

**CITY OF NOVATO**

**CITY COUNCIL AND REDEVELOPMENT AGENCY POLICY MANUAL**

**SECTION 1: GENERAL INFORMATION**

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1.01 Purpose

1.02 Mission

1.03 Vision

1.04 Values

# CITY OF NOVATO

## CITY COUNCIL POLICY MANUAL

### 1.01 POLICY MANUAL PURPOSE

**City Council.** This policy manual sets forth policies and procedures by which the City Council, Boards, Commissions, Standing and Ad Hoc Committees, City Manager, City Attorney and City Clerk shall conduct City Council business and activities. In the event of any conflict between this policy and any existing ordinances, resolutions, agreements or contracts, the existing ordinances, resolutions, agreements or contracts shall prevail. This policy manual shall take precedence over adopted Administrative Policies that have not been approved through the meet and confer process. Throughout this policy manual, references to a specific gender shall mean either gender.

**(a) Amending and Updating the Policy Manual.** The City Council shall amend and update the Policy Manual on an as needed basis.

**(b) Amendments Requiring a Resolution.** The substantive policy amendments shall be adopted and incorporated by resolution.

**(c) Amendments Not Requiring a Resolution.** The City Clerk shall update the Table of Contents, information sections, or nouns or personal pronouns not changing the substantive matters, on an as needed basis. Amendments to the Table of Contents and information sections, or nouns or personal pronouns not changing the substantive matters, shall not require a resolution or action of the City Council and shall be considered an administrative act.

**(d) Enforcement of Council Policy Manual.** The City Council shall enforce the Council Policy Manual. In the event of a perceived or actual violation of the Manual, the Councilmember that observed the violation will contact the City Attorney's office to facilitate a discussion with the Councilmember/City Manager who has been perceived or actually violated the Manual.

**Other Agencies.** The Policy Manual shall also apply to all other agencies administered by the City such as the Novato Public Financing Authority, the Novato Finance Authority and the Successor Agency to the dissolved Novato Redevelopment Agency. The term "City" shall be considered interchangeable with these other agencies on which the Council acts as a legislative body. For purposes of this document, the terms City, City Council, and Board shall be considered interchangeable.

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**1.02 MISSION STATEMENT**

*Dedicated to quality services, financial strength and sustainability that enrich and support the quality of life for everyone within our community.*

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**1.03 VISION STATEMENT**

*Novato will be a vibrant, safe, inclusive and sustainable community with a welcoming atmosphere in which to live, work, shop, play, visit and thrive.*

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**1.04 VALUES STATEMENT**

**CORE VALUES**

(not in priority order)

*Equity and Fairness, Respect for All, Honesty, Integrity and Ethical Behavior, Open Government, Community Engagement, Excellent Customer Service and Work Ethics, Fiscal Responsibility, Cooperation and Collaboration and Stewardship of all our Resources.*

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**SECTION 2: ADMINISTRATIVE**

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- 2.01 Form of Government
- 2.02 City Manager
- 2.03 City Attorney
- 2.04 City Clerk
- 2.05 Press Relations
- 2.06 Use of City Personnel
- 2.07 Priority of Resources

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### 2.01 FORM OF GOVERNMENT

**General Law City.** The City of Novato is a General Law City of the State of California operating under the Council/Manager Plan. The Council/Manager Plan and the City Manager's Duties shall define how the City Council and City Manager interact and perform their respective duties and responsibilities.

**City Council.** The City Council has the following duties and responsibilities:

- (a) **Appointment of City Manager and City Attorney.** The City Council shall appoint the City Manager and the City Attorney.
- (b) **Establishment of Boards and Appointment of Members.** The City Council may establish Boards, Commissions, and Committees, and by majority vote make appointments of the members of all Boards, Commissions, and Committees.
- (c) **Annual Evaluation of Appointed Officials.** The City Council may annually review the City Manager and the City Attorney in accordance with their employment and/or retention agreements.

**City Council Policy Manual.** This Policy Manual shall provide the general guidelines on how the City Council, Boards, Commissions, Committees and Staff shall conduct City business.

**City Council Functions.** The City Council is the legislative body; its members are the community's decision makers. Power is centralized in the elected City Council collectively and not in individual members of the Council. The City Council approves the budget and the taxes, fees, and assessments to pay for public services. It focuses on the community's goals, major projects and such long-term considerations as community growth, General Plan and land use, development standards, capital improvements, financing, and strategic planning. The City Council supervises the City Manager's performance.

**Council/Manager Plan.** The City of Novato uses the Council/Manager Plan form of local government in which the City Council determines the policies and services of the community and the City Manager effectively and efficiently implements the policies and delivery of these services.

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#### 2.02 CITY MANAGER

**City Manager Functions.** The City Manager serves the City Council and community in administering the City's projects, programs, and public services. The Manager prepares a recommended budget for the Council's consideration; recruits, hires, and supervises the City's personnel, contractors, and consultants; serves as the Council's chief advisor; and implements the Council's policies, programs and services. The City Manager follows the direction of the entire City Council and not individual members of the Council or public and serves at the sole discretion of the Council.

**Appointment of City Manager.** The City Manager shall be appointed by majority vote of the City Council based on executive and administrative qualifications, experience, and knowledge of accepted practices with respect to City Manager duties. The City Manager shall be a resident of the State of California. No City Councilmember shall be appointed City Manager during their elected term nor within two years after the expiration of their elected term. The City Council shall enter into an employment agreement with the City Manager outlining compensation, benefits, and other terms and conditions of employment. To the extent said agreement conflicts with this policy, the agreement shall control.

**Acting City Manager.** The City Manager shall designate an Acting City Manager during absences. If the City Manager fails to do so, the City Council may designate a qualified City employee to be Acting City Manager who may conduct any duty of the City Manager upon the request of the City Manager.

**Attendance at Commission and Board Meetings.** The City Manager may attend any meeting of any commission or board created by the City Council upon their own volition or upon direction of the City Council. At any such meetings which the City Manager attends, they shall be heard by such commissions and boards as to all matters upon which they wish to address them.

**Authorization to Sign Documents.** The City Manager or Mayor pro tem may execute documents specified in California Government Code section 40602 when the Mayor is unable to do so, provided such documents have been approved by the City Council for execution by appropriate action.

**Administration of City Government.** The City Council shall deal with City administrative staff solely through the City Manager. Neither the City Council nor member(s) thereof shall give orders to or request information from any subordinates of the City Manager. Councilmembers shall request information from the City Manager or the City Clerk. The City Manager shall take their orders from the City Council only when sitting in a duly convened meeting of the Council. No individual Councilmember(s) shall give orders or instructions to the City Manager.

**Removal of City Manager.** The City Manager shall hold office at the pleasure of the City Council. The City Manager may be removed consistent with the applicable provisions of the Novato Municipal Code and the City Manager's employment agreement.



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#### 2.03 CITY ATTORNEY

**Appointment of the City Attorney.** The City Council shall appoint the City Attorney based on legal knowledge, administrative qualifications, experience and understanding of municipal government and applicable law. The City Attorney may be an individual or firm and may be an employee of the City or contractor of legal services. If a firm is selected, an individual shall be designated as the City Attorney and shall be the primary contact with the firm for all legal matters. The City Attorney, if a member of a firm, may designate other members of the firm to perform specific assignments. The City Council should enter into an employment agreement or a contract defining the scope of services and outlining the terms and conditions for total compensation.

**Extended Absence or Disability.** In the case of extended absence or disability of the City Attorney, the City Council may designate some duly qualified person to perform the duties of the City Attorney during the period of extended absence or disability. In the event that the City Attorney is a firm, the City Council shall designate an attorney from said firm. The City Attorney shall designate an Acting City Attorney during normal absences such as vacations, short term illness, attending conferences, etc.

**Duties and Responsibilities.** Subject to any contract entered into with the City Attorney to the contrary, the duties and responsibilities of the City Attorney include but are not limited: serving as the general legal counsel and advisor to the City Council and City Manager; representing the City in civil litigation or criminal actions initiated by or brought against the City and/or its officials, officers or employees; attending City meetings, conferences, and/or seminars that require legal counsel or as directed by the City Council; submitting oral or written legal opinions when requested by the City Council or City Manager; drafting or reviewing ordinances, resolutions, contracts, agreements, settlements, other legal documents and proposed legislation; and advising the City Council and City Manager on rules, regulations or opinions issued by the California Fair Political Practices Commission (FPPC) and conflicts of interest brought to their attention.

**Council and City Attorney Relationship.** The City Council and its members shall deal with all legal matters only through the City Attorney. The City Council and its members shall not give orders or direction to any subordinate of the City Attorney. Only the City Council may direct the City Attorney, but the City Council, City Manager, and the City Clerk may request legal opinions or research.

If a Councilmember has a simple legal question or City-related legal issue, not requiring more than one hour of research time, the Councilmember may contact the City Attorney directly and obtain the assistance they desire. Issues requiring more than one hour of legal work must be approved by a majority vote of the City Council at an appropriately noticed Council meeting.

**Removal.** Subject to any contract entered into with the City Attorney to the contrary, the City Attorney may only be removed by a majority vote of the City Council at an appropriately noticed Council meeting. The City Attorney or firm shall be given a written notice of at least thirty (30) days before the effective date of removal. The City Council, City Attorney, and if consented to by the City Council and City Attorney, the City Manager, shall first meet and attempt to negotiate a mutually agreeable resolution to their differences including resignation or retirement. Removal shall be in accordance with any employment agreement or contract.

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**2.04 CITY CLERK**

**Appointment of the City Clerk.** The City Clerk shall be appointed by the City Manager solely on the basis of knowledge, administrative qualifications, experience and understanding of municipal government and applicable law.

**Extended Absence or Disability.** In the case of extended absence or disability of the City Clerk, the Assistant City Clerk shall perform the duties of the City Clerk during the period.

