

CITY OF AMERICAN CANYON

GOVERNANCE PROTOCOL HANDBOOK



**Adopted by the City Council
& the Fire District Board of Directors**

**CITY OF AMERICAN CANYON
CITY COUNCIL / FIRE DISTRICT BOARD
GOVERNANCE PROTOCOL HANDBOOK**

Table of Contents

Section	Page
I RESOLUTIONS _____	5
II CODE OF ETHICS AND CONDUCT FOR ELECTED OFFICIALS AND MEMBERS OF APPOINTED BOARDS, COMMISSIONS, AND COMMITTEES _____	7
STATEMENT OF COMMITMENT _____	11
III RULES OF ENGAGEMENT IN LABOR RELATIONS MATTERS _____	13
IV FISCAL AND BUDGETARY POLICIES _____	15
1. BASIS OF ACCOUNTING _____	15
2. OPERATING BUDGET _____	16
3. RESERVES / UNALLOCATED FUNDS _____	17
4. REVENUE MANAGEMENT _____	23
5. EXPENDITURE CONTROL _____	25
6. CITY CAPITAL IMPROVEMENT PROGRAM AND THE CAPITAL BUDGET _____	27
7. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING _____	29
8. INVESTMENTS AND CASH MANAGEMENT _____	31
9. ASSET MANAGEMENT _____	32
10. DEBT MANAGEMENT _____	33
11. INTERNAL CONTROLS _____	35
12. RISK MANAGEMENT _____	35
13. NEW CITY DEVELOPMENT PROJECTS _____	35
14. ROLE OF THE FINANCE COMMITTEE OF CITY COUNCIL _____	36
V RULES OF PROCEDURES FOR COUNCIL, BOARDS, COMMISSIONS AND STANDING COMMITTEE MEETINGS AND COUNCIL DECISION PROCESS _____	37
1. GENERAL PROCEDURE _____	37
2. POLICY DECISION MAKING PROCESSES _____	38
3. ADVISORY BOARDS AND COMMISSIONS _____	39
4. MEETINGS _____	39
5. ORDER OF BUSINESS _____	39
VI COUNCIL AGENDA PROCESS _____	71
VII COUNCIL MEMBER ADMINISTRATIVE SUPPORT _____	69
VIII MAYOR AND CITY COUNCIL CONFORMITY TO CITY COUNCIL ADOPTED PROTOCOLS _____	74

RESOLUTIONS

2007-106	May 3, 2007	Establishing Governance Protocols
2007-120	July 5, 2007	Revisions
2008-107	August 5, 2008	Revisions
2009-10	August 16, 2009	Revising 14.3.9 Meals (ACFPD)
2009-86	August 16, 2009	Revising 14.3.9 Meals
2009-14	October 6, 2009	Revising V(1) Meetings (ACFPD)
2009-15	October 6, 2009	Revising IV – Fiscal Policies (ACFPD)
2009-101	October 6, 2009	Revising IV – Fiscal Policies
2011-105	November 15, 2011	Revising V - Absences
2012-21	April 3, 2012	Revising II – Code of Ethics and Conduct and VI – Agenda Process
2013-35	May 7, 2013	Revising II – Code of Ethics and Conduct and V – Rules of Procedures for Council, Boards and Commissions
2013-94	December 2, 2013	Revising VII Council Member Administrative Support
2015-87	November 17, 2015	Revising IV - Fiscal and Budgetary Policies
2018-36	April 17, 2018	Revising V – Agenda Format Changes
2019-34	May 7, 2019	Revising IV – Fiscal and Budgetary Policies
2019-46	June 18, 2019	Revising IV – Fiscal and Budgetary Policies 5. Expenditure Control (Purchasing)

II CODE OF ETHICS AND CONDUCT FOR ELECTED OFFICIALS AND MEMBERS OF APPOINTED BOARDS, COMMISSIONS, AND COMMITTEES

Statement of Purpose

The City of American Canyon has adopted a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees. In order to facilitate fair, ethical, and accountable local government, the City of American Canyon has developed the following guidelines:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial, and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.
- public officials comply with all provisions of AB 1234 including attendance at ethics training within one year of being elected and every two years thereafter. The certificate of attendance must be filed with the City Clerk.

1. Act in the Public Interest

Stewardship of the public interest must always be principal duty of individuals representing the City. Members will work for the common good of the people of American Canyon and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the American Canyon City Council, boards, commissions, and committees.

2. Comply with the Law

Members will comply with the laws of the nation, the State of California, and the City of American Canyon in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members will refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of Council, boards, commissions, and committees, the staff, or public. As respected representatives of the community, Council

members shall conduct themselves in a personal and professional manner that reflects positively on the on the collective action of the City Council and the City as a whole.

4. Respect for Process

Members will perform their duties in accordance with the processes and rules of order established by the City Council and boards, commissions, and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff. The City Council acts as a collaborative decision-making body. Once the City Council, acting as a body, has reached a decision, individual Council members will respect and support the collective decision, regardless of their individual vote on the matter.

5. Conduct of Public Meetings

Members will prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members will base their decisions on the merits and substance of the matter at hand.

7. Communication

Members will publicly share substantive information that is relevant to a matter under consideration by the Council or boards, commissions, and committees which they may have received from sources outside the public decision-making process.

8. Conflict of Interest

In accordance with AB 1234, to assure their independence and impartiality on behalf of the common good, members will not use their official positions to influence government decisions in which they have a material financial interest or personal relationship which may give the appearance of a conflict of interest. In accordance with the law and FPPC requirements, members will disclose investments, interests in real property, sources of income, and gifts; and they will abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

Members will comply with the requirements of the Political Reform Act relating to the acceptance and reporting of gifts.

10. Confidential Information

Members will respect the confidentiality of information concerning City property, personnel, or proceedings of the City. They will neither disclose confidential information without proper legal authorization, nor use such information to advance their personal interests.

11. Use of Public Resources

Members will not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes. Members will not utilize the City's name or logo for the purpose of endorsing any political candidate or business.

12. Representation of Private Interests and Ex Parte Communications

In keeping with their role as stewards of the public interest, members of Council will not appear on behalf of the private interests of third parties before the Council or any board, commission, committee, or proceeding of the City, nor will members of boards, commissions, and committees appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

Also, members of the Council will use extreme caution before engaging in ex parte communications. The Brown Act allows the public contact with public officials; however, it does not permit discussions that allow a majority of a council to arrive at a "collective concurrence." That is, if before a meeting enough of the council agree to support or deny an item, for example a construction project, a violation of the law occurs. This occurs even if the members didn't know what the others had decided. The Brown Act mandates that all public business must be done in public.

Even if such discussions don't violate the Brown Act, such "ex parte contacts" may result in an unfair proceeding. In an ex parte contact, the proponent or opponent is allowed to present ideas or opinions to one or several officials that the rest of the public never hears, violating the Constitutional due process rights of the opposing point of view.

If a Council Member chooses to engage in ex parte communications, they must disclose this activity at the time the item is considered by the Council.

13. Advocacy

Members shall represent the official policies or positions of the City Council, board, commission, or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members will explicitly state they do not represent their body or the City of American Canyon, nor will they allow the inference that they do.

14. Policy Role of Members

Members will respect and adhere to the council-manager structure of American Canyon city government as outlined in the City Municipal Code Section 2.08 and others related of the Municipal Code with respect to the City Manager's relationship with the City Council. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, boards, commissions, and committees and City staff. As provided by the City ordinance, members will not interfere with the administrative functions of the City or the professional duties of City staff. Members will not impair the ability of staff to implement Council policy decisions. They will refrain from any direct interference in personnel matters or during labor negotiations, except through the City Manager and/or the duly appointed chief negotiator.

15. Independence of Boards, Commissions and Committees

Independent advice of boards, commissions, and committees during the public decision-making process is vital. Members of Council will refrain from using their position to unduly influence the deliberations or outcomes of board, commission, and committee proceedings.

16. Positive Work Place Environment

Members will support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members will recognize their special role in dealing with City employees and refrain from creating the perception of inappropriate direction to staff.

17. Staff Relations

City Councilmembers, board members, commission members and City Staff will treat each other with mutual respect. All concerns or complaints regarding staff should be directed to the City Manager. All work requests should be directed to the City Manager. Councilmembers should not attempt to coerce or influence staff in the appointment of new employees, awarding of contracts, selection of consultants, processing of development applications or granting of City licenses or permits. The Council should not attempt to

change or interfere with the operating policies and practices of any City department.

18. Implementation

The Code of Ethics and Conduct is intended to be self-enforcing. Members should be thoroughly familiar with the policies and abide by the provisions. Ethical standards will be included in the regular orientations for candidates for City Council, applicants to boards, commissions, and committees and newly elected and appointed officials.

Members entering office will sign a statement affirming they have read and understood the City of American Canyon Code of Ethics and Conduct. In addition, the Code of Ethics and Conduct shall be reviewed bi-annually by the City Council, boards, commissions, and committees, and the City Council shall consider all recommendations from boards, commissions, and committees and update it as necessary.

19. Compliance and Enforcement

The American Canyon Code of Ethics and Conduct outlines standards of ethical conduct expected for members of the American Canyon City Council, boards, commissions, and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards, commissions, and committees and the Mayor have the additional responsibility to intervene when members' actions appear to be in violation of the Code of Ethics and Conduct when brought to their attention. After consideration and consultation, the City Council may impose sanctions on members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, loss of seniority, or committee assignment. The City Council also may act to remove members of boards, commissions, and committees from office. Prior to the imposition of any sanctions to a member of the City Council, the City Council shall follow applicable due process procedures with respect to the affected member.

STATEMENT OF COMMITMENT

As a member of the American Canyon City Council or of an American Canyon board, commission, or committee, I agree to uphold the Code of Ethics and Conduct for elected and appointed officials adopted by the City Council and conduct myself by the following model of behavior. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, City staff, and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Treat all people with whom I come in contact in the way I wish to be treated;
- Before I speak or act I will ask myself the following four questions:
 1. Is it the truth?
 2. Is it fair to all concerned?
 3. Will it build goodwill and better friendships, partnerships and collaborations?
 4. Will it be beneficial to all concerned?

I affirm that I have read and that I understand, accept and support the City of American Canyon Code of Ethics and Conduct. I also commit to abiding by the provisions of AB 1234 including the ethics training requirement.

Name of Elected or Appointed Body:

Position:

Print Name:

Signature:

Date: _____

III RULES OF ENGAGEMENT IN LABOR RELATIONS MATTERS

Statement of Purpose

Labor negotiations are important to the City, the staff, and the community. The Ralph M. Brown Act provides the ability for the City Council to meet in closed session to discuss labor negotiations. Closed sessions are used to allow the City's labor negotiator and the City Council to have candid discussions about the process.

City Council members should not communicate directly with parties outside the established labor negotiation procedure. Doing so can result in the following:

- undermines the negotiator's or labor relations representative's authority;
- destroys any strategy for reaching compromise;
- causes the union to believe that one or more City Councilmembers speak for the City Council as a whole;
- forces the City to work/negotiate from a position of weakness;
- may waive the privacy privilege of closed session communication;
- results in win/lose negotiations instead of win/win;
- adversely impacts long term working relationships between management and labor;
- encourages the union to continuously go to the City Council rather than relying on the approved negotiations process;
- generally results in a more costly settlement; and
- demoralizes internal working relationships

American Canyon City Council Rules of Engagement Principles

Following are principles that the American Canyon City Council adhere to with respect to the City's labor relations:

- The American Canyon City Council gives their designated negotiator or City representative full authority to speak for the City Council. The City Council recognizes that negotiators are agents of the City Council and will speak for them in negotiations. The parameters for this authority are:
 - Negotiators should be allowed considerable flexibility to customize agreements within parameters established in closed session by the City Council.

- Council guidance, advice and direction will be limited to closed session discussions as they relate to the value of the total package, allowing for tradeoffs within established parameters, and other related factors.
 - Council will meet with the City's designated negotiator on a regular basis to receive information from negotiations and give ongoing direction to the negotiators.
 - Only the City Council can approve the final agreement; not the City negotiator.
- Inform the union representatives that only the negotiator speaks for the Council as a whole.
 - Include an express provision in the MOU that employees and their representatives cannot contact individual Councilmembers on issues within the scope of deliberations during negotiations. Likewise, non-authorized members of Council shall not make direct contact with employees and their labor representatives with respect to labor negotiations.

IV FISCAL AND BUDGETARY POLICIES

STATEMENT OF PURPOSE

The purpose of the Fiscal and Budgetary Policies is to identify and present an overview of policies dictated by state law, City ordinances, and administrative policies. The aim of these policies is to achieve long-term stability and a positive financial condition. These policies provide guidelines to the administration and finance staff in planning and directing the City and Fire District's day-to-day financial affairs and in developing financial recommendations to the City Council which also sits as the ex officio Board of Directors for the American Canyon Fire Protection District. These policies set forth the basic framework for the overall fiscal management of the City and Fire District. Operating independently of changing circumstances and conditions, these policies assist in the decision-making process. These policies provide guidelines for evaluating both current activities and proposals for future programs. In short, these policies are designed to achieve, year in and year out, a balanced budget for the City of American Canyon as defined within this policy document.

