



CITY OF REEDLEY

CITY COUNCIL PROTOCOLS

The following is a single source reference document of the Reedley City Council Protocols. The protocols included in this reference document were formally adopted by the City Council on October 13, 2020 via Resolution No. 2020-078. All previously adopted Resolutions and approved documents, including Resolution No.s 2015-004, 2018-091, Invocation Policy, Document Submittal Policy, are rescinded and replaced with Resolution No. 2020-078.

This document will be updated and modified on an ongoing basis, as the City Council deems appropriate

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I. COUNCIL CODE OF ETHICS AND CONDUCT

The Reedley City Council establishes this Code of Ethics and Conduct to assure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of Reedley's City government.

ETHICS

The citizens and businesses of Reedley are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials:

- Comply with both the letter and spirit of laws and policies affecting the operation of government;
- Are independent, impartial, and fair in their judgment and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless authorized or required by law to be confidential, in an atmosphere of respect and civility.

Therefore, members of the City Council and Boards and Commissions of the City shall conduct themselves in accordance with the following ethical standards:

- 1. Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Reedley and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them.
- 2. Comply with the spirit and letter of the law and City policy.** Members shall comply with the laws of the nation, the State of California, and the City of Reedley in the performance of their public duties.
- 3. Conduct of Members.** The professional and personal conduct of members while exercising their office must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards, Committees, and Commissions, the staff and public.
- 4. Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council.

5. **Conduct at Public Meetings.** Members shall prepare themselves for public meetings; listen courteously and attentively to all public discussions before the body; and focus on the business at hand.
6. **Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. When making adjudicative decisions (those decisions where the member is called upon to determine and apply facts particular to an individual case), members shall maintain an open mind until the conclusion of the hearing on the matter and shall base their decisions on the facts presented at the hearing and the law.
7. **Communication.** For adjudicative matters pending before the body, members shall refrain from receiving information outside of an open public meeting or the agenda materials, except on advice of the City Attorney. Members shall publicly disclose substantive information that is relevant to a matter under consideration by the body which they may have received from sources outside of the public decision-making process.
8. **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good and compliance with conflict of interest laws, members shall use their best efforts to refrain from creating an appearance of impropriety in their actions and decisions. Members shall not use their official positions to influence government decisions in which they have (a) a material financial interest, (b) an organizational responsibility or personal relationship which may give the appearance of a conflict of interest, or (c) a strong personal bias.

A member who has a potential conflict of interest regarding a particular decision shall disclose the matter to the City Attorney and reasonably cooperate with the City Attorney to analyze the potential conflict. If advised by the City Attorney to seek advice from the Fair Political Practices Commission (FPPC) or other appropriate State agency, a member shall not participate in a decision unless and until he or she has requested and received advice allowing the member to participate.

9. **Gifts and Favors.** Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgement or action or give the appearance of being compromised.
10. **Confidential Information.** Members must maintain the confidentiality of all written materials and verbal information provided to members which is confidential or privileged. Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other interests.
11. **Use of Public Resources.** Members shall not use public resources which are not available to the public in general (e.g., City staff time, equipment, supplies or facilities) for private gain or for personal purposes not otherwise authorized by law.

- 12. Representation of Private Interests.** In keeping up with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any Board, Committee, Commission or proceeding of the City, nor shall members of Boards, Committees and Commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
- 13. Advocacy.** Members shall represent the official policies or positions of the City Council, Board, Committee or Commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Reedley, and shall not allow the inference that they do represent the City. Councilmembers and Board, Committee and Commission members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention or display endorsements during Council meetings, or Board, Committee and Commission meetings, or other official City meetings.
- 14. Policy Role of Members.** Members shall respect and adhere to the council-manager structure of Reedley City government as outlined in the Reedley City Code. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by City staff, Boards, Committees and Commissions, and the public. Except as provided by the City Code, members shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions. They shall not give orders or instructions to any subordinates of the City Manager. The City Manager shall take instructions and direction from the City Council only when sitting in a duly convened meeting of the City Council, and no individual Council Member shall give orders or instructions to the City Manager. This provision is not amendable by Resolution, as it is codified in law, Reedley Municipal Code, Section 1-6-8-1 (Ordinance 612, adopted 6-19-1979)
- 15. Independence of Boards, Committees and Commissions.** Because of the value of the independent advice of Boards, Committees and Commissions to the public decision-making process, members of the Council shall refrain from using their position to unduly influence the deliberations or outcomes of Board, Committee and Commission proceedings.
- 16. Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.
- 17. Council-Manager Form of Government.** Reedley has adopted the City Council-Manager form of Government, and the Council-Manager relations are governed by Reedley Municipal Code Section 1-6-8-1. The Council appoints the City Manager to implement Council approved policy, enforce its approved resolutions and ordinances, and direct the daily operations of city government, and to prepare and monitor the city budget. Council members

