



# City Council Protocols

Adopted June 25, 2024

## I. PURPOSE

These protocols are designed to assist the City Council and staff by memorializing existing policies, procedures and the general ways of conducting business. Their purpose is also to improve the efficiency and effectiveness of Council and staff. Administration of city business is greatly enhanced by the agreement of the City Council and staff to follow these practices. The protocols are not intended to be overly restrictive and should be considered as guidelines. They should be viewed as an instructive source of guidance so that accepted practices are documented, and expectations are clarified. Practices and policies will change as circumstances arise. With that in mind, the City Council will review and revise these protocols from time to time.

## II. COUNCIL MEETINGS

Regular Meetings – The City Council’s regular meeting schedule is set forth in Belmont City Code (BCC) Section 2-1. Regular meetings are currently held on the second and fourth Tuesday of each month. Regular meetings commence at 6 p.m., however if there are no study sessions, special presentations, closed sessions, or other need to begin before 7 p.m., the agenda should reflect that there are no business items scheduled between 6 p.m. and 7 p.m. and that the meeting will be recessed until 7 p.m.

Meetings are held in the City Council Chambers at Belmont City Hall, One Twin Pines Lane, Belmont, California. The time and location of the Council’s regular meetings may be changed by council resolution.

1. Other Locations - The Council may, from time to time, elect to meet at other locations within the city. Notice of a change of location or time will be posted at the front entrance of city hall and entrance to the council chambers and will be shown on the council agenda if known when initially posted.
2. Location During Local Emergency - If, by reason of fire, flood or other emergency, it is unsafe to meet in the council chambers, the meetings may be held for the duration of the emergency at such other place as may be designated by the mayor or, if the mayor does not so designate, by the vice mayor or the city manager.
3. Canceled Meetings – When the date for any regular meeting falls on a legal holiday, the regular meeting for that day shall be deemed canceled unless it is rescheduled to an alternate date.

- B. Special Meeting & Emergency Meetings - Special meetings and emergency meetings of the Council may be called from time to time in accordance with the procedures set forth in the Ralph M. Brown Act. (Government Code Section 54950, et. seq.)
- C. Adjourned Meetings – The Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment in accordance with the procedures set forth in the Ralph M. Brown Act. (Government Code Section 54950, et. seq.)
- D. Closed Sessions – The Council may hold closed sessions during any regular or special meeting, or any time otherwise authorized by law, to consider or hear any matter that is authorized by state law to be heard or considered in closed session.
  - 1. Attendance at a closed session is limited to those persons actually necessary to advise or take direction from the Council or otherwise have an essential role to play given the specifically permitted purpose of the session.
  - 2. The matter under consideration will be shown on the Council’s agenda in accordance with the Ralph M. Brown Act.
  - 3. Councilmembers may not reveal the nature of discussion or the decision from a closed session unless required by law or unless a majority of the Council agrees in closed session to disclose confidential closed session information, except that the Council must unanimously agree to divulge any confidential closed session information that is attorney/client privileged communications.
- E. Cancellation of Regular Meetings – Any meeting of the Council may be canceled in advance by a majority vote of the Councilmembers.
- F. Quorum - A majority of the councilmembers is sufficient to do business, and motions may be passed 2–1 if only three attend. There are some actions such as ordinances, resolutions, granting franchises and payment of money that may require at least three affirmative votes. When there is no quorum, the mayor, vice mayor or any councilmember will adjourn the meeting, or if no councilmember is present, the city clerk will adjourn the meeting.
- G. Teleconferencing by Council Members – Teleconferencing by councilmembers is permitted, subject to the applicable requirements of the Brown Act. When posting of the agenda is required at the teleconference location, the agenda and information describing the particular location where the teleconference will take place should be posted at or near the main entrance of the facility containing the teleconferenced location as soon as feasible but not less than six hours before commencement of the meeting.
- H. Chairperson - The mayor presides at meetings and has authority to enforce the Council’s protocols as provided herein and to determine the order of business under the Council’s rules.