These policies represent long-standing principles, traditions and practices that will guide the City and Fire District and help maintain financial stability. An important aspect of the policies is the application of budget and fiscal policies in the context of a long-term financial approach. The scope of these policies span accounting, auditing, financial reporting, internal control, operating and capital budgeting, revenue management, cash and investment management, expenditure control, asset management, strategic plans and debt management.

The City Council, upon the recommendation of the Finance Committee, annually approves the Fiscal and Budgetary Policies, making recommendations regarding modifications to policies and for incorporating them into the budget process.

1. BASIS OF ACCOUNTING

Accounting in Accordance With GAAP

City and Fire District finances shall be accounted for in accordance with generally accepted accounting principles (GAAP) as established by the Governmental Accounting Standards Board, Financial Accounting Standards Board, and other authoritative sources.

Organization of Accounts

The accounts of the City / Fire District shall be organized and operated to provide fiscal accountability and compliance with all legal restrictions. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions.

- 1) **Governmental Fund Types.** Governmental funds are used to account for a government's general government activities. The five governmental funds are General, Special Revenue, Debt Service, Capital Project, and Permanent. The financial accounting model for these funds focuses on resources available for spending, using a modified accrual basis of accounting in which revenues are generally recognized when they can be measured and are available to pay the liabilities of the current period, which is about sixty days following the end of the fiscal year. Expenditures are recognized when the liability is incurred.
- 2) **Encumbrance Accounting.** The City and Fire District will utilize encumbrance accounting for its Governmental fund types, under which purchase orders (P.O.'s), contracts and other commitments such as contracted sewer and water capacity, are recorded in order to reserve that portion of the applicable appropriation.
- 3) **Proprietary Fund Types.** Two funds, Enterprise and Internal Service Funds, are classified as Proprietary fund types. They are used to account for business type activities (i.e., activities that receive a significant portion of their funding through user charges). The City uses Enterprise funds to account for its Water and Wastewater activities. Proprietary fund types are accounted for on a flow of economic resources measurement focus and use the full accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred. Enterprise funds receive their revenues primarily through user charges for service. The Internal Service fund is commonly used to account for activities like a motor pool, central stores, printing services, etc. that are provided on a cost reimbursable basis to other departments within the government. Currently, the City does not use internal service funds.

2. OPERATING BUDGET

Operating Budget

The operating budget is the City's annual financial operating plan. The budget process creates an opportunity for the City to dialogue with citizens regarding community goals and priorities and the level of services provided. It serves as a public document that can tout past accomplishments and promote communications between the citizens and the City Council. It should explain where the money to fund city operations comes from and where it goes. It can talk about major policy choices, tradeoffs, and recommendations. The City must carefully plan for its financial future to ensure that the inflow of resources will be adequate to meet its needs. The budget will help ensure adequate fiscal control in all funds.

Finance Committee Review

The City Manager and the Fire Chief will first review the Budget with the Finance Committee before submitting the annual budget to the full Council or Board of Directors. The Finance Committee shall be made up of the Mayor, Vice Mayor, Finance Director, City Manager, and when reviewing Fire Operations, the Fire Chief. Each Department Manager shall have an opportunity to meet with the Finance Committee prior to the budget being submitted to the City Council, to review Department goals, objectives, and budgetary priorities.

Budget Planning

Budgeting is an essential element of the financial planning, control, and evaluation process of municipal government. The budget planning process should look forward by a three to five year period recognizing that budgets are influenced by decisions made in prior year budgets and that decisions made in the current year budgets serve a precursor to future budget requirements. The City will recognize both short-term needs and objectives in relation to the long-term goals of the City. Accordingly the City will conduct an annual “mid-year” review that will cover various economic factors (i.e., State and National trends) influencing the budget as well as micro economic factors such as the impact of new development in the City. The mid-year review will establish goals and objectives for the coming fiscal year budget and make adjustments to the current year’s budget to reflect new conditions.

Fund Structure

An annual budget shall be prepared for the General, Debt Service, Special Revenue, Capital Projects, Enterprise and other funds as established by the City Council.

- 1) Basis of Budget. All operating budgets shall be adopted on a basis consistent with Generally Accepted Accounting Principles as promulgated by the Governmental Accounting Standards Board, Financial Accounting Standards Board, and other authoritative sources. A budget for depreciation is included in the Proprietary funds and Governmental funds to comply with GASB Statement No. 34.

Capital Projects funds are project length budgets. Revenues are included in the budget (normally through “transfers”) in the year they are expected to become measurable and available. Expenditures are included in the budget when they are measurable, a liability is incurred, and the liability will be liquidated with resources included in the budget. Once adopted, Capital Improvements budgets are encumbered into future years.

- 2) Legal Level of Control (LLC). This is the level which management, without prior City Council approval, loses the ability to reapply budgeted resources from one use to another and is known as the

budget's "legal level of control." At the Fund level, the LLC is the Chief Administrative Officer, as established by Ordinance, Resolution or Minute Order. Within a fund, the City has a number of levels of detail in the operating budgets – the fund, department, division, object and the line item within the fund.

- a) Example:
 - i) Fund – General Fund
 - ii) Department – Public Safety
 - iii) Division – Police
 - iv) Object – Salaries, Other Pay and Benefits
 - v) Line Item – Regular Salaries
 - b) In the above example, Department Managers may not exceed budget allocations at the Division level without Chief Administrative Officer approval.
 - c) Only the City Council may move resources from one fund to another.
- 3) Line Item. The City's automated financial system can accommodate a robust "Program Budget" format and the City will start moving in that direction.
- 4) Program Budget. As staff resources are available, the City will develop a program budget that represents the expenditure activity within a department by the program(s) each Department is responsible for executing. The plan is for each program budget section within a Department to list out the intended results of the program for the coming year and detail what the total cost of each program is in at least three areas:
- a. Area 1. Department Description. The Department description will include the City Council's approved Mission and Goals for the Department and a summary of total Department Cost.
 - b. Area 2. Will describe each program area of the Department.
 - (i) Each Program (i.e., Fire Suppression, Code Enforcement, City Clerk Imaging, etc.) will detail the program, number of personnel and its intended results, proposed changes if any from the previous year, and three to four key indicators of performance related to the program. Program area components will be listed as:

- (1) Labor
 - (a) Salary
 - (b) Benefits:
 - Retirement
 - Medical
 - Other
 - (c) Other

Total Labor

- (2) Operational and Maintenance (O&M)
 - (a) Energy
 - (b) Supplies
 - (c) Equipment

Total O&M

c. Area 3. Non-CIP Purchases

Identify Available Funds

The budget shall be sufficiently detailed to identify all available funds. The format will include estimated beginning fund balances, sources of funds, uses of funds, and estimated remaining funds at budget year end. Additionally, the format will provide two years of budget history. The Program Budget will also provide the estimated current year-end and the proposed budget.

Interfund Transfers

A summary showing the net budget totals will be shown, as well as gross budget totals, in order to prevent the “double counting” of revenues and expenditures. Net budget totals are derived by subtracting interfund transfers from the gross budget totals.

Periodic Reports

The City will maintain a budgetary control system to ensure adherence to the budget and will prepare periodic reports comparing actual revenues, expenditures and encumbrances with budgeted amounts.

Self Sufficient Enterprise Funds

Enterprise operations and Special Revenue Funds, including the Fire District, shall be totally self sufficient and will solely operate on revenues dedicated to the Funds mission.

Administrative Cost Reimbursement

The General Fund shall be reimbursed for administrative costs by all Enterprise, Special Revenue and other non-General Fund budgets. Documentation to support the transfer shall be presented to City Council during the budget process.

Appropriations Lapse

Annual Appropriations lapse at year end. Items purchased through the formal purchase order system or Capital Improvement Program may be carried over by the Finance Department into the next fiscal year. The Finance Director will be responsible for setting aside sufficient funds so as not to overstate available reserves/revenues to complete a purchase.

Preparation (Line Item or Program Budget)

The budget is to be prepared as provided by Ordinance or Resolution with the cooperation of all City Departments.

- 1) **Proposed Budget.** As provided by Ordinance or Resolution, the Chief Administrative Officer shall submit to the City Council or Board of Directors, a proposed budget at least 30 days prior to the end of the fiscal year that presents a complete financial plan for the ensuing year. Ideally the budget will be presented to the City Council or Board of Directors by May of each year. The budget is to be adopted prior to July 1 each year. In order to achieve this objective, the City Council / Board of Directors shall adopt a budget calendar. Members of the City Council and City Staff will modify their personal calendars to achieve the objectives of the adopted calendar.
 - a. Regardless of the budget format (Program or Line Item) the budget, at a minimum, shall include four basic segments for review and evaluation: (1) personnel costs, (2) base budget (same level of service) for operations and maintenance costs, (3) decision packages for capital and other (non-capital) project costs, and (4) revenues.
 - b. The budget review process shall include City Council / Board of Directors participation in the development of each of the four segments of the proposed budget.
 - c. The budget process will allow the opportunity for the City Council / Board of Directors to address policy and fiscal issues.
 - d. A copy of the proposed budget shall be filed with the City Clerk when it is submitted to the City Council.

- 2) **Modified Incremental Approach.** The operating budget for the prior year shall serve as the starting point for budget estimates adjusting for the San Francisco/Oakland Consumer Price Index and any contractual obligations that would increase or decrease the previous year's budget totals. Increases or decreases over the base budget shall be detailed in supporting documents on forms provided by the Finance Department. Detail supporting sheets shall be prepared for each

object series by the Department requesting modifications to the Incremental Budget, or as provided for by Ordinance or Resolution.

- 3) Adoption. Upon the presentation of a proposed budget document, the City Council / Board of Directors, shall call and publicize a public hearing. The City Council shall subsequently adopt by Resolution such budget, as it may have been amended, as the City's / Fire District's Annual Budget, effective for the fiscal year beginning July 1.

If the City Council / Board of Directors takes no action to adopt their respective budgets on or prior to July 1, twenty-five (25%) of the budget, as submitted per adopted Ordinance or Resolution, is deemed to have been adopted by either the City Council, and/or Board of Directors until such time as it is finally amended by the City Council and/or Board of Directors.

- 4) Budget Evaluation and Awards Program: The annual budget shall be submitted to the California Society of Municipal Financial Officers or Governmental Finance Officers Association for evaluation and consideration of a Budget Presentation Award.

Balanced Budget

The budget shall be balanced using a combination of current revenues and available funds. In principal, current year operating expenses shall be funded with current year generated revenues. A Proprietary Fund with outstanding revenue bonds shall not use debt proceeds to balance its operating budget. No budget shall be adopted unless the total of estimated revenues and available fund balance or resources is equal to or in excess of appropriations.

Reporting

Periodic financial reports shall be prepared to enable the Department Managers to manage their budgets and to enable monitoring and control of the budget. A quarterly to mid-year budget review shall be presented to City Council in sufficient detail to allow decision making.

Control

Operating Expenditure Control is addressed in Section 5 of these Policies.

Contingent Appropriation

As part of the budget, an adequate contingent appropriation of no less than 1% of the total expenditure appropriations in of the water, wastewater and City general operating funds will be established. This contingent appropriation, titled 'Unappropriated Contingency,' will be disbursed only by transfer to a departmental appropriation within that fund. Transfers from this contingency shall be authorized by the City Council. A contingent

appropriation will be established except when fiscal constraints do not allow such an appropriation, as authorized by the City Council.

3. RESERVES/UNALLOCATED FUNDS

Operating Reserves in Fund Balances

The City/Fire District shall use reserves, as appropriate, in each operating fund to pay expenditures caused by unforeseen emergencies or shortfalls caused by revenue declines, extraordinary opportunities to increase efficiency or add value and to eliminate any short-term borrowing for cash flow purposes. Unallocated reserves will be maintained as detailed below except when prior year revenues do not reach estimated projections or when the Governor declares a fiscal emergency.

City General Fund Reserve

Each July 1, City shall establish a General Fund Reserve in the amount of 25% of the final budget for the fiscal year just concluded. In the event this reserve requirement is not met, the reserve shall grow by a minimum of 3% of the total salary of the General Fund until it reaches 25% of the operating annual budget of the General Fund. The City General Fund Reserve shall only be used in the event the City experiences a 10% reduction in discretionary general fund revenue (Fund 100-Department 80-Division 810) compared to the prior Fiscal Year or in the event of a declared emergency as defined by Municipal Code 2.48.020.

Fire District General Fund Reserve

Beginning July 1, 2009, an initial Fire District General Fund reserve of 10% of fiscal year 2005 expenditures will be established. Thereafter, each July 1st, the reserve will grow by a minimum of 3% of the total salary of the Fire District General Fund until it reaches 20% of the Fire District's General Fund's annual operating budget. Unallocated reserves will not be used to support long-term, on-going operating expenditures unless they exceed the recommended reserve.

