



REPORT TO CITY COUNCIL

Approved by:

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Arnoldo Rodriguez, City Manager

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Hilda Cantu Montoy, City Attorney

Council Meeting of: June 21, 2023

Agenda Number: E-1

SUBJECT:

Consider Draft of City Council Protocols Guidebook

RECOMMENDATION:

1. Consider and provide direction on pursuing the preparation of a City Council Protocols Guidebook for future Council action
2. Consider and provide direction on Rules of Procedure for Conducting City Council Meetings for future Council action
3. Consider and provide direction on Ceremonial Documents (Proclamations, Certificates)
4. Consider and provide direction on Use of City Facilities
5. Consider and provide direction on Council Sponsorship and Support of Special Events Policy for future Council action

SUMMARY:

The Council has requested the preparation of policies regarding Council various procedures associated with Council meetings. The City Manager and City Attorney are recommending an approach wherein the Council would adopt a Protocols Guidebook (Guidebook) with specific chapters addressing matters such as:

- Rules for conducting meetings
- Ceremonial documents (Proclamations, Certificates)
- Use of City Facilities
- Support of special events

The Protocols Guidebook would serve as a guide for Council, staff, and members of the public so that there is a common understanding of the City's policies and procedures relating to said matters. Council has specifically prioritized meeting rules, proclamations, and support of special events.

Staff seeks direction on the proposed Protocols Guidebook concept. The Guidebook includes a chapter on Council meeting rules for Council consideration and direction at this meeting. Finally, staff is seeking direction on the ceremonial documents policy and Council support of special events policy. Chapter 1 of the Guidebook would include the already adopted Code of Conduct.

It should be noted that some chapters overlap. For example, City support for an event may include the use of a City facility. Thus, it will be imperative that the Guidebook be internally consistent to minimize potential confusion.

DISCUSSION:

The purpose of this meeting is to address the following:

A. The Guidebook

Upon approval of the concept for the Guidebook, City staff will proceed with preparation for Council's approval. Rather than wait until it is final, the approach is to adopt it with completed chapters and reserve chapters for still incomplete policies. The chapters not yet completed would be presented to Council for adoption and inclusion in the Guidebook.

Staff suggests that the following be included in said Guidebook:

1. Rules for Conducting City Council Meetings
2. Code of Conduct (previously approved by City Council)
3. City Council Expenses and Reimbursement Policy
4. Ceremonial Documents including Proclamations and Certificates
5. Use of City Facilities Chapter
6. Council Support/Sponsorship Chapter
 - a. Including Use of City Logo on promotional material
7. Flag Raising

B. The Council Meeting Rules and Procedures Chapter

This is by far the most detailed of the chapters in the proposed Guidebook. We have endeavored to provide detailed information to assist the Council in conducting their meetings as well as to provide members of the public with the procedures and reasons for such procedures (e.g., the Brown Act). While attempting not to be overly restrictive, the rules are articulated in a manner to guide Council Members in their actions.

We note that Title II, Chapter 1 of the Municipal Code will need to be updated to reflect the Council Meeting Rules of Procedure. The first reading would be presented when the Guidebook is presented to Council for adoption.

C. Ceremonial Documents (Certificates)

Certificates of recognition are prepared for:

- Commendation
- Appreciation
- Congratulations, and
- Welcome.

Such events include Robot Champions, Business Recognition, Volunteers Recognition, Scholarly Recognition, Athletics Recognition, etc.

A potential policy may include the following:

1. Incoming requests for certificates of recognition to be presented at an event or Council meeting are provided to the City Clerk. All certificate requests are provided in writing two weeks prior to the event/Council meeting date and include certificate verbiage (three sentences maximum).
2. Determining if a request is appropriate. Council direction is needed on who will make a determination as to the appropriateness of a request.
3. Once approved, the certificate is either scheduled at an upcoming Council meeting, presented at an event, or the certificate is picked up/mailed. If the Mayor is unable to attend an event, the Mayor Pro Tem or a Councilmember attends on behalf of City Council. In this case, the Mayor along with the attending Mayor Pro Tem/Councilmember signs the certificate of recognition.

D. Ceremonial Documents (Proclamations)

Proclamations are prepared to recognize and celebrate extraordinary achievements by residents of the City and to honor occasions of important significance to the City, state, or county. They are:

- For organizations and/or their representatives in observance of a day, week or month.
- Proclamations can be prepared for events such as a 100+ birthday,
- Serve as an educational purpose/public awareness of noteworthy causes like “Breast Cancer Awareness Month” or “Crime Prevention Week” or “National Robotics Champions.”

Requests are reviewed on a case-by-case basis; documents are not legally binding, should not be interpreted as a policy endorsement, and will not be automatically renewed.

1. Determining if a request is appropriate. Council direction is needed on who will make a determination as to the appropriateness of a request.
2. Incoming requests for a proclamation to be presented at an event or Council meeting are to be filed with the City Clerk for approval. Proclamation requests are to be submitted in writing two weeks prior to the event/Council meeting date and include a draft proclamation.
3. Once approved, the proclamation is either scheduled at an upcoming Council meeting, presented at an event or the proclamation is picked up/mailed. If the Mayor is unable to attend an event, the Mayor Pro Tem or a Councilmember attends on behalf of City Council.
4. If a request for a proclamation is submitted with little verbiage, the requestor is contacted and advised that a certificate of recognition is more appropriate for the occasion.

E. Use of City Facilities Chapter

It is common for the City to receive requests to use a City facility, such as a park. Today, staff has allowed non-profit organizations to use City facilities at no cost. The City has also provided staff to set up, sound equipment, tables, and chairs.

At a minimum, the policy should outline when the City will enter into a

- Formal City Sponsorship relationship, with monetary support; or
- Informal Co-Sponsorship support for City sponsored special events.

Requests for support will be approved in an equitable manner, ensuring a variety of programs, services, and community organizations receive the available support.

F. Council Support/Sponsorship Chapter

Historically, the City has supported various community events with in-kind or financial support based on citywide community needs and budgetary allocations. In order to ensure equitable opportunity for organizations to submit proposals, it is advisable that the City formalize the process.

In addition, this policy should outline the appropriate use of the City logo for promotional material.

ATTACHMENTS:

1. Resolution relating to Council Protocols Guidebook and Exhibit A (Council Protocols Guidebook)
2. Sample policies regarding Ceremonial Documents
3. Sample policies on Support/Sponsorship of Special Events.

RESOLUTION NO. 23-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING
CITY COUNCIL PROTOCOLS GUIDEBOOK**

WHEREAS, the City Council’s adoption of accepted best practices for local governance in accordance with federal, state, and local laws promotes and enhances effective administration of City Council affairs; and

WHEREAS, documenting the best practices provides members of the public with transparency; and

WHEREAS, while attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Council Members in their actions. It is anticipated that this Protocols Guidelines may be revised from time to time; and

WHEREAS, this Protocols Guidebook provide a summary of important aspects of City Council activities; and

WHEREAS, Government Code Section 36813 authorizes the City Council to establish rules of procedure for the conduct of City Council meetings; and

WHEREAS, the adoption of such rules of procedure contribute to the orderly conduct of the City’s business and are convenient and transparent for members of the public; and

WHEREAS, the Council finds that adoption of a Protocols Guidelines are in the best interest of the City and its residents.

NOW, THEREFORE, the City Council of the City of Madera resolves as follows:

SECTION 1. The recitals set forth above are true and correct and are incorporated herein by reference.

SECTION 2. The City Council hereby adopts the “City of Madera City Council Protocols Guidebook” (hereafter “Protocols Guidebook”) as set forth in Exhibit A and incorporated herein by reference.