must work through the City Manager in dealing with City staff. The City Manager is responsible to the City Council as a body and not to individual Council members.

18. City Council-City Attorney Relationship. The City Council appoints the City Attorney to be the legal advisor for the Council, City Manager, and City departments. The general legal responsibilities of the City Attorney are to: (1) provide legal assistance necessary for the formulation and implementation of Council approved policies and projects; (2) represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and other proceedings; (3) prepare and/or review ordinances, resolutions, contracts, and other legal documents to insure they best reflect the purposes for which they are prepared; and (4) keep the City Council, and staff apprised of court rulings and legislation affecting the legal interest of the City. It is important to note that the City Attorney does not represent individual Council member, but the City Council as a whole; and like the City Manager, the City Attorney shall take instructions and direction from the City Council only when sitting in a duly convened meeting of the City Council, and no individual Council member shall give orders or instructions to the City Attorney.

(Adopted Resolution No. 2020-078)

- d.** The City Clerk shall compile and maintain a database (the “Congregations List”) of the religious congregations with an established presence in the City of Reedley.
- e.** The Congregations List shall also include the name and contact information of any chaplain who may serve the public safety departments.
- f.** No invitational speaker shall receive compensation for his or her service.
- g.** The Congregations List shall be updated, by reasonable efforts of the City Clerk, in November of each calendar year.

(Approved, December 2013)

V. DOCUMENT SUBMITTAL TO THE COUNCIL BY THE PUBLIC

Comments from the public and interested parties on City Council agenda items are welcome and encouraged. In order to provide proper consideration by the City Council, and written comments and documents submitted for City Council consideration pertaining to any item on a City Council meeting agenda must be first submitted to the City Clerk by close of business one (1) day prior to said Council meeting/hearing.

Nonetheless, the Presiding Officer shall retain discretion to accept additional documents at or prior to the time the Council Agenda item is to be heard by making known all rules when so requested. The City Clerk shall note on the Council Agenda and Public Hearing Notices, this requirement for submitting written comments and documents to Council in advance of a City Council meeting/hearing.

(Approved, December 2013)

VI. COUNCILMEMBER SUPPORT

1. **Correspondence** - All correspondence addressed to the Mayor or Council requiring a response from staff are copied to all Councilmembers with a note as to which staff person will be preparing a response for the Mayor's signature. Cards and other Councilmembers' mail marked "personal" will not be copied to the full Council.
2. **Mayor and Council Correspondence** - All Mayor and Councilmember correspondence written with City resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full Council, not individual Councilmembers' positions. All Councilmember correspondence using City resources will be copied to the full Council. For example, responses to letters will be copied to the full Council along with the original correspondence.
 - a. **Personal Correspondence** - City Councilmembers may be provided individual stationery and envelopes, if requested, for use for communications reflecting their personal positions on City matters, not the positions of the full Council. City staff shall not be used to draft personal correspondence of a Mayor or Councilmember, even when related to City matters. City stationery shall not be used for any matters that are purely personal in nature and not related to City affairs.
 - b. **Holiday Cards or other Celebratory Stationery** – City resources shall not be used for holiday cards or stationery for other celebrations.
 - c. **Use of City logo, seal, letterhead** – Other than on provided personal stationery, the use of the City logo, seal, and letterhead may only be used by an individual Council member when authorized by a vote of the majority of the City Council.
3. **Administrative Support** - The City Manager's Office will coordinate the preparation of correspondence, Proclamations, and Commendations requested by individual Councilmembers during the Council reports and comments section of the Council meeting. It is the policy of the Council that all Proclamations and Commendations will be prepared for either the signatures of the full Council or the Mayor on behalf of the City Council, at the discretion of the Mayor, or Mayor Pro-Tem in the absence of the Mayor.
4. **Office Space** - It is the policy determination of the City Council that Councilmembers shall not have individual office space at City facilities. If needed on an ad-hoc basis, the City Manager shall arrange to have the City Hall conference room or other appropriate space available for Councilmembers to hold meetings with constituents.
5. **Computer Access** – Councilmembers will not be issued a City computer or laptop, but may request to temporarily reserve and use one of the City's "floating" laptops for the purpose of conducting City business. This temporary use should be limited in duration, and should not exceed 30 days in duration, per occurrence.