Capital Projects Reserve

Each July 1, City shall establish a Capital Projects Reserve in the amount of \$2 million. In the event this reserve requirement is not met, the reserve shall grow by a minimum of \$100,000 each year until it reaches \$2 million. The Capital Projects Reserve will only be used for capital projects consistent with the City's strategic goals. This reserve shall be assigned in the General Fund.

Economic Development Reserve

Each July 1, the City shall establish an Economic Development Reserve in the amount of \$1 million. Use of the Economic Development Reserve will be used to further the City's adopted Economic Development program and to foster Council's strategic goal of attracting and expanding diverse business and employment opportunities or any additional strategic economic development goals established by Council action. This reserve shall be assigned in the General Fund.

Fund Balances Used For Capital Projects

Reserves within Capital Projects funds will be used for one time capital expenditures only if:

- 1) There are surplus balances remaining after a reserve or fund allocation is made; or
- 2) The City has made a rational analysis with justifying evidence that it has an adequate level of short and long-term resources.

Specific Appropriation By City Council / Board of Directors

With the exception of the annual 1% contingency provided for in Section 3 Contingencies and Appropriations, if fund balances are used to support one time capital and one time non-operating expenditures, the funds must be specifically appropriated by the City Council.

Capital and Debt Service Funds

Monies in the Capital Projects Funds will be expended in accordance with an approved budget. Interest income will be used to offset construction costs or interest expense on the debt issue. Reserves in the Debt Service Fund and Interest accounts will be maintained as required by outstanding bond indentures. Reduction of reserves for debt shall be done only with City Council approval after Council has conferred with the City's Financial Advisor, Bond Counsel and the City Manager to insure there is no violation of bond covenants.

Debt Coverage Ratios

Debt Coverage Ratios shall be maintained as specified by the bond covenants.

4. REVENUE MANAGEMENT

Characteristics of the Revenue System

The City / District strives for the following optimum characteristics in its revenue system:

- 1) Simplicity and Certainty. The City shall strive to keep the revenue classification system simple to promote understanding of the revenue sources. The City shall describe its revenue sources and enact consistent collection policies to provide assurances that the revenue is collected according to budgets and plans.
- 2) Equity. The City / District shall make every effort to maintain equity in its revenue system structure. The City shall minimize all forms of subsidization between entities, funds, services, utilities, and customers.
- 3) Centralized Reporting. Receipts will be submitted daily to the Finance Department for deposit and investment. Daily transaction reports and supporting documentation will be prepared.
- 4) Review of Fees and Charges. The City / District shall review all fees and charges annually in order to match fees and charges with the cost of providing that service, except in cases where the social benefit impact outweighs the objective of full cost recovery (e.g. recreational programs, etc.)
- 5) Aggressive Collection Policy. The City / District shall follow an aggressive policy of collecting revenues. Utility services will be discontinued (i.e. turned off) for non-payment in accordance with established policies and ordinances. The Finance Director may place a delinquent account on a re-payment plan prior to turning the account over for collection. Other receivables that are 120 days or greater shall be sent to collections. The Finance Director is authorized to “write-off” all non-collectible accounts and specify said action in the annual audit.

Non-Recurring Revenues

One-time or non-recurring revenues will not be used to finance current ongoing operations. Non-recurring revenues will be used only for one-time expenditures such as capital needs.

Utility Rates

The City shall review and adopt utility rates annually, starting in 2007, that generate revenues required to cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital. This policy does not preclude drawing down cash balances to pay for debt service obligations, to retire bonded indebtedness or to undertake capital projects.

Interest Income

Interest earned from investment of available monies, whether pooled or not, may be distributed to the funds in accordance with the equity balance of the fund from which monies were invested.

User-Based Fees and Service Charges

With respect to utility user charges, and impact fees associated with development, the direct and indirect costs of that service shall be offset wholly by a fee. There shall be an annual review of fees and charges to ensure that the fees provide adequate coverage of costs of services. Full fee support shall be obtained from development application processing, compliance with CEQA and related development services.

Enterprise utilities and capital improvements for utilities shall be wholly offset by fees. However, from time to time, the Chief Administrative Officer may establish programs or certain procedures to place a delinquent account on a repayment program for delinquent utility charges. With respect to Special Revenue Funds and other City provided services (i.e. recreation programs), fees should partially offset services as deemed appropriate by the City Council / Board of Directors.

Intergovernmental Revenues/Grants

Grant revenues shall be spent for the purpose(s) intended. The City / District shall review grant match requirements and not rely on grants for the basic operating budget nor rely on one-time revenue sources.

Revenue Monitoring

Revenues actually received are to be regularly compared to the budgeted revenues and reported to the City Council quarterly.

Revenue Projections

The City shall project current year revenues based on the previous five year history and will update this projection annually. Each existing and potential revenue source shall be re-examined annually. Operating Revenues will be projected out five years for report at mid-year. Exception: In the event a new re-occurring land use or development will dramatically skew the projection history, then the Chief Administrative Officer is authorized to adjust the five year history "current year" revenue number to better reflect changed conditions.

5. EXPENDITURE CONTROL

Appropriations

The responsibility for budgetary control lies with the Department Manager. Department Managers may not approve expenditures that exceed monies available at the division level. Capital expenditures are approved by the City Council / Board of Directors on a per project basis.

Amendments to the Budget

The City Council may transfer any unencumbered appropriated balance or portion thereof from any office, department, to another at any time.

Authority to Amend Budget

1. Reserve for Future Allocation. The City Manager or Fire Chief may authorize transfers from within their “Legal Level of Control.” They must secure authorization from the City Council / Board of Directors to transfer money from one fund to another fund.

2. Reports to City Council / Board of Directors. Transfers from the Reserve for Future Allocation or transfers between divisions authorized by the Chief Administrative Officer shall be reported on a quarterly basis for review by the City Council / Board of Directors as part of the regular quarterly budget review.

Purchasing

All purchases shall be made in accordance with the Purchasing Ordinance and in compliance with Federal Law. All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200-326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. The City will follow all applicable local, state, and federal procurement requirements when expending federal funds. Should the City have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.

**APPROVAL REQUIREMENTS
PURCHASES OF SUPPLIES & EQUIPMENT AND
PROFESSIONAL SERVICES**

Threshold	Department Head	City Manager or Fire Chief	City Council / BOD
SUPPLIES & EQUIPMENT			
less than \$5,000	√	√	
\$5,000 to \$25,000 (requires 3 informal proposals)	√	√	
exceeding \$25,000 (requires formal proposals)	√	√	<input checked="" type="checkbox"/>
PROFESSIONAL SERVICES			
less than \$10,000	√		
\$10,000 to \$50,000 (requires 3 informal proposals)	√	√	

exceeding \$50,000 (requires 3 formal proposals)	√	√	<input checked="" type="checkbox"/>
---	---	---	-------------------------------------

Petty Cash Reimbursement

Limit

\$100.00

√ Denotes signature approval

Denotes Council Authorization

Prompt Payment

All invoices approved for payment by the proper City / Fire District authorities shall be paid by the Finance Department within thirty (30) calendar days of receipt, in accordance with the provisions of state law. Proper procedures shall be established that enables the City / Fire District to take advantage of all purchase discounts, except in the instance where payments can be reasonably and legally delayed in order to maximize the City's investable cash.

Mandatory Professional Services Review

In an effort to maintain the most up to date and competitive services, and effective with the adoption of the Fiscal Policies, the Finance Director shall establish a list of current and reoccurring professional services. Any such service that has not been competitively reviewed for more than three to five years, should be subject to a new RFQ/RFP process. The existing professional services providers will be encouraged to submit a proposal.

Expenditure Control Account (ECA)

Concurrent with the adoption of the Fiscal and Budget Policies, an "Expenditure Control Account" (ECA) was created for each Department. At the close of the fiscal year for each fund, 50% of the remaining unencumbered budget will be deposited into the Department's ECA. The remaining balance, the other 50%, will be returned to the Fund Balance. The Department's ECA may be used, upon review and approval of the Finance Committee, to further the Department's goals and objectives. The allocation in the ECA cannot be used to pay reoccurring expenses but are designed to be one-time allocations to a particular need of the Department. One exception to this ECA policy, is that when prior year revenues do not reach estimated projections or when the Governor declares a fiscal emergency in accordance with the provisions of Proposition 1A, allocations may be reduced or eliminated as recommended by the Finance Committee. In any event, at no time shall the expenditure control account for any department exceed 25% of the department's operating expenditures.

6. CITY CAPITAL IMPROVEMENT PROGRAM AND THE CAPITAL BUDGET

Program Planning

The City shall develop and maintain a multi-year plan for capital improvements and make capital improvements in accordance with the

approved plan. The Capital Improvements Program will be updated annually. The Capital Improvements Program (CIP) is a planning document and does not authorize or fund projects. The planning time frame for the CIP will normally be five years. The Planning Commission will review the CIP for consistency with the General Plan.

Budget Preparation

The Annual Capital Budget will be developed from the Capital Improvement Program. Capital project expenditures must be appropriated in the Annual Budget. A funding source/resource availability shall be presented to the City Council at the time a project is presented for funding. The City's Capital Budget is to be prepared annually in conjunction with the Operating Budget on a fiscal year basis to ensure that capital and operating needs are balanced against each other. Projects approved for funding from the Capital Improvements Program will be included in the Annual Budget.

Project Length Budget

A budget for a capital project shall be a project length budget. At the end of the fiscal year, the unspent budget of an approved capital project shall automatically carry forward to the subsequent fiscal year until the project is completed.

Financing Programs

Alternative financing sources will be explored. Debt shall be used only to acquire major assets with expected lives which equal or exceed the average life of the debt issue, with the exception of costs of marketing and issuing the debt.

Reporting

Periodic financial reports shall be prepared to enable the Department Heads to manage their capital budgets and to enable the Finance Department to monitor and control the authorized capital budget. Capital project status reports shall be presented to the City Council periodically.

Evaluation Criteria

Capital investments shall foster goals of economic vitality, neighborhood vitality, infrastructure preservation, providing service to areas lacking service and improving services in areas with deficient services. Evaluation criteria for selecting which capital assets and projects to include for funding shall include the following:

- mandatory projects
- efficiency improvement
- policy area projects
- project's expected useful life
- availability of state/federal grants
- prior commitments
- achieving stated economic development objectives
- maintenance projects
- project provides a new service

- extent of usage
- effect of project on operation and maintenance costs
- elimination of hazards

General Rule for Inclusion in the Capital Budget

If the item is over \$50,000, has a “life” of over ten years, and requires more than two people to lift it, the item should be in the Capital Budget.

7. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING

Accounting

The Finance Director is responsible for establishing the Chart of Accounts and for recording financial transactions within the budget. The Finance Director shall periodically determine whether or not the City should consider refinancing existing debt.

Auditing

- 1) Use of Audited Comprehensive Annual Financial Report (CAFR).
The Finance Director, pursuant to Section 37208 of the Government Code, shall be responsible for preparing an audited Comprehensive Annual Financial Report.
- 2) Pursuant to Government Code Section 37208, payroll warrants and checks will not be audited bi-weekly by the legislative body prior to payment provided the City Council annually adopts a fiscal year budget and the Finance Department annually submits to the City Council a Comprehensive Annual Financial Report (CAFR).
- 3) The Chief Administrative Officer is directed to submit amendments to the municipal code for adoption by the City Council / Board of Directors to require the City Finance Department to annually prepare a CAFR.
- 4) Qualifications of the Auditor. In conformance with state law, the City shall be audited annually by independent accountants (“auditor”). The CPA firm must demonstrate that it has staff to conduct the City’s audit in accordance with generally accepted auditing standards and contractual requirements. The auditor must be licensed by the State of California.
- 5) Responsibility of Auditor to City Council and Finance Committee. The auditor is retained by and is accountable to the City Council / Board of Directors. The auditor shall communicate directly with the Finance Committee as necessary to fulfill its legal and professional responsibilities. The auditor’s report on the City’s financial statements shall be completed within 180 days of the City’s fiscal

year end. The auditor shall prepare and review a management letter with the Finance Committee.

- 6) Contract with Auditor. The agreement between the independent auditor and the City / Fire District shall be in the form of a written contract. A time schedule for completion of the audit shall be included.
- 7) Scope of Audit. All general purpose statements, combining statements and individual fund and account group statements and schedules shall be subject to a full scope audit.
- 8) Selection of Auditor. Effective September 30, 2007, the City shall request proposals for audit services at least once every three to five years. The City shall select the auditor by May 31, of each year.