**Duties and Responsibilities.** The City Clerk coordinates their work with the City Manager to assist with the general administration of the City and support the City Council. The general duties of the City Clerk include, but are not limited to, the following:

- (a) **City Clerk.** The City Clerk serves as Clerk to the City Council; attends Council meetings and records all official proceedings; supervises the preparation of Minutes and other documents; and directs the publication, filing, indexing, and safekeeping of all proceedings of the Council.
- (b) **City Clerk's Office.** The City Clerk plans, directs and reviews the activities and operations of the City Clerk's Office; coordinates assigned activities with other City departments and outside agencies; and provides responsible and complex administrative support to the City Council and City Manager.
- (c) **Agenda Preparation.** The City Clerk directs the preparation, organization, printing and distribution of the agenda for City Council meetings.
- (d) **Ordinances and Resolutions.** The City Clerk indexes, records, and certifies ordinances and resolutions.
- (e) **Municipal Code.** The City Clerk codifies ordinances and maintain the Municipal Code.
- (f) **Elections and Filing Officer.** The City Clerk supervises and coordinates City Elections and serves as the Filing Officer for required Fair Political Practices Commission forms and notices.
- (g) **Records Management.** The City Clerk plans and directs the maintenance, filing, disposition and preservation of official documents and develops and administers a comprehensive records management system.
- (h) **Oath of Office.** The City Clerk administers the Oath of Office to elected and appointed officials.

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#### 2.05 PRESS RELATIONS

**Councilmember Communications with the Press.** When speaking to the press, the Councilmember will clarify whether he/s he is speaking on behalf of the City Council or themselves. No member shall hold themselves out as representing or speaking on behalf of the Council on any matter unless, prior thereto, the Council, by a majority vote taken during a duly noticed Council meeting, has authorized said member to act and/or speak on behalf of the Council. If a Councilmember does not feel knowledgeable about an issue when questioned by the press, they may direct the member of the press to the City Manager.

**Social Media.** Councilmembers do not violate the Brown Act by posting on their social media accounts about matters within the City's subject matter jurisdiction, even if other Councilmembers can see the posts. However, Councilmembers may **not** interact (e.g., "like", or comment on) in any way with posts from another member about a matter within the City's subject matter jurisdiction.

**Confidential Issues.** Confidential issues, including legal matters, personnel matters, and anything which has been discussed in a closed session, shall not be disclosed to any member of the public, including the press. Violation of closed session confidences may be punishable by disciplinary action, injunctive relief, censure, and/or referral to the Marin County Civil Grand Jury pursuant to Government Code section 54963.

**City Manager Communication to City Council.** The City Manager shall keep the Council informed and provide, to the extent practicable, information to the Council on controversial issues.

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#### 2.06 USE OF CITY PERSONNEL

**Introduction.** The following rules and procedures are designed to help assure the clear direction and efficiency of City operations.

**Non-City Business.** Use of City Personnel for any personal use or business activity not related to City business is prohibited.

**City Manager Authorization.** The use of City personnel for outside activities related to City business, such as JPAs or community groups, shall be authorized only by the City Manager and/or the City Council at the City Manager's discretion. Councilmember must confer with the City Manager before volunteering City staff to such outside activities. The City Manager shall determine if it is necessary to present the request for staff use to the City Council at a Council Meeting. The City Manager shall keep the Council informed of all such requests and determinations regarding special use of City Staff.

**Individual Councilmember's Request.** Councilmembers may request for information orally or in writing to the City Manager and not directly to individual members of the staff. The use of City staff to respond to an individual Councilmember's request for any purpose that exceeds more than one hour of total staff time must be approved by a majority vote of the full City Council. The City Manager shall provide an estimate of the request's cost and its effect on Council's Goals and Projects. Requests will be considered by the City Council at the quarterly review of non-strategic planning priorities. Irrespective of the amount of staff time required to respond to each Councilmember's request, individual Councilmember's requests should be limited to three to five requests per week.

If a Councilmember has a question of staff about a Council meeting agenda item, the Councilmember shall request, whenever reasonably possible, information about that item from the City Manager, and shall do so before the Council meeting begins. It is good practice to copy the City Clerk on all such requests made via email message, so that they can track the request and assure it gets distributed as needed for a prompt response.

**Distribution of Information.** It is essential that every member of the City Council have the same information from which to form decisions and actions. Any information provided to one Councilmember either in writing and/or verbally to one Councilmember shall also be provided to all Councilmembers. Voluminous documents may be kept in a centralized location in the City Clerk's office and made available upon request.

**Interaction of City Council with Staff.** The City Councilmembers are to work through the City Manager on all issues, concerns, and questions.

#### 2.07 PRIORITY OF RESOURCES

**Strategic Planning.** The City Council shall utilize a Strategic Plan to establish the Mission, Vision, and Values of the City of Novato. The City Council will also periodically establish two-year Goals and

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Objectives via the Strategic Planning process in order to communicate the Council's focus, direction, and major priorities to City Staff and the community. While participation by members of the City's management staff in the Strategic Planning process shall be permitted, the ultimate determination of the City's Goals and Objectives shall be the City Council's sole responsibility. When making decisions, the City Council will endeavor to keep the current Strategic Planning Goals and Objectives as the primary focus of its activities.

**Priority of Resources.** To ensure the health and safety of the public, compliance with Federal, State and local laws, adherence with the adopted budget, goals and objectives of the Council's Strategic Plan, and provide for the orderly, effective and efficient management of the City and its resources, the City Council hereby establishes the following order of priorities for the commitment of City time and business:

- (a) **Legally Mandated Programs.** Perform all legally mandated programs, projects and services as are established by Federal, State or local law.
- (b) **Essential Public Safety Administration.** Provide essential services such as police, road repair, flood protection and building safety. Comply with all adopted rules, regulations, contracts or agreements. Provide for the necessary administration of these programs such as personnel administration, financial accountability and public records.
- (c) **Day-to-Day Operations.** Respond to basic day-to-day operation requirements such as answering phones, staffing counters, responding to correspondence and working with outside agencies. Process and respond to applications for permits and services.
- (d) **Strategic Plan and City Budget Goals and Objectives.** Carry out the goals and objectives of the City Council's Strategic Plan, as well as the general services, goals and objectives approved with the City budget.
- (e) **Special Services and Projects.** Respond to requests for service and projects by the City Council, individual Councilmembers, Boards and Commissions, outside agencies, internal staff requests and the general public.

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**SECTION 3: LEGISLATIVE**

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- 3.01 Open Meetings - Brown Act
- 3.02 Meeting Agendas
- 3.03 Conduct of Meetings
- 3.04 Adoption of Ordinances
- 3.05 Adoption of Resolutions
- 3.06 Preparation of City Council/RDA Meeting Minutes
- 3.07 Election of the Mayor and Duties
- 3.08 Election of the Mayor Pro Tem and Duties
- 3.09 Commissions, Boards and Committees Established by City Council
- 3.10 Council Standing and Ad Hoc Committees
- 3.11 Council Outside Organizations Appointments
- 3.12 Procedure for Filling Vacant Council Positions
- 3.13 Rules of Conduct for Councilmembers

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#### 3.01 OPEN MEETINGS - BROWN ACT

**Policy.** The City Council shall comply with the provisions of the Ralph M. Brown Act (California Government Code section 54950, et seq.)

**Procedure.** The following procedure shall be followed:

- (a) **Posting the Agenda.** By 5:00 p.m. on the Friday preceding a regular Tuesday City Council meeting, the City Clerk or their designee shall post an agenda on the official “City Community Services Bulletin Board” mounted on the exterior wall near the front entry of the City Administrative Offices. At or about the same time, the agenda shall also be posted on the City’s website and otherwise in accordance with law.
- (b) **Contents.** The agenda will include the following:
  - (i) **Time and Location.** The time and location of the meeting.
  - (ii) **Description of Agenda Items.** A description of each item of business to be transacted at the City Council meeting. The description should be reasonably calculated to adequately inform the public and should include the contemplated Council action.
  - (iii) **Public Comments Section.** A section providing an opportunity for members of the public to address the City Council.
  - (iv) **Affidavit of Posting.** Immediately after posting the agenda, the City Clerk will prepare and sign an affidavit of posting, declaring the date and place where the agenda was posted. These affidavits will be filed in the City Clerk’s office for public reference.

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#### 3.02 MEETING AGENDAS

**Background.** The Novato City Council normally meets on the second and fourth Tuesdays of the month, with exceptions as noted in the current effective Resolution. The planning, preparation, printing, and dissemination of the agendas for these meetings is an ongoing, interdependent activity. If problems and delays are to be avoided, all Councilmembers and departments must adhere to fundamental format and procedure requirements.

**Purpose.** The purpose of an agenda is to provide a framework within which an open, public meeting can be conducted in compliance with all legal requirements. An agenda should:

- Present items or proposals in a transparent and clear manner for Councilmembers and the public to consider matters on which action is required;
- Provide well organized and complete information on which Councilmembers can base their decisions;
- Facilitate the deliberations and actions of the Council and make it easier for them to conduct the business which has been brought before them;
- Provide guidelines which allow for efficient conduct of meetings; and
- Provide an appropriate means for public comment and inquiry of the City Council.

**Procedure.** The preparation of the agenda shall be the responsibility of the City Clerk, under the direction of the City Manager. The City Manager shall establish the process and format for compiling and distributing the agenda.

**Placing Items on the Council Agenda.** The following items shall be routinely scheduled by the City Clerk, with the approval of the City Manager, on a future agenda:

- Items which are the result of an application submitted to the City for a permit, license or discretionary approval;
- Items related to budget appropriations, budget amendments, and routine expenditure requests;
- Items directly related to the City Council's current Strategic Plan Goals and Objectives;
- Items which require immediate action by the City Council due to an emergency, the request of another governmental agency, or other matter which in the judgment of the City Manager or City Attorney would disadvantage the City if a delay were to occur; and
- Other routine, generally non-substantive matters determined by the City Clerk, City Manager or City Attorney to be appropriate for immediate consideration by the Council.



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#### 3.02 MEETING AGENDAS

All other requests for agenda items shall be considered in one of the following three ways:

##### 1. **Quarterly Meetings:**

Quarterly, the City Council will review upcoming agenda items proposed by staff and Council to provide feedback to staff and determine if and when an item will be considered by the City Council. As part of this quarterly Council agenda review, staff will prepare a list of upcoming agenda items by date, forecasting at least six months ahead, along with a list of TBD agenda items to be scheduled in the future without a specific date, that will be part of the agenda for the Council's review.

