to support.

I. Additional Public Comment (if needed)

J. Adjourn

2. Agenda Item Submission

A. Persons who can place matters on the agenda: City Manager or City Attorney

B. Council Member:

1. A Council Member may request an item be considered on a future agenda and, upon agreement through a vote of a majority of Council, staff will prepare an agenda report and place the item on a future agenda. Before the vote staff will provide information on how much staff time is estimated to be required to produce the agenda report.
2. Council Members may make this request verbally during a meeting or may submit a written request.

C. Members of the Public

1. A member of the public may request Council action in the following ways:
  - a. Write a letter to the City Council
  - b. Speak during the Public Comment period at a City Council meeting
  - c. Attend annual Council goal setting meeting and provide input

2. Upon agreement of a majority of the City Council, Council will determine whether to place on a future agenda an item requested by the public.

## ~~Chapter 8.~~Chapter 9. Financial Matters

1. Council Member Compensation
  - A. State law sets the overall level of compensation for City Council Members (California Government Code § 36516).
  - B. Compensation of Council Members is set by Resolution (see the San Mateo City Charter, [Section 2.03 Compensation](#)).
  - C. Council Member benefits are established in San Mateo City Charter, [Section 2.04 Benefits and Expenses](#).
  - D. A full explanation of Council Member compensation is available on the City's [website](#).
2. City Council Expense Reimbursement Policy
  - A. Authorized Expenses
    1. City funds, equipment, supplies, titles, and staff time must only be used for authorized city business. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:
      - a. Communicating with representatives of regional, state, and national government on matters of interest to the City.
      - b. Meeting with City staff on matters relating to City business.
      - c. Attending educational seminars designed to improve officials' skill and information levels.
      - d. Participating in local, regional, state, and national organizations whose activities effect the City's interests; however, a member of the City Council shall not accept an elected or appointed position that would require anticipated costs to the City of more than \$100 annually without City Council approval.
      - e. Recognizing the service to the City (for example, thanking a longtime employee with a retirement gift of nominal value).
      - f. Attending fundraising events for nonprofit entities providing services of benefit to the City and /or its residents.
      - g. Attending City events.

- h. Implementing a City approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member.
- 2. All other expenses require prior approval by the City Council.
- 3. The City will not reimburse the following expenses:
  - a. The personal portion of any trip.
  - b. Political contributions or events.
  - c. Family expenses, including partner's expenses when accompanying official on agency-related business.
  - d. Entertainment expenses, such as movies, sporting events, or cultural events.
  - e. Non-mileage personal automobile expenses, including repairs, citations, insurance or gasoline.

**B. Cost Control**

To conserve City resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. If expenses are incurred that exceed these guidelines, the cost borne or reimbursed by the City will be limited to the costs that fall within these guidelines.

**1. Airfare**

Airfares that are equal to or less than those available through the League of California Cities, the California State Association of Counties and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. If no discounted airfare is available through these entities, then the most reasonable and economical airfare possible should be utilized.

**2. Airport Parking**

Long-term parking must be used for travel exceeding 24 hours.

**3. Automobile**

Mileage shall be reimbursed at IRS rates presently in effect (see [www.irs.gov](http://www.irs.gov)). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses. In addition, drivers

may be reimbursed for bridge and road tolls. For rental vehicles, only receipted fuel expenses will be reimbursed.

4. Car Rental

Rental rates that are equal or less than those available through the State of California's website [Car Rental Resources for State Travel](#) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

5. Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

6. Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for City business.

7. Lodging

Council members are expected to select the most cost-effective and logical lodging available, including utilizing the lodging at the conference/training site, if available. If there is not specific lodging associated with the official City business, the City shall pay for actual lodging expenses up to the United States General Services Administration (GSA) maximum rate allowed by location ([Per Diem Rates | GSA](#)). This maximum applies to the room rate only and does not include any taxes or fees. Government rates for lodging are often available and should be sought. The City will pay only for standard single rooms, including taxes and fees, for individual Council members, and any additional nonbusiness expenses incurred will be paid by the Council member.