City Financial Reporting

- 1) External Reporting. As a part of the audit, the auditor shall assist with preparation of a written Comprehensive Annual Financial Report (CAFR) to be presented to the City Council. The CAFR shall be prepared in accordance with generally accepted accounting principles (GAAP) and shall be presented annually to the Government Finance Officer's Association (GFOA) or the CSMFO for evaluation and consideration for the Certificate of Achievement for Excellence in Financial Reporting. The Budget and CAFR shall be posted on the City website.
- 2) Availability of Reports. The comprehensive annual financial report shall be approved by the City Council and be made available to the elected officials, bond rating agencies, creditors and citizens.
- 3) Internal Reporting. The Finance Department shall prepare internal financial reports, sufficient to plan, monitor, and control the City's financial affairs.
- 4) GASB (Governmental Accounting Standards Board) Statement No. 45. In compliance with GASB Statement No. 45, provisions to account for retiree health benefits, the City and the Fire District are required to report the annual cost of retiree health benefits along with the unfunded actuarial accrued liabilities (the difference between the total obligation and any assets that have been set aside for financing the benefits).

The calculation must be redone every two years. The actuarial valuation includes the following assumptions:

- Turnover rate and retiree rate
- Medical care inflation

- Mortality
- Discount rate
- Benefit design
- Health care cost factors such as age, gender, family size, geographic area
- The promise to retirees
- Salary scale assumption
- Expected long-term (or short-term) rate of return on plan assets

Although there is no requirement that the City / Fire District actually fund the benefit cost, not doing so could have a significant impact on our credit rating, consequently, affecting the cost of issuing debt financing. GASB Statement No. 45 requires that a liability, called the net OPEB obligation, be recorded on the financial statements to the extent that the actual OPEB contribution is less than the annual OPEB cost. This liability, if not funded, could increase rapidly over time. The City established an irrevocable trust for OPEB contributions in FY 2008-09 and the Fire District is in the process of opening a trust for FY 2009-10. The City and the Fire District will pay, to the extent that resources are available, the annual required contribution, as designated in the actuarial report. City departments will contribute a proportional share to the fund.

8. INVESTMENTS AND CASH MANAGEMENT

Depository Bank

No later than June 30, 2012, a Depository Bank shall be recommended by the City Manager to the City Council for a three to five year period. A request for proposal (RFP) shall be used as the means of selecting a Depository Bank. The Depository Bank shall specifically outline safekeeping requirements and other policies and practices for the City.

Depositing of Funds

The Finance Director shall promptly deposit all City funds with the Depository Bank in accordance with the provisions of the current Bank Depository Agreement and the City Council approved Investment Policies. Investments and reporting shall strictly adhere to the City Council approved Investment Policies.

Investment Policy

All funds shall be invested in accordance with the approved investment policy. Investment of City funds emphasizes preservation of principal.

Monthly Report

A monthly cash and investment report shall be prepared and distributed to the City Manager.

9. ASSET MANAGEMENT

Fixed Assets and Inventory

A fixed asset of the City is defined as a purchase or otherwise acquired piece of equipment, vehicle, furniture, fixture, capital improvement, or addition to existing land, buildings, etc. The cost or value of any such acquisitions, except for infrastructure assets, must be \$5,000 or more with an expected useful life greater than one year. The capitalization threshold for infrastructure assets including the Road and Storm Drain Systems Networks is \$50,000. Their estimated useful lives, for purposes of calculating depreciation expense are:

Road System Network	Years
Pavement	40
Curbs and Gutters	50
Sidewalks	50
Medians	50
Traffic Signals	30
Street Lights	40
Bridges	75
Trails - Asphalt	40
Trails – Concrete	50
Storm Drain System Network	
Storm drain lines	75
Manholes	75
Catch basins	75
Detention basins	75

Maintenance of Physical Assets

The Finance Director will maintain the City’s physical assets at a level adequate to protect the City’s capital investment and minimize future maintenance and replacement costs. The budget will provide for the adequate maintenance and the orderly replacement of fixed assets.

Operational Procedures Manual

Records shall be purged that do not meet these criteria and operational procedures shall be in accordance with a fixed asset records procedure manual approved by the Finance Committee.

Safeguarding of Assets

The City’s fixed assets will be reasonably safeguarded and properly accounted for. Responsibility for the safeguarding of the City’s fixed asset

lies with the Department Manager in whose department the fixed asset is assigned.

Maintenance of Records

The Finance Department shall maintain the records of the City's fixed assets including description, cost, department of responsibility, date of acquisition and depreciation where applicable.

Annual Inventory

An annual inventory of assets shall be performed by each department using guidelines established by the Finance Department. Such inventory shall be performed by the Department Head or the designated agent. The Department Manager shall use a detailed listing and shall be responsible for a complete review of assigned fixed assets. A signed inventory list shall be returned to the Finance Department.

10. DEBT MANAGEMENT

Debt Issuance

The City / Fire District shall issue debt only as specifically approved by the City Council / Board of Directors and expenditure of such monies shall be in strict accordance with the designated purpose.

Issuance of Long-Term Debt

The issuance of long-term debt is limited to capital improvements or projects that cannot be financed from current revenues or resources. For purposes of this policy, current resources are defined as that portion of fund balance in excess of the required reserves. The payback period of the debt will be limited to the estimated useful life of the capital projects or improvements. The City / Fire District may use long-term debt financing when it can be determined that future citizens will receive a benefit from the improvement.

Payment of Debt

When the City / Fire District utilizes long-term debt financing it will ensure that the debt is financed soundly by realistically projecting the revenue sources that will be used to pay the debt; and financing the improvement over a period not greater than the useful life of the improvement.

Types of Debt - City

- 1) General Obligation Bonds (G.O.'s). General obligation bonds shall be used only to fund capital assets of the general government, and not used to fund operating needs of the City. General obligation bonds are backed by the full faith and credit of the City as well as the ad valorem tax authority of the City. The term of a bond issue shall not exceed the useful life of the asset(s) funded by the bond issue. General obligation bonds must be authorized by a vote of the citizens of the City of American Canyon.

- 2) Revenue Bonds (R.B.'s). Revenue bonds shall be issued as determined by City Council to provide for the capital needs of any activities where the capital requirements are necessary for continuation or expansion of a service which produces revenue and for which the asset may reasonably be expected to provide for a revenue stream to fund the debt service requirements. The term of the obligation may not exceed the useful life of the asset(s) to be funded by the bond issue.
- 3) Certificates of Participation (C.O.P.'s) or Lease Purchase Notes. Certificates of Participation or lease purchase notes may be used in order to fund capital assets. Debt service for C.O.P.'s may be either from general revenues or backed by a specific revenue stream or streams or by a combination of both. Generally C.O.P.'s shall be used to fund capital assets where full bond issues are not warranted as a result of the cost of the asset(s) to be funded through the instrument. The term of the obligation may not exceed the useful life of the asset(s) to be funded by the proceeds of the debt issue.
- 4) Tax Anticipation Notes (T.A.N.'s). Tax Anticipation Notes may be used to fund capital assets of the general government or to fund operating needs of the City. Tax Anticipation Notes are backed by the full faith and credit of the City as well as the ad valorem tax authority of the City. The term of a note issue shall not exceed the useful life of the asset(s) funded by the debt issued or seven years whichever is less.

Method of Sale

The City may use a negotiated sale of bonds and certificates of participation, provided the total debt is less than \$20 million, unless some other method is specifically agreed to by Council / Board of Directors.

Financial Advisor

The Finance Committee may recommend to the City Council a financial advisor to oversee all aspects of any bond issue over \$10 million.

Analysis of Financing Alternatives

Staff and the Finance Committee shall explore and evaluate financing alternatives for capital acquisitions and construction projects.

Disclosure

Full disclosure of operations shall be made to the bond rating agencies and other users of financial information. The City Staff, with the assistance of financial advisors and bond counsel, shall prepare the necessary materials for presentation to the rating agencies, and shall aid in the production of Offering Statements.

Debt Structuring

The repayment schedule shall approximate level debt service unless operational matters dictate otherwise.

11. INTERNAL CONTROLS

Written Procedures

Wherever possible, written procedures shall be established and maintained by the Finance Director for all functions involving cash handling and/or accounting throughout the City. These procedures shall embrace the general concepts of fiscal responsibility set forth in this policy statement.

Department Manager Responsibilities

Each Department Manager is responsible to ensure that good internal controls are followed throughout the Department, that all Finance Department directives or internal controls are implemented, and that all independent auditor internal control recommendations are addressed.

12. RISK MANAGEMENT

Responsibility

The Director of Human Resources is responsible for the general risk liability insurance and the risk management function of the City. The Fire Chief is responsible for the general risk liability insurance and the risk management function of the Fire District. Recommendations for deductibles, limits of coverage, etc. shall be presented to the Finance Committee for review.

13. NEW CITY DEVELOPMENT PROJECTS

The City Council recognizes the need to periodically update its land use policies through use of various tools including, but not limited to, the periodic update of its General Plan Elements, adoption of Specific Plans, adoption of Sphere of Influence Boundaries, and related policy documents such as Master Plans or an Economic Development Strategic Plan. These various policy documents are designed to provide instruction as to how, when and under what conditions new development will occur in American Canyon.

Accordingly, the City Council desires to verify that new development and not the existing residents is paying its own way with respect to benefits and cost to the Community.

Staff is directed, following an initial environmental study, to determine whether or not a development project should utilize an Independent Fiscal Impact or a Facilities and Services Plan analysis. The development applicant will be responsible for paying for either analysis, and the City will

select and retain the firm to undertake the work. The City Manager will keep a City Council approved list of firms that may do the subject work.

Fiscal Impact Analysis (FIA) Contents

The FIA will demonstrate at 50%, 75% and 100% of build out what the cost in terms of new services a development will use and what the corresponding revenue will be to the City. Based on the analysis, additional conditions of approval may be placed on the development including but not limited to creating a special district to off-set the new cost burden to the City and not its existing residents. The FIA assumes that the City's existing infrastructure can accommodate the new development project. An FIA will be required for new commercial and industrial projects seeking a Traffic Impact Fee discount.

Facilities and Services Plan (FSP)

In the event that a development could have extraordinary impacts on City services or the City infrastructure, a FSP will be required. The FSP will include a test to determine whether or not existing development fees are sufficient so as not to compromise the City's capacity to absorb the new development.

14. ROLE OF THE FINANCE COMMITTEE OF CITY COUNCIL

The finance committee shall be made up of the Mayor and the Vice Mayor, the Finance Director, and the Chief Administrative Officer(s). The Finance Committee shall have responsibilities including:

- 1) Monitoring and recommending changes to the Investment Policy;
- 2) Managing the audit;
- 3) Overseeing of the City's Self Insurance Program;
- 4) Salary and Retirement Policy Review;
- 5) Employee Benefit Policy Review;
- 6) Make recommendations affecting these polices;
- 7) Review of Liability Insurance Coverages;
- 8) Quarterly Budget Review;
- 9) The City's Fiscal and Budget Policy Monitoring and Recommendations; and
- 10) Recommending the Retention of a Financial Advisor.

V RULES OF PROCEDURES FOR COUNCIL, BOARDS, COMMISSIONS AND STANDING COMMITTEE MEETINGS AND COUNCIL DECISION PROCESS

1. GENERAL PROCEDURE

City Council meetings are joint meetings with the American Canyon Fire District, and are held the first and third Tuesdays of the month, unless otherwise posted. Special Meetings or workshops are also called as needed during the course of the year. The Council, sitting as the ex-officio Board of Directors, will hold a non-joint Fire District Board meeting at 4381 Broadway, every fifth Tuesday (except for the month of July when there is a City Council recess).

The City Council is the legislative body of the City, and as such, prepares for meetings by carefully reviewing all agenda material and clarifying issues with the City Manager prior to the meeting.

A. The City's business on the City Council Agenda is the focus of the meeting. Matters that are not on the agenda are not acted upon, but may be placed on a later agenda for consideration. City Council will take reasonable measures to limit interruptions. Cellular phones and pagers must be turned off or set on vibrate during a Council meeting. It is the policy of the Council not to become involved in entanglements over "parliamentary procedure." Any issue of procedure relating to conduct of a meeting or hearing not otherwise provided for herein may be determined by the Mayor (a.k.a. Chair or Presiding Officer), subject to appeal to the full Council.

- 1) The mayor will, from time to time, recess the Council as needed.
- 2) To be eligible for an excused absence the requesting member of a Board, Commission, Standing Committee, or City Council must contact the Mayor, the Chair of the respective Board, Commission, Standing Committee or the City Manager, prior to the meeting informing them of the reason for the absence. An absence may be granted for illness, unanticipated or planned family matters, and vacations up to two times a calendar year. An excused absence may be granted whenever an individual attends a public meeting in consultation with the Mayor or Chairperson on behalf of the City.

After the second excused absence, the full Board, Commission, Standing Committee or City Council must rule on the request.

Upon being granted an excused absence the requesting member will be compensated in the usual manner provided they have been briefed following the missed meeting by the Chair, the Mayor, City Manager or their designee on the matters discussed during the excused absence.

After the second excused absence, any compensation due the member shall be withheld until the Council acts to consider the absence. Compensation will only be forthcoming if the City Council grants the absence as being an excused absence. Failure to secure the excuse absence after the second absence may result in the subject member not being eligible for compensation and being removed from the Board, Commission, or Standing Committee. In the case of a City Council Member, in addition to withholding compensation for an unexcused absence the member may be sanctioned by the City Council.