##### 2. **Regular Meetings:**

At the first business meeting of the month, a Councilmember has the right to request that no more than one agenda item be placed on the agenda for a future Council meeting; provided, however, that at the latest, six calendar days (Wednesday at 3:00 p.m.) before the date of the meeting at which the Councilmember intends to make such a request, that Councilmember has identified - in writing, timely delivered to the City Clerk and the City Manager - the item which they desire to place on a future agenda and when they wish the item to be agendaized. That written request shall not exceed one page, shall not be accompanied by supporting documents, and shall be made part of the first business meeting's agenda packet. The agenda for that meeting shall reflect the name(s) of each Councilmember requesting consideration of placing an item on a future agenda and the description of the proposed item. Failure to timely request, in writing, consideration of an item for placement on a future agenda pursuant to this Policy shall waive a Councilmember's right to request, during the first business meeting in question, that that item be placed on a future agenda. The request to place a proposed agenda item on a future agenda shall be addressed during the "Councilmember/City Manager Reports" section of the meeting. Three votes are needed to advance the item, which will be added to a future agenda at a time determined by a majority of the Council.

##### 3. **Proposed Legislation:**

A Councilmember may, at any time, submit to the City Clerk and City Manager a written request for the Council to take a position on proposed state legislation on which the League of California Cities ("League") has taken a position. That written request shall include a copy of the proposed legislation, the position of the League, and any available summaries. This item would be placed on the Consent Calendar for the following City Council meeting, along with a draft letter for the Mayor's signature to be sent to the author of the proposed legislation with copies to the League and the City's legislative representatives.

In the event the League has taken a position pertinent to a legislative proposal and requests an urgent response from the City prior to the date of the City Council's next regular meeting, the Mayor is authorized to author (with the assistance of City staff) and sign a letter on behalf of the City Council when said letter states a position identical to that advocated by the League. A copy of said letter shall be included in the agenda packet for the City Council meeting next following the date the letter is

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#### 3.02 MEETING AGENDAS

delivered to the League. In the event that the Mayor does not agree with the position advocated by the League and declines to sign such a letter, the City Manager shall request the Mayor Pro Tempore to sign the letter. If the Mayor Pro Tempore declines to sign the letter, the letter shall be placed on the agenda of the next regular City Council meeting for action by the City Council.

**Public Notification.** Councilmembers may notify members of the public to specific agenda items of interest but will not encourage members of the public to pressure the City Council to place items on the agenda or to conduct mass demonstrations at Council meetings.

**Agenda Review.** The Mayor, Mayor Pro Tempore, City Manager, City Attorney, and City Clerk intend to meet monthly to review the agenda schedule. City staff should continue to build and develop an annual calendar to inform agenda item planning.

The Mayor and Mayor Pro Tem will meet with the City Manager and City Clerk monthly to review the upcoming City Council meeting schedule and meeting agendas for at least 6 months and provide feedback. The Mayor and Mayor Pro Tem will strive to ensure that the proposed agenda items are scheduled to ensure an even distribution of items and the agenda items can be achieved within a reasonable timeframe to achieve the stated objective of no new items past 10:00 pm.

The City Manager and City Clerk shall distribute a draft of the upcoming Council meeting agenda to the Mayor and Mayor Pro Tem no later than 2 days prior to the posting of the agenda, for review and provide feedback on whether the agenda items seem achievable to adhere to the stated objective of no new items past 10:00pm.

**Request to Move an Agenda Item.** Councilmembers may request that one item be moved to a different agenda if they will be absent from a particular meeting, only when there is no time sensitivity for the item and no pressure being put on staff in making the request. The request to move an item may be made once in a fiscal year. If the City Manager does not grant the request, the Councilmember may submit a brief written communication to be read into the official record or use teleconferencing to participate remotely. If the request is not granted, the Councilmember may make an additional request during that fiscal year. Councilmembers may request special topic meetings, workshops, or study sessions as needed.

**Requests for Agenda Items from Members of the Public.** If a member of the public requests that an item be put on the agenda during Public Comment time, the Council will not respond to this request immediately at the Council meeting but may bring it up for consideration using the opportunity described above.

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### 3.03 CONDUCT OF MEETINGS

**Background.** This outline shall establish the procedures for the conduct of all meetings of the City Council of the City of Novato (herein the “Legislative Body”). The purpose of this outline is to provide that the City’s procedures comply with the Brown Act (Government Code Sections 54950, et seq.) and to establish procedures for public convenience and the orderly conduct of the City’s business.

**Time of Regular Meetings.** The City Council shall hold regular meetings in accordance with the currently effective Resolution establishing meeting times and dates for City Council meetings. Closed sessions may be a part of, precede, or follow the meeting as determined by the agenda.

**Adjournment, Continuance, Cancelling, or Scheduling.** The City Council may adjourn or continue regular meetings, schedule workshop meetings, or emergency meetings as determined to be needed by the City Council or the City Manager (with concurrence of the Presiding Officer and the Mayor Pro Tempore, or if either is not available, with one other Councilmember). The City Council may cancel one or more of its meetings. The City Manager (with the concurrence of the Presiding Officer and Mayor Pro Tempore or, if either is not available, with one other Councilmember) may cancel one or more scheduled Council meetings. A special meeting may be called at any time by the Presiding Officer or by a majority of the Councilmembers.

In the event a scheduled Council meeting is cancelled, the City Clerk shall: (i) provide written notice first to each City Council member before all others who have requested such meeting notices in writing (and which written requests are effective under California Government Code Section 54945.1), including the local press, advising them of the cancellation and notifying them of the next regular meeting date, time, and place; and (ii) post the notice on the City’s website, in the City Administrative Office’s bulletin board, and on or near the door of the Council meeting room before the time the cancelled meeting would otherwise have begun.

**Joint Meetings with Council-Appointed Boards & Commissions.** Joint meetings with Council-appointed Boards and Commissions shall occur when scheduled by the City Council as a part of its quarterly review of upcoming agendas and non-strategic planning priorities.

**Criteria for Matters Covered.** The Council shall consider ordinances, resolutions, motions, or matters which affect the City of Novato or its corporate powers or duties as a municipal corporation. The Council may consider ordinances, resolutions, or motions supporting or disapproving any legislation or action pending in or proposed to the Legislature of the State of California, the Congress of the United States or before any officer or agency of said State, public agency located within the State or nation when such proposed legislation or action, if adopted, will affect the City of Novato or its officers or employees as such. Communications on matters not meeting these criteria shall be provided to the Council on an information basis only. The Council shall not consider or discuss any matters external to the United States or take positions on matters not pertinent to the City of Novato.

**Criteria for Matters Covered; Loans.** As a matter of practice, the City Council does not consider ordinances, resolutions, motions, or other matters that would loan unrestricted and/or General Fund monies to outside agencies or outside entities. If the City Council desires to make a loan to an outside

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### 3.03 CONDUCT OF MEETINGS

agency or an outside entity, such a loan must: (1) first be reviewed with a recommendation by the Finance Advisory Commission and (2) be approved by a 4/5 vote of the entire City Council.

**Types of Meetings.** The different types of meetings below are governed by different requirements.

- (a) **Regular Meetings.** The City Council shall conduct its regular meetings at the time and place established by resolution.
- (b) **Special Meetings.** A special meeting may be called at any time by the Presiding Officer or by determination of the majority of the City Council.
  - (1) **Written Notice.** Written notice of any such meeting must be delivered personally or by any other means to all members of the City Council (unless waived in writing by that member) and to each local newspaper, radio station, television station, or other media which has previously requested such notice in writing in accordance with applicable provisions of the Government Code. The notice must in effect constitute the Agenda, stating the time, place and all business to be transacted or discussed unless waived. Such notice must be received at least twenty-four (24) hours before the time set for the special meeting. Said notice may be dispensed with as to any Councilmember who is actually present at the meeting at the time it convenes.
- (c) **Adjourned Meetings.** The City Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment.
  - (1) **Quorum.** If a quorum is not present, less than a quorum may so adjourn.
  - (2) **Adjournment by City Clerk.** If all members, or a quorum, are absent from any regular or adjourned regular meeting, the City Clerk may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be delivered, personally, to each Councilmember at least three (3) hours before the adjourned meeting.
  - (3) **Posting Notice of Adjournment.** A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held, within twenty-four (24) hours after the time of adjournment. When a regular or adjourned regular meeting is adjourned as provided herein, the resulting adjourned regular meeting shall be a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.
- (d) **Closed Sessions.** Part or all of a regular or special meeting, or one which has been adjourned, may be closed to the public in accordance with applicable provisions of the Government Code. Notice is required, even if no action is taken. The Council may meet in Closed Session at locations other than the City Council Chambers. The Legislative Body in a closed session can consider only matters covered in its agenda description.

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Closed Sessions are by definition confidential. The welfare of the City rests on the seclusion and confidentiality of discussing matters properly subject to Closed Session discussion, including legal and personnel matters and negotiations to develop strategies and actions in connection therewith which are in the best interests of the City. The premature disclosure of information from a Closed Session could cause severe and costly harm to the City. Any employee willfully breaching the confidentiality of a Closed Session will be subject to disciplinary action. Any elected or appointed official willfully disclosing confidential information disclosed during a Closed Session in violation of the Brown Act shall be subject to the remedies specified in the Brown Act and to public censure by the City Council.

- (e) **Special Emergency Meetings.** A special emergency meeting may be called by the Presiding Officer or by a majority of the City Council where there exists:
- (1) **Emergency Situation.** A work stoppage, crippling disaster or other activity which severely impairs public health or safety. The special meeting provisions apply to emergency meetings, except for the 24-hour notice.
  - (2) **Special Authority.** Such other circumstances specified by State law authorizing the conduct of an emergency meeting.

**Agenda Requirement for Action Taken.** No action shall be taken by the City Council on any item not appearing on a posted agenda, subject only to the exceptions listed below and as otherwise permitted by law. "Action taken", as used herein, shall mean a collective decision made by a majority of the members of the City Council, a collective commitment or promise by a majority of the members of the City Council to make a positive or a negative decision, or an actual vote by a majority of the members of the City Council upon a motion, proposal, resolution, order or ordinance.