1. Absence of Mayor - The ice mayor shall act as mayor in the absence or disability of the Mayor.
  2. Mayor and Vice Mayor Absence – When the mayor and the vice mayor are absent from any meeting of the Council, the members present may choose another member to act as mayor pro tem, and that person shall, for the time being, have the powers of the mayor.
- I. Attendance by the Public - Except as specifically provided by law for closed sessions, all meetings of the Council are open to the public in accordance with the Ralph M. Brown Act. (Government Code Section 54950, et. seq.)
- J. Minutes - Minutes of Council meetings will be brief summary minutes. Summary minutes will include final motions with votes. The minutes will also reflect the names of public speakers (if provided) and a brief summary of comment from the public, staff and Council. The city clerk has exclusive responsibility for preparation of the minutes and directions for corrections to the minutes and adoption of minutes will be made only by majority action of the Council.
1. Timing of Council Approval of Minutes – Minutes of meetings are generally submitted to the Council within two meetings for approval. Any councilmember who was absent from the prior meeting may participate and vote on the approval of the minutes and need not abstain on the approval of the minutes for that meeting.
  2. Recordings of Meetings – Meetings held in the council chambers should be digitally recorded and the recordings maintained by the city clerk for the period set forth on the city’s retention schedule.
- K. Council Agenda - The following rules for the preparation of the meeting agenda are based on the premise that it is in the interest of good government that the Council be fully informed on all matters upon which it is called upon to act. The Council relies upon city staff to perform research, conduct investigations, furnish technical information and recommend solutions to various problems of city government, and recognizes that proper and thorough research and investigation requires time.

The following persons may place matters on the agenda:

1. The city manager, and in the city manager’s absence the person designated as acting city manager,
2. The city attorney and in the city attorney’s absence, the deputy city attorney.
3. Agenda requests by Councilmembers (Including Mayor) - Any councilmember may place on the agenda under “Matters of Council Interest” a request to have any city policy or program reviewed or a new issue examined. The agenda item should state the topic to be reviewed or analyzed and the name of the councilmember(s) submitting the request. The councilmember submitting the request should submit a memo or report summarizing his/her position on the matter (included as Appendix

A to this document) at least one week prior to the meeting. No staff work is be done for these items before discussion by the entire Council except that Council may briefly discuss the matter with staff prior to placing the item on the agenda. Councilmembers may vote on the item at the meeting if there is no need for additional staff analysis required on the item for the Council to make an informed decision or the Council may direct staff to bring back a report addressing the request at a future meeting.

- L. Secretary – The city clerk serves as the secretary the Council. As secretary, the clerk posts agendas, and notices for meetings, attends meetings and assists the chair with the operation of the meeting, and maintains and secures the records of Council meetings.

### **III. ORDER OF BUSINESS**

- A. General Order - Business at regular meetings will generally be conducted in accordance with the order of business as outlined on the current agenda template as amended by the city manager from time to time.
- B. Action Agenda Items - In accordance with the Ralph M. Brown Act, the body may not take action on any item that did not appear on the posted regular meeting agenda 72 hours before the meeting unless an exception is permitted under Government Code §54950 et. seq.
- C. Special Presentations/Proclamations –
  - 1. All special presentations will be calendared and coordinated through the city manager.
  - 2. Honorary Proclamations and Resolutions - All requests should be given to the mayor, through the City Clerk’s Office, for consideration. The subject should be Belmont-related, and it is up to the mayor's discretion whether to prepare such a document or place it on the agenda. Proclamations may also be issued by the mayor “off-line” (i.e., without being placed on the agenda), when deemed by the mayor to be appropriate.
- D. Member Announcements – Member announcements will be brief and limited to notification of community events, functions or comments on city operations or projects. Concerns or matters of current, pending or future deliberation by the body are not considered announcements. Individual member announcements should be limited to 3 minutes.
- E. Consent Calendar - Agenda items considered routine and non-controversial in nature are calendared on the agenda as “Consent Business.”
  - 1. These items are considered as one item and approved, adopted, accepted, etc. by one motion.