These procedures are intended to comply with and are governed by the Ralph M. Brown Act, Government Code Section 54950 et seq. (The "Brown Act")

2. POLICY DECISION MAKING PROCESSES

Several groups or individuals may be involved in the City Council Policy Decision making process. A request to Council for consideration of new policies or legislation or a review of existing laws or policies is not uncommon. This may be initiated by recommendations or reports from Standing or Ad Hoc Committees, or may involve requests or recommendations from individual citizens, citizen groups, outside public agencies, individual Councilmembers or City staff. State law also frequently dictates the Council Policy Decision making process. The final decision as to whether to proceed with a request to consider new or existing policy or law must be made by the City Council.

- A. **Standing Committees** for the City Council are subject to Open Meeting Laws, frequently referred to as the "Brown Act". Standing Committees make specific recommendations to the City Council. It is the responsibility of committee members to report directly to the City Council their on-going activity during a regular or special council meeting.

Scheduling of Council Committee meetings will be coordinated by the City Manager. The City Manager will assign staff support to all Standing Council Committees including public notice presentations.

- B. **Ad Hoc Committees** are formed on an as-needed basis with a clearly-defined purpose and term. Generally, ad hoc committees are responsible for information gathering and reporting their research to the City Council.

Ad Hoc committees are single purpose, and therefore not subject to the Brown Act. Neither Minutes are taken nor are agenda items acted upon. Meetings are held on a regular basis. If further study needs to be done, the committee will continue to serve until such study is completed. Once the committee has completed its work, the Ad Hoc Committee will be automatically disbanded. Ad Hoc Committees will consist of two (2) Council Members recommended by the Mayor with concurrence of the full Council through a motion. The City Manager will assign staff support on an as-needed basis to the ad hoc committee and the City Clerk will be responsible for notifying the Council members of the date and time of any meetings.

- 1) Advance Administrative Reports – Administrative written reports prepared by Council Ad Hoc committees on major items are to be forwarded to the City Manager one week in advance, if possible, and will be placed on the City Council agenda.

3. **ADVISORY BOARDS AND COMMISSIONS**

The City Council shall follow the Maddy Act (Government Code 54970), with regard to seeking candidates for Boards and Commissions.

- A. Prior to the Council considering an appointment of a citizen to an advisory committee, the candidate will file a report (provided by the City Clerk) for review by the City Council prior to Council action. Appointments to Citizen Advisory Boards, Commissions, and Committees will be placed on the Consent Calendar. After Council action on the Consent Calendar, the Mayor may ask the appointee to stand and be recognized and sworn in by the City Clerk or City Attorney.
- B. The Advisory Board members shall only serve their respective term of office. Once the term of office has expired, the individual will no longer serve on the Board, unless reappointed by City Council.

4. **MEETINGS**

1.1 **REGULAR MEETINGS**

The City Council of the City of American Canyon holds regular meetings in the place specified in the Municipal Code, currently on the first and third Tuesdays of each month, and meet as the Fire

District Board of Directors on the fifth Tuesdays of the Month when there is a fifth Tuesday.

Closed Sessions begin at 5:30 p.m. unless otherwise posted, and the Regular Joint Meeting Open Session begins at 6:30 p.m. When the day for a regular meeting of the Council falls on a legal holiday, the Council, at the preceding meeting, shall determine the time and date of any rescheduled meeting. The City Council may consider a meeting Calendar for the Year in January of each year.

Standard Adjournment – The Council establishes 10:00 PM as the hour of adjournment and will not continue beyond 10:00 PM without a majority vote of the Council. To assist in making the determination to continue an item under consideration, the Council should find that discussion, deliberation, and action on the item can be concluded by 12:00 Midnight.

1.2 ADJOURNED MEETINGS

Any meeting may be adjourned to a time, place, and date certain. Once adjourned, the meeting may not be reconvened.

1.3 SPECIAL MEETINGS

Special Meetings may be called, in consultation with the City Attorney, by the Mayor or majority of Councilmembers on 24-hour notice, as set forth in the Government Code of the State of California in Section 54956. Only matters contained in the notice may be considered and no ordinances (other than urgency ordinances) may be adopted.

1.4 NOTICE OF MEETINGS

Notice of regular meetings is not required unless special notice has been requested. Mailed or personally delivered notice to Council members, members of the media, and others who have previously requested such notice, is required for special meetings. Mailed and posted notice is required for meetings adjourned by the City Clerk for more than 24 hours. Posted notice is required for all other adjourned meetings (Section 54955 Government Code).

1.5 QUORUM

Unless otherwise provided for in the Municipal Code, a majority of the Council shall be sufficient to do business and motions may be passed 2-1 if only three (3) attend. The following matters, however, require three affirmative votes: a) adoption of ordinances, b) resolutions granting franchises, and c) orders for payment of money.

1.5.1 Legally Required Participation (“Rule of Necessity”): If a majority of the Council shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the

Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the Council shall determine, that number of its disqualified members which, when added to the members eligible to vote, shall constitute a quorum. Those members may vote but not discuss.

1.6 MEETINGS TO BE PUBLIC

All regular, adjourned or special meetings of the City Council shall be open to the public; provided, however, the Council may hold closed sessions from which the public may be excluded for the consideration of the following subjects.

- 1.6.1 Personnel Matters: To consider appointment, employment, or dismissal of a public employee or to hear complaints or charges brought against such person or employee unless such employee requests a public hearing. The Council may exclude from any such closed session during the examination of a witness any or all other witnesses in the matter being investigated.
- 1.6.2 Attorney-Client Matters: To consider potential or pending litigation in which the City is or could be a party.
- 1.6.3 Real Property Negotiations: To discuss the terms and conditions in which real property may be acquired. At the conclusion of these negotiations, the actual purchase agreement or contract must be approved in open session.
- 1.6.4 Labor Negotiations: To discuss the terms and conditions in which to meet the City's obligations of meeting and conferring in good faith with represented employees regarding wages, benefits and working conditions. Generally, this is conducted through staff or outside counsel.
- 1.6.5 Other: As otherwise permitted by law.

Matters discussed in closed session shall not be discussed outside of closed session by the Council. Council members who violate this matter are subject to sanctions by the City Council. Sanctions may include, but are not limited to, removal of the Council member from other Boards and Commissions where the member represents the City.

1.7 USE OF ELECTRONIC COMMUNICATION DEVICES AT PUBLIC MEETINGS

Members of the City Council have the legal duty to ensure that their communications do not violate the Brown Act and this obligation extends to the use of electronic communication devices as well as face-to-face

communications. It is also imperative that all hearings and deliberations occur in a manner that ensures the public that the council members are fully engaged and deliberating on policy matters with complete transparency. Therefore, members of the City Council should avoid receiving electronic communications concerning any matter before the City Council or during council meetings from another City Official participating in the same meeting. Each council member should only receive or send messages to family members or caregivers when absolutely necessary for the care of a family member; and receive or send messages to address urgent business matters of the council member, that do not involve city business.

1.8 COUNCIL ATTENDANCE BY TELECONFERENCE OR INTERNET

At times Council members may need to attend a meeting remotely either by telephone or internet (i.e. Skype). The posting rules for remote attendance are the same as for a normal agenda. It should be posted 72 hours at the place where the Council Member will be calling from. This may require assistance from hotel staff. It can also be posted as a special meeting notice using the 24 hour timeframe (this is recommended only for emergencies). In these cases the Council Member can usually post it themselves.

The agenda has to contain verbiage explaining that a Council Member will be attending either by teleconference or via skype (etc.) for the meeting. The verbiage should include the Council Member's name, the address and name of the place they are calling from (must be specific to include room numbers, suites, etc), and their telephone number.

The call has to be taken in a place accessible to the public and ADA compliant with the agenda posted in that area. The public must be given an opportunity to address the legislative body directly at any teleconference location and all votes during the meeting must be taken by roll call.

The connection must be sufficient that both sides of the proceedings can be clearly heard and understood. Because interruptions are distracting, if the connection is dropped more than one time, the offsite council member will not be reconnected, and will be marked absent from that point in the meeting.

5. ORDER OF BUSINESS ¹

2.1 AGENDA

2.1.1 Order of Items: The Order of each Joint meeting of the American Canyon Fire District and the American Canyon City Council shall be as contained in the Agenda prepared by the City Clerk. The Agenda shall be a listing by topic of the

¹ Amended April 17, 2018

subjects which shall be taken up for consideration in the following format.

CLOSED SESSION - SPECIAL MEETING *(as needed)*

PUBLIC ADDRESS – CLOSED SESSION ITEMS

The Mayor will call the meeting to order and conduct the roll call. Council will immediately convene into closed session after hearing any public comment on Closed Session. At 6:30 p.m. the Council will reconvene into Open Session and then resume Closed Session at the end of the meeting to address outstanding items, if necessary.

This time has been set aside for the City Council to meet in a closed session to discuss matters pursuant to Government Code Sections 54956 and 54957. The City Attorney will give an oral report regarding any action taken during the closed session at the beginning of the open session.

American Canyon Fire Protection District Closed Session
(as needed)

City of American Canyon Closed Session *(as needed)*

6:30 P.M. OPEN SESSION - REGULAR MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL - City Council & Fire Protection District Board

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

**CITY CLERKS ANNOUNCEMENT PURSUANT TO GOVT CODE
54952.3**

When the City Council sits jointly, or serially as more than one board it is required that the amount of compensation received for each board be disclosed at the meeting. Tonight the City Council is sitting jointly as the Council and the American Canyon Fire Protection District Board. Also, if there is a matter of consideration dealing with water outside the City limits but within the Water District Service Area, the Council will function as the former American Canyon County Water District. For sitting as the Council, a stipend of \$315 monthly is received; for the Fire District Board and as the Water Board, \$126 per meeting.

PROCLAMATIONS AND PRESENTATIONS

PUBLIC COMMENT

This time is reserved for members of the audience to address the City Council/Fire Protection District Board on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council/ Fire Protection District Board. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council/ Fire Protection District Board on items on the Agenda should complete a speaker card and deliver to the City Clerk prior to the start of the meeting, or notify the Mayor/Chairman when that Agenda item is called. The Council/ Fire Protection District Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Council/ Fire Protection District Board does not respond to public comment at this time. Speakers are asked to please use the microphone, and provide their name. Prior to addressing the Council/ Fire Protection District Board, any handouts are to be provided to City Clerk who will distribute to Council/ Fire Protection District Board and appropriate staff.

MATTERS RELATING TO THE AMERICAN CANYON FIRE PROTECTION DISTRICT BOARD *(as needed)*

CONSENT CALENDAR - ACFPD

BUSINESS - ACFPD

MATTERS RELATING TO THE AMERICAN CANYON CITY COUNCIL

AGENDA CHANGES

The Mayor/ Council may change the order of the Agenda or request discussion of a Consent Item. A member of the Public may request discussion of a Consent Item by completing a Speaker's Card and presenting it to the City Clerk prior to Public Comment.

CONSENT CALENDAR

PUBLIC HEARINGS

BUSINESS

MANAGEMENT AND STAFF ORAL REPORTS

MAYOR/COUNCIL COMMENTS, COMMITTEE REPORTS, AND FUTURE AGENDA REQUESTS

The Mayor and Council may comment on matters of public concern and announce matters of public interest; no collective council action will be taken.

1. COUNCIL REPORTS AND COMMENTS
2. FUTURE AGENDA ITEMS

Council members may suggest potential future agenda items at this time. A straw vote will be taken of Council members present, requiring a majority vote to move the item forward for further consideration.

ADJOURNMENT

CERTIFICATION

I, _____, City Clerk for the City of American Canyon, do hereby declare that the foregoing Agenda of the City Council/Fire District Board was posted in compliance with the Brown Act prior to the meeting date.

(Signature)
_____, City Clerk

Items denoted with ACDPD are American Canyon Fire Protection District Board items and will be acted upon by the Fire Protection District Board. Agendas for all City Council/Fire Protection District Board meetings are posted at least 72 hours prior to the meeting at City Hall, 4381 Broadway. The City of American Canyon complies with the Americans with Disabilities Act (ADA of 1990). The Council Chambers is accessible to the physically disabled. Requests for accommodations may be made by calling (707) 647-4369 (voice) or 711 for the California Relay Service or e-mailing the City Clerk at _____ no less than 72 hours in advance of the event. Copies of documents distributed at the meeting are available in alternative formats upon request. Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall located at 4381 Broadway, American Canyon, CA during normal business hours. In addition, most documents will be posted on the City's website at www.cityofamericancanyon.org.

- 2.1.2 The Mayor may modify the order of the Agenda, in order to expedite the business of the City or to accommodate members of the audience.
 - 2.1.3 No matters other than those on the agenda shall be finally acted upon by the Council. However, the Council may take action on items of business which do not appear on the

posted agenda under any of the following conditions or circumstances:

- 1) Upon a determination by a majority vote of the Council that an emergency situation exists, as defined in Section 54956.5 of the California Government Code;
- 2) Upon a determination by a two-thirds vote of the Council or, if less than two-thirds of the members present, a unanimous vote of those members present, that there is a need to take immediate action that cannot be postponed until another regular or special meeting and the need to take action arose subsequent to the agenda having been posted,
- 3) The item was posted for a prior meeting of the Council occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is proposed to be taken.