SECTION 3. There are certain chapters which will be considered and adopted by Council at a later date. Upon adoption of such chapters they will be inserted in the Protocols Guidebook and the Table of Contents will be updated as necessary.

SECTION 4. The Protocols Guidebook may only be amended by resolution of the City Council except for specific provisions that expressly provide otherwise.

SECTION 5. Any existing City Council rules, resolutions, and policies as well as administrative policies in conflict with the Protocols Guidebook are superseded, repealed, and deemed null and void.

SECTION 6. This resolution is effective upon adoption.

**CITY COUNCIL OF THE CITY OF MADERA ADOPTING CITY
COUNCIL PROTOCOLS GUIDEBOOK**

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INTRODUCTION

Purpose of the Council Protocols Guidebook

The purpose of this Council Protocols Guidebook is to assist the City Council by documenting currently accepted best practices for local governance. Through agreement of the City Council and staff to be bound by these practices, the effective administration of City Council affairs is greatly enhanced. Moreover, documenting the protocols provides members of the public with transparency. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Council Members in their actions. It is anticipated that this Protocols Guidebook may be revised from time to time.

Overview of City Documents

This Protocols Guidebook provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of a City Council. Many other laws, policies, plans and documents exist which bind the City Council to certain courses of action and practices. A summary of some of the most notable documents that establish City Council direction is provided below.

Madera Municipal Code: The Municipal Code contains local laws and regulations adopted by ordinances. Title II addresses the time and place of meetings, compensation of council members and council member attendance at council meetings. It also describes the organization and appointment of boards and commissions. In addition to these administrative matters, the Municipal Code contains a variety of laws. The Municipal Code is available on the City's website at www.madera.gov.

California Government Code: While numerous state laws apply to California cities, it is the Government Code which contains many requirements for the operation of city government. Many of these requirements are also replicated within the Municipal Code to ensure there is broad awareness of such requirements. Madera is a "general law" city, which means it is organized in accordance with provisions of the Government Code. Also described within the Government Code is the Council-City Manager form of government. Basically, this form of government prescribes that a city council's role is to establish policies and priorities, while the role of the city manager is to oversee the operations of the city government.

CHAPTER I.

CITY COUNCIL CODE OF CONDUCT

(Council-adopted Code of Conduct to be inserted here)

CHAPTER II

RULES FOR CONDUCTING CITY COUNCIL MEETINGS

RULE 1. GENERAL.

- A. Authority and Purpose. The Madera City Council establishes these Rules for Conducting City Council Meetings (Rules) pursuant to Government Code Section 36813. These Rules shall be in effect upon adoption by the City Council and shall remain in effect until such time as they are amended or repealed or new rules are enacted by the Council. The terms “City Council” and “Council” are used interchangeably in these Rules.
- B. Applicable Laws. These Rules of Procedure are in addition to, and not in place of, applicable ordinances and statutes. In the event of a conflict between any part of these Rules and applicable ordinances and statutes, the latter shall govern. Applicable laws include but are not limited to Title II, Chapter 1 of the Madera Municipal Code and Government Code Section 54950 to 54963 (the “Brown Act”), and statutes including but not limited to provisions regarding Conflicts of Interest, public hearings, and votes required for Council action.
- C. Code of Conduct. Members of the Council and staff shall abide by the City’s Code of Conduct.
- D. Email, Text Messages or Electronic Communications. Councilmembers shall not use email, text messages, or other electronic communication during Council Meetings to send or receive communications concerning the subject matter before City Council at the time of the communication.

RULE 2. MEETINGS.

- A. Brown Act. All meetings are subject to the Brown Act. In the event these Rules are in conflict with the Brown Act, the Brown Act shall prevail. All meetings (except closed sessions authorized by the Brown Act) shall be open to the public. No member of the public shall be required, as a condition to attendance at a City Council meeting, to register his or her name, to provide other information or otherwise to fulfill any other condition precedent to his or her attendance.
- B. Types of Meetings.
 - 1. Regular Meetings. Regular meetings are meetings occurring at the dates, times, and locations set by City ordinance and this policy. Regular meetings are subject to the Brown Act’s 72-hour agenda posting requirements. See Rule 4E.

2. Adjourned Meetings. Adjourned meetings are regular or special meetings that have been adjourned to a time and place specified in the order of adjournment, with no agenda required for regular meetings adjourned for less than five calendar days as long as no additional business is transacted beyond those items on the agenda. Such orders of adjournment shall be posted.
3. Special Meetings. Special meetings are meetings called by the Mayor or majority of City Councilmembers to discuss only discreet items on the agenda under the Brown Act's notice requirements for special meetings. Under the Brown Act, Special Meetings only require that members of the public be allowed to speak on items on the agenda. In other words, a general public comment period is not required at Special Meetings. Special Meetings are subject to the Brown Act's 24-hour notice.
4. Emergency Meetings. Emergency meetings may be conducted as authorized in Government Code Section 54956.5 in the event of an "emergency situation" as defined in Government Code Section 54956.5. The special meeting provisions apply except for the 24-hour written notice requirement.

C. Meeting Dates/Time/Location.

1. Regular Meetings. Per Section 2-1.01 of the Madera Municipal Code, regular meetings of the Council are held on the first and third Wednesdays of each month at 6:00 PM in the Council Chambers of City Hall. Per Section 2-1.01, when the time for a regular meeting falls on a holiday, Christmas Eve, or New Year's Eve such meeting shall be held at the same hour on the next succeeding day not a holiday unless otherwise provide by Council. Regular meetings are subject to the Brown Act's 72-hour agenda posting requirements. The Council may conduct its meetings at other locations within the City provided that the alternate location is duly noticed on the posted agenda.
2. Special Meetings. Special meetings may be held on any date and time subject to the Brown Act's 24-hour notice requirements. Special Meetings shall be held in the Council Chambers of City Hall. The Council may conduct its meetings at other locations within the City provided that the alternate location is duly noticed on the posted agenda.

- D. Quorum. Under Section 2-1.05 of the Madera Municipal Code, a majority of all the members of the Council shall constitute a quorum necessary to transact Council business. If no quorum is present, the Mayor, Mayor Pro Tem or any member of the Council shall adjourn such meeting, and if no member of the Council is present, the City Clerk shall adjourn the meeting. **(Note: see Rule 7C for number of votes required for action items.)** In the event a member of the Council must leave the room as required under the Political

Reform Act because of a conflict of interest, that person may not be counted towards a quorum.

- E. Closed Sessions. Closed sessions may be held at any regular or special meeting for any purpose authorized under the Brown Act. Council actions shall be governed by the Brown Act. Public comments on any item to be heard in closed session shall be received prior to a closed session. No discussions in closed session shall take place without a quorum present.

When required by state law, actions taken in closed session shall be announced in open session promptly after the closed session. A place may be listed on the agenda for such announcements. After closed sessions, the Council will reconvene in open session and the City Attorney shall make any such required announcements prior to final adjournment of the meeting.