8. Meals

The City will pay for a Council member's meals during authorized, required travel up to the per diem amount ([Per Diem Rates | GSA](#)). If meals are included in the cost of a conference or training, the City will not pay for a meal that an employee elects to purchase from another source. Unlike lodging, using the per diem methodology for meals that is limited to the

GSA amount eliminates the need for employees to submit receipts. Thus, the Council member only needs to report the per diem amounts in the expense report, but not the actual receipts. This only applies to meals, as all other travel expenses require a receipt to substantiate the purchase.

When the meal function is an organized event, the official or employee shall be reimbursed the amount being charged by the event organizer for the meal. The City will not pay for alcohol/personal bar expenses.

9. Taxis/Shuttles

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency.

10. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business.

11. Transportation

Officials traveling on City business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

C. Expense Reports

1. Expense reimbursement requests must be submitted on an expense report form provided by the City. Reports must document how the expenditure met the requirements of this policy.
2. Expense reports must be submitted within 30 days of an expense being incurred; and must be accompanied by receipts documenting each expense.
3. Expense reports are a public record.

D. Audits of Expenses

All expenses are subject to verification that they comply with this policy.

E. Reports on Meetings

Each official shall briefly give an oral report on any Brown Act meetings they attended for which they receive expense reimbursement at their next City Council, Board, or Commission meeting.

F. Violation of this Policy

Under state law, use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

## ~~Chapter 9.~~Chapter 10. Communication

1. All communications are public records.

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

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

3. Ralph M. Brown Act

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

4. Mail Processing

- A. Members of the City Council may receive mail and other materials through City Hall.
- B. City Clerk staff open all incoming mail for the Mayor and Council Members, unless it is labeled personal and confidential.
- C. City Clerk's Office staff disseminate these materials to individual Council Members. City Staff will scan and email correspondence.
- D. General correspondence addressed to Council Members as a whole may be opened and delivered to all Council Members, if appropriate.

5. Correspondence

- A. The City Clerk is authorized to receive and take administrative action on all correspondence directed to the City Council. The City Clerk may also respond to correspondence submitted to the full City Council on non-agenda items or authorize a staff member to respond. A courtesy copy is provided to each Council Member.
- B. Generally, correspondence relating to a specific City Council agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packet is to be compiled and distributed to the City Council prior to the City Council meeting (known as a Dais packet). This additional correspondence is

appended to the Agenda Report as public comment on the public meeting portal and in the records repository permanent record.

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

## 6. Electronic Communication Record Retention

- A. All emails sent and received through the City server are saved for at least two years on the City's network and are subject to the Public Records Act.
- B. Communication on social media sites are saved for at least two years.
- C. Text messages sent on any City-provided device are saved for at least two years.

## 7. Social Media Use as a Council Member

Social media are internet-based platforms that allow for interactive communication and engagement with the public. These may include (without limitation): Facebook, Twitter, Instagram, YouTube, TikTok, Snapchat, blogs, etc.

The City's image as a professional organization is critical to maintaining the respect of the public, and members should use discretion when posting or communicating on social media. If Council Members choose to maintain and use personal social media accounts to conduct City business, they must follow current federal and state regulations, as well as Council and City policies.

- A. Brown Act: Social media postings may turn into an interactive dialogue. The Brown Act has expanded to provide guidance on elected officials use of media platforms that are free of charge and open and accessible to the public.
  - 1. Permitted Uses: You may answer questions, provide information to public and solicit information from the public about city business; share a City post to your Council Member site; and tag other elected officials in a post.
  - 2. Prohibited Uses: A majority of the members may not use social media to discuss agency business and a member may not respond directly to any posting by another member regarding agency business including no 'likes' 'thumbs up', 'emojis' or other symbols.