6. **Council Activities Calendar** - A Council Activities Calendar of Council events, functions or meetings will be provided to the full Council on a regular basis.
7. **Requests for Research or Information** - A Councilmember may request directly from Department Heads answers to routine questions or information on a given topic when it will require little or no research, but the Councilmember must also advise the City Manager of this request. All other Councilmember requests for research or information should be directed first to the City Manager. Requests for information or research that are anticipated to take staff more than two hours to complete will be brought to the full Council at a regular meeting for consideration and approval. All written documents produced as a result of these information or research requests will be copied to the full Council.
8. **Tickets to City Events** - Tickets for each Councilmember will be made available for City events. Departments hosting City events will coordinate the distribution of tickets to Councilmembers with the City Manager's Office. The availability of tickets for events hosted by other organizations which the City sponsors will be at the discretion of the organizing agency. When the City is a major sponsor of an event, staff will endeavor to include the availability of tickets in the sponsorship agreement or contract.
9. **Badges** – Councilmembers may be issued an engraved name tag, if desired, to use while representing the City at events and functions. However, Councilmembers shall not be issued badges in any shape or form that resemble law enforcement, so as to avoid any incidents that could lead to allegations of and/or prosecution for impersonating a law enforcement official, or even the appearance of impropriety in this regard.

(Adopted Resolution No. 2020-078)

VII. CITY OF REEDLEY EXPENSE REIMBURSEMENT AND TRAVEL/CONFERENCE POLICY FOR LEGISLATIVE OFFICIALS

This Policy is adopted pursuant to the provisions of Government Code sections 53232.2 and 53233.3 and is applicable to members of the City Council as well as appointed members of City legislative bodies, including members of the Planning Commission and other volunteer members of boards, commissions, and committees.

The Council finds and determines that it is important for its legislative officials to remain informed and trained in issues affecting the affairs of the City and that attendance at institutes, hearings, meetings, conferences, or other gatherings is of value to the City and its citizens. The benefits include:

- a. The opportunity to discuss the community's concerns with state and federal officials;
- b. Participation in regional, state and national organizations whose activities affect the City;
- c. Attending educational seminars improve officials' skill and information levels; and
- d. Promoting public service and morale by recognizing such service.

This Policy is designed to promote these endeavors while protecting public resources and fostering public trust in the use of those resources.

Anticipated conferences, conventions and professional meetings shall generally be budgeted for in the current operating budget.

Further, it is the responsibility of the official undertaking the trip to make every effort to attend the entire conference and/or as many sessions as possible.

1. Authorized Expenses. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this Policy are met:

- a. Communicating with representatives of regional, state and national government on City adopted policy positions;
- b. Attending educational seminars designed to improve officials' skill and information levels
- c. Participating in regional, state and national organizations whose activities affect the City's interests;
- d. Attending City events;
- e. Implementing a City-approved strategy for attracting or retaining businesses to the

City, which will typically involve at least one staff member.

All other expenditures require prior approval by the City Council.

2. Expenses Not Eligible for Reimbursement. Examples of personal expenses that the City will not reimburse include, but are not limited to:

- a. The personal portion of any trip;
- b. Political or charitable contributions or events;
- c. Generally, family expenses, including partner's expenses, when accompanying official on agency-related business, as well as children, or pet-related expenses are not eligible for reimbursement; however there are, from time to time, meetings or social events where an official's spouse/guest is invited and expected to attend and participate. In those cases, costs associated with the spouse/guest attendance shall be paid for by the City.
- d. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf related expenses), or other cultural events;
- e. Alcohol/personal bar expenses;
- f. Non-mileage personal automobile expenses, including repairs, traffic and/or parking citations, insurance or gasoline; and
- g. Personal losses incurred while on City business.

Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred.

3. Cash Advance Policy. From time to time, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf. Such request for an advance should be submitted to the City Manager at least ten (10) working days prior to the need for the advance with the following information:

- a. The purpose of the expenditure(s);
- b. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
- c. The dates of the expenditure(s).

Any unused advance must be returned to the City within thirty (30) days of the official's return, along with an expense report and receipts documenting how the advance was used.

4. Credit Card Use Policy. The City may issue a credit card to some individual office holders to be used for selected City expenses and business meals. City office holders may use their City issued credit card for such purposes as airline tickets and hotel reservations by following the same procedures for cash advances. Receipts documenting expenses incurred on the City credit card and compliance with this Policy must be submitted within thirty (30) days of use. City credit cards may not be used for personal expenses, even if the official subsequently reimburses the City. The sole exception to this Policy is if trip arrangements are made as a convenience for spouse or family members, reimbursement to the City for any advanced expenses should be received by the City prior to the trip.

5. Expense Report Content and Submission Deadlines. All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the City. This form shall include the following advisory:

“All expenses reported on this form must comply with the City’s policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the City’s policies include loss of reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability.”

Expense reports must document that the expense in question met the requirements of this Policy. Officials must submit their expense reports within thirty (30) calendar days of an expense being incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation. Any expenses submitted after 30 days of being incurred will be required to be approved by a majority of the City Council at a regularly scheduled Council meeting. Expenses not approved by the majority of Council shall be borne by the official who incurred the expense.

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

6. Reports to City Council, Board or Commission. At the next regular City Council or Commission (or other legislative body) meeting, each official shall briefly report on meetings attended at City expense. The report may be oral or written. If multiple officials attended, a joint report may be made.

Quarterly, elected official and legislative official travel and credit card expense reports shall be provided to the City Council as a Receive, Review, and File item on the Council’s agenda.

7. Compliance with Laws; Violation. City officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act and other applicable laws. Use of public resources or falsifying expense reports in violation of this Policy may result in any or all of the following: (1) loss of reimbursement privileges, (2) a demand for restitution to the City, (3) reporting the expenses as income to the official for tax purposes, (4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and (5) prosecution for misuse of public resources.

- 8. Travel Authorization Process.** Conference and overnight travel by a Legislative official shall be pre-approved by having the item placed on the City Council Consent Calendar. If time does not permit pre-approval, then the Council shall be asked to ratify the approval at a subsequent Council meeting. Appointed officials of boards, commissions, and committees must be specifically authorized by the City Council to attend educational seminars or other meetings prior to the event in order to seek reimbursement.
- 9. Personal Vehicle Use.** Officials attending City business related meetings by automobile are encouraged to use a City vehicle, if available. Elected Officials using personal vehicles to attend City related conferences and meetings shall receive mileage reimbursement at the prevailing Internal Revenue Service approved rate in effect at the time. Under no circumstances may an official use a City fuel card to purchase fuel for their personal vehicle, even for City business/travel.
- 10. Memberships.** The City Council shall decide which groups to join as an entity, such as the League of California Cities, through City Council action including the budget process. Individual memberships in groups shall be the personal expense of those individuals unless otherwise approved in advance by the City Council.
- 11. Reporting of Expenditures.** If the City reimburses an Elected or Appointed Official for attending a “meeting” as defined under the Brown Act, the Official shall provide a brief written or oral report regarding the “meeting” at the next regular meeting of the Council or applicable commission, board, or committee to which the Official belongs. For other educational seminars or events for which expenses were reimbursed by the City, the Official may provide a brief written or oral report at the next regularly scheduled meeting of the Council or applicable commission, board of committee to which the Official belongs.

The Brown Act (California Government Code section 54952.2) defines a meeting as including “any congregation of majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.”