- F. Minutes of Proceedings. An account of all public proceedings of the City Council shall be recorded by the City Clerk and entered into the official Minute Book of the City Council. The minutes shall be Action Minutes wherein very little, if any narrative is included and only motions and votes are shown. Minutes shall be available for inspection by the public.
- G. City Manager. The City Manager shall attend all meetings of the Council unless excused. In his or her absence, the City Manager shall designate a substitute. The City Manager may make recommendations and shall have the right to take part in all discussions of the Council but shall have no vote.
- H. City Attorney. The City Attorney shall attend all meetings of the Council unless excused. In his or her absence, the City Attorney shall designate a substitute. The City Attorney shall give opinions, either written or oral, on questions of law and shall serve as the Council's parliamentarian.
- I. City Clerk. The City Clerk shall attend all meetings of the Council unless excused. In his or her absence, the City Clerk shall designate a substitute. The City Clerk shall prepare and post the agenda, record, prepare and maintain the official record of the Council and perform other related duties as prescribed by the Council.
- J. Department Directors/Employees. Department Directors and City employees, as directed by the City Manager, shall attend Council meetings.
- K. Sergeant-at-Arms. Per Madera Municipal Code Section 2-1.17, the Police Chief is the ex-officio sergeant-at-arms of the Council.

RULE 3. DUTIES.

- A. Mayor. The Mayor is a member of the City Council and shall have all of the powers of a

Councilmember. When the terms “Council,” “City Council,” and “Councilmembers” are used in these Rules, they include the Mayor.

- B. Mayor Pro-Tem. The Mayor Pro-Tem shall perform the duties of the Mayor whenever the Mayor is absent or is unable to perform such duties.
- C. Presiding Officer. The Mayor shall preside at all Council meetings and is deemed the Presiding Officer. In the Mayor’s absence, the Mayor Pro-Tem shall preside. In the absence of both, the Councilmembers present shall select a Presiding Officer.
 - 1. Call to Order. The Presiding Officer shall call the meeting to order at the hour appointed. In the absence of the Mayor and the Mayor Pro-Tem, the meeting shall be called to order by the City Clerk and those Councilmembers present shall proceed to select a temporary Presiding Officer.
 - 2. Preservation of Order. The Presiding Officer shall preserve strict order and decorum and shall confine debate to the item under discussion.
 - 3. Motion to Be Stated. The Presiding Officer shall state any motion submitted for a vote and shall announce the result of all votes. A roll call vote shall be taken upon the request of any Councilmember or as may be required by law in certain instances.

RULE 4. AGENDAS.

The term “Agenda” as used in these rules applies to regular meeting agendas and to special meeting notices.

A. Regular Meeting Agendas.

The following outlines the general order of business for regular meetings. The Council may decide to change the order during the Approval of the Agenda or as deemed necessary during a meeting. The City Manager may also direct that an agenda be prepared with a different order to meet needs of Councilmembers or consultants as authorized by Madera Municipal Code Section 2-1.04(B).

- 1. Call to Order
- 2. Roll Call
- 3. Invocation
- 4. Pledge of Allegiance
- 5. Approval of Agenda
- 6. Presentations: Proclamations, Awards, Introductions, Ceremonials (*No action may be taken on such matters.*)
- 7. Public Comment (*Re matters not on agenda*)

8. Public Hearings
9. Consent Calendar
10. Workshop
11. Petitions, Bids, Resolutions, Ordinances, and Agreements
12. Administrative Reports
13. Councilmember Communications (Reports/Announcements/Future Agenda Items. *(This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to initiate new matters and to request updates, (iii) and to initiate new agenda items. Under this section the Council may take action only on items specifically agendized and which meet other requirements for action.)*)
14. Closed Session.
15. Reconvene Public Session and Provide Report from Closed Session if required.
16. Adjournment.

B. Special Meeting Agendas.

The following outlines the general order of business for special meetings.

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Approval of Agenda
6. Notice of Public Comment re Matters on Agenda
7. List of Items to be considered by Council
8. Adjournment

C. Content of Agenda for Meetings.

1. The Agenda is prepared by the City Clerk under the direction of the City Manager. The City Clerk works with the City Attorney to ensure that items are worded correctly and meet legal requirements under the Brown Act and other laws and to ensure that required notices, publication, and hearing requirements have been met prior to placement of items on the agenda.
2. The Agenda shall specify the time, date, and location of the meeting and contain a brief description of each item of business to be transacted or discussed at the meeting, including closed sessions items.

D. Placing Items on the Agenda.

1. General. The City Manager shall determine items for placement on the agenda except for Closed Sessions at the request of the City Attorney.

2. City Council. A majority of the Council may direct that items be placed on a future meeting agenda.

A member of the Council may request that an item be placed on a meeting agenda by verbal request during the Councilmember Communications part of the agenda. If there is majority agreement by the Council, the item will be placed on a future agenda. The City Manager in consultation with the City Attorney will determine whether the item requires that other procedures be followed prior to placement on the agenda. For example, some action items require a notice of public hearing by publication. At the meeting where the request is made, discussion shall be limited to whether the item shall be added to a future agenda.

3. Members of the Public. Requests by members of the public for placement of an item on the Agenda may be submitted to the City Clerk. The City Clerk will consult with the City Manager who shall determine the matters to be placed on the Agenda and on which upcoming agenda the requested item may be placed depending on the length of the agenda. Members of the public will be advised as to whether and when an item will be placed on the agenda. If a request is not approved, the member of the public may appear at Council meeting and make the request during Public Comment.

E. Posting of Regular Meeting Agendas and Special Meeting Notices. Per the Brown Act, the City Clerk shall post the Agenda for regular meetings at the front entrance of the Madera City Hall and the City website at least 72 hours before any regular meeting. The same process shall be followed for the posting of Special Meeting Notices except that the posting is to be done at least 24 hours prior to the meeting as required by the Brown Act. The 'Special Meeting Notice and Agenda' is referred to as Special Meeting Agenda interchangeably.

F. Availability of Agenda Documents. The documents and materials regarding the agenda items will be posted on the City's website with the Agenda. Documents not posted with Agenda will be distributed as described below. A binder with the documents and materials regarding the agenda will be made available at City Hall.

1. Per the Brown Act under Government Code 56957.5, if a writing is a public record related to an agenda item (hereafter 'writing') for an open session of a regular meeting of the Council and is distributed to all or a majority of all of the members of the Council less than 72 hours before that meeting, the writing shall be made available for public inspection and the following requirements apply:
 - a. City shall make available any writing described above for public inspection at a public office or location that the City designates for that purpose.

- b. Agendas shall list the address where such writings are available for public inspection.
 - c. The writings distributed under this section shall actually be posted and made available for public inspection; and
 - d. Posted on the City website.
2. If the foregoing requirements are not met, the following requirements apply:
- a. The initial staff report containing an executive summary and recommendation regarding the agenda item must be made available to the public at least 72 hours before the meeting. This requirement is satisfied by posting both the agenda and staff report with a recommendation on the City website.
 - b. The writing is posted on the City website in a position and manner that makes it clear that it relates to an upcoming agenda item.
 - c. The City must list the City's web address of the City's internet website on the agendas for all meetings of the City Council.
 - d. The City must make physical copies available for public inspection at City Hall at least 24 hours before the Council meeting.
3. Writings that are public records and distributed during the Council meeting shall be made available for public inspection at the meeting if prepared by the City or a member of the Council, or after the meeting if prepared by some other person.