2. Members may comment on consent business items or ask for minor clarifications without removing the item for separate consideration.
  3. A member may vote “no” or “abstain” on any consent item without removing it from the consent business.
  4. Items requiring deliberation may be removed by a member for separate consideration after consideration of the remaining consent business.
  5. The public may comment on the remaining consent business and on removed items before consideration by the body.
- F. General Public Comments – A portion of each regular meeting agenda will set aside a period for the public to address the body on items within the body’s subject matter jurisdiction that are not listed on the agenda. This public comment period is limited to 15 minutes. Speakers who requested but did not receive an opportunity to speak during this initial comment period will be given an opportunity to address the body later on the agenda.
- G. Standard Adjournment - The general hour of adjournment is 10:30 p.m. If items remain on the agenda after the 10:30 p.m. adjournment time, a majority vote of the body can extend the meeting, or a special meeting may be scheduled, or the items deferred to the next meeting. Meeting extension shall be in increments of 30 minutes.

#### **IV. RULES OF DISCUSSION**

- A. General Procedure - The Council follows Rosenberg’s Rules of Order. Consistent with any applicable city ordinance, statute or other legal requirement, any issue of procedure relating to conduct of a meeting or hearing not otherwise provided for herein may be determined by the chair. A ruling of the chair may be appealed by a member upon a seconded motion and is reversed if the motion passes by a majority vote.
- B. Role of the Chair – The role of the chair is to preside at the meeting, facilitate discussion, maintain order, and ensure the body’s business is conducted efficiently and effectively.. In the role as facilitator, the chair will assist the members to focus on their agenda, discussion and deliberations. The chair has authority to prevent the misuse of motions, or the abuse of any privilege, or obstruction of the business of the body by ruling any such matter out of order. In so ruling, the chair should be courteous and fair and should presume that the moving party is acting in good faith.
- C. Member Deliberation & Order of Speakers - The chair is responsible to control the debate and the order of speakers. Speakers will generally be called in the order the requests to speak were received by the Secretary.
- D. Questions Addressed to Another Member - With the concurrence of the chair, a member holding the floor may address a question to another member; that member may respond while the floor is still held by the member asking the question. A member may opt not to answer a question while another member has the floor.

- E. Limit Deliberations to Item at Hand - Members will limit their comments to the subject matter, item or motion currently being considered by the body.
- F. Length of Members Comments - Members will govern themselves as to the length of their comments or presentation. The chair will assist members by signaling when the member has been speaking for over five minutes.
- G. Obtaining the Floor - Any member wishing to speak must first obtain the floor by being recognized by the chair. The chair must recognize any member who seeks the floor when appropriately entitled to do so.
- H. Motions - Motions may be made by any member, including the chair, providing that before a motion is offered by the chair, the opportunity for making a motion should be offered to other members. Any member, other than the person offering the motion, may second a motion.
- I. Ordinances - Motions introducing ordinances are deemed to include waiver of full reading of the ordinance after reading of the title in accordance with Government Code Section 36934 unless otherwise specifically stated.
- J. Voting - Any member present at a meeting when a question comes up for a vote should vote for or against the measure unless he/she is disqualified (recused) from voting and abstains because of such disqualification. If a member is recused, he or she should state the reason for the recusal for the record, and should leave the room. A vote, including a roll call vote, may be registered by the members by answering “yes” or “aye” for an affirmative vote or “no” or “nay” for a negative vote. Regardless of the manner of voting, the results reflecting all "ayes" and "noes" must be clearly set forth for the record by the secretary.
- K. Abstention - An abstention does not count as a vote for or against a matter. If a member abstains, he/she is counted as present for quorum purposes but is not deemed to be “voting” for purposes of determining whether there has been a “majority vote of those members present and voting.”
- L. Tie Votes - A tie vote results in a lost motion. In such an instance, any member 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.
- M. Non-Observance of Rule - Rules adopted to expedite and facilitate the transaction of the business of the body in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by the body.
- N. Code of Ethics and Conduct – The Council has adopted the Code of Ethics and Conduct for Elected Appointed Officials which expresses standards of ethical conduct expected

for members of the Council, boards and commissions and requires acknowledgment by the members that they have read and understand the Code of Ethics and Conduct.