- (a) **Non-Agenda Matters Raised During Public Comments.** With regard to matters not on the agenda, the members of the City Council may briefly respond to or ask questions of persons who raise such matters during the Public Comment period or otherwise, and the Presiding Officer should handle such matters as provided herein, but such questions should be limited to informational purposes and the City Council should avoid discussions of the merits or giving directions regarding such subjects except as provided below.
- (b) **Exceptions to Agenda Requirement for Action Taken.** The City Council may take action at a meeting on an item not appearing on the agenda for that meeting only under one of the following circumstances:
- (1) **Emergency Situation.** Upon a determination by a majority of the Council that an "emergency situation", as that term is defined by State law, exists.
  - (2) **"Need to Take Action" Arises Subsequent to the Agenda Posting.**

Upon a determination by a four-fifths (4/5) vote of the City Council, or by a unanimous vote of members present if less than four-fifths (4/5) of the Council is present, that the need to take action came to the attention of the City subsequent to the agenda posting.

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For purposes of this subsection, the term “need to take action” shall mean those circumstances whose occurrence creates a situation which requires the immediate attention of the City Council. Should such a need come to the attention of a Councilmember, they should send an email message to the City Manager, copying the Assistant City Manager and City Clerk, outlining the request and the justification for adding the item to the agenda on an urgency basis.

**Documentation of “Need to Take Action.”** If the City Council makes a determination pursuant to this subsection (b.), the minutes of the meeting at which the determination is made shall reflect what circumstances gave rise to the “need to take action” and why the item could be placed on the agenda.

- (3) **Item on Prior Agenda.** The item was properly posted for a prior meeting occurring no 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.
- (4) **Other Actions Permitted to Be Taken as to Non-Agendized Matters.** In addition to the addressing matters raised during public comment, Councilmembers, on their own initiative or in response to questions posed by the public, may take the following actions or make the following statements regarding non-agendized matters:
  - (1) Ask questions for clarification;
  - (2) Make a brief announcement;
  - (3) Make a brief report on their own activities;
  - (4) Provide a reference to staff or other resources for factual information;
  - (5) Request staff to report back to the Council at a subsequent meeting on any matter; and/or
  - (6) Take action to direct staff to place a matter on a future agenda.

**The Presiding Officer.** The meeting shall be presided over and chaired by the Presiding Officer (Mayor), or, in the Presiding Officer’s absence, the Mayor Pro-Tem. Except as modified by the rules set forth below, City Council meetings shall be governed by Rosenberg’s Rules of Order: Simple Rules of Parliamentary Procedure for the 21st Century (latest edition).

- (a) **Authority to Rule Out of Order.** The Presiding Officer shall have the authority to rule any speaker out of order, including speakers during the Public Comment period, if the subject raised is not within the subject matter jurisdiction of the City Council, or during a public hearing or general business item if the speaker is not presenting testimony or evidence relevant to the matter, or if the speaker becomes disruptive to the proceedings and conduct of the meeting. All persons giving comment shall speak directly to the City Council.

**Authority to Conduct Meeting In an Orderly Manner.** The Presiding Officer shall have the responsibility for the conduct of meetings in an orderly manner. To prevent the obstruction of business, and in carrying out this responsibility, the Presiding Officer shall have the authority to give the floor to any member of the City Council or public by recognizing them, to prevent the misuse of legitimate forms of motions or privileges, and to take matters up out of order.



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#### 3.03 CONDUCT OF MEETINGS

The Presiding Officer has the authority to order removal of any person disrupting the meeting. For purposes of this paragraph, “disrupting” means engaging in behavior during a meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following: (i) a failure to comply with this Policy Manual or other lawfully adopted rules, regulations, and/or policies regarding the conduct of meetings, or (ii) engaging in behavior that constitutes use of force or a true threat of force. Prior to removal, the Presiding Officer or designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. A warning is not required when the individual engages in behavior that constitutes use of force or a true threat of force.

- (b) **Motion to Appeal the Ruling.** Any determination made by the Presiding Officer may be appealed by the making of a Motion to Appeal the Ruling by any other member of the City Council. The Presiding Officer’s determination will stand unless a majority of the City Council votes in favor of the Motion to Appeal the Ruling, in which case the ruling of the Presiding Officer will be overridden. The Motion to Appeal the Ruling is debatable, and the Presiding Officer may participate in the debate and the vote on the motion. A vote upon a Motion to Appeal the Ruling is purely a procedural matter and shall not constitute “action taken” on any substantive question.

**Parliamentarian.** The City Attorney, as the City Council’s chief legal officer shall decide all questions of interpretations of these rules and any other questions of a parliamentary nature which may arise at a City Council meeting.

**Council Member Speaking Time.** The Presiding Officer shall give each Council member up to five (5) minutes to speak in each round of discussion during discussions on Council items where discussion takes place. The City Council shall be guided by the speaking times set by the Presiding Officer. When possible, the Presiding Officer shall indicate the plan for discussion, such as the number of rounds of comments anticipated to allow members to plan their comments. Councilmembers will share accountability for honoring speaking limits for questions, comments, and motions. The Presiding Officer shall enforce speaking time limits and endeavor to treat all members equitably. The Clerk will activate speaker timers for each individual speaker.

Not all members have to speak on every item or in every round and can state “I agree with my colleagues.” Members are not obligated to speak or use allocated time. Members will strive to be decisive and indicate when they are ready to entertain a motion using verbiage such as “Sounds like we are ready to move on” and “Can we proceed with a motion?”

**Motions.** The following procedures shall apply to making motions:

- (a) **Obtaining the Floor.** Any member of the City Council wishing to speak, or any member of the public wishing to address the City Council, must first obtain the floor by being recognized by the Presiding Officer. The Presiding Officer must recognize any member of the City Council

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### 3.03 CONDUCT OF MEETINGS

who seeks the floor when appropriately entitled to address the City Council.

- (b) **Making a Motion.** Any member of the City Council, including the Presiding Officer, may bring a matter of business properly before the City Council by making a motion. Any member, including the Presiding Officer, except the member making the motion, may second a motion. Once a motion is seconded, it shall be re-stated by the Presiding Officer and opened for discussion and debate.
  
- (c) **Motion to Call the Question.** After a full opportunity for debate, any member of the City Council may call for a vote by a Motion to Call the Question. To close off debate pursuant to a Motion to Call the Question, said motion must be seconded and passed by two thirds of the Councilmembers present.
  - (1) **Consensus of Opinion.** If it appears that there is a consensus of opinion among the Members of the City Council on the matter to be voted upon, the Presiding Officer may state the consensus of the City Council and ask if there is any objection. If there is no objection, the consensus as so stated shall become the order of the City Council.
  
  - (2) **No Consensus of Opinion.** If there does not appear to be a consensus of opinion among the Members of the City Council on a matter to be voted upon, a voice vote of the Councilmembers shall be taken.
  
  - (3) **Declaration of Result.** After every vote the Presiding Officer shall declare the result and on all but consensus votes, shall note, for the record, the number of votes for or against the question.
  
- (d) **Related Motions.** Once a Main Motion is properly brought before the City Council and seconded, related motions may be employed in addressing the Main Motion. There can be up to three motions on the floor at the same time.
  - (1) **Form and Precedence.** Related motions take precedence over the Main Motion and, if properly made and seconded, must be resolved before the Main Motion can be acted upon. If a Main Motion is pending, no related motion except as stated below, may be made and any such motion may be declared out of order by the Presiding Officer.
  
  - (2) **Categories of Related Motions.** Related motions fall into two categories: Subsidiary Motions and Motions of Privilege, Order, or Convenience. Despite the pendency of a Main Motion or a Subsidiary Motion thereto, any member of the City Council or the presiding Officer may make a Motion of Privilege, Order, or Convenience, which once made takes precedence.



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### 3.03 CONDUCT OF MEETINGS

**Public Comments Section.** Every agenda posted for any regular or special meeting shall contain a Public Comments section for the public to address the City Council on items on the agenda or on items of public interest within the City Council's subject matter jurisdiction. At every special meeting the agenda shall provide the public with an opportunity to address the Council on any item described in the notice and agenda before or during the Council's consideration of that item. The special meeting shall describe the public's right to so comment.

- (a) **Speaker Information and Time Limitations.** The speaker shall provide the City Clerk with a Public Speaker Card prior to speaking. Upon addressing the City Council, each speaker must first state their name, state their city of residence and, if it is Novato, whether they reside within city limits, and then identify the subject(s) upon which they intend to speak. A three-minute time limit is normal and may be enforced by the Presiding Officer, although 90 second to 2-minute time limits may be enforced at the Presiding Officer's discretion, particularly when there are multiple speakers. Due to the number of speakers on a topic, the Presiding Officer may reduce the amount of time each speaker has to speak if supported by a majority of the Council at the meeting. The Presiding Officer shall manage public comment to encourage speakers to focus, providing clear and specific direction to the audience regarding protocols and speaking parameters. The City Clerk will collaborate with the Presiding Officer to script guidance regarding speaking protocols.
- (b) **Response to Speaker's Comments.** At the close of the speaker's comments, the Presiding Officer or Council may ask staff to respond to the speaker's comments. Thereafter, the Presiding Officer shall make one of the following three determinations: (1) the subject(s) raised do not require investigation or response; (2) the subject(s) raised should be referred to staff for investigation and/or response; or (3) the subject(s) raised should be placed on the agenda of a future meeting for action by the City Council.

**Public Comment on Other Agenda Matters.** In addition to receiving comment from the public during the Public Comment period, the Presiding Officer shall have the discretion to recognize persons from the audience who wish to address the City Council on a particular agenda item, at the time that item is considered by the City Council.

**Public Hearings.** Matters which are required to be heard in a noticed public hearing shall be conducted by the Presiding Officer in such a manner as to afford due process.

- (a) **Time for Consideration.** Matters noticed to be heard by the City Council shall commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made.
- (b) **Continuance of Public Hearings.** Any hearing being held or noticed or ordered to be held by the City Council may, by order or notice of continuance, be continued or re-continued to any subsequent meeting in the manner provided for adjourned meetings.