G. Additions to Agenda. At a regular meeting, the Council may add items of business to the Agenda under the following circumstances, after the Mayor publicly identifies the item if the following requirements are met:

- 1. Upon a majority vote that an "emergency situation" as defined in Government Code Section 54956.5 exists; or
- 2. Upon a determination by a two-thirds vote (4 votes) or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the City after the Agenda was posted; or
- 3. The item was posted for a prior meeting of the Council not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

- H. Minutes. Unless requested by any member of the Council, the minutes may be approved without reading if the City Clerk previously furnished a copy to each member.
- I. Public Comment. During the Public Comment portion of a regular meeting, any person may address the Council provided that the item is within the subject matter jurisdiction of the Council and is not otherwise on the Agenda. No action may be taken by the Council on any item not on the Agenda. (See Rule 5.)
- J. Public Hearings. Items requiring a public hearing will be noticed as required by law. (**Note: Requirements for noticing differ. Staff responsible for Public Hearing agenda item shall coordinate with City Clerk and City Attorney to ensure that proper hearing notice requirements have been met.**)
- K. Consent Calendar. Items listed under the Consent Calendar are those items staff believes will not require Council discussion and are routine in content. The Consent Calendar may be approved by one motion. Also listed under the Consent Calendar are resolutions confirming action from previous meetings which are brought back for approval of form rather than approval of action or for minor correction and ratification. Items may be pulled from the Consent Calendar for separate discussion and action upon the request of any Councilmember or member of the public.
- L. Action Limited to Posted Agenda. No action or discussion may be taken on any item not appearing on the posted Agenda, except that Councilmembers or the City Manager may “briefly respond” (no more than 3 minutes) to statements made or questions posed by persons exercising their public testimony rights under the Public Comment. In addition, on their own initiative, or in response to question posed by the public, Councilmember may ask questions for clarification, provide a reference to staff or other resources for factual information, request staff to report back at a subsequent meeting concerning any matter, or direct staff to place a matter of business on a future agenda.

RULE 5. PUBLIC PARTICIPATION.

- A. Public Comment on Agenda Items. Under the Brown Act, public testimony is permitted on all agenda items on the Agenda. Members of the public shall be afforded an opportunity to comment before a motion is made on an agenda item. However, members of the public do not have the right to give testimony outside the scope of or unrelated to the agenda item under consideration. Additionally, members of the public should strive to avoid unduly reiterating their own or others’ testimony.
- B. Public Comment for Matters Not on Agenda. Members of the public shall have an opportunity to comment on any matter which is not on the Agenda but is within the City Council’s jurisdiction. Members of the public may not be prohibited from criticism of the policies, procedures, programs, or services of the City or acts or omissions of the City

Council. The City Council may not take action on any matter raised during the Public Comment part of the Agenda.

- C. Manner of Addressing the City Council. After being recognized by the Mayor, each member of the public addressing the City Council shall go to the podium and will be requested but not required to state his or her name and whom he or she is representing. After public comment has been closed, no member of the public shall address the City Council on the matter under consideration without first securing Council approval.
- D. Time Limits for Public Comments. Members of the public shall limit their remarks to three minutes per agenda item on regular and special meeting agendas and three minutes under the Public Comment part of the agenda for regular meetings. A speaker addressing the Council shall be granted twice the allotted time for comment to ensure non-English speakers the same opportunity to directly address the Council unless simultaneous translation equipment is used.

If a speaker is being repetitious or discussing matters that are not relevant to the issue under consideration, the Mayor may limit the time-period. The Mayor, with the City Council's consent, may shorten the time to accommodate a very lengthy agenda or when there is undue repetition on an item. The Mayor, with the City Council's consent, may also lengthen the time limit for complicated matters. The City Clerk shall monitor the time for each speaker and the Mayor shall be responsible for enforcing the time limit. When a group wants to present the position of the group, the group may identify itself and request to have their spokesperson speak for ten minutes. The Council will not entertain ad hoc requests to have one member of the public yield his or her time to another member of the public.

- E. Rules of Decorum.
 - 1. A person who attends a City Council meeting or who addresses the Council under public comment for a specific agenda item or under the Public Comment section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, impedes or renders infeasible the orderly conduct of any City Council meeting.
 - 2. All remarks shall be directed to the Council as a body, and not to any particular Councilmember or member of staff.
 - 3. A person, other than members of the Council and the person having the floor shall not be permitted to enter into the discussion unless requested by the Mayor to speak.

4. No member of the public shall direct questions to Councilmembers individually or to members of staff except through the Mayor.
 5. Members of the Council shall wait until a person completes his or her public comments before asking questions or commenting. The Mayor shall then ask Councilmembers if they have comments or questions.
 6. While the City Council is in session, all persons must preserve order and decorum.
- F. Disrupting Behavior. The Mayor or other Presiding Officer is authorized to remove, or cause the removal of, an individual for disrupting a Council meeting pursuant to this Rule 5. The term “disrupting” as used in this rule means (i) a failure to comply with reasonable and lawful regulations adopted by the Council including these Rules and (ii) engaging in behavior that constitutes the use of force or a true threat of force.
- G. Warning Required to Cease Disrupting Behavior. The Mayor or Presiding Officer shall warn a person who is breaching the rules of order and decorum to cease such conduct. If after receiving such a warning, the person persists in breaching the rules of decorum, the Mayor or other presiding officer may order the person to leave the City Council meeting. If such person does not leave, the Mayor or presiding officer may request the Police Chief or Police Chief’s designee (Sergeant-at-Arms) to remove the person from the Council meeting. In the event there is no one from law enforcement present, the Mayor or Presiding Officer may direct the City Manager to contact law enforcement.
- H. No Warning for Use of Force or True Threat of Force. The Mayor or Presiding Officer is not required to give a warning to a person who is breaching the rules of order and decorum when the individual engages in behavior that constitutes use of force or a true threat of force. The term “true threat of force” means a threat that sufficient indicia of intent and seriousness that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

RULE 6. DISCLOSURE OF CONFLICT OF INTEREST.

The Political Reform Act prohibits any public official from making, participating in making, or in any way attempting to use his or her official position to influence a governmental decision in which the public official knows or has reason to know he or she has a financial interest.

- A. Specific Requirements of Person with Conflict of Interest. A public official who holds an office specified in Government Code Section 87200, and has a disqualifying financial interest in a decision, shall identify the conflict of interest or potential conflict of interest, and immediately prior to the consideration of the matter, do all of the following:
1. Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public.

2. Recuse himself/herself from discussing, participating and voting on the matter, or otherwise acting in violation of Government Code Section 87100.
 3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the Consent Calendar.
- B. Application of this Rule. Public officials who must comply with this Rule include, but are not limited to, members of the Council, the Mayor, City Manager, City Attorney, Finance Director, City Clerk, and public officials who manage public investments.

RULE 7. ORDINANCES, RESOLUTIONS AND CONTRACTS.

- A. Document Approval. All ordinances, resolutions, and contracts shall be approved as to form and legality by the City Attorney and as to content by the City Manager before submission to the Council and before execution.
- B. Ordinance Introduction/Adoption. Unless a Councilmember requests a full reading, a proposed ordinance will be read by title only.
- C. Number of Votes Required.
1. Government Code Section 36936 requires a recorded majority vote of the full Council for resolutions, ordinances, and orders for the payment of money. This means an affirmative vote of at least four members of the full Council shall be necessary.
 2. Urgency and emergency ordinances must be adopted by at least a 4/5 vote of the full Council.
 3. Resolutions of necessity for eminent domain must be adopted by 4/5 vote of the full Council.
 4. Other Motions and other matters may be adopted or approved by the majority of the quorum present, except as may be required by State law.
- D. Ordinance Preservation. Following adoption of an ordinance, the City Clerk will assign a number to the ordinance and publish and post the ordinance or a summary thereof as required by law. The ordinance shall be filed and preserved in the City Clerk's office. The City Clerk shall also send copies of approved ordinances to the Municipal Code Publisher.

RULE 8. PROCEDURES REGARDING PUBLIC HEARINGS.

Public hearings are matters which require a notice of publication or mail and are required to be

heard on a set date and time.