2.2 DELIVERY OF AGENDA

The Agenda for each regular meeting of the Council, and reports and other documentation related thereto, will be delivered electronically to the Members of the Council by the City Clerk no later than the 5:00 p.m. on Thursday preceding the Tuesday meeting to which it pertains. The Agenda is provided in an electronic format. In respect to every regular meeting, the Agenda shall conform to Section 54954.2 of the California Government Code and shall be posted at least 72 hours prior to the time scheduled for the meeting. Agendas shall be posted on the bulletin board outside the administrative offices of the City and at such other places within the City as the Council has designated for posting notices of Council meetings.

Once the agenda or any other non-privileged document is distributed to the City Council, all such documents shall be made available to the public. The Agenda and Minutes will be available in electronic format on the City's Website.

2.3 ROLL CALL

Before proceeding with the business of the Council, the City Clerk shall call the roll of the Councilmembers and the names of those present shall be entered in the minutes.

2.4 APPROVAL OF MINUTES

Unless requested by a majority of the City Council, minutes of the previous meeting may be approved without public reading if the clerk has previously furnished each Councilmember with a copy.

2.5 PUBLIC HEARINGS

Public hearings will follow the noticing requirements as stipulated by the Government Code or applicable law. When no such law exists, the City Clerk will post notices in three public places, including the City's Website.

2.5.1 Public hearings to adopt an Ordinance or as otherwise required by law, shall be conducted in the following order:

- 1) Staff review
- 2) Questions of Staff by Council
- 3) Hearing opened by Mayor
- 4) Testimony from the Applicant (if appropriate)
- 5) Testimony from the Public
- 6) If desired, hearing closed
- 7) Discussion by Council
- 8) Action by Council by roll call vote

2.5.2 Questions or comments from the public shall be limited to the subject under consideration. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Mayor may at the beginning of the hearing limit testimony, but in no event to less than three minutes per individual. One two minute exception may be granted to an individual by the Mayor. An individual's Public Comment may be cut off by the Mayor or any member of Council at the end of five minutes unless, by a vote of the Council, it is extended.

Based on the circumstances of the meeting, the Mayor may also impose a reasonable limit on the total amount of time allowed for a public hearing.

2.5.3 Quasi-judicial hearings (such as when the Council is considering an appeal of a land use decision by the Planning Commission) shall be conducted in accordance with the principles of due process, and the City Attorney shall advise the City Council in this regard.

2.5.4 At any public hearing before the City Council, testimony of witnesses under oath may be requested by the Council.

2.6 PUBLIC COMMENTS

Any person may address the Council on any subject pertaining to City business, and which is not listed on the Agenda, during the Public Comments portion of the meeting. Based upon the extent of the Council's Agenda and the size of the audience, the Mayor may limit the length of the Public Comment section, including a limit on the length of time for each person addressing the Council. Generally, however, each person will be allowed up to three (3) minutes of time to address the Council. One two minute extension may be granted to an individual by the Mayor. An Individual's public comments may be cut off by any member of Council at the completion of the two minute extension. On a vote of the majority of the Mayor and City Council, a further extension may be granted.

2.6.1. Length of Council Comments – Council Members will govern themselves as to the length of their comments or presentation. The Council has delegated to the Mayor the responsibility to assist Council Members by signaling when the Council Member has been speaking for over five (5) minutes, before gaining the floor a second time.

2.6.2. Council Presentations – Council Member presentations are limited to the item or issue being deliberated. To ensure that the appropriate equipment is available, Council Members must provide the City Clerk and the City Manager advance notice of the intent to make a presentation.

2.7 CONSENT AGENDA

2.7.1 Items of a routine or non-controversial nature shall be placed on the Consent Agenda. Criteria for inclusion on the Consent Agenda include, but are not limited to, the following:

- 1) Monthly Treasurer's Report, or other informational reports;
- 2) Actions that have been approved in concept by Council at a prior meeting, and are included for ratification purposes only, or actions consistent with established Council policy and direction;
- 3) Award of contracts and agreements, provided the item has been included in the approved annual or amended budget; or
- 4) Contracts, agreements or other actions that have no negative fiscal impact, either because of offsetting revenues or sufficient cost savings from existing appropriations within the same Department.

- 2.7.2 All items may be approved by one blanket motion upon unanimous consent. Any Councilmember may request that any item be withdrawn from the consent agenda for separate consideration, during the Confirmation of the Agenda portion of the meeting. However, any Councilmember may abstain from voting on, or vote against, any consent agenda item without requesting its removal from the consent agenda, and the City Clerk shall be instructed to record such abstentions or negative votes in the minutes.
- 2.7.3 A brief description of the item and/or the action to be taken shall be included in any Consent Agenda item, in order to provide the Public with a better understanding of the issue and the basis for including it on the Consent Agenda.
- 2.7.4 Any member of the public may request an item be removed from the Consent Agenda for discussion. Such a request shall be made by completing a Speaker's Card and giving it to the City Clerk before the meeting.

2.8 CITY BUSINESS AGENDA

Business items will be introduced and summarized by the City Manager at the City Manager's discretion. The appropriate Departmental representative will be available to answer questions that may be asked by Councilmembers or the public.

2.9 PRESENTATION BY MEMBERS OF THE COUNCIL

The Mayor or any Councilmember may bring before the Council any new business under the Councilmember Comments portion of the agenda for the purpose of agendaing to a future City Council meeting. Formal action on such matters shall be deferred until a subsequent Council meeting unless the legal criteria for adding the item to the agenda are met (see 2.1.3).

3.0 RULES, DECORUM AND ORDER

3.1 PRESIDING OFFICER

The Mayor shall be the Presiding Officer at all meetings of Council. In the absence of the Mayor, the Vice-Mayor shall preside. In the absence of both the Mayor and the Vice-Mayor, the Council shall elect a temporary Presiding Officer to serve until the arrival of the Mayor or the Vice-Mayor, or until adjournment.

3.2 SELECTION OF MAYOR AND VICE-MAYOR

3.2.1 Mayor Selection

The Mayor is elected to a term of four years, and is elected at large by the voters of American Canyon. The candidate receiving the highest number of votes cast for all candidates for the office at the election is elected. The Mayor continues in office until no later than the fourth Tuesday after the date of the general municipal election, and until his/her successor is elected and qualified. (See *Ord. 2006-12 § 1 (part), 2006*)

3.2.2 The Mayor is the Presiding Officer of all City Council and Fire District meetings.

3.2.3 Vice Mayor Selection

The City Council will annually nominate and select a member to serve as Vice Mayor for a one year term. Any member of the City Council may nominate a member; the Vice Mayor will be selected by a majority vote of the City Council.

The selection of Vice Mayor occurs at the first regular meeting of the City Council after the new City Council members have been sworn-in and have taken their seats, or at the first meeting in January in each year that a general municipal election is not held. (See Resolution 2008-46)

3.3 CALL TO ORDER

The meeting of the Council shall be called to order by the Mayor, or in his absence, by the Vice-Mayor. In the absence of both the Mayor and the Vice-Mayor, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary Presiding Officer or may adjourn a Joint American Canyon Fire District Board and American Canyon City Council meeting to a future time.

3.4 PARTICIPATION OF PRESIDING OFFICER

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Councilmembers, and he/she shall not be deprived of any of the rights and privileges of a Councilmember by reason of his/her acting as Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting. If he/she desires to personally engage in extended debate on questions before the Council, he/she should consider turning the Chair over to the Vice-Mayor or another Councilmember.

3.5 QUESTIONS TO BE STATED

The Presiding Officer shall verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer shall verbally announce whether the question carried or was defeated. The Presiding Officer may also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

3.6 SIGNING OF DOCUMENTS

The Mayor, or, in the absence of the Mayor, the Vice-Mayor, shall sign ordinances and resolutions adopted by the City Council. The City Clerk, or the Deputy City Clerk, shall attest to the signature of the Mayor or Vice-Mayor.

3.7 MAINTENANCE OF ORDER

The Mayor, or Presiding Officer, is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Mayor or Presiding Officer. All questions and remarks shall be addressed to the Mayor or Presiding Officer.

4.0 RULES, DECORUM, AND ORDER

4.1 POINTS OF ORDER

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Presiding officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

4.2 DECORUM AND ORDER: COUNCILMEMBERS

4.2.1 Any Councilmember desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine him/herself to the question under debate.

4.2.2 A Councilmember desiring to question the staff shall address his/her question to the City Attorney or City Manager, as appropriate. If to the City Manager, he/she will either answer the inquiry him/herself or designate some member of his/her staff for that purpose.

4.2.3 A Councilmember, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer; unless a Point of Order is raised by another Councilmember; or unless the speaker chooses to yield to questions from another Councilmember.

- 4.2.4 Any Councilmember called to order while he/she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed. If ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with rules of the Council.
- 4.2.5 Councilmembers shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.
- 4.2.6 Any Councilmember may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Council shall require him/her to so act.
- 4.2.7 Councilmembers are strongly encouraged to contact the City Manager or appropriate Department Head to make inquiries regarding any matter on the Council Agenda, prior to the actual meeting. This is intended to facilitate the City's business while ensuring each Councilmember is fully informed on the matters at hand. Councilmembers may wish to make the same inquiry during the public meeting, but should note that the matter had already been discussed and the purpose is to better inform the public.

4.3 DECORUM AND ORDER: EMPLOYEES

Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. The City Manager shall ensure that all City employees observe such decorum. Any staff members, including the City Manager, desiring to address the Council or members of the public shall first be recognized by the Presiding Officer. All remarks shall be addressed to the Presiding Officer and not to any one individual Councilmember or member of the public.

4.4 DECORUM AND ORDER: PUBLIC

Members of the public attending Council meetings shall observe the same rules of order and decorum applicable to the Council. Any person making impertinent and slanderous remarks or who becomes boisterous while addressing the Council or while attending the Council meetings shall be removed from the room if the sergeant-of-arms is so directed by the Presiding Officer, and such person may be barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Presiding Officer,

who may direct the sergeant-of-arms to remove such offenders from the room. Aggravated cases shall be prosecuted on an appropriate complaint signed by the Presiding Officer.

However, nothing in this section shall prohibit any person who has been recognized by the Presiding Officer from engaging in public criticism of the policies, procedures, programs or services of the City, or of the acts or omissions of the City Council, in an appropriate manner.

4.5 ENFORCEMENT OF DECORUM – COUNCIL MEETINGS

4.5.1 The head of the City's police agency or his/her designee shall be ex-officio sergeant-of-arms of the Council. He/she shall carry out all orders and instructions given him/her by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chambers. Upon instructions from the Presiding Officer, it shall be the duty of the sergeant-of-arms or his/her representative to eject any person from the Council Chambers or place him/her under arrest or both.

4.5.2 As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Council may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section.

4.5.3 Nothing in this section shall prohibit the Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

4.6 PERSONAL PRIVILEGE

The right of a member of the public to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned or impugned.

4.7 CONFLICT OF INTEREST

All Council members are subject to the provisions of California Law, including, but not limited to Chapter 7, Title 9, of the California Government Code, relative to conflicts of interest the City's Code of

Ethics contained these Council Protocols, and to conflicts of interest codes adopted by the Council. Any Councilmember prevented from voting because of a conflict of interest shall refrain from debate and voting. Councilmembers that have declared such a conflict of interest shall physically remove themselves from the meeting room, and avoid any actions that would influence the outcome of the vote.

4.8 DISSENTS, PROTESTS, AND COMMENTS

Any Councilmember shall have the right to express dissent from, or protest to, or comment upon, any action of the Council and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons..."

4.9 PROCEDURES IN ABSENCE OF RULES

In the absence of a rule herein to govern a point or procedure, Robert's Rules of Order, Newly Revised, shall be used as a guide.

4.10 RULINGS OF CHAIR/PRESIDING OFFICER FINAL UNLESS OVERRULED

In presiding over Council meetings, the Mayor, Vice-Mayor, or temporary Presiding Officer shall decide all questions or interpretations of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Councilmembers present and voting, and shall be binding and legally effective even if clearly erroneous) for purposes of the matter under consideration.

4.11 ACTION NOT INVALIDATED

Failure to strictly comply with these Rules of Procedure shall not necessarily invalidate any action taken by the City Council.

5.0 ADDRESSING THE COUNCIL

5.1 MANNER OF ADDRESSING THE COUNCIL

5.1.1 To the extent practical, any member of the public desiring to address the Council shall complete and turn into the City Clerk, a Speaker's Card, the form of which shall be maintained by the City Clerk. Once recognized by the Presiding Officer, that person shall proceed to the podium and state his/her name and residence for the record, before addressing the Council.

5.1.2 All remarks and questions shall be addressed to the Chair and not to any individual Councilmember, staff member or

other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer.