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### 3.03 CONDUCT OF MEETINGS

- (c) **Opening the Public Hearing.** When a matter for public hearing comes before the City Council, the Presiding Officer shall open the public hearing. Upon opening the public hearing, the Presiding Officer may request staff to present the staff report and any other relevant evidence, but the presentation of the staff report prior to the formal opening of the public hearing shall not prevent its consideration as evidence. Any such evidence shall be made a part of the record of the public hearing.
- (d) **Public Testimony.** The Presiding Officer shall thereupon inquire if there are any persons present who desire to address the City Council on the hearing item.
- (1) **Recognition and Time Limitations.** Any person desiring to speak or present evidence shall provide the City Clerk with a Public Speaker Card and upon being recognized by the Presiding Officer may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Presiding Officer.
- i. Unless previously agreed by the City Council for a shorter or longer time, an applicant has 20 minutes in which to make their total presentation and all other speakers have three minutes. The applicant is usually allowed a brief rebuttal of no more than 10 minutes.
- ii. Unless previously agreed by the City Council an appellant has 20 minutes in which to make their total presentation. The developer, or person who has the vested interest, has 10 minutes and all other speakers have three minutes. The appellant is usually allowed a brief rebuttal of no more than 10 minutes.
- (2) **Content and Form of Public Testimony.** All persons interested in the matter being heard by the City Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by the City Clerk as part of the Clerk's record.
- (e) **Questions by the City Council.** Members of the City Council who wish to ask questions of the speakers, or each other, during the public hearing portion, may do so. Members should be mindful that the purpose of the public hearing is to obtain testimony during which members are encouraged not to debate the merits of the item under consideration. Members should avoid debate and expressions of personal opinion until after the close of the public hearing.
- (f) **Closing the Public Hearing.** Upon closing of the public hearing by the Presiding Officer, no additional public testimony shall be solicited or received by the City Council without reopening the public hearing. The Council may ask further questions of speakers, applicants or appellants during deliberation for clarity purposes only. To receive new testimony, the hearing must be reopened.

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### 3.03 CONDUCT OF MEETINGS

**Appeals; Continuances.** Unless otherwise specified in the City’s Municipal Code, in the context of an appeal, the City Council reserves the right to continue a hearing which has commenced to a subsequent meeting to receive additional public testimony or information from City Staff or any lawful reason.

#### **Reconsideration of a Council Action.**

**(a) Questions acted upon not the subject of a public hearing.** Provided that no intervening right will be prejudiced, a Councilmember who voted with the majority on a question that was not the subject of a public hearing may move the reconsideration of that question at the same meeting in which the decision which is the subject of the motion was made or at the next following meeting. A motion for reconsideration made at the next meeting must be agendized for that next following meeting in accordance with the Brown Act. After a motion for reconsideration is acted upon, no other similar motion to reconsider may be made without unanimous consent.

**(b) Questions acted upon the subject of a public hearing.** If the question acted upon was the subject of a public, noticed hearing, a motion for reconsideration may be made and shall be acted upon in the manner specified by law. If a procedure for reconsideration is not specified by law, the times for making the motion for reconsideration is as provided in subparagraph (1) above; provided, however, that (a) if applicable law requires a specified period of time for noticing the matter at issue and that notice period would preclude scheduling a motion for reconsideration for the next following meeting, then, a motion for reconsideration not made at the same meeting in which the decision which is the subject of the motion was made may be made at the first meeting thereafter for which the City provides said advance notice; and (b) if the motion is made at the same meeting in which the decision which is the subject of the motion was made, then said motion must be made prior to the Presiding Officer announcing the next item on the agenda after the making of said decision.

**(c) Effect of successful motion to reconsider.** Unless otherwise expressly specified as part of a successful motion for reconsideration, a successful motion for reconsideration causes the decision which is the subject of the motion to be vacated, set aside and of no effect.

**Personal Privilege.** The right of any Councilmember to address the Council on a question of personal privilege shall be limited to cases in which their integrity, character or motives are questioned, or to where the welfare of the Council is concerned. A Council member wishing to invoke a personal privilege must state the basis therefore and once doing so may interrupt another speaker if the Presiding Officer recognizes the “privilege.”

**Point of Order.** Generally, a point of order must be raised at the time the rules are broken or else it would be too late. For example, if a motion was made and discussion began on it, it would be too late to raise a point of order that the motion was not seconded.

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### 3.03 CONDUCT OF MEETINGS

**Meeting and Agenda Time Limits.** In the interest of conducting public hearings and other City Council business within reasonable hours, it is the policy of the Council that public meetings shall commence at 6:00 p.m. unless otherwise noted on the posted agenda and conclude no later than 10:00 p.m. Any agenda item opened prior to, but not concluded by 10:00 p.m. may be continued to the next succeeding meeting. No subsequent agenda item shall be considered after 10:00 p.m. without Council agreement to proceed. The Presiding Officer or other Councilmember may ask for a time check at any point during the meeting and call for discussion of whether to proceed or continue the remaining agenda item(s) to the next meeting.

**Teleconferencing.** AB 2449 (2021) amended the Brown Act to permit members of a legislative body to attend meetings remotely through audio and visual technology when there is (1) “just cause” or (2) “emergency circumstances.” In both cases, the member must give notice as soon as possible, along with a general description of the circumstances causing the need to appear remotely. No member may use these teleconferencing exceptions for more than 3 consecutive months or more than 20 percent of the City Council’s regular meetings.

1. **Just Cause.** “Just cause” is defined as (a) a family childcare or caregiving need; (b) a contagious illness; (c) a need related to a physical or mental disability that is not otherwise accommodated; or (d) travel while on official business of the City Council or other state or local agency. A councilmember may participate through teleconferencing after giving notice as soon as possible.
2. **Emergency Circumstances.** “Emergency circumstances” is defined as a physical or family medical emergency that prevents a member from attending in person. A councilmember may participate through teleconferencing after the Council approves the request by majority vote.

**Interpretation of Policy.** This policy shall be liberally construed to effectuate its purpose and no ordinances, resolutions, proceedings, or other actions of the City Council shall be invalidated or the legality thereof otherwise affected by any failure or omission of the City Council to comply with, observe, or follow the rules and procedures stated in this Policy Manual. In the event these rules and procedures are not followed for any particular action, the rules and procedures shall be deemed waived for purposes of that action only.

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## CITY COUNCIL POLICY MANUAL

### 3.04 ADOPTION OF ORDINANCES

**Definition.** Ordinances are legislative acts by the Council and are the most permanent and binding types of Council actions. All non-zoning ordinances are codified into the Novato Municipal Code.

**(a) Non-Urgency Ordinances.** Non-urgency ordinances require two readings, by title only, at separate Council meetings. An ordinance is introduced during first reading and given final approval at second reading. Except for urgency ordinances and ordinances relating to an election, taxes or street improvements, ordinances become law 30 days after second reading.

**(b) Urgency Ordinances.** Urgency ordinances may be adopted at first reading and become effective immediately, as long as they are approved by a 4/5ths vote of the Council.

**Introduction and First Reading.** With the exception of urgency ordinances, which may be introduced and adopted during first reading and become effective immediately, all proposed ordinances are placed on the Council agenda twice. This ensures that all interested parties are afforded the opportunity to give input prior to final adoption of such ordinances.

**Second Reading and Adoption.** After introduction, the ordinance will be placed on the next Council agenda on the Consent Calendar. When an ordinance has been so placed on the Consent Calendar, anyone wishing to speak on the proposed ordinance may do so during Public Comments.

**Effective Date and Publishing Requirement.** If adopted upon second reading, the ordinance shall be published by title in a newspaper of general circulation and become effective 30 days after final approval, except as to ordinances relating to elections, taxes or streets.

**Codification into the Novato Municipal Code.** Upon becoming law 30 days after the second reading, ordinances are eligible to be codified into the Municipal Code.

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**3.05 ADOPTION OF RESOLUTIONS**

**Definition.** Resolutions are legislative acts that are not codified and are filed in the Office of the City Clerk.

- (a) **Use of the Resolution.** Resolutions may be used in the following situations:
  - (1) **Council’s Policy Position.** The item states the Council’s policy position on issues or activities..
  - (2) **Formal Documentation.** The Council’s action on an item is being formally documented.
  
- (b) **Improper Use of Resolutions.** Resolutions may not be used in the following situations:
  - (1) **Amending or Repealing an Ordinance.** The matter under consideration by the Council amends or repeals an ordinance.
  - (2) **Imposition of Penalties.** The matter before the Council proposes to impose a penalty by fine, imprisonment or forfeiture on a citywide basis.
  - (3) **Statutory Authority Requiring an Ordinance.** The matter before Council is expressly required by statutes to be acted upon by ordinance.

**Vote.** Resolutions, orders for the payment of money, and ordinances require a recorded majority vote of at least three Councilmembers.

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**3.06 MEETING MINUTES**

**Introduction.** The minutes are the concern of the City Clerk until presented to the Council for approval; the Council may then, by motion, make such corrections as conform to facts.

- (a) **Form and Content.** The minutes should be a clear and concise statement of the Council actions, including the motions made and the vote thereon. Except as provided in paragraph (b), reasons for making a motion, Council debate, and audience reaction are usually irrelevant and may be included or omitted as the Clerk and/or Council may choose.
- (b) **Quasi-Judicial Proceeding.** Whenever the Council acts in a quasi-judicial proceeding such as reassessment, use permit, or other zoning matters, it is necessary to compile a summary of the testimony and Council findings in support of a motion so that the record will accurately reflect the proceedings.

**Standard Format.** The City Clerk will use a standardized format for minutes to ensure uniformity of minute entries and to save time in composing the record.

**Official Record.** The video recordings of the Council meeting proceedings and the written minutes shall be the official record of the meetings. The written minutes shall be retained by the City Clerk permanently. The video shall be maintained until such time as the City Council authorizes disposal.



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### CITY COUNCIL POLICY MANUAL

#### 3.07 ELECTION OF THE MAYOR AND DUTIES

**Election and Term of Office.** All five (5) members of the City Council are elected by-district to four (4) year terms. The Mayor is elected by the Council during reorganization in December for a one (1) year term. The Mayor can be changed at any time upon the vote of three (3) Councilmembers. The Mayor remains as one member of the City Council and has no rights or authority different from any other member of the Council, except as provided herein.

**Duties and Responsibilities of the Mayor.** The duties and responsibilities of the Mayor are as follows:

- (a) **Presiding Officer.** Acts as presiding officer at all City Council Meetings, assuring the meetings are conducted in an orderly, efficient, and impartial manner and in accordance with legal requirements. The Presiding Officer makes sure that all Councilmembers have the opportunity to speak and speaks or asks their own questions last. The Presiding Officer shall intervene when a Council member, staff or other meeting participant is being verbally or otherwise attacked by a member of the public.
- (b) **Ceremonial Head or Representative.** Acts as the ceremonial head or representative of the City at various civic affairs and recognizes other Councilmembers and staff at community events. If unable to attend a specific event at which Council representation is requested, coordinates with the Mayor Pro-Tem to cover.
- (c) **Spokesperson for the Council.** Acts as spokesperson for the Council when appropriate media or external organization requests are made and will represent the Council's official position. The Mayor does not take a policy position as Mayor, but acts as one of the five Councilmembers.
- (d) **Signatory Function.** Except as otherwise provided in the Municipal Code, acts as signatory to all documents requiring Council execution.
- (e) **Declarations and Proclamations.** Issues proclamations, makes declarations, and extends official recognition of groups or events.