- A. Hearing Opened. Mayor announces subject of the public hearing and declares the public hearing open.

- B. Order of Proceedings.
 - 1. Generally, public hearings shall be conducted in the order set forth below. However, certain hearings such as assessment hearings, Proposition 218 hearings, and annexation hearings may require other details which will be coordinated between the City Clerk and City Attorney.
 - Presiding Officer Opens the Hearing
 - Staff Report
 - Presentation by Proponent, Applicant or Appellant
 - Questions of Proponent, Applicant or Appellant by Council and/or Staff
 - Public Testimony
 - Hearing Closed
 - Discussion by Council
 - Action by Council

- E. Testimony Time Limits. Notwithstanding the public comment period in Rule No. 5, a project or entitlement applicant/appellant shall have such time necessary for a fair and reasonable oral testimony or presentation in connection with the particular Noticed Public Hearing item. In general, this time limit shall be set at 10 to 20 minutes for City's presentation and the same for Appellants/Applicants. Likewise, certain hearings such as permit revocation hearings may require additional time under due process standards. However, the general rule for comments by members of the public per Rule 5 shall apply.

- F. Motions. No motions may be made until a hearing is closed.

- G. Public Hearing Closed. Once the hearing has been closed, no additional public testimony will be taken without a majority vote of the quorum to reopen the hearing, even in cases where the item is continued to a future date for Council consideration. However, after the hearing has been closed, the Council may direct questions to the applicant, or any other person who has testified during the hearing, and receive their answers, which shall be deemed to be part of the record of testimony at the hearing. In the event that public testimony is reopened to allow additional information or additional speakers, the Council shall permit a reasonable time for rebuttal.

- H. Written Findings. On any matter for which state law or City ordinance requires the preparation of written findings, the staff report and other materials submitted on the matter will contain findings proposed for adoption by the Council. Any motion directly or impliedly rejecting the proposed findings must include a statement of alternative or

modified findings or a direction that the matter under consideration be continued for a reasonable period of time in order for staff to prepare a new set of proposed findings consistent with the evidence which has been presented and the direction provided by the Council.

- I. Absence. A Councilmember who is absent from any portion of a hearing conducted by the Council may vote on the matter provided that member:
 1. Has watched or listened to a video broadcast or recording of the entire portion of the hearing from which he or she was absent; and
 2. Has examined all of the exhibits presented during the portion of the hearing from which that member was absent; and
 3. States for the record before voting that the Councilmember deems himself or herself to be as familiar with the record and with the evidence presented at the hearing as if that member had personally attended the entire hearing.

RULE 9. BOARDS, COMMISSIONS AND COMMITTEES.

- A. Creation. The City Council may create such ad hoc advisory boards, commissions, and committees as the Council deems appropriate by resolution. As to committees of the Council, whether standing or ad hoc, a resolution should be adopted noting the purpose and duration.
- B. Appointments. The Mayor shall make all appointments to such advisory boards, commissions and committees subject to consent and approval of each appointment by the City Council (Government Code 40605) and applicable Municipal Code provisions.
- C. Conducting Business. All boards, commissions and standing committees shall conduct their business activities consistent with the requirements of the Brown Act, the Madera Municipal Code Council Resolutions creating the particular board, commission, and committee, and other relevant provisions of State Law.

RULE 10. SUSPENSION AND AMENDMENT OF RULES.

- A. Suspension. Any provision of these Rules not governed by the Municipal Code or State law may be temporarily suspended by a unanimous vote of the Councilmembers present at the meeting.
- B. Amendment. These Rules may be amended by resolution by a majority vote of the full Council.

RULE 11. MISCELLANEOUS RULES.

- A. Roll Call Votes. When a vote on a motion is called the Mayor may call for a voice vote unless roll call is required for teleconference meetings where a member(s) is not physically present. Additionally, upon demand by any Councilmember, made before the “Ayes” and “Nays” are called for on any vote, a roll call vote shall be taken on the motion before the Council. The Mayor’s name shall be called last with other members’ names called numerically by District starting with District 1 by the City Clerk. Members shall not give explanations for their vote during a roll call.
- B. Silence. During a collective vote (Ayes & Nays), silence of any member denotes an affirmative vote.
- C. Abstentions. Councilmembers wishing to abstain from a particular vote shall orally state their abstentions.

RULE 12. RULES OF DEBATE.

- A. Rules of Order. These Rules and applicable laws shall govern the proceedings of the City Council. For necessary clarification, the City Council may utilize the most recent Rosenberg’s Rules of Order (copy attached as Appendix A) as a non-binding guide.
- B. Obtaining the Floor. Any member of City Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Councilmember who seeks the floor when appropriately entitled to do so. The member must confine his or her remarks to the subject matter under consideration.
- C. Motions. The Mayor and Councilmembers may make Motions. The City Clerk shall record all motions and read them back when requested. Upon request, the City Attorney shall assist in the formation of motions. Any motion that does not receive a second shall die and another motion may be made.
- D. Questions of Order and Appeals to Rulings of Presiding Officer. A question of order may be raised at any stage of the proceedings, except during a calling of the roll when the ayes and noes on a vote are called for. Such question shall be decided by the Mayor, without debate, subject to an appeal to the Council.
- E. Point of Order. The Presiding Officer shall determine all points of order, subject to the right of any Councilmember to appeal the decision to the full Council. If an appeal is taken, the appeal to the Council shall be generally as follows: “I appeal the decision of the Mayor to the City Council.”
- F. Appeal of Ruling. Any ruling of the Mayor on motions and points of order may be appealed at the request of any Councilmember. The Mayor shall call for a roll call vote to determine if the ruling is upheld.

G. Types of Motions.

1. Main Motion. This motion (and second) puts forward a substantive decision for Council consideration. Only one main motion maybe on the floor at one time.
2. Motion to Amend. This motion seeks to modify the main motion before the Council. A motion to substitute a motion with another motion shall be treated as a motion to amend. Only one motion to amend may be on the floor at one time, unless the Mayor allows Councilmembers to state two or more motions to amend, which may be accumulated and then voted upon in a series in the order made. All motions to amend shall be resolved prior to voting on the main motion.
3. Procedural Motion. This motion is to address a rule of procedure, postpone, or take some other action. Procedural motions take priority over main motions and motions to amend. Only one procedural motion may be on the floor at one time. A “point of order” may be raised at any time, interrupting a speaker when recognized by the Mayor, to make a procedural motion.
4. Motion to Recess. This motion, if passed, requires the Council to immediately recess. The Mayor determines the length of the recess. It is not subject to debate and requires a majority vote.
5. Motion to Fix Time to Adjourn. This motion, if passed, requires the Council to adjourn the meeting at a specific time set in the motion. It is not subject to debate and requires a majority vote.
6. Motion to Table. This motion, if passed, requires the discussion of the agenda item to be halted and the agenda item placed on hold.
 - a. The motion can contain a specific date and time in which the item can come back to Council.
 - b. If the motion does not contain a specific date and time for the return of the item, a motion to take the item off the table will have to be taken at a future meeting to bring it back to Council.
 - c. A motion to table or to bring it back to the Council requires a majority vote.
7. Motion to Continue. This motion, if passed, requires the particular agenda item to be withdrawn from the Agenda at that time and postponed either indefinitely or to a certain time and/or date, or to a time later in that meeting, as stated in the motion. A motion to continue may be made by any member of the Council, is debatable, and requires a majority vote.