5.2 TIME LIMITATION

5.2.1 Any member of the public desiring to address the Council shall limit his/her address to no more than three (3) minutes, unless further time has been granted by the Presiding Officer in the individual case, or in accordance with Section 2.6.

5.2.2 Persons presenting an appeal, such as from the denial of a permit, or who have a hearing agendized before the Council, shall be given a reasonable amount of time to make their presentations.

5.3 ADDRESSING THE COUNCIL AFTER THE MOTION IS MADE

After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission by the Presiding Officer.

5.4 LIMITATIONS REGARDING ADDRESSING THE COUNCIL

The making of oral communications to the Council by any member of the public during the Public Comments" portions of the agenda shall be subject to the following limitations:

5.4.1 At any time, before or after the oral communication is commenced, the Presiding Officer may, if he/she deems it preferable, direct that the communication be made instead either to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Councilmembers, pursuant to Section 5.5.

5.4.2 Those matters that are set to be deliberated by a City Commission, Board or other agency, should be deferred until the advisory body has completed its deliberations and has taken its final action.

5.4.3 The Presiding Officer may limit the number of speakers heard on non-agenda topics at any single meeting. Those whose presentations are postponed shall be given priority at the next meeting during the "Public Comments" portions of the agenda.

5.4.4 If it appears that several speakers desire to speak regarding a single topic, the Presiding Officer may reasonably limit the number speaking as to each side of an issue. In this regard,

preference may be given to speakers who represent groups or persons who have designated a spokesperson.

- 5.4.5 Except as otherwise permitted, no oral communication, except as allowed under applicable law, shall be allowed to include charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference which tends to identify him/her. All charges or complaints against employees shall be submitted to the City Manager for appropriate action. Charges or complaints against the City Manager shall be submitted to the full Council for appropriate action.

5.5 WRITTEN CORRESPONDENCE

- 5.5.1 The City Clerk is authorized to receive and open all mail addressed to the Council as a whole and give it immediate attention to the end that all administrative business referred to in said communications, and not necessarily requiring Council action, may be disposed of between Council meetings. A copy of such communication shall be sent to each Councilmember marked "Information Only."
- 5.5.2 Any communication relating to a matter pending, or to be brought before the City Council shall be included in the agenda packet for the meeting at which such item is to be considered.
- 5.5.3 Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the Municipal Code, or other ordinances.
- 5.5.4 Copies of all other communications sent to the Council will be transmitted to them.

6.0 MOTIONS

6.1 PROCESSING OF MOTIONS

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

6.2 MOTIONS OUT OF ORDER

The Presiding Officer may at any time, by majority consent of the Council, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order.

6.3 DIVISION OF QUESTION

If the question contains two or more dividable propositions, the Presiding Officer may, and upon request of a member shall, divide the same.

6.4 PRECEDENCE OF MOTIONS

When a motion is before the Council, no motion shall be entertained except the following which shall have precedence in the following order:

- 6.4.1 Adjournment
- 6.4.2 Fix hour of adjournment
- 6.4.3 Table
- 6.4.4 Limit or terminate discussion
- 6.4.5 Amend
- 6.4.6 Continue

6.5 MOTION TO ADJOURN (not debatable)

6.5.1 A motion to adjourn shall be in order at any time, except as follows:

- a) when repeated without intervening business or discussion;
- b) when made as an interruption of a member while speaking;
- c) when discussion has been ended, and vote on the motion is pending; and
- d) while a vote is being taken.

6.5.2 A motion to adjourn to another time" shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT

Such a motion shall be to set a definite time to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be taken from the table" at any time prior to the end of the next regular meeting; if not heard at that time, the item is no longer before the City Council.

6.8 MOTION TO LIMIT OR TERMINATE DISCUSSION

Such a motion shall be used to limit or close debate on, or further amendments to, the main motion and shall be undebatable. If the

motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND

A motion shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and voted on before a vote on the amendment. Amendments shall be voted first, and then the main motion amended.

6.10 MOTION TO CONTINUE

Motions to continue to a definite time shall be amendable and debatable as to priority of postponement and time set.

7.0 VOTING PROCEDURE

7.1 VOTING PROCEDURE – DEFINED

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Councilmember present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall be in random order. The City Clerk shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond aye, "no," or abstain," provided that when a vote is collectively taken by voice or when a method of voting other than voice or roll call is used, any Councilmember not audibly and clearly responding "no" or "abstain" or otherwise registering an objection shall have his vote recorded as aye."

7.2 ROLL CALL VOTING

Every ordinance and any resolution or orders for franchises or payments of money require three affirmative votes. A roll call vote shall be used for these changes. Any other question before the Council shall not require a roll call vote unless demanded by any member. It shall not be in order for members to explain their vote during roll call. Any Member may change his vote before the next order of business.

7.3 FAILURE TO VOTE

Every Councilmember must vote unless disqualified for cause. A Councilmember who abstains shall have his/her vote recorded in the minutes as an abstention.

7.4 RECONSIDERATION

Any Councilmember who voted with the majority may move a reconsideration of any action at the same or next meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of Council.

7.5 TIE VOTES

Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter. If a tie vote results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

8.0 RESOLUTIONS

8.1 DEFINITIONS

8.1.1 Generally, Legislative acts of the City Council are taken by ordinance or resolution, whereas more routine business and administrative matters usually more temporary and transitory in nature) are accomplished by motion. Three terms are in general use to denote such non-ordinance actions: "resolution", "minute order," and "motion" (hereafter recorded by minute entry). Technically, all three are equally as legally effective and binding; they just vary in formality of respective memorialization.

8.1.2 The most formal of non-ordinance actions is referred to locally as a "resolution". This, in addition to being referenced in the minutes, will be recorded by a separate document, numbered in a sequence and preserved in a separate set of books. Such "resolutions" are used in this City for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document with the additional "whereas" explanatory material it often recites to facilitate such future reference and research.

8.1.3 A "minute order" or "minute action" as used locally denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however, the "minute order" is drafted far more briefly than a "resolution" and is distinguished

from a mere minute entry only by the need, in general, to have a separate document to facilitate certain administrative processes to which it pertains.

8.1.4 A “motion” (assuming it was one which passed), is a Council action which is recorded by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

8.2 RESOLUTIONS PREPARED IN ADVANCE

Where a resolution has been prepared in advance, the procedure shall be: Motion; second; discussion; vote, pursuant to methods prescribed in Section 7.1; and result declared. It shall not be necessary to read a resolution in full or by title except to identify it. Any Member may require that the resolution be read in full.

8.3 RESOLUTIONS NOT PREPARED IN ADVANCE

Where a resolution has not been prepared in advance, the procedure shall be to instruct the City Manager or City Attorney to prepare a resolution for presentation at the next Council meeting.

8.4 URGENCY RESOLUTIONS

8.4.1 In matters of urgency, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the resolution has been verbally stated, the voting procedure in 8.2 above shall be followed.

8.4.2 Urgency resolutions shall be avoided except when absolutely necessary; and shall be avoided entirely when resolutions are required by law, in improvement acts, zoning matters, or force account work on public projects. Where the resolution has been drafted in written form, either before or during the meeting, this paragraph shall not be deemed applicable.

9.0 ORDINANCES

9.1 INTRODUCTION AND ADOPTION OF ORDINANCES

9.1.1 Ordinances shall not be adopted within five (5) days of their introduction, and may only be adopted at a Regular Meeting or an adjourned regular meeting. However, an urgency ordinance may be adopted immediately upon introduction and either at a regular or special meeting. All ordinances shall be read in full either at the time of introduction or adoption, except when further reading is waived by regular motion adopted unanimously by all Councilmembers present.

9.1.2 When ordinances, other than urgency ordinances, are altered after introduction, they shall be adopted only at a regular or at an adjourned regular meeting held at least five (5) days after alteration. Corrections of typographical or clerical errors are not alterations within the meaning of this Section.

9.1.3 Urgency ordinances shall only be enacted when necessary to protect the public health, safety or welfare, or as otherwise permitted by State law.

9.2 EFFECTIVE DATE

All ordinances, except as provided in section 36937 of the Government Code, shall take effect thirty (30) days after adoption, but may be made operative at such later date as may be designated in the ordinance.

9.3 PUBLISHING

It shall be the duty of the City Clerk to post or publish all ordinances in accordance with Section 36933 of the Government Code within fifteen (15) days after adoption.

9.4 URGENCY ORDINANCES

All urgency ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. If such an ordinance fails to receive a 4/5 majority, it may thereafter be considered and passed in the same manner as regular ordinances.

10.0 STUDY SESSIONS

10.1 SCHEDULE OF STUDY SESSIONS

10.1.1 Councilmembers able to attend scheduled study sessions will meet at the place specified in Chapter 2.04 of the City of American Canyon Municipal Code for the purpose of reviewing the agenda for a Council meeting, and meeting and conferring with commissions, civic organizations, and City officials relative to pending City business.

10.1.2 The time for study sessions as specified above may be altered by the Council or by the Mayor on individual occasions when appropriate to the convenience of the Councilmembers, provided that when this occurs, written notice of the change shall be delivered personally or by mail to each local newspaper of general circulation, radio or television station at least 24 hours before the study session to be held at the changed time. Each Councilmember shall be notified of the changed time personally or by whatever

means the Mayor or City Manager deem appropriate. A notice of the postponement of the meeting shall be posted at the door of the place where the study session was to be held and in all locations designated for the posting of Council agendas, and shall state the new date, time and place at which the study session will be held.

10.2 OPEN TO THE PUBLIC

City Council Meetings, Retreats, Workshops, Study Sessions and Standing Committee Meetings shall at all times be open to the public and the news media. The City Clerk will be responsible for advising the news media of the meeting.

10.3 PURPOSE

10.3.1 Study sessions are not intended to constitute a meeting of the City Council and they shall be carried on regardless of the number of Councilmembers in attendance.

10.3.2 At said study sessions, no formal action shall be taken, and no motions shall be offered. The sole purpose of said meetings is to provide background information to members of the Council for their review.

10.3.3 If an item is presented at a study session by a Councilmember for the purpose of placing it on the agenda of a regular Council meeting, if the majority of the Councilmembers concur, the item will then be placed on the agenda of a regular Council meeting at least one week later.

10.4 AGENDA

The City Manager shall be responsible for preparing an agenda of items for discussion at each study session.

11.0 MEETING MINUTES

11.1 The City Clerk or the City Clerk's designee is responsible for taking and preparing the minutes of City Council meetings.

11.2 Barring insurmountable difficulties, the minutes of any Council meeting will be included for approval at the next regular meeting of the Council.

11.3 The minutes of any Council meeting shall be in a "Modified Action Minutes" format. That is, the specific items that were approved, including the formal motions and votes taken to accomplish that approval, shall be recorded. In addition, members of the public that comment on an item will be noted (but not necessarily a summary of those remarks). A brief

discussion of any major issues or points of debate may be included. In the event that any Councilmember requests that their remarks be included in the minutes, such a request will be honored. The Presiding Officer may also request that any other relevant matter be included in the minutes, and will so direct the City Clerk during the meeting.

12.0 COUNCIL COMMITTEES

12.1 PURPOSE

The Council may establish ad hoc or standing committees consisting of two or more members of the Council. The purpose of such committees is to facilitate the City's business and to allow for more in-depth awareness or assessment of City services.

12.2 RESERVED

12.3 RESERVED

12.4 COUNCIL ADVISORY COMMITTEES - RESERVED

13.0 COUNCIL PAY AND COMPENSATION

13.1 PAY

13.1.1 Each Councilmember shall receive a salary as stipulated by law. Payment shall not be prorated, meaning that each Councilmember shall receive full payment if they serve any time during the month. Councilmembers will also receive a salary for each meeting of the American Canyon Fire Protection District ("Fire District") that they are present. Councilmembers will be paid for no more than four meetings per month.

13.1.3 Council members will be paid for each meeting they are present and in which they function as the former American Canyon County Water District ("Water District"). Councilmembers will be paid for no more than four meetings

per month. Councilmembers function as the former Water District when they consider "Will Serve" letters for parcels outside the City; when they are considering matters relating to the overall water supply or master planning efforts for the entire Water District Service Area; or when they are considering the expansion, repair or replacement of water transmission lines outside City limits but within the Water District Service Area

13.1.4 Payment will be twenty-six (26) times per year for Councilmember salary. Payment for Fire District or Water District meetings will be made in the pay period in which the meeting occurred.

13.2 BENEFITS

13.2.1 Councilmembers will be covered under the City's PERS retirement program, which includes medical coverage. Consistent with that coverage, if a Councilmember is vested in the City's retirement program, they will be eligible for retiree medical insurance benefits. Councilmembers are also eligible for the same Dental and Vision Care coverage and benefits as the Management Team, so long as they are serving on the Council. They are also eligible for participation in the City's Section 457 Deferred Compensation program and the City's Computer Equipment Loan program.

13.2.2 There will be no monetary compensation "in lieu of" to a Councilmember if he/she declines one or all of the benefits listed above.