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#### 3.08 ELECTION OF THE MAYOR PRO TEM AND DUTIES

**Election and Term of Office.** The Mayor Pro Tem is elected by the Council during reorganization in December for a one (1) year term. The Mayor Pro Tem can be changed at any time through the vote of three (3) Councilmembers.

**Duties and Responsibilities of the Mayor Pro Tem.** The duties and responsibilities of the Mayor Pro Tem are as follows:

- (a) **Presiding Officer in the Mayor's Absence.** In the Mayor's absence, acts as the Presiding Officer at City Council meetings assuring all meetings are conducted in an orderly, efficient and impartial manner, and in accordance with legal requirements. Carries out Presiding Officer duties as described in Section 3.07, paragraph (a).
- (b) **Ceremonial Head in the Mayor's Absence.** In the Mayor's absence, acts as the ceremonial head or representative of the City at various civic affairs.
- (c) **Spokesperson for the Council in the Mayor's Absence.** In the Mayor's absence, acts as spokesperson for the Council when appropriate media or external organization requests are made and will represent the Council's official position. The Mayor Pro Tem does not take a policy position as Mayor Pro Tem but acts as one of the five Councilmembers.
- (d) **Signatory Function in Mayor's Absence.** In the Mayor's absence, acts as signatory to all documents requiring Council execution, except as otherwise provided in the Municipal Code.
- (e) **Declarations and Proclamations.** In the Mayor's absence, issues proclamations, makes declarations and extends official recognition of groups or events.

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### 3.09 COMMISSIONS, BOARDS AND COMMITTEES

#### ESTABLISHED BY CITY COUNCIL

**Introduction.** The Council shall establish such commissions, boards, and committees as it deems appropriate to provide policy advice. Each commission, board, and committee shall be advisory only, unless otherwise specified in the ordinance or resolution establishing the commission, board, or committee. A specific ordinance or resolution shall be adopted for each commission, board, or committee stating its purpose, duties, residency requirements and number of members. Agendas and meeting minutes of commissions, boards, and committees (if any), shall be distributed to the City Council. Any single member of such commission, board and committee will serve as Chair only once in a three-year cycle.

**Application Process.** The City Council shall periodically consider appointments to its commissions, boards, and committees, as deemed necessary by the City Clerk's review of upcoming or current vacancies due to the expiring terms or the resignation of members. The City Clerk shall advertise for applications to fill vacancies on commissions, boards and committees as required by State law.

Interviews of all new applicants for vacancies shall be conducted by the City Council within 30 days following any application deadline, or as close to that date as is possible to schedule. Incumbents whose terms are expiring will also be scheduled for interviews, unless their position is uncontested, in which case the interview will be optional. Incumbents will be provided with a copy of their previously submitted applications in advance so that they may be updated as necessary.

A decision regarding appointment of the applicants and/or incumbents shall be made at the next regular City Council meeting following the completion of interviews. Communication of the City Council's decision regarding appointments shall be made by the City Clerk to each applicant within one week of this meeting.

**Appointment of Members.** Members of each commission, board, committee, or panel shall be appointed by the City Council as specified above. An individual may serve on no more than one commission, board, committee or panel at any one time.

**Removal of Members.** Commission, board, and committee members serve at the pleasure of the City Council. Unless otherwise provided by law or the document establishing the commission, board, or committee, the Council may, without cause and by a vote of three Councilmembers, remove any person(s) appointed to such body(ies) at any time at a special or regular meeting of the City Council.

**Staffing of Commissions, Boards and Committees.** All staffing, work plans, and budget issues concerning commissions, boards, and committees must be approved by the City Council. Staff, after consulting with the relevant Department Head and/or City Manager, will provide e-mail reports to the Council as soon as possible after meetings about any issues or concerns.

**Subcommittees.** The creation of any subcommittee of any commission, board, committee, or panel does not require preapproval by the City Council. The City Council shall receive notice of such subcommittee and all meetings must comply with the Brown Act.

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### CITY COUNCIL POLICY MANUAL

#### 3.09 COMMISSIONS, BOARDS AND COMMITTEES ESTABLISHED BY CITY COUNCIL

**Training.** All chairs, vice chairs, and new members of commissions, boards, and committees will receive annual training on the scope, purposes, and procedures of their groups.

**Rules of the City's Appointed Commissions, Boards and Committees.** All members of commissions, boards, and committees shall follow the Rules of the City's Appointed Commissions, Boards and Committees contained in Section 6.01.

**Attendance.** Members of each commission, board, and committee are expected to make every effort to attend all meetings and be present for the entire meeting. Members are allowed to miss no more than 25% of their meetings held in each twelve month period from the anniversary date of their appointment. The Staff Liaison of the commission, board, or committee shall notify the City Clerk in writing, who will provide a copy to members of the City Council, of any member that is in violation of this policy. The City Clerk will then send a letter to the member indicating their non-conformance to this policy stating that with an additional absence in that same twelve-month period, the member's position on the commission, board, or committee will be automatically vacated. If an additional absence occurs within that same twelve-month period, the position shall be automatically vacated. The City Clerk shall notify the member, City Council and commission, board, or committee of the vacancy.

**Work Plan.** All programs, projects, funding and staffing requests must be approved by the City Council. By March 1 each year, every commission, board or committee shall develop a work plan which contains their goals and objectives for the coming fiscal year. This work plan shall be transmitted to the City Council along with any requests for funding or additional staffing for programs or projects in the coming fiscal year.

**City Manager Report.** The City Manager will highlight the activities of commissions, boards, and committees in their City Manager Report.

**City Council Consideration.** The City Council is encouraged to honor items forwarded with the unanimous support of the applicable commission, board, or committee to the extent possible. Councilmembers shall recognize that referring an item back to the applicable commission, board, or committee requires the item to be re-agendize and takes the matter out of the City Council's consideration for an extended period of time. City Councilmembers shall value the support and training efforts of its commissions, boards, and committees.

## CITY OF NOVATO

### CITY COUNCIL POLICY MANUAL

#### 3.10 COUNCIL STANDING AND AD HOC COMMITTEES

**Establishment of Standing and Ad Hoc Committees.** The City Council may establish standing or ad hoc committees of the City Council for policy review of a specific area or a specific issue.

- (a) **Membership.** The committee shall be either one or two members of the Council. When two members are appointed, both members must agree on the meeting date.
- (b) **Responsibilities.** These committees shall have only those powers and address only those policy issues expressly assigned to them by the City Council.
- (c) **Staff Involvement.** The committees may request information from the City staff but shall not direct staff in the performance of their duties or in their recommendations to the City Council. All staff involvement with a committee shall be subject to the approval of the City Manager so as not to unduly interfere with day-to-day operations or priorities established by the Council. Councilmembers will receive a calendar of scheduled meetings of the standing and ad hoc committees.
- (d) **Staff Support.** The substantial use of staff for purposes not provided in the City Council's Strategic Plan must be approved by the City Council.

**Procedure for Making Appointments to Standing and Ad Hoc Committees.** The City Council shall review, annually, the list of all committees and make appointments to the committees. The Council should modify, delete, or add any appointments as appropriate. Ad hoc committees shall be appointed at the time of need and shall have a specific, limited program of work to perform and shall be automatically dissolved once the program of work is completed.

**Notice of Standing Committee Meetings.** At the time a standing committee is created the Council shall determine whether the committee's meetings may be attended by other, non-committee Councilmembers. If the Council determines all of said committee meetings may be attended by all Councilmembers, then said committee meetings shall be noticed as meetings of the entire Council. If the Council makes no such determination at the time a standing committee is created, members are appointed to it, or at any other time, it shall be left to the sole discretion of the committee members as to whether and under what circumstances the committee's meetings are noticed as a meeting of the Council as a whole. If a standing committee's meeting is not noticed as a meeting of the entire Council, no Councilmembers, except those appointed to the committee, may attend said meeting. In those cases where non-standing committee members of the Council attend the standing committee's meetings, the non-standing committee members may attend only as observers.

**Report of Standing Committees.** Standing Committees will report on the work of the committee at a monthly Council workshop or at such other meeting as determined at the discretion of the City Clerk. Whether or not there is agreement between the two members of a Standing Committee, the report to the City Council will reflect the position of both members.

## CITY OF NOVATO

### CITY COUNCIL POLICY MANUAL

#### 3.10 COUNCIL STANDING AND AD HOC COMMITTEES

**Report of Ad Hoc Committees.** Ad Hoc Committees will report on the work of the committee at a monthly Council Workshop or at such other meeting as determined at the discretion of the City Clerk. Whether or not there is agreement of the two members of an ad hoc committee, the report to the City Council will reflect the position of both members.

**Ad Hoc Committee Meetings.** No member of the City Council who is not a member of an ad-hoc City Council committee may attend a meeting of that ad-hoc committee.

**Annual Review of Standing and Ad Hoc Committees/Task Forces Necessity.** The City Council will review annually the relevance of City Council standing and ad hoc committees to the City Council's current Strategic Plan Goals and Objectives and will eliminate those which are determined by a majority of the Council to be no longer necessary.

## CITY OF NOVATO

### CITY COUNCIL POLICY MANUAL

#### 3.11 COUNCIL OUTSIDE ORGANIZATIONS APPOINTMENTS

**Outside Organizations and Internal Committees.** The City of Novato interacts with outside organizations, agencies and regional authorities such as Mayors and Councilmembers (MCCMC), the County of Marin and League of CA Cities. Each year, the Council makes appointments to outside organizations and internal committees where they have the power to do so. Those appointments to outside organizations should be shared as equally as possible among the Councilmembers who wish to participate. Appointments to those positions are made by the majority vote of the Council and can be changed at any time with a majority vote of the City Council. The City will provide support to ensure the representative has information and/or accommodations to serve. Alternates appointed by the Council to these outside organizations have the same authority as the primary appointee when the appointee is absent. Once a Councilmember has received approval of the City Council to serve an outside organization, separate approval is not needed to participate in a subcommittee of that organization. There are other appointments that are competed within the County, Region and/or State. Councilmembers are encouraged to compete for those positions and serve. Once appointed and/or selected to serve, the City of Novato supports their efforts since representation in these bodies provides the City with additional opportunities and information. The City will provide support to ensure the representative has information and/or accommodations to serve.