- B. First Amendment. Councilmember social media platforms can become public forums subject to First Amendment requirements. If a social media platform is 1) used for City business and 2) has interactive features that are accessible to the public without limitation, it is a public forum. The City's Social Media Policy contains rules for public participation and addresses what will constitute unacceptable content. In general, officials may not block a member of the public from their social media sites if those sites have become public forums. If unacceptable content appears on a site that has become a public forum, please consult with City staff.
  - C. Public Records: Members are prohibited from deleting social media posts and related comments regarding any City-related matters to avoid violating the California Public Records Act. Social media is subject to the City's record retention schedule.
  - D. Best practices: Officials should be honest and accurate when posting information or news, especially when communicating during a crisis or emergency. Any mistakes, misstatements and/or factual errors must be corrected quickly upon discovery. When possible, news of citywide importance should first be announced by the official City-affiliated accounts then can be reshared by Council Members. Unless the member has been designated to serve as a spokesperson, members should never represent themselves as a spokesperson for the entire Council or City. Members should be mindful of recognizing that accomplishments of the City or Council are achieved by collective action of the entire body or organization.
8. Written Communications for Council Meetings
- D. The deadline for the receipt of written communications for inclusion in the agenda packet is up to 4:00 pm the Wednesday before the Council meeting. This is to allow for adequate staff review and analysis, and to ensure public access to information, all plans, correspondence, and other documents supporting planning applications being heard by the City Council.
  - E. To be included in the Dais packet, communication may be received up until 4:00 pm the day of the scheduled meeting.
  - F. Materials distributed to Council Members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Council Member, or at the conclusion of the meeting if prepared by another person.
  - G. If a Council Member receives materials regarding an agenda item, they shall forward it the City Clerk and the City Manager as soon as possible.

- H. If late correspondence is received, the City Council will determine at the meeting whether to continue or refer the item to the appropriate Board and/or Commission if significant changes to a project, or significant new information has become known.

9. Council Communication to Boards and Commissions

- A. Council Members should be mindful not to unduly influence—through their attendance—the decision at a Board or Commission meeting so as not to get ahead of the process.
- B. It is not appropriate for a Council Member to make public comments at a Board or Commission meeting.

10. Council - Staff Relations

- A. Individual Council Members may make requests of City staff through the City Manager or Department Head for limited research and information without the formal concurrence of a majority of the member's colleagues. Requests that will require significant staff time may be referred to the full Council and only pursued if supported by a majority of the Council.
- B. Council Members are encouraged to submit their questions on agenda items to the City Manager or Department Head (copying the City Manager) as far in advance of the meeting as possible so that Staff can be prepared to respond at the Council meeting.
- C. Council Members should direct any questions on agenda reports to the City Manager or designee.
- D. Clarifications or technical questions will be answered before the meeting whenever possible.
- E. Questions and all Staff-prepared responses will be forwarded to all Council Members.

11. Speaking for "the City"

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

## 12. Speaking as an Individual

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

## ~~Chapter 10.~~Chapter 11. Legislative

### 1. Council Legislative Committee

- A. It is the policy of the City Council that the Council be involved in the development of the City's position on significant pending federal and state legislation that may directly impact the City of San Mateo.
- B. The offices of Mayor and Deputy Mayor are the Council's Legislative Committee.
- C. The Legislative Committee may meet annually or as needed to draft the City's legislative priorities; and shall meet when necessary to develop recommendations for the City's position on legislative matters.
- D. Pending legislation for consideration by the Legislative Committee can be submitted to the Committee by a Council Member, City Manager, or by a Commission Staff Liaison if a majority of their commission voted in favor of submission to the Legislative Committee.
- E. The Committee's recommendations shall be presented to the City Council for its consideration; if there is a pressing and urgent need to comment on pending legislation and getting approval in a City Council meeting is not practical, the Legislative Committee may take immediate action to communicate with legislators and copy the entire City Council on the communication and provide a brief report of action taken under Reports and Announcements at the next City Council meeting.
- F. The Council shall direct the Mayor or other City official to communicate the City's position on legislative matters to the appropriate legislative bodies.