8. Friendly Amendment. This is a “request,” rather than a formal motion. The speaker asks whether the maker of the main motion would agree to amend the motion, as suggested. If agreed, and if the member providing the second also agrees, or another second is offered, then the main motion is replaced with the amended motion. If an offer for a “friendly amendment” is rejected, then a formal motion to amend may be made.
9. Motion to Reconsider. A motion to reconsider any action taken by the Council may be made on the day such action was taken. It may be made immediately after a vote is taken. Such motion must be made by one of the members on the prevailing side but may be seconded by any member; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making a motion to reconsider subsequent meeting of the Council so long as the ability to make such motion meets the requirements of applicable laws.
10. Tie Votes. Tie votes result in a lost motion. In such an instance, any member of City Council may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal, and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.

CHAPTER III

COUNCIL EXPENSE AND REIMBURSEMENT POLICY

CHAPTER IV

CEREMONIAL DOCUMENTS (PROCLAMATIONS AND CERTIFICATES)

CHAPTER V

USE OF CITY FACILITIES

CHAPTER VI.

**COUNCIL PARTICIPATION AND SPONSORSHIP OF SPECIAL EVENTS, INCLUDING USE OF CITY
LOGO FOR PROMOTIONAL MATERIAL**

CHAPTER VII.

FLAG RAISING

Example 1:

City of San Luis Obispo

Guidelines for Ceremonial Document request

CITY OF SAN LUIS OBISPO

Guidelines for Ceremonial Document Request



Policy Statement:

To provide guidelines to respond to requests for ceremonial documents (proclamations, certificates) in support of events, programs, individuals or groups that provide widespread local interest or community concern.

Administration:

These guidelines will be administered by the City Clerk's Office.

Criteria:

Requests shall be completed in the "Request for Ceremonial Document" form (**Exhibit "A"**).

Approvals must be consistent with the general factors listed below:

- ↪ Of widespread community interest or concern.
- ↪ Recognize a significant local group, business, civic organization or individual who has made a significant positive impact on the City.
- ↪ Acknowledge contributions to the City of San Luis Obispo.
- ↪ Express formal appreciation for local donations – cultural contributions – volunteer efforts
- ↪ Identify and recognize significant events or celebrations.

Proclamations must be presented at a City Council meeting or public event with the Mayor or designee in attendance.

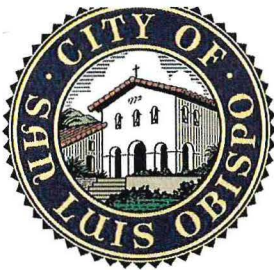
Special Requests:

Guidelines may vary with unusual circumstances and/or the desire of the Mayor.

If a request is not clearly consistent with any of the request categories described above or within the Matrix of Ceremonial Documents (**Exhibit "B"**), the Mayor shall review and approve or deny the request.

Time Sensitive Requests:

Requests should be received no later than two weeks prior to the City Council (or other) meeting at which they will be presented. The Mayor may grant an exception under extraordinary circumstances.



Ceremonial Document Request

Please read the following guidelines carefully:

- All requests go through an internal review and approval process
- There should be only one contact person per request
- A draft document or background information must be included with the request
- Email, Fax or Mail the request **at least four weeks (1) month prior to the event**

City of San Luis Obispo
 City Clerk's Office
 990 Palm Street
 San Luis Obispo, CA 93401
 Fax #: 805-781-7109

Note: After sending the fax, call 805-781-7100 to confirm receipt

Please Type or PRINT legibly after reading the guidelines above

Today's Date _____ Contact Person _____

Telephone # _____ Email Address _____

Date of Event / Occasion _____ Will the event / occasion be held at the City of San Luis Obispo? Yes No

Event / Occasion _____

Person/Organization Recognized _____

Does the person reside in or is the organization located in the City of San Luis Obispo? Yes No

Highlights of Person/Organization recognized (A biographical sketch of the individual including his/her involvement in the community, or a description of the organization and how it impacts the community is required). Please use the back of this sheet if you need additional space.

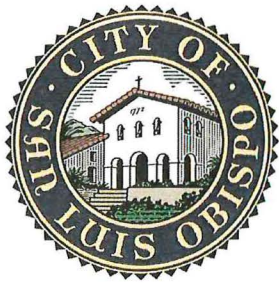
Request Presentation by Mayor? Yes No

When my ceremonial document is completed, please: (Select one of the options listed below)

Mail To
 Name: _____
 Address _____
 Address _____
 City _____
 St CA Zip _____

Contact for pick-up
 Phone: _____
 Email: _____

The City Clerk's Office will retain this document for pick-up for only 30 days after the due date



CITY OF SAN LUIS OBISPO Matrix of Ceremonial Document Requests

Recognition Type	Proclamation	Certificate	City Lapel Pin	Presented At	Signature
Athletic/Academic Accomplishments <ul style="list-style-type: none"> ▪ Resident ▪ Non-Resident 		X X		Council Meeting or Other Event	Mayor
Acts of Heroism <ul style="list-style-type: none"> ▪ Resident ▪ Non-Resident 	X X			Council Meeting or Other Event	Mayor
In Memory of an Individual	X	X		Council Meeting or Other Event	Mayor
Scouts		X		Council Meeting or Other Event	Mayor
Yearly City Commemorative Events		X		Council Meeting or Other Event	Mayor
Regional Events <ul style="list-style-type: none"> ▪ Local ▪ State ▪ National 	X X X			Council Meeting or Other Event	Mayor
Guests from Other <ul style="list-style-type: none"> ▪ Countries ▪ States 		X X	X X	Varies	Mayor
Federal, State or Municipal Officials			X	Varies	N/A

Recognition Type	Proclamation	Certificate	City Lapel Pin	Presented At	Signature
Recognition of Corporate Support – <ul style="list-style-type: none">▪ Local▪ Non-Local		X X		Council Meeting	Mayor
Recognition of Non-Profit Organizations Contribution <ul style="list-style-type: none">▪ Local▪ Non-Local		X X		Council Meeting	Mayor
Unusual Contribution to City by Individual or Group	X	X		Varies	Mayor
Recognition of Anniversaries of Businesses and Churches		X		Mailed	Mayor

Example 2:

City of Tracy

Standard Procedures for Issuing Ceremonial Documents

RESOLUTION _____

ADOPTING STANDARD PROCEDURES FOR ISSUING
CEREMONIAL DOCUMENTS

WHEREAS, The City of Tracy periodically receives requests to issue Proclamations in recognition of national and local events, Certificates of Recognition and Commendation for accomplishments and achievements attained by individuals and groups, and Certificates of Appreciation and Letters of Congratulation for contributions and achievements; and

WHEREAS, previously, the City has addressed these types of requests based on past precedent.

NOW, THEREFORE, BE IT RESOLVED, that Exhibit A (attached) establishes criteria to be used in issuing Proclamations, Certificates of Recognition and Commendation, Certificates of Appreciation and Letters of Congratulation on behalf of the City of Tracy.

The foregoing Resolution _____ was passed and adopted by the Tracy City Council on the 4th day of May, 2010, by the following vote.

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Mayor

ATTEST:

City Clerk

STANDARD PROCEDURES FOR ISSUING CEREMONIAL DOCUMENTS
(Exhibit "A" to Resolution 2010-)

Applicability

This policy applies to all ceremonial documents, and other forms of recognition issued by the City of Tracy.

Policy Statement

The procedures outlined in this policy are intended to establish guidelines for issuing formal recognition in support of a particular event, program or cause, or recognition of a particular individual or group.

The policy prohibits the City of Tracy from supporting, promoting, or otherwise making endorsements for any religious purpose or activities with religious overtones. These religious activities or events may include multi-cultural, cultural and religious ethnic events and activities.