## **V. ADDRESSING THE BODY**

### **A. Public Comments.**

1. Opportunity to Comment - Any person wishing to address the body on an item that is scheduled on the agenda will be given the opportunity to make those comments when that item is being considered.
2. Time Limits – Public comments are limited to three minutes each. The chair may adjust the time limit per speaker as he or she determines is reasonably necessary for the orderly and efficient conduct of the body’s business. Time limits are for each individual speaker submitting a card, and time cannot be “donated” to other speakers.
3. Group Comments – In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged. Whenever any group of persons wishes to address the body on the same subject matter, those persons are encouraged to designate a spokesperson to address the body. The chair may extend the time allocation for a designated spokesperson.
4. Use of AV Technology by the Public – Members of the public may not use any technology to play amplify sound or project or display still or moving images during public comment or other portions of the meeting. These restrictions do not apply to presentations by project applicants and appellants relevant to an application or appeal.
5. Repetitious or Dilatory Comments – Speakers may not present the same or substantially same items or arguments to the body repeatedly or be repetitious or dilatory in presenting their oral comments. If a matter has been presented orally before the body, whether the body has taken action, or determined to take no action, the same or substantially same matter may not be presented orally by the same person any further. Nothing in the foregoing precludes submission of comments to the body in writing for such action or non-action as the body, in its discretion, may deem appropriate.
6. Comments in Writing Encouraged - Members of the public may submit, and are encouraged to submit, comments in writing to the body relating to any items of the bodies business, whether on the agenda or otherwise. Such written comments will be distributed to the members and considered and acted upon, or not acted upon, as the body in its judgment may deem appropriate.
7. Rules for Public Comment
  - a. Speakers are requested to be succinct and not repeat themselves. When recognized to speak on an agenda item, focus your remarks to that item.

- Speakers who have become repetitious may be interrupted by the chair and asked to offer any additional points on the matter not previously made and if none to conclude their remarks.
  - If a speaker continues to repeat themselves, the chair may rule the speaker out of order and not allow the speaker to offer further comment on that agenda item.
- b. A speaker's comments must be relevant to the agenda item on which they have requested to speak.
- Speakers whose comments are not relevant to the agenda item may be interrupted by the chair and asked to limit their comments to that agenda item.
  - If a speaker continues to address topics not relevant to the agenda item, the chair rule may rule the speaker out of order and not allow the speaker to offer further comment on that agenda item.
- c. Speakers who are interrupted by the chair must cease speaking.
- Speakers who continue speaking or speak over the chair may be ruled out of order and not allowed to speaker further at the meeting.

## B. Audience Decorum

### 1. Rules for Participation

- a. Audience members may attend, observe and record meetings in a matter that respects the rights of others and the orderly conduct of the body's business.
- b. Audience members may not engage in behavior that disrupts a meeting. "Disrupting a meeting" means behavior that substantially impairs the ability of the body to orderly and efficiently conduct the meeting, or substantially interferes with the rights of other audience members. Disruptive behavior includes the following. This list is not all inclusive:
- Shouting from the audience.
  - Interrupting or speaking over a person at the podium who has been recognized to speak by the chair.
  - Clapping, booing, or other expressions of support or opposition to a speaker or to the body's discussion or decision.
  - Verbally harassing or physically confronting audience members.
  - Interrupting staff while engaged with the body.