- 12. Paying for Conference Expenses.** All allowed expenses incurred will be paid using a City-issued credit card. Expenses shall include: registration and materials for the classes or conference attended, lodging, meals, incidentals including parking, baggage handling, taxi, etc. Itemized receipts for all expenses incurred are to be submitted upon return from the trip. If a receipt is lost or unavailable, a signed affidavit will be required for missing documentation. Petty cash reimbursement may be made in circumstances where a credit card may not be accepted (i.e. parking meters, etc.).

13. Qualified Expenditures. It shall be the duty of each official who travels at City expense to do so in a practical and economical manner. **NO ALCOHOLIC BEVERAGES ARE TO BE CLAIMED OR WILL BE REIMBURSED BY THE CITY.** Qualified Expenditures shall be considered for the following:

Registration	Parking Fees
Lodging	Toll Bridges
Meals	Mileage where appropriate
Tips (not to exceed 20%)	Business phone calls
	Bus/Taxi/Transit & other ride share fares
	Home phone calls related to conference/ meeting activity (one phone call/day to residence except in family emergency)

14. Lodging. Lodging arrangements should be practical and economical. As a guide, lodging, as much as possible, should be similar to the currently published Federal Government (IRS) guidelines: Officials staying at a “Conference” hotel and receiving the discounted conference rate shall be allowed to exceed the State Guidelines but are not exempt from any other items in the travel policy. Whenever possible, lodging will be paid directly to the hotel by the City, either by City credit card or by City check. The use of a personal credit card to pay for lodging is only permissible if it is not feasible for the City to make the payment directly. A personal credit card should be provided to the hotel for personal expenses charged to the room.

A Transient Occupancy Tax waiver (California travel only) should always be requested at the hotel. If it is denied, a notation should be made on the waiver form, which then should be attached to the expense form.

Reimbursement of lodging is limited to the actual cost of a single room. When making arrangements for lodging, the government, group, conference or promotional rates shall be requested. The City will not reimburse the traveler for luxury upgrades (e.g. ocean views, suites, etc.) When lodging at a conference facility is full, lodging at a comparable hotel shall be acceptable.

15. Meals. There are certain occasions where it may be appropriate for an office holder to conduct a business lunch and to pay for the meal of a local, state, or federal official, or a community or business leader. Such meals will be reimbursable and the official may use a City issued credit card for such purposes. All meals shall fall within the guidelines set forth in this Policy for each person to be eligible for reimbursement.

Generally, reimbursement for meals taken in the course of conference, seminar, and such travel shall be made only when travel extends for a minimum of six (6) hours; however there may be an exception made for business meals as described in this section. Meals provided by common carriers (e.g. airline, train, bus) or included in registration fees or hotel rates (i.e., if a Traveler attends a conference where lunch is provided, no reimbursement will be provided for the lunch meal) are not eligible for reimbursements. A continental breakfast does not constitute a meal.

Travel meals are reimbursable/paid by the City for travel beginning/ending as shown on the below schedule:

<u>Meals</u>	<u>Departure on Initial Day of Travel</u>	<u>Return on Final Day of Travel</u>
Breakfast	Before 7:00 a.m.	After 10:00 a.m.
Lunch	Before 11:00 a.m.	After 2:00 p.m.
Dinner	Before 4:00 p.m.	After 7:00 p.m.

Expenses for meal reimbursements are subject to expense report content and submission requirements in Section 5 of this Policy, and both the itemized and total paid receipts must be submitted for all meals with the expense form.

- 16. Extended Personal Travel.** Travelers who combine personal travel with business travel must identify and pay for the personal segment of the trip. Reimbursement for car rental and airport parking must be prorated to allow reimbursement for only those costs associated with City business.
- 17. Public Records Requirement.** All documents related to reimbursable City travel expenditures are public records and subject to disclosure under the California Public Records Act (Government Code §6250-6270).
- 18. Exceptions.** The City Council, meeting as a body at a publicly noticed Council meeting, may approve exceptions to this policy on a case-by-case basis for special or unique circumstances.
- 19. Acknowledgement.** After being sworn in, Elected and Appointed Officials will be required to sign a statement formally acknowledging receipt and acceptance of this policy.

(Adopted Resolution No. 2018-091)