Requests for Recognition

The City of Tracy will consider requests for proclamations, certificates of recognition, commendation and/or appreciation from any group or individual. The request should have local or regional appeal and promote activities taking place in the City. Requests for proclamations should include a sample proclamation.

All requests are subject to approval by the Mayor or his/her designee, and only one ceremonial document will be issued per event.

Types of Recognition

1. Proclamations may be issued to recognize:

- National events with widespread community interest or concern
- Significant local, county or state activities which promote the health, welfare and heritage of the community, with an emphasis on events which support the City Council's goals and objectives
- Commemorative events
- Civic celebrations

2. Certificates of Recognition may be issued to recognize:

- Exceptional accomplishments attained by local groups, businesses, civic organizations or individuals
- Individuals or groups who have made significant contributions to the community
- Outstanding achievements or contributions by non-profit organizations

3. Certificates of Commendation may be issued for:

- Acts of Heroism
- School or sport groups' achievements

4. Certificates of Appreciation may be issued for:

- Monetary donations
- In-kind contributions
- Cultural contributions
- Volunteer efforts

5. Letters of Congratulations may be issued for:

- Eagle Scout achievements
- Significant birthdays, anniversaries or retirements
- Significant anniversaries of City based institutions, corporations, community partners and non-profit organizations

Other Types of Presentations

The City Manager, or his/her designee, will have the authority to authorize employee awards including Employee of the Month, Employee/Police Officer/Firefighter of the Year, etc.

Certificates of Appointment (or reappointment) will be presented to incoming Board and/or Commission members, and Certificates of Recognition will be presented to outgoing members. Public officials will be presented with Certificates of Election upon appointment, and with plaques recognizing their years of service to the community at their final Council meeting.

The Mayor and Council Members may request acknowledgments in accordance with the guidelines. To expedite requests, proclamations, certificates and letters will be signed by the Mayor or his/her designee, but will be issued on behalf of the City Council.

The City also, on occasion, will issue other types of formal recognition including plaques, Keys to the City, etc., as determined by the issuing official. The City Manager, or his/her designee will be responsible for coordinating these presentations.

Submitting Requests

Requests for recognition should be sent to: City of Tracy, Attn: Mayor/Ceremonial Documents, 333 Civic Center Plaza, Tracy, 95376, at least 30 days prior to the requested date of recognition. Requests must include the name and daytime phone number of the contact person.

All requests will be subjected to a review and approval process. The City Manager, or his/her designee, reserves the right to determine the type of document to be issued based on the information provided by the requesting party. Submission of a request does not guarantee the issuance of a ceremonial document.

Please specify whether the document should be mailed, held for pick-up or presented at a special event. Documents will be presented at special events pending the availability of the Mayor, his/her designee, or other city official. The City Manager, or his/her designee, will determine the timing of presentations at specific City Council meetings based on the length of the agenda and the availability of the Mayor or his/her designee.

Example 3:
City of Antioch
Event Policy

Approved by the Antioch City Council on 11/10/09
Revised by the Antioch City Council on 2/9/10
Revised by the Antioch City Council on 4/27/10
Revised by the Antioch City Council on 3/22/11
Revised by the Antioch City Council on 2/22/11
Revised by the Antioch City Council on 2/14/12
Revised by the Antioch City Council on 2/28/12

City of Antioch: Event Policy

1. City-Organized Events. The following events are examples of events organized by City staff on City property that are included in the particular department's annual budget. These events can use the City's name or logo, but all advertisements, brochures, etc. must receive City Manager approval in advance.

Child Safety Seat Inspection
Fall Fest at Prewett Family Park
Mayor's Golf Tournament to Support Scholarship Fund
Open House for Public Works Week

2. City-Sponsored Events. The following events are either City organized but not on City property or the City is jointly organizing the event with other organizations. Depending on the event, additional insurance and/or waivers from participants may be required. These events can use the City's name or logo, but all advertisements, brochures, etc. must receive City Manager approval in advance.

Coastal Clean Up
First Saturday Clean-up events
Keep Antioch Beautiful
Memorial Day Parade
MLK Educational Competition Event
Veterans' Day Parade

3. City-Supported Events. The following events are supported with staff, supplies or equipment resources only unless specific financial grants are approved. These events are run by other organizations or individuals that will be required to ensure that the appropriate insurance coverage is in place and/or waivers obtained if requested by the City. The City's name or logo should not be used in advertisements or brochures unless approved in advance by the City Manager.

Blues Festival at Waldie Plaza
Cancer Society Relay for Life
East County Economic Development Summit
"Every 15 Minutes"
Holiday Delites with parade, tree lighting and some vendors
National Night Out
Neighborhood Watch Meetings

Police Activities League (PAL) events
Safety Fairs (e.g. at the Somersville Towne Center and other locations)
Sister City Program
Summer Concert Series at Prewett Family Park

4. Using the City's Name or Logo for Soliciting Donations. The following events or activities have not requested or received City support in the form of financial grant, staff assistance, supplies or equipment, but the City Council has given permission to use the City's name in fundraising efforts:

Fourth of July Celebration downtown including fireworks (City Council action on 4/27/10 and on 2/14/12 allowed a water bill insert to announce the event and fundraising with organization to pay the costs of insert 2/14/12)
3/28/10, 3/27/11 and 4/1/12 Cesar Chavez Day (City Council actions on 2/9/10, 2/22/11 and 2/14/12)

5. City Lease of Facilities or Equipment. The City's rental of facilities or equipment to other organizations or individuals does not indicate City approval, sponsorship or support of the organization, individual or event. The use of the City's name or logo is not authorized in these situations.

6. Other Events. For events that are not listed above, the following protocols shall be followed:

- a. City Manager approval is required for the following:

- i. Any public event involving a direct City grant of City funds (grants of \$1000 or more require City Council approval); or
- ii. Any public event involving expenditures for staff time, supplies, equipment or waivers of typical rental fees (expenditures of \$5,000 or more require City Council approval), excluding staff resources solely for reviewing use permits or special event permits; or
- iii. Any event for which the organizers desire to have the City publicly identified as a sponsor or supporter in advertisements, brochures, etc. However, if such City identification will be used for fundraising/donation purposes, then City Council approval will be required.

Approval of these events shall indicate the level of City involvement as categorized above, if any, and any requirements regarding insurance, waivers, advertising, etc.

- b. City Council approval is required for the following:

- i. Any public event involving a direct City grant of City funds of \$1,000 or more; or

- ii. Any public events involving an estimated expenditure of \$5000 or more, including estimated costs for staffing, supplies or equipment excluding staff resources solely for reviewing use permits or special event permits.
- iii. Use of the City's name or logo for fundraising or donation purposes.

Approval of these events shall indicate the level of City involvement as categorized above, if any, and any requirements regarding insurance, waivers, advertising, etc.

Example 4:
City of Anaheim
Special Event Financial Support

City of Anaheim

COUNCIL POLICY

Subject: Special Event Financial Support

Policy # 1.5
Adopted Date: 06/27/95
Amended: 06/05/07
10/06/15

Page (1) of (4)

It is the City policy to value and encourage events, programs and services that benefit residents of the City. Historically, the City has supported various community events either with in-kind support or financial support based on citywide community need and budgetary allocations. In order to ensure equitable opportunity for organizations to submit proposals, the City is formalizing the process in which organizations/groups receive City support. This policy will provide the basis for the City to enter into a (1) **Formal City Sponsorship** relationship, with monetary support; or 2) **Informal Co-Sponsorship** support for City sponsored special events. Requests for support will be approved in an equitable manner, ensuring a variety of programs, services and community organizations receive the available support.