- Interrupting the body while it is considering a matter.
  - Continuing to speak at the podium once the chair has announced the person's time is up.
- C. Enforcement Protocol. The goal of enforcement is restoring order, not punishment for failure to follow the rules and should be guided as follows.
1. The chair is bound to enforce the rules of audience decorum and public comment fairly and without regard to viewpoint of the speaker; that is, without regard to whether the person is for or against a particular matter coming before the body, and without regard to whether the chair agrees or disagrees with the speaker or likes or dislikes the speaker's message.
  2. When enforcing the rules, the chair should provide education before warnings, and warnings before curtailing a person's participation rights, unless the circumstances clearly justify otherwise. The chair should consider calling a recess whenever doing so may help de-escalate a situation.
  3. Removal from the meeting.
    - a. The chair may eject a person from a meeting only if the person willfully disrupts the meeting and only as necessary to restore order.
    - b. A warning must be given before ejecting a person unless the person is engaging in behavior that constitutes use of force or a true threat of force.
    - c. The warning must inform the person that their behavior is disrupting the meeting and that the failure of the person to cease their behavior may result in their removal. A person who does not promptly cease their disruptive behavior may then be removed.
    - d. "Willfully disrupting a meeting" means conduct that actually disrupts a meeting when: (1) the person has knowledge of these rules or (2) engages in conduct with the purpose of disrupting the meeting or (3) has been warned by the chair not to engage in disruptive behavior.
    - e. "True threat of force" means a threat that has 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.
    - f. An ejection may be for part or all of the meeting and should be for only as long as necessary to restore order.
    - g. If order cannot be stored by ejecting disruptive individuals, the Chair may order the room cleared with the exception of news media who have not participated in the disturbance. Other persons who did not participate in the disturbance may be allowed to re-enter the room.

- D. Criticism not Prohibited. These rules do not prohibit public criticism of policies programs or services, or of the body, city employees, or the city.
- E. Presentation of Agenda Items. The procedure for considering agenda items other than quasi-adjudicative items is as follows:
  - 1. Staff – The staff presents its report. Members may ask questions of staff if they so desire but should refrain from discussing the substance of the matter at this point.
  - 2. Public Comments – Before acting on the merits of the issue being heard, the chair will inquire if any persons are present who desire to provide public comment regarding the matter.
  - 3. Consideration – The opportunity for public comment is closed and member discussion and consideration occurs. In this connection, there may be further questions of or comments by staff or consultants, or questions by the members of others as deemed necessary or appropriate without reopening the public input portion.
  - 4. Decision occurs via motion.
- F. Presentation of Quasi-Adjudicative Agenda Items. The procedure for considering agenda items for discretionary permits, entitlements, and other decisions requiring quasi-judicial decision making is as follows:
  - 1. Staff – The staff presents its report. Members may ask questions of staff if they so desire but should refrain from discussing the substance of the matter at this point.
  - 2. Project Applicants and Appellants (if applicable) – A project applicant, followed by a project appellant if any and different from the applicant, or other person or entity with a substantial, direct property interest in an agenda item, or any duly designated representative of such a person or entity, will have the opportunity to present their comments, testimony, or argument. Applicants and appellants are encouraged to be succinct in their presentations.
  - 3. Public Comments – Before acting on the merits of the issue being heard, the chair will inquire if any persons are present who desire to speak or to present evidence regarding the matter.
  - 4. Rebuttal – Following public comment, project applicant and project appellant (if any, and if different from the project applicant) will each be given an opportunity to provide rebuttal or clarification of any issues raised. The chair may determine the appropriate time limit for rebuttal. Applicants and appellants are encouraged to be succinct in their presentations.
  - 5. Consideration – Member discussion and consideration occurs after public comment and any rebuttal. In this connection, there may be further questions of or comments

by staff, or questions by the members of others (including Applicant or Appellant) as deemed necessary or appropriate without reopening the public comment portion.

6. Decision occurs via motion.
  7. The chair or secretary announces the final decision.
- G. Presentations Submitted in Writing – All persons interested in an agenda item may submit written evidence or remarks, as well as other graphic evidence (including paper copies of electronic presentations). Persons (including project applicants or appellants) who anticipate lengthy presentations are encouraged to submit comments in writing, in advance, to the secretary, for prior distribution to the members and other interested parties, whenever possible, by the Thursday morning preceding the Tuesday meeting at which the item will be considered, and if that is not possible, at the earliest feasible time before the meeting. In addition, submission of comments in writing is encouraged in lieu of possible lengthy oral presentations that may not be permitted. All such written material is a public record.
- H. Due Process – The chair will conduct the meeting in such a manner as to afford due process.
- I. Germane Comments – No person will be permitted during the hearing to speak about matters or present evidence that is not germane to the matter being considered. The chair determines whether a comment is relevant unless a member requests that the Council determine relevance.
- J. Continuance of Hearings – Any hearing may be continued or re-continued to any subsequent meeting by order or a notice of continuance.
- K. Communications and Petitions – Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the chair. Written communications will be read in full if requested by a member.
- L. Admissible Evidence – Hearings need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs.
- M. Waiver of Rules – Any of the foregoing rules may be waived by majority vote of the members present when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.
- N. Non Exclusive Rules – These rules are not exclusive and do not limit the inherent power and general legal authority of the body, or the chair, to govern the conduct of its meetings as it considers appropriate from for the orderly and effective conduct of business.