14.0 EXPENSES AND USE OF PUBLIC RESOURCES POLICY STATEMENT

14.2 AUTHORIZED EXPENSES

The City funds, equipment (e.g. cell phone, laptop personal computer, small file storage, etc.), supplies (including letterhead), and staff time must only be used for authorized City of American Canyon activities. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:

1. Communicating with representatives of regional, state and national government on proposed or adopted City policy positions;
2. Attending educational seminars designed to improve officials' skill and information levels;
3. Participating in local regional, state and national organizations whose activities affect the City of American Canyon's interests;
4. Recognizing service to the City of American Canyon (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
5. Attending City of American Canyon events;

6. Implementing a City of American Canyon-approved strategy for attracting or retaining businesses to the City of American Canyon, which will typically involve at least one staff member; and

All other expenditures require prior approval by the City of American Canyon governing body.

The following expenses incurred by the governing body, also require prior governing body approval: ²

1. International travel;
2. Expenses that are expected to exceed \$1,500 per trip.

City employees (non-elected) shall comply with the City's approved Human Resources Policies and Practices (Section 9.6)

Examples of personal expenses that the City of American Canyon will not reimburse include, but are not limited to:

1. The personal portion of any trip;
2. Political or charitable contributions or events;
3. Family expenses, including partner's expenses when accompanying official on agency-related business, as well as children- or pet-related expenses;
4. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf related expenses), or other cultural events;
5. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
6. Personal losses incurred while on City of American Canyon business. Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred.

14.3 COST CONTROL

To conserve City of American Canyon resources and keep expenses within community standards for public officials, expenditures should

² This is consistent with the California League of Cities, Institute of Government Guidelines regarding compliance with AB1234, commonly known as Ethics Training Law.

adhere to the following guidelines. In the event that expenses are incurred which exceed these guidelines, the cost borne or reimbursed by the City of American Canyon will be limited to the costs that fall within the guidelines.

- 14.3.1 Transportation –Generally, the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements should be used, using the most direct and time-efficient route. Charges for rental vehicles may be reimbursed under this provision if more than one City of American Canyon official is attending an out of town conference, and it is determined that sharing a rental vehicle is more economical than other forms of transportation; or, if the area visited is a suburban or rural area and no other reasonable modes of transportation are available due to required travel distances. In making such determination, the cost of the rental vehicle, parking and gasoline will be compared to the combined cost of such other forms of transportation. Government and group rates must be used when available.
- 14.3.2 Airfare - Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered through the League of California Cities (www.cacities.org/travel), the California State Association of Counties (<http://www.csac.counties.org/default.asp?id=635>) and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.
- 14.3.3 Automobile – Either an automobile allowance as outlined in the Unrepresented Compensation Resolution or automobile mileage is reimbursed at Internal Revenue Service rates presently in effect. (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable. The Internal Revenue Service rates will not be paid for rental vehicles; only receipted fuel expenses will be reimbursed.
- 14.3.4 Car Rental - Rental rates that are equal or less than those available through the State of California's website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

- 14.3.5 Taxis/Shuttles - Taxis or shuttles fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.
- 14.3.6 Lodging - Lodging expenses will be reimbursed or paid for when travel on official City of American Canyon business reasonably requires an overnight stay.
- 14.3.7 Conferences/Meetings - If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, see next section.
- 14.3.8 Other Lodging - Travelers must request government rates, when available. A listing of hotels offering government rates in different areas is available at <http://www.catravelmart.com/loqguideframes.htm>. Lodging rates that are equal or less to government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable (see Publication 1542 at <http://www.irs.gov/> or www.gsa.gov).

- 14.3.9 Meals - Meal expenses and associated gratuities will be reimbursed at the actual cost but not to exceed the allowable amounts as approved by the City Council/Fire District Board (always obtain updated reimbursement form for current per meal amounts). City/District credit cards shall not be used for any meals that exceed the approved meal rates. Employees must submit receipts for all meals to be reimbursed.

In the event that the conference registration includes meals or travel includes partial days (travel ending before 1 p.m.), there will be no meal reimbursement.

- 14.3.10 Telephone/Fax/Cellular/Computer
Option #1. Officials may receive a City-issued cell phone or Personal Digital Assistant (PDA), and/or laptop computer in accordance with City equipment standards and

specifications. Use of these devices by Officials is held to the same standards and guidelines that apply to employees which are outlined in the City's Human Resources Policies and Practices Manual (HR Manual), Section 9.7.

Option #2. Officials who elect to use their own phones/PDAs will be reimbursed for City usage at an amount that is equal to what the City would pay for the same service provided to Officials who are issued equipment. For instance, if the City pays \$50 per month for the service for a Blackberry PDA and an Official opts to use his/her own PDA for City business, the City will reimburse that Official \$50 per month. This amount will be evaluated each July and will be adjusted as rates that the City pays for the Officials who are issued City equipment increases or decreases. Any expenses above and beyond this flat rate may be reimbursed by submitting the proper proof and accounting of expenses to the Finance Director.

14.3.11 Internet

Option #1. An Official may elect to be issued a City computer with an internet connection to be used for official business only and per Section 9.7 of the City's Human Resources Policies and Practices Manual.

Option #2. Officials who elect to use their own computer and internet service will be reimbursed for City usage at an amount that is equal to what the City pays for the same service provided to Officials who are issued equipment. For instance, if the City pays \$50 per month for internet service and an Official opts to use his/her own internet service for City business, the City will reimburse that Official \$50 per month. This amount will be evaluated each July and will be adjusted as rates that the City pays for the Officials who are issued City equipment increases or decreases. Any expenses above and beyond this flat rate may be reimbursed by submitting the proper proof and accounting of expenses to the Finance Director.

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

14.3.13 Other - Baggage handling fees of up to \$1 per bag and gratuities of up to 15 percent will be reimbursed. Expenses for which City of American Canyon officials receive reimbursement from another agency are not reimbursable.

14.3.14 Cash Advance Policy - From time to time, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the City of American Canyon's behalf. Such request for an advance should be submitted to the Finance Director 14 days prior to the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of City of American Canyon;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

Any unused advance must be returned to the City of American Canyon treasury within two business days of the official's return, along with an expense report and receipts documenting how the advance was used in compliance with this expense policy.

In the event that the Finance Department is uncertain as to whether a request complies with this policy, such individual must seek resolution from the City of American Canyon governing board.

14.4 CREDIT CARD USE POLICY

City of American Canyon office holders may use a City of American Canyon credit card for purposes such as airline tickets and hotel reservations by following the same procedures for cash advances. Receipts documenting expenses incurred on the City of American Canyon credit card and compliance with this policy must be submitted within five business days of receipt of the credit card statement (receipts must be attached to the statement).

City of American Canyon credit cards may not be used for any personal expenses, even if the official subsequently reimburses the City of American Canyon.

14.5 EXPENSE REPORT CONTENT AND SUBMISSION DEADLINE

All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the City of American Canyon. This form includes the following advisory:

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

Expense reports must document that the expense in question met the requirements of this policy. For example, if the meeting is with a legislator, the local agency official should explain whose meals were purchased, what issues were discussed and how those relate to the City of American Canyon's adopted legislative positions and priorities.

Officials must submit their expense reports within 45 days of an expense being incurred, accompanied by receipts documenting each expense. If a City credit card is used, then Section 14.4 applies.

Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.

14.6 AUDITS OF EXPENSE REPORTS

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

14.7 REPORTS TO GOVERNING BOARD

At the following City of American Canyon governing body meeting, each official shall briefly report on meetings attended at City of American Canyon's expense. If multiple officials attended, a joint report may be made.

14.8 COMPLIANCE WITH LAWS

City of American Canyon officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act and other laws.

14.9 VIOLATION OF THIS POLICY

Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City of American Canyon, 3) the City reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, 5) prosecution for misuse of public resources, 6) notice of any action in a daily new paper ad for two Sunday's.

VI COUNCIL AGENDA PROCESS

1. The **Agenda Forecast** document will be amended by the responsible department. The Agenda Forecast is the document by which the City Council Agenda will be constructed.
 2. Electronic copies of **Staff Reports with all attachments** should be uploaded to the City's agenda processing software, Laserfiche Agenda Manager, no later than 5:00 p.m. the third Monday prior to the intended City Council meeting. When an item is uploaded into Agenda Manager, the system automatically routes the report through a pre-designated approval process. The Finance Director and City Manager each review and comment on all items. The submitting department is responsible to make the appropriate approval routing selection when submitting agenda items that require additional review.
 3. Any **Staff Report** comments are sent to the author no later than 9:00 a.m. the second Thursday prior to the intended meeting.
 4. The **Final Staff Report** is submitted no later than 5:00 p.m. the 2nd Friday prior to the meeting via Agenda Manager.
 5. City Council Agenda items should include:
 - Staff Report; and **If applicable:**
 - Resolution/Ordinance
 - Environmental Review Checklist
 - Agreement/Contract (properly executed)
 - Other relevant information
- The "Fiscal Impact" section should include:
- The source of funding
 - The budget line item number or state the need for a budget allocation
 - The cost for maintenance or any ongoing costs (if applicable)
 - Any economic impacts the item may have on the City.
6. The City Clerk's Office will prepare the Agenda Packet for distribution and publish to the City's Website, post and distribute the City Council Agenda by uploading a copy of the packet to Box.com for download via personal device and make available via the Granicus application, iLegislate to the City Council, City Manager, City Attorney, Department Managers and Media on Thursday prior to the next City Council meeting (exception: Special Meetings).
 7. Reports filed after the deadline of 5:00 p.m. on the 2nd Friday will require the approval of the City Manager.

VII COUNCIL MEMBER ADMINISTRATIVE SUPPORT

The City Manager is responsible for the administration and direction of staff resources as provided by the City Municipal Code. Except as provided elsewhere the Council will adhere to the following:

1. Council Mail/Correspondence – The City Clerk shall be responsible for opening Mayor and Council correspondence. All letters addressed to the Mayor requiring a response from staff are copied to all Council Members with a note as to which staff person will be preparing a response for the Mayor’s signature. Cards and other Council Member mail marked “Personal” will not be copied to the full Council. Correspondence marked “confidential” will not be opened by the City Clerk or any other staff members.
2. Clerical Support – The City Manager’s Office will coordinate the typing of correspondence requested by individual Council Members. All correspondence typed for Council Members will be on City letterhead and will be copied to the full Council.
3. Master Calendar – A Master Calendar of Council events, functions, or meetings will be provided to the full Council. Functions, events, or regularly scheduled meetings to be attended by individual Council Members will also be included on the Master Calendar. The City Clerk shall maintain, distribute and keep the master calendar current.
4. Requests for Research or Information – Council Members may request information or research from staff on a given topic directly when it is anticipated that the request can generally be completed by staff in less than an hour. Council Member requests for research or information that are anticipated to take staff more than one hour shall be directed to the City Manager unless the Council Member selects to bring the matter during a council meeting under “Council Comments.” Requests for new information or policy direction will be brought to the full Council at a Regular Meeting for consideration. All written reports will be copied to the full Council.
5. Tickets to City Events – Two tickets for each Council Member will be made available for events hosted by the City or in which the City is a member (e.g., NCLOG, etc). Departments hosting City events will coordinate the distribution of tickets to Council Members with the City Manager’s Office. The availability of tickets for events hosted by other organizations will be at the discretion of the organizing agency. When the City is a major sponsor of an event, staff will endeavor to include the availability of tickets in the sponsorship agreement or contract.
6. Council Notification of Significant Incidents – In conjunction with the City’s public safety departments, the City Manager’s Office will coordinate

notification to Council. Notification will occur in the event of a natural disaster, riots, large scale evacuation, gang activity involving murder or the injury and hospitalization of a City employee while on the job, an officer-involved shooting or a financial issue that could result in controversy or disgrace on the City of American Canyon. This will be accomplished by E-mail and/or telephone.

7. Council Member Stationery - It is customary for individual Council Members to correspond with residents, applicants, or other elected officials. Such correspondence does not necessarily bind the full Council or the City, but may involve making personal endorsements or recommendations, congratulating residents or other elected officials as appropriate, or responding to inquiries from constituents. Special letterhead indicating that it is from a specific Councilmember shall be developed and forwarded to each Councilmember, in both an electronic and hard copy format.

VIII MAYOR AND CITY COUNCIL CONFORMITY TO CITY COUNCIL ADOPTED PROTOCOLS

The Mayor and City Council recognizes that they and staff must self-regulate each other with respect to adhering to these protocols. The Mayor, in consultation with the City Manager and City Attorney, will be responsible for confronting a member of council who violates any of the above provisions. The Vice Mayor will be responsible for confronting the Mayor in the event of a violation of any of the above provisions. Any member of Council may seek to have a member of the City Council censured at a regular meeting

1. AMENDMENTS

A simple majority vote is required to amend these rules. Amendments may be considered under any of the following circumstances:

- A. Changes in State or Federal law;
- B. As requested by the Council; or
- C. Whenever a new Council is formed.