**Procedure for Appointment.** Annually or as vacancies occur, the City Clerk will provide a list of the various outside organizations and the designated City Council representative. The majority of the City Council should attempt to spread out the various appointments so that each Councilmember shares equally the responsibility to represent or conduct business for the City. The City Council should modify, delete or add any appointments as appropriate.

**Reporting Responsibilities of Appointees.** All City Council members representing the City at meetings of these outside organizations shall give an oral report not exceeding three minutes regarding action(s) taken at such organizations during a monthly Council workshop, or other publicly-noticed Council meeting as determined by the City Council; provided, however, that if the City reimburses a Councilmember their actual and necessary expenses incurred in such representation, they shall give a report on the meetings they attend at the expense of the City at the next regular meeting of the Council.

**Representational Responsibilities of Appointees.** Councilmembers appointed by the City Council to outside organizations represent the City's interest as determined by the majority of the City Council. The appointee shall represent that position until such time as a majority of the City Council changes or modifies its stance on that position. In the absence of City Council direction on a policy matter, the City's representative shall use their best judgment of the current position of Council or shall use their own discretion on whether to bring the matter back to the Council before participating in a vote. Councilmembers that do not responsibly represent the Council position may be removed from their appointment by a majority of Council.

**CITY OF NOVATO**

**CITY COUNCIL POLICY MANUAL**

**3.12 PROCEDURE FOR FILLING VACANT CITY COUNCIL  
POSITIONS**

**Procedure for Filling a Vacant Council Seat.** Under Government Code Section 36512(b), the City Council is required to fill a vacant seat by either appointing to fill the unexpired term of the former incumbent or by calling an election which must be set at the next regularly established election date (not less than 114 days from the Council's call of the election). The Council must make this decision within 60 days after a Councilmember's position becomes vacant.



## CITY OF NOVATO

### CITY COUNCIL POLICY MANUAL

#### 3.13 RULES OF CONDUCT FOR COUNCILMEMBERS

The following are the guidelines for the general conduct of City Councilmembers in the course of City business:

**Council Conduct and Relationship to Electors.** No member of the Council shall act in such a manner as to call into disrepute the public image of the City Council or which is discourteous to or results in the constant interruption of other members of the Council or members of the public. Councilmembers shall strive to communicate their views and actions clearly to other Councilmembers and to the public in a concise manner. Councilmembers serve as representatives of all of the people, not just the voters of their particular District. Councilmembers shall adhere to the Brown Act and conduct themselves accordingly whether in social and/or formal events.

Authority and responsibility for legislative enactments are vested in the Council. California follows the Council type of government where it is the function of the representatives to do that which in their best judgment is proper. California does not follow the “Town Meeting” type of government where the people legislate. Therefore, the Council has authority to limit debate on any subject and to act in good faith regardless of viewpoint. The purpose of public expression is to inform the public of what the Council is doing

- (a) The responsibility of making decisions is not easy nor without its problems, but it is the responsibility of Councilmembers to vote and decide issues, regardless of personal hesitation. There will always be segments of the population dissatisfied with any decision. The purpose of government is to balance legally, fairly, and without favor the limitations, restrictions, or losses that are to be placed upon the individual or several individuals against the good, the benefit, or welfare of or to a majority of the people.
- (b) The electors have delegated to the Council the right, the power, and the duty to act; the same electors have reserved to themselves the rights of: (1) Petition; (2) Election; (3) Recall; (4) Referendum; (5) Initiative; and (6) Taxpayers’ Suits. Both the Councilmembers and electors must accept the authority or powers given (or reserved) to them and exercise the same accordingly and in good faith.

**Councilmember Conduct and Relationship to Other Councilmembers.** Councilmembers are expected to practice and follow the City of Novato Core Values cited at the beginning of this document including equity and fairness, respect for all, honesty, integrity and ethical behavior, open government, community engagement, excellent customer service and work ethics, fiscal responsibility, cooperation and collaboration and stewardship of all our resources. It is fine for Councilmembers to disagree, but it is still important to be respectful. Councilmembers set the tone for the public and should be seen as working together towards the community’s common good. Councilmembers should treat each other with respect; be honest, openminded, and straightforward; focus on areas of agreement; be considerate of each other’s time; and avoid personal attacks.



# CITY OF NOVATO

## CITY COUNCIL POLICY MANUAL

### 3.13 RULES OF CONDUCT FOR COUNCILMEMBERS

#### **During Council Meetings Councilmembers should:**

- (a) Be succinct in articulating positions and mindful of the amount of time being taken.
- (b) Refrain from making additional comments after the vote is taken.
- (c) When deciding issues, keep the City's Strategic Plan in mind.
- (d) Strive to serve the City at large rather than special interest groups; do not function as an activist.

**City Councilmember Attendance at Commission, Board and Committee Meetings.** City Councilmembers are encouraged to periodically attend meetings of City Commissions, Boards, and Committees.

**Council Correspondence.** Council correspondence shall be handled in the following manner:

- (a) **General Correspondence.** Staff will not respond to junk mail, surveys not truly benefiting the City, letters or form letters stating positions, or mail-in campaigns. Councilmembers responding on their own behalf will use their personal stationery and/or email. City stationery may be used by Councilmembers for accepting invitations, thank you notes, or expressions of appreciation.
- (b) **Invitations.** With respect to correspondence that consists of invitations to events, the Mayor and Council may coordinate reservations or responses with the City Clerk.
- (c) **Correspondence to Individual Councilmembers.** Correspondence addressed to specific Councilmembers or the Mayor will be copied to all Councilmembers, excluding correspondence marked personal or confidential.
- (d) **Correspondence to District Representative.** When a Councilmember(s) receives correspondence from a member of the public regarding a matter pertinent to a particular voter district, the correspondence shall be copied to the Councilmember elected by that district.

**Press Releases.** All press releases pertaining to the City Council shall be issued on City letterhead on behalf of the entire City Council. No press releases pertaining to the City Council or City shall be released by individual members of the City Council without prior authorization from the City Council acting at a Council meeting. The City Manager is authorized to make press releases pertaining to City activities and events of public importance as they determine necessary and appropriate to keep the public informed. All press releases shall immediately be distributed to the City Council.

# CITY OF NOVATO

## CITY COUNCIL POLICY MANUAL

### 3.13 RULES OF CONDUCT FOR COUNCILMEMBERS

**Council Calendar.** The responsibility for managing the calendars of the City Council meetings shall be delegated to the City Clerk.

**Council Travel and Meeting Policy.** Reimbursement for all travel and meeting expenses incurred by City Councilmembers shall be in accordance with the City's currently adopted Travel and Reimbursement Policy, pursuant to AB 1234.

**Council Communication with Staff.** Councilmembers shall request research and analytical work only from the City Manager, City Clerk, or City Attorney. Requests which involve Council policy, expenditure of funds, research or analytical work, or use of more than one hour of total staff time shall be submitted to the full Council, in accordance with Section 2.09. To avoid misdirection of requests and inefficient use of staff time, Councilmembers shall submit their request to the City Manager, City Clerk, or City Attorney. In the absence of the City Manager, City Clerk, or City Attorney, requests should be made to the Acting City Manager. Regardless of whether a request for research, analytical work, or direction shall require more than one hour of total staff time, direction to the City Manager shall be given only by a majority of the City Council, acting at a Council meeting. If a Councilmember has a question of staff about a Council agenda item, the Councilmember will request, whenever possible, information before the City Council meeting from the City Manager by email if possible, with a copy to the City Clerk. The response will be returned by email with the identity of the Councilmember redacted.

**Information Requests Copied to All Councilmembers.** All requests for information by and responses to individual Councilmembers shall be copied to all Councilmembers so they all have the same information from which to form judgments or decisions. These responses will also be made available to the public.

**Public Presentations.** The City Council may designate the Mayor or other Councilmember to represent the City. The City Manager shall generally be responsible for meeting these public presentation requirements on behalf of the City. Individual Councilmembers may represent the City before groups or organizations which have specifically invited them.

**Labor Discussions.** Councilmembers may meet with and communicate with representatives of employee bargaining units ("units") or employees represented by said units except when an issue of the communication is the subject of (a) pending meet and confer between the City's labor representative and any of said units; (b) negotiations concerning an MOU which have formally commenced; (c) any demand by any unit to the City to meet and confer; and/or (d) any demand by any unit to the City to bargain or negotiate the terms and conditions of an MOU.

In any communication by a Councilmember with employees represented by a unit or with unit representatives not otherwise proscribed by this policy, the Councilmember shall not make any written or oral statement: (1) which constitutes a threat or reprisal or use of force; (2) which promises any benefit; (3) representing that they represent the view or consensus of a majority of the Council; and/or (4) representing that they can bind the Council to any particular position, policy or decision.

# CITY OF NOVATO

## CITY COUNCIL POLICY MANUAL

### 3.13 RULES OF CONDUCT FOR COUNCILMEMBERS

**Responding to Public Complaints and Inquiries.** City Councilmembers receiving complaints or requests for service concerning routine matters, such as a pothole or inoperative streetlight, shall refer the inquirer to the appropriate City department. Complaints received by a Councilmember concerning a request for service which the Councilmember knows or learns has already been referred to a City department, shall be referred by the City Councilmember to the City Manager for follow up by the City Manager. Complaints received by a Councilmember from a member of the public whose perception is that they have been treated poorly (e.g., rudely) by a City staff member shall be referred to the City Manager for their investigation and appropriate disposition.

When a Councilmember receives a complaint or inquiry from the public the response to which will likely involve a significant amount of staff work and/or a large financial cost, the Councilmember will inform the City Manager and City Attorney of the complaint or inquiry and will not make any promises to the inquirer regarding the likely disposition of the matter. The City Manager will investigate the complaint or inquiry and determine if it is appropriate for the City staff to respond to the request, and direct City staff to respond appropriately. The City Manager shall inform the entire City Council of the complaint, who presented it to the City Manager, and the action taken by the City staff in response to the complaint or inquiry. The City Manager will inform the City Attorney of inquiries which may involve a large financial cost.