## **VI. VICE MAYOR**

### **A. Selection –**

1. The member holding the office of vice mayor rotates annually.
2. The Council will choose a vice mayor by a majority vote at the first regular meeting in December in non-election years, and at the meeting certifying the election of new councilmembers in election years.
3. In order to provide the maximum opportunity for each member to serve as vice mayor the Council should nominate the member with the longest contiguous tenure of more than one year on the Council without serving as vice mayor. If a tie, the tie-breaker is as follows:
  - a. Nominate the member who has served fewest times as vice mayor.
  - b. If there is a tie, nominate the member based on the alphabetical order of their last name; if there is still a tie, the tie-breaker should be based on the alphabetical order of their first name.

### **B. Mayoral Duties –**

In addition to facilitating Council meetings, the mayor determines the seating order on the City Council dais, and is the primary spokesperson for community events, meetings, and ceremonial events (such as ground-breakings or ribbon cuttings). The mayor may delegate this authority to the vice mayor, other member, or a staff member.

## **VII. COUNCIL MEMBER ADMINISTRATIVE SUPPORT**

### **A. Incoming Correspondence.**

1. Correspondence addressed to the Council, and correspondence addressed to the Mayor requiring a response from staff, are copied to all councilmembers.
2. Correspondence addressed to an individual councilmember will not be copied to the other councilmembers.
3. The group Council email address shall also include the city clerk to ensure that the communication is retained for the record and so the city clerk may coordinate a response if one is deemed necessary.
4. All correspondence, including email, addressed to the City Council will be retained by the City in accordance with its retention schedule.

### **B. Outgoing Correspondence.**

1. All Councilmember correspondence using city resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full Council not an individual councilmember position.
  2. Staff responses to correspondence addressed to Council will be copied to the full Council and city clerk along with the original community correspondence.
- C. Personal Correspondence - Councilmembers should use only personal stationery for communications reflecting their personal positions. These communications will be prepared and sent at the expense of individual Councilmembers.
- D. Master Calendar - A master calendar of City Council events, functions or meetings will be provided to the full City Council. Functions, events or meetings to be attended by individual councilmembers will not be included on the master calendar.
- E. Requests for Research or Information - Councilmembers may request information or research from the city manager or department heads on a given topic directly when it is anticipated that the request can be completed by staff in less than an hour. Councilmember requests for research or information that is anticipated to take staff more than one hour to complete should be directed to the city manager. Requests for new information or policy direction can be brought to the full Council at a regular meeting for consideration under "Matters of Council Interest". All written products will be copied to the full City Council.
- F. Council Notification of Significant Incidents - In conjunction with the City Manager's Office, the Police Department and the Fire Department will coordinate the notification to City Council of major crime, fire or other incidents.
- G. Reimbursements - Consistent with AB 1234, reimbursement of councilmember expenses shall conform to City Council Resolution No. 9749 and any authorized amendments thereto.
- H. Compensation - The City Council will be compensated in accordance with Ordinance 896 or any future updates.

### **VIII. INTERGOVERNMENTAL ASSIGNMENTS**

- A. The Council will review intergovernmental assignments at least annually.
- B. The mayor may make temporary intergovernmental assignments with the consent of the person assigned whenever there is a vacancy in both the primary and any alternate seat.