### 2. Ceremonial Matters

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

#### 1. Certifications of Appreciation or Recognition

Commendations typically issued to acknowledge the activities of a person or organization. These certificates may be issued by any member of the Council without formal action. Examples of traditional recipients would include departing Board and Commission Members, high school students with 4.0 grade point averages, Chamber of Commerce Outstanding Businesses Awards, winners of local art or speech contests, etc.

2. Commendatory Resolutions

Typically used to handle matters requiring some type of formal memorialization such as the retirement of a long-tenured employee, or outgoing Mayor or Council Member.

3. Proclamations

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

B. Preparation of City Proclamations

1. It is the policy of the City Council to issue proclamations for certain events or causes, when such a proclamation positively impacts the community and conveys an affirmative message to residents. Examples of causes for which proclamations are regularly and routinely issued include; but are not limited to: notable accomplishments by citizens, youth groups, schools, local organizations, non-profit groups, and local events that deserve special recognition. Discretion should be used in determining whether or not to issue a proclamation. Proclamations that are political in nature, are controversial, or that likely would not enjoy a high level of community interest and support, are discouraged.
2. It will be the policy of the City Council to process requests for proclamations in the following manner:
  - a. The City Clerk will review the request with the Mayor.
  - b. If the Mayor determines that the proclamation request is consistent with the policy stated above, the Mayor will direct the City Clerk to prepare the proclamation and the proclamation will be issued.
  - c. If the Mayor determines the proclamation request is not consistent with the policy stated above, the request will be routed to the other Council Members to determine if there is interest in issuing the proclamation.
  - d. If a Council Member has interest in issuing the proclamation that the Mayor determined was not consistent with this policy, that Council Member will sponsor the item and shall be responsible for drafting the language to be contained in the proclamation. The sponsor Council Member shall provide the draft proclamation language to the City Clerk.

- e. Upon receipt of the draft proclamation language, the City Clerk will place the item for consideration to considering issuing on the Consent Calendar at the next available meeting. The proclamation will be issued upon a majority vote of the Council. Depending on the nature and time-sensitivity of the request, the Mayor and Deputy Mayor can act without full formal concurrence of the Council when the situation warrants.

## ~~Chapter 11.~~Chapter 12. Council Liaison Roles

1. The City Council will collectively review and approve liaison appointments. The recommended appointments will, to the best of the Council's ability, attempt to match the requested positions with the needs of the respective body and the experience of the Council Member, while also attempting to equitably balance the distribution of assignments.
2. It is generally suggested that newly elected Council Members undertake a limited number of assignments during their first year, to allow opportunity to gain familiarity with the obligations and expectations of the role.
3. The assignment of City Council liaisons is conducted annually according to the following process:
  - A. Following the reorganization in December, the City Clerk will distribute a memo to each Council Member which will include a list of potential liaison assignments.
  - B. Each Council Member will complete the list in a manner which prioritizes the assignments of interest to them; and will submit their list to the City Clerk in December.
  - C. The ranking process uses the following methodology:
    1. Top priority = I really want this (please mark at most only two #1s)
    2. This is something I would like to have
    3. I'll take this one for the team
    4. I do not want (perhaps the meeting timing does not work for you)
  - D. The City Clerk will assemble responses into a table and provide to the Mayor. The Mayor uses the following additional criteria to make assignments: Continuity assignments remain with the assignee unless the member is opting to step down from the role (see section 5 below); assignments will be assigned by highest priority desired with 1's first, 2's second etc.; in case of ties, overall balance and then seniority will be taken into account (for example, did the Council Member get their other first choice? Does the Council Member have other "plum" continuity assignments; Ideally, everyone will get at least one of their top priorities; and you do not need to use your top rankings to hold onto continuity assignments.
  - E. In the event that a liaison has not been identified for each commission, the Mayor will divide any remaining liaison positions amongst the Council, attempting to equitably balance the distribution of the assignments and associated workload.