A. REQUIREMENTS

The City may provide **Formal City Sponsorship** via monetary funding and/or **Informal Co-Sponsorship** of in-kind services to support nonprofit entity events, programs or services that benefit Anaheim residents. City sponsorship for monetary assistance will be administered by means of written agreements (“Agreements”) that set out what a community partner can expect of the City and what the City requires of its partners. All Agreements must comply with all applicable City regulations and policies. Agreements may not commit the City to additional operating and/or maintenance responsibilities, ongoing financial obligations, or program or service responsibilities beyond the current fiscal year.

Informal Co-Sponsorship relationships may be approved by the Director of Community Services. The City periodically provides support to an event or program through the use of Informal Co-Sponsorship which does not provide monetary support, but may include: waiving of facility rental fees, city staff support to provide advice and/or logistical guidance, or permission to use the City logo on marketing materials. The Director of Community Services may approve the Informal Co-Sponsorship relationship with an organization or group that provides an event, program or service that is open to the public.

The amount of funding allocated for approved events may range from a minimum of \$1,000 to a maximum of \$10,000. Total value of City support shall not exceed \$10,000 per organization per fiscal year, and may not exceed the City approved budget (this includes but is not limited to waiver of facility rental fees, staff costs and/or equipment rental fees). The value of resources provided by the City in support of a partner event, program or service shall not exceed the value of the partner’s contribution.

The City has the sole discretion to determine whether an event benefits its residents and should therefore be a recipient of support under this policy and reserves the right to decline any request for Formal City Sponsorship or Informal Co-Sponsorship (in-kind support) if acceptance is determined

City of Anaheim

COUNCIL POLICY

Subject: Special Event Financial Support

Policy # 1.5

Adopted Date: 06/27/95

Amended: 06/05/07

10/06/15

Page (2) of (4)

not to be in the best interest of, or would create a conflict of interest for, the City. In addition, the City will not sponsor any event if doing so would cause the City to violate Article XIII, Section 24 of the California Constitution or the First Amendment to the United States Constitution.

B. ELIGIBILITY

In determining an organization's eligibility for Formal City Sponsorship or Informal Co-Sponsorship, a recommendation shall be made by City staff to the City Council based upon the following criteria:

1. The requestor is an incorporated nonprofit organization with a 501(c)(3) designation; or a California certified tax-exempt nonprofit organization; or a public agency, including public schools or school foundations in school districts; or a committee formally established by City Council or an established club, association or organized group that provides services and programs directly to Anaheim for the benefit of its residents. Preference and priority will be given to organizations based in Anaheim.
2. A requestor that is a commercial enterprise would not qualify unless the event, program or service is open to the general public, benefits the greater Anaheim community and provides no commercial benefit to requestor.
3. The requestor's mission and goals in providing the event, service or program:
 - a. Are compatible with the City's priorities;
 - b. Enhance current City programs or core services by providing additional programming, financial and/or in-kind resources, community outreach, staffing, volunteers or other tangible support to the City.
4. The requestor's event is open to the public and does not require any entrance fees paid for admittance.
5. The requestor's event provides significant citywide value, presented for the anticipated enjoyment and participation by a broad spectrum of the Anaheim community; the event shall not intentionally nor by design be presented for or intended to draw participation from a specific neighborhood area or region within the City and shall not exclude the participation of any segment of the community.
6. The requestor's prior relationships with the City have been successful (e.g., fees timely paid, documentation submitted complete and timely)
7. The requestor can provide verification of availability of City facility or capacity of programmatic function.
8. The requestor understands that City support is not for individual gain, and is not intended to provide City support for business purposes or commercial enterprise.
9. The requestor may receive support once per fiscal year; any previous support does not guarantee any ongoing future support.

City of Anaheim

COUNCIL POLICY

Subject: Special Event Financial Support

Policy # 1.5

Adopted Date: 06/27/95

Amended: 06/05/07

10/06/15

Page (3) of (4)

C. APPLICATION PROCESS

Application and Proposals - An application for Formal City Sponsorship of Community Events, Programs and Services must be submitted no later than March 31 to apply for support for the following fiscal year (fiscal year runs July – June respectively). Application and Agreement procedures described are administrative and may be modified by the Director of Community Services, or designee, when appropriate.

1. Organizations must submit an application along with a written proposal to the Director of Community Services for Formal City Sponsorship for Community Events;
2. Proposal must include description of organization, including full legal name and address of the organizing group along with a description of the organization including its purpose and goals or mission (including any applicable 501(c)(3) number) along with names, phone numbers, address and email address of each person on the organizing group and the name of the representative with the organizing group that is prepared to meet and work with a City representative;
3. Summary of proposal to include the description of the event, program or service, and how it benefits the Anaheim community;
4. List of City funding and/or in-kind services requested (this includes but is not limited to waiver of facility rental fees, staff costs and/or equipment rental fees, plus any monetary funding; please note the combined total may not exceed \$10,000 per organization, per fiscal year);
5. Description of how the City's sponsorship and funding will complement other in-kind and monetary support already attained or to be attained for successful event implementation;
6. Proposed event date(s), including dates for event load-in and load-out, location, event size and scope, anticipated public attendance of Anaheim residents;
7. Summary of event organizer's experience planning and implementing the proposed event or an event of similar size and scope;
8. Description of the number of volunteers and volunteer hours anticipated for event coordination and implementation; and
9. Description of how the event will be marketed and indicate through what venues will the City have the opportunity to be recognized on marketing materials. Community organizations must adhere to the City's branding and logo guidelines and must seek permission prior to using the City logo. City has final approval of materials with City logo prior to distribution.

D. SELECTION PROCEDURE AND PROPOSAL ASSESSMENT

City of Anaheim

COUNCIL POLICY

Subject: Special Event Financial Support

Policy # 1.5

Adopted Date: 06/27/95

Amended: 06/05/07

10/06/15

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A panel comprised of city staff, to be designated by the City Manager, shall review and recommend proposals to the City Council in accordance with proposed fiscal year budget. Proposals must be submitted to the Director of Community Services **no later than March 31 of each fiscal year** for staff to allocate upcoming resources accordingly. The amount of funding allocated to a proposed event will be determined based on need and overall benefit to the community. All proposals are contingent upon the approval of the City budget. In assessing proposals and the amount of funding that may be provided, the City will consider the following criteria, in no particular order of importance.

1. Production of measurable outcomes in alignment with City budget and priorities;
2. Ability to meet community needs;
3. Demonstrated public support for the service or program;
4. Level of community partner's contribution to the project;
5. Organizational capacity of the group or entity applying for the support;
6. Operational sustainability (ability of collaborator to offer the event in the absence of City support);
7. Commitment to ensuring ongoing public access;
8. Financial viability;
9. Project timelines;
10. Costs versus benefits of the event or program;
11. Impact on existing City operations, assets and facility resources;
12. Media exposure opportunities;
13. Involvement by other entities including partners, contractors and/or sponsors;
14. Event planning and execution history;
15. Proposal submitted by March 31 deadline;
16. Any other factors deemed relevant to the collaboration;
17. Number of Anaheim residents the program or event serves; and
18. Financial need of the group or entity applying for support.

E. AGREEMENT

An Agreement will be developed containing the material terms and obligations for approval by authorized representatives of the requesting party and the City. The Agreement will include a description of the contractual relationship, roles and responsibilities of the City and the community group/organization. Indemnification and insurance will be required as part of the Agreement in accordance with City policy. Funds will not be released until proof of insurance is received by the City.