**Conflict Resolution Process.** If there is a conflict/issue between two City Councilmembers or you notice that another Councilmember is not being accountable for what has been agreed upon, follow the conflict resolution process:

- Go to that other member quickly, face-to-face, to discuss the conflict/issue.
- If the person comes to a third member of the Council to discuss the conflict/issue, that third person will remind the first that they cannot discuss the conflict, and that the person with the conflict must go to the person with whom they have the conflict.
- If the two members cannot resolve the conflict, they will mutually agree upon a third party who will be a neutral facilitator, be willing to meet with the two parties to resolve the conflict, and keep the conflict/issue confidential.

If the conflict still cannot be resolved, the conflict will be brought to the attention of the City Manager.

**CITY OF NOVATO**  
**CITY COUNCIL POLICY MANUAL**

**SECTION 4: FINANCIAL**

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**4.01 ESTABLISHMENT OF CITY FINANCIAL POLICIES**

**Benefits.** Establishing financial policies has many benefits. One of the most important is that it can help officials view their present approach to financial management from an overall, long-range vantage point. In Novato, policies already exist in budgets, capital improvement plans, the General Plan, grant applications, Council resolutions, the annual financial report and administrative policies. When financial policies are scattered among documents, unwritten, or developed on a case-by-case basis, it is possible that decisions could be made without consideration of other current policy decisions, past policy decisions, or future policy alternatives. This kind of policy making can lead to conflicting, inconsistent, and incomplete policies.

**Financial Impact.** Implementation of the policies will have an effect on the way City funds are utilized. No dollar value can be placed on the long-term effects of the policies. Their implementation, however, will guide the way funds are planned for and used in the multi-years resource allocation plans. Decisions on how to specifically appropriate City funds will remain a function of the budget review and approval process.

**Policy Purpose.** The purpose of establishing financial policies are:

1. Preserving and enhancing fiscal strength and sound fiscal practices;
2. Providing a process to ensure that the fiscal aspects of policy issues are considered in the decision process;
3. Avoiding decisions which solve a current problem while creating a future financial difficulty;
4. Making clear the inter-relationship between various fiscal decisions;
5. Establishing the relationship between City goals and policies and their fiscal impacts; and
6. Having basic fiscal policies expressed in an integrated way by the City Council.

**Procedure. Financial policies for the City of Novato shall be set by one of the following procedures:**

1. The City Council may adopt resolutions or ordinances to set financial policies to ensure the financial strength and accountability of the City.
2. The City Manager shall develop Administrative Directives and general procedures for implementing the City Council's financial policies

All financial policies shall be printed in the annual budget document.

**CITY OF NOVATO**  
**CITY COUNCIL POLICY MANUAL**  
**SECTION 5: OPERATIONAL**

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- 5.01 Administrative Directives
- 5.02 Identification of Personnel
- 5.03 Security
- 5.04 Risk Management
- 5.05 Technology

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**5.01 ADMINISTRATIVE DIRECTIVES**

The City Manager is authorized to issue administrative directives which specifically outline or clarify policies, procedures, rules and activities of the City consistent with Council policies, resolutions and ordinances. The City Manager shall establish and keep current rules and procedures concerning the duties, activities, responsibilities, salary and benefits for all City personnel. Personnel Rules and Procedures shall be adopted by resolution.

## **CITY OF NOVATO**

### **CITY COUNCIL POLICY MANUAL**

#### **5.02 IDENTIFICATION OF PERSONNEL**

The City shall issue official identification cards for all employees of the City. The identification cards shall be kept current with the individual's department, position, photograph and other pertinent information for identification. An employee shall have this identification card in their possession during all work hours and shall use the card only for official purposes of identification in conjunction with City business.

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**CITY COUNCIL POLICY MANUAL**

**5.03 SECURITY**

All City facilities shall be secured in a manner sufficient to protect City facilities, equipment and documents from unauthorized access, vandalism or theft. Each official, appointee, and employee will be provided appropriate access related to their position and duties. The City Manager shall issue Administrative Directives regulating security issues.



## **CITY OF NOVATO**

### **CITY COUNCIL POLICY MANUAL**

#### **5.04 RISK MANAGEMENT**

The City shall develop and maintain a comprehensive Risk Management Program to reduce the City's liability as much as is practical. There are inherent risks and liability in operating a municipal corporation that cannot be fully avoided. Even with the most prudent efforts, the City will incur litigation. It is the policy of the City that the elected and appointed officials, officers and employees shall be defended, held harmless, and indemnified against any claim action, demand, or judgment action of any type or kind arising out of the course and scope of their duties with and for the City, consistent with applicable law.

## CITY OF NOVATO

### CITY COUNCIL POLICY MANUAL

#### 5.05 TECHNOLOGY

In order to maintain efficient and effective operations, the City may provide Councilmembers with appropriate technology and require its use. When using technology, Councilmembers shall maintain the confidentiality of such City information.

The use of City-issued technology services and/or hardware is for City business only.

Upon receipt of, or provision of access to, technology services and/or hardware, Councilmembers will sign an agreement for their use, as guided by City Administrative Policies.

During City Council meetings noticed and open to the public, the intent is that any electronic devices will be used to access the Council paperless agenda materials and other relevant information necessary for informed decision-making at the meeting. Examples of these uses are:

- Accessing City email account to review messages sent by staff in response to Council agenda item questions
- Visiting other local agencies' websites to view upcoming meeting agendas and materials
- Searching online maps, such as Google Maps, to view locations that are the subject of a Council action
- Accessing minutes of past meetings

Pursuant to the Ralph M. Brown Act, a Councilmember shall not, during a City Council meeting, use electronic devices, directly or through intermediaries, to communicate secretly with one another regarding City-related matters.

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**CITY COUNCIL POLICY MANUAL**

**SECTION 6: APPENDICES**

- 6.01 **CITY COUNCIL/REDEVELOPMENT AGENCY POLICY MANUAL - RESOLUTION 153-97**  
Resolution No. 153-97: Adopting a Policy Manual for the City Council of the City of Novato
- 6.02 **CONFLICT OF INTEREST - ORDINANCE NO. 1357**  
Ordinance No. 1357: Re-enacting Section 2-22.1 of the Conflict of Interest Code  
Requiring Designated Employees to File Statements of Economic Interest with the City of Novato
- 6.03 **BROWN ACT**  
Ralph M. Brown Act: Open and Public Meeting Law
- 6.04 **PERSONNEL RULES AND REGULATIONS -**  
Resolution 6-93 and Amendment - Resolution 85-93
- 6.05 **EMPLOYER-EMPLOYEE RELATIONS - Resolution 25-72**  
Resolution 25-72: Employer-Employee Relations
- 6.06 **CITY COUNCILMEMBERS SALARY AND BENEFITS**  
Ordinance 1130, Salary  
Resolution 42-96, Health Plan  
Ordinance 1293, Benefits Benefit  
Summary  
PERS Retirement Plan PERS  
Health Plan  
Resolution 58-94, PERS Survivor Benefits Canada  
Life Dental Summary  
Guarantee Mutual Life Insurance - Life, AD&D  
Deferred Compensation  
Flexible Benefits Plan (IRS 125)
- 6.07 **ROSTERS, DEPARTMENT FUNCTIONS & ORGANIZATIONAL CHART**
- 6.08 **FINANCE**
- 6.09 **INVESTMENT POLICY**

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**6.01 CITY COUNCIL/REDEVELOPMENT AGENCY POLICY MANUAL**

<b>RESOLUTION 153-97</b>	<b>(ADOPTED POLICY MANUAL)</b>
<b>RESOLUTION 38-98</b>	<b>(AMENDMENT)</b>
<b>RESOLUTION 16-99</b>	<b>(AMENDMENT)</b>
<b>RESOLUTION 21-99</b>	<b>(AMENDMENT)</b>
<b>RESOLUTION 22-99</b>	<b>(AMENDMENT)</b>
<b>RESOLUTION 54-00</b>	<b>(AMENDMENT)</b>
<b>RESOLUTION 136-00</b>	<b>(RESCIND 153-97, 38-98,16-99,21-99,22-99,54-00 and 136-00 AND REINSTATE ADOPTION OF POLICY MANUAL)</b>
<b>RESOLUTION 89-01</b>	<b>(AMENDMENT)</b>
<b>RESOLUTION 64-02</b>	<b>(AMENDMENT)</b>
<b>RESOLUTION 26-08</b>	<b>(RESCIND 136-00, 89-01 and 64-02 AND REINSTATE ADOPTION OF POLICY MANUAL)</b>
<b>RESOLUTION 42-10</b>	<b>(AMENDMENT TO DELETE SECTION 2.05)</b>
<b>RESOLUTION 44-12</b>	<b>(RESCIND 44-12 AND RE-ADOPT UPDATED POLICY MANUAL)</b>
<b>RESOLUTION 67-14</b>	<b>(RESCIND 26-08 AND RE-ADOPT UPDATED POLICY MANUAL)</b>
<b>RESOLUTION 38-15</b>	<b>(AMENDMENT TO SECTION 5.05)</b>
<b>RESOLUTION 2016-071</b>	<b>(AMENDING SECTIONS 3.02(f) AND (g))</b>
<b>RESOLUTION 2016-073</b>	<b>(AMENDING SECTION 3.02(f))</b>
<b>RESOLUTION 2018-013</b>	<b>(AMENDING SECTION 3.02)</b>
<b>RESOLUTION 2023-XXX</b>	<b>(POLICY MANUAL UPDATES)</b>
<b>RULES MANUAL FOR COMMISSIONS, COMMITTEES &amp; BOARD</b>	

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**6.02 CONFLICT OF INTEREST - ORDINANCE NO. 1463**

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**6.03 BROWN ACT**

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**6.04 PERSONNEL RULES AND REGULATIONS**

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**6.05 EMPLOYER-EMPLOYEE RELATIONS**



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**6.06 CITY COUNCILMEMBERS SALARY AND BENEFITS**

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**6.07 ROSTERS, DEPARTMENT FUNCTIONS & ORGANIZATIONAL CHART**

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**6.09 INVESTMENT POLICY**

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**RULES MANUAL COMMISSIONS, COMMITTEES & BOARDS**