- F. The Mayor, working with the City Manager and City Clerk, will utilize the responses to present an Agenda Report and conduct a discussion at the first meeting in January regarding the liaison appointments.
  - G. The Mayor and Deputy Mayor have traditionally been assigned to the following bodies:
    - 1. City Council Legislative Committee - ordered by Resolution 158 (1981)
    - 2. City Budget and Audit Committee
    - 3. Council of Cities – City Selection Committee (Mayor)
    - 4. Honorary Chair of Sister Cities Association (Mayor)
  - H. The City Clerk shall maintain a list of all such appointments. The final liaison list will be distributed to all Council Members and posted on the City’s website.
4. Liaison to the City’s Boards and Commissions
- A. Each of the City’s Boards and Commissions has a Council Member who serves as its Council liaison.
  - B. Council Members should act as an advisor and resource to commissioners and the commission’s staff liaison when issues regarding process, procedure, attendance, interpersonal or public relations arise.
  - C. The Council liaison serves on the Appointment Subcommittee for the Commission they are assigned to. In the event the Mayor is serving as the commission’s liaison, the minimum subcommittee shall consist of the Mayor and Deputy Mayor.
5. Continuity Appointments to External Agencies
- A. The City Council has identified certain appointments for which there is a strong need and desire for consistency and continuity in terms of Council participation and representation and the Mayor will maintain the current Council Member assigned as liaison to that body. The Council will have an opportunity at its annual review to see if a supplemental designation is needed due to changing conditions or if new bodies have been added to the list. All continuity appointment should also have an Alternate assigned, so a member can be ready to take over the role if needed.
  - ~~A.~~
  - B. Liaison appointments to these bodies would not annually be re-assigned to another Council Member, as this would not provide the desired consistency. If it became necessary to re-assign the liaison for one of these bodies as the result of a vacancy or other reason, the liaison role would not typically be assigned to a newly

elected Council Member. A Council Member with an interest in serving as liaison to any of these continuity bodies should confer with the current representative; and consider acting as an alternate or “shadowing” the current liaison for a time to learn more about the body’s functions and duties.

- C. If a Council Member who is assigned as liaison to one of the aforementioned bodies anticipates leaving office, every effort should be made to mentor another Council Member so that those critical relationships can continue uninterrupted.

## 6. Council of Cities Appointments

- A. In the case of appointments made by the regional Council of Cities - City Selection Committee, upon receipt of the City Selection Committee agenda packet listing all positions and nominees to be voted on, if time allows, the City Council may schedule a special meeting prior to the Council of Cities meeting to discuss and agree upon preferred appointees. this will allow the Mayor, or their proxy, to have clear direction on whom to vote for that reflects the best interest of the City. If scheduling a meeting is not practical, the Mayor and Deputy Mayor may confer on the vote. In the case of nominations from the floor at the City Selection voting meeting, the Mayor, or their proxy, will vote their conscience based on the feedback previously given by the City Council as a whole. In December every year upon the Mayor’s rotation, a standing proxy shall be filled out and filed with the City Selection Committee for the year naming who may vote in the Mayor’s absence. The Deputy Mayor will be given first priority followed by any Council Member who has the most latitude and ability to attend the meetings.