### **IX. CITY ADVISORY BODY APPOINTMENTS**

Appointment and re-appointment to a city advisory body should be based on such criteria as expertise, ability to work well with staff and the public, commitment to fulfilling official duties, effectiveness as a representative of the City Council and city government, and commitment, fidelity and adherence to city values, policies, priorities and expectations as expressed by the City

Council, including the Code of Ethics and Conduct for Elected and Appointed Officials. To facilitate the appointment and approval process for city advisory bodies, the following procedures will be used:

- A. Whenever a membership vacancy occurs or will soon occur, the city clerk will post a notice of the vacancy notifying the public of the vacancy.
- B. All persons interested in being considered for service on the body must file with the city clerk an application indicating an interest in serving.
- C. In order to expedite the process should a vacancy occur within one year of interviews, staff is authorized to contact applicants who were not selected to see if she/he is still interested in serving.
- D. The names of those applicants interested in being appointed will be brought directly to Council at a meeting for consideration to be interviewed or for alternative direction.
- E. The whole Council will interview the selected applicants..
- F. The Council will consider whether or not to appoint one or more or none of the applicants to an available seat. The Council will discuss the candidates and deliberate on potential appointments as the body determines.
  1. Discussion and deliberation may be predicated on a nomination process in which the mayor calls for nominations for a seat or seats and each member may offer nominations for each seat. A nomination requires a second. Discussion and deliberation regarding the nominees then follows.
  2. Discussion and deliberation may include members informally ranking their preference for some, all, or none of the applicants (or nominees if a nomination process is used) for a particular seat with appointment predicated on collective consensus. A consensus to appoint is memorialized by motion approving the appointment(s).
  3. Appointments will be presumed made to align to the appointment periods in BCC Section 2-166 for the particular city advisory body and appointment cycle in BCC Section 2-162(d), unless the Council determines otherwise.
- G. After the Council concludes consideration of the applicants, if fewer than the minimum number of seats for a body as expressed in BCC Section 2-166 are filled, the city clerk will repost a notice of vacancy or take such other action as the Council directs. The Council may also direct the clerk to repost if fewer than the maximum number of seats are filled.
- H. City advisory body appointees are at will and serve at the pleasure of the City Council. The Council may remove an appointee from office by declaring the appointed office vacant at any time without cause during an open session of a meeting held in accordance with the requirements of the Brown Act.

- I. Any councilmember including the mayor may place on an agenda the question whether to declare vacant an appointed city advisory body seat, and thereby remove the current holder of the seat, by following the protocol for “Matters of Council Interest”. A copy of the published agenda and any report should be provided to the holder of the seat at the earliest opportunity in a reasonable manner intended to provide notice of the agenda item and meeting information.

**X. COUNCIL VACANCY**

Whenever a vacancy occurs in the office of a councilmember or the mayor, the Council will fill the vacancy by appointment or special election in accordance with the procedures set forth in Government Code section 36512 and 34902.

**XI. FAILURE TO OBSERVE PROTOCOLS**

These protocols are adopted to expedite the transaction of the business of city legislative bodies in an orderly fashion and are procedural only and the failure to strictly observe such rules does not affect the jurisdiction of the City Council or a city advisory body or invalidate action taken at a meeting that is otherwise held in conformity with law.



## Appendix A

Council Agenda Item 11  
Matter of Council  
Interest/Clarification

**Meeting Date:**

**Councilmember(s):**

**Item Title:**

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**Description of Issue/Request:**

(Briefly describe what the issue is about and what you are asking from the City Council, providing as much background information as possible so that the rest of Council has a general idea what the request is about. This will assist staff in ascertaining its future involvement as well.)

**Ex:** I am requesting the Council consider a resolution supporting legislation regarding (fill in the blank), or, I would like the Council to consider an ordinance (fill in the blank).

**Approximately how much staff involvement will this item take?**

(Describe types of tasks you think staff will need to undertake to report back to Council with more information, or to implement whatever process/procedure you are proposing. Be realistic!)

**Financial Implications?**

(You may need to take a guess at this, or it may be “not applicable” or “negligible”.)

**How time sensitive is this issue?**

(How does this idea match the goals of the General Plan or Vision Statement?)

**General Plan/Vision Statement.**

**Attachments**

A.