## ~~Chapter 12~~Chapter 13. Boards and Commissions

1. Refer to the San Mateo [City Charter Article VI](#) on Boards and Commissions.
2. Council Members should refrain from participation at Board and Commission meetings to avoid influencing the outcome of those meetings.
3. Reappointments, Vacancies, and Appointments
  - A. The City Clerk's Office manages the Boards and Commissions (hereafter referred to as "Commission" for ease of reference) application process. The process begins with the Clerk contacting members who are eligible for appointment to a second term and finding out their interest in reappointment.
  - B. The City Clerk then shares the results with each appointment subcommittee and receives direction on the need to schedule an agendaized appointment subcommittee meeting to provide direction on reappointments. The default is that currently serving Commissioners will each be interviewed for reappointment. However, if it is determined that a commissioner's performance is outstanding, or that other factors necessitate keeping them in their role, then an automatic reappointment can occur with a majority vote or majority consensus of the City Council. Any commission seat selected for re-interviews, means the seat will be processed as part of the full annual recruitment and the currently sitting commissioner may be interviewed along with other applicants.
  - C. The City Clerk recruits for all open seats utilizing multiple avenues including: advertising, website, social media, and networking lists to present qualified candidates to the Council for consideration.
  - D. The interview and selection of candidates is an open process.
  - E. The City Clerk receives the applications (ideally a minimum of three applications is sought for each vacant seat) and arranges for the appropriate sub-committee, in a noticed special meeting, to interview applicants and form their recommendation.
  - F. Commissioners, Board and committee members (hereafter referred to as "Commissioners" for ease of reference) serve staggered terms.
  - G. An "Appointment Subcommittee" may include up to five City Council members. The City Council shall appoint the members of the Appointment Subcommittee. As a minimum, the Appointment Subcommittee shall include; and a quorum shall be established as: 1) the Mayor (or their Council designee) and the Council liaison to the Commission. The Department Head affiliated with that Commission shall participate as a non-voting member of the Appointment Subcommittee.

- H. Except when reappointment is recommended, or an established eligibility list is used, the Appointment Subcommittee shall conduct candidate interviews and make a recommendation for Council approval. Interviews shall be conducted in a noticed public meeting with at least a quorum of the Appointment Subcommittee present.
- I. At the conclusion of an Appointment Subcommittee's interviews of candidates, and the agreement on the recommended candidate, the appointment subcommittee may then designate up to two applicants who would be considered for listing on the eligibility list for a one-year period. The eligibility list is then ranked according to preferred next seating to a Commission vacancy. The list is only established with the full agreement of the Appointment Subcommittee. It is not a requirement that an eligibility list be established if there are not applicants that are deemed qualified. This list may be used for automatic next appointments in the event of an unscheduled vacancy, the next person on the eligibility list would be submitted as the recommended candidate from the appointment subcommittee on the next City Council regular meeting Consent Calendar.
- J. The full Council will receive the Appointment Subcommittee's recommendation and the full list of candidates for each opening.
- K. The Appointment Subcommittee recommendations for new and reappointed Commissioners are confirmed by Council under the Consent Calendar at regular Council meetings. An agenda report summarizing the Subcommittee's recommendations and including the full list of candidates reviewed for each opening will be provided to the full City Council. Council may adopt the recommendations as presented or pull the item for further discussion. The City Council can consider for appointment any of the candidates interviewed.
- L. A majority vote of Council approves the appointees.
- M. Commission recruitment begins annually in the month of March, and completes in May, in order to ensure continuity on commissions before terms end June 10th.
- N. **Unscheduled Vacancies**
  - 1. Subject to the Maddy Act (California Government Code § 54970), if an unscheduled vacancy occurs on a commission, the Council may either appoint from the pool of applicants on file (the eligibility list if there is one available) or open up the position to new applications where the above process is followed.
  - 2. For such non-routine vacancies, the announcement for new applications is made as soon as possible in order to maintain viable memberships on the various boards and commissions.

3. All appointments occur in an open public meeting.

O. Youth Activities Council (YAC) Selection Process

The YAC is the only group not appointed directly by the City Council but through an application method administered by the Parks and Recreation Department. High school students from all of the City's public high schools, as well as Junipero Serra High School and Nueva Upper School, are recruited for potential participation starting in the late spring of each year.

## ~~Chapter 13.~~Chapter 14. References

1. San Mateo City Charter, §2.03, 2.04, 2.12, Article VI
2. [Ralph M. Brown Act](#) (California Government Code, § 54950 et seq.)
3. California Government Code, § [53234](#) et seq.
4. San Mateo Municipal Code
5. [California Public Records Act](#) (California Government Code, § 6250 et seq.)
6. [AB 1234](#) California Government Code, § 53232.3
7. [Rosenberg's Rules of Order](#)
8. Emergency Guide for Elected Officials