

CITY OF SEBASTOPOL CITY COUNCIL
AGENDA ITEM REPORT FOR MEETING OF:

November 5, 2024 - Agenda Item Continued from the City Council
Regular Meeting of October 15, 2024

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To: Honorable Mayor and City Councilmembers
From: Ad Hoc Committee for City Council Protocols and Procedures
Subject: Approval of City Council Policies

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RECOMMENDATIONS:

That the City Council approve the City Council Policies as follows:

- | | |
|-----------------|-------------------------------|
| Policy Number 1 | Selection of Mayor |
| Policy Number 2 | Selection of Vice Mayor |
| Policy Number 3 | Roles of Mayor and Vice Mayor |
| Policy Number 4 | Seating Selection |
| Policy Number 5 | Trainings |

EXECUTIVE SUMMARY:

The purpose of protocols is to set forth policies and provisions, including rules of decorum beyond those required by state law. Completion of a City Council Procures and Protocols Handbook will establish protocols to provide an effective environment for the City Council to provide leadership to ensure that the business of the City is conducted in an orderly and efficient manner to facilitate sound City Council and public deliberation and decision making. Completion of this Handbook is intended to accomplish two goals: First, the handbook will be an informational guide for anyone doing business or appearing before the City Council. Second, the handbook will be a compilation of Procedures and Protocols that have been formally adopted by Council Resolution rather than separate resolutions and policies.

BACKGROUND AND DISCUSSION:

At the October 1, 2024, City Council meeting, the Council discussed, provided direction for minor edits and recommended approval with the final policies to be returned for formal approval at the next City Council meeting. Those policies are now before the City Council for approval.

STAFF ANALYSIS:

Certain state laws and other established regulations exist which govern various responsibilities of the City Council. These protocols are not intended to supersede any existing statutes or regulations, but policies included will increase its value as a tool for new Council Members as well as new Mayors or Vice Mayors as there will be clear and concise processes. Even once approved, protocols may be amended by a majority vote of the Council Members. In the event of any conflict between protocols and applicable state or federal law, the applicable federal law, state law or own City Municipal Code shall control.

Staff recommends the Council approve Policies 1 through 5.

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date. The City has also used social media to promote and advertise the City Council Meeting Agenda Items.

FISCAL IMPACT:

**CITY OF SEBASTOPOL
CITY COUNCIL POLICIES AND PROCEDURES HANDBOOK**

PURPOSE:

The City of Sebastopol Council Policy Manual (hereinafter referred to as “Council Policy Manual”) sets forth policies and procedures by which the City Council, Boards, Commissions, Standing and Ad Hoc Committees, shall conduct City Council business and activities. The Council Policy Manual establishes standard policies to guide a number of the various functions of the City Council and procedures by which such functions are to be performed. It is the purpose of this Policy to establish procedures for the preparation, distribution, and maintenance of Council policies in the Council Policy Manual.

PREPARATION:

The Council Policy Manual shall include Council policies pertaining to the process by which Council makes decisions on a variety of topics for which Council bears such decision-making responsibility, by virtue of California State law, the Municipal Code of the City of Sebastopol, or resolutions. City Council policies shall be presented for review and approval by the full Council, and shall be adopted by resolution. Upon adoption by resolution, Council policies shall be included in the Council Policy Manual accompanied with the resolution and the date of adoption. Each Council policy shall include its history, including date of adoption and any amendments.

MAINTENANCE:

The Council Policy Manual shall contain all Council policies adopted by resolution of the City Council. The City Council shall review the Council Policy Manual annually, and determine whether any individual policy should be amended or rescinded. Concurrently, the City Attorney’s Office shall review the Council Policy Manual to determine which, if any, policies need review, revision or rescission based on changes in applicable law, and provide a report annually to the City Council. All policy amendments or rescissions shall be adopted and/or incorporated by resolution. Without limiting the foregoing, the Council may change the Council Policy Manual at any time.

**CITY OF SEBASTOPOL
CITY COUNCIL POLICIES AND PROCEDURES HANDBOOK**

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**CITY COUNCIL POLICY
SELECTION OF MAYOR**

The City Council is the legislative-policy-making branch of City government. The City Council consists of five members. Each member is selected from a non-partisan, at-large election and serves a four-year term, however, there are no term limits in the City of Sebastopol. Annually, the City Council appoints a Mayor from its membership to serve a one-year term.

The Mayor and Vice Mayor serve at the pleasure of the City Council, with the Vice Mayor authorized to possess and perform the duties of the Mayor in the absence of the Mayor.

It is important to note that the Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor and Vice-Mayor have some additional ceremonial and administrative responsibilities, all members are equal with regard to voting and in other significant areas.

The intent of this policy is to ensure a fair and equitable policy for all Councilmembers regarding Selection of Mayor.

PROCESS FOR SELECTION OF MAYOR:

During odd years, the City Council shall select the Mayor at its first regular meeting in December. During even years, the City Council shall select the Mayor at the meeting during which the results of the election are declared and confirmed, which will normally be the first regular meeting in December.

The Policy of the City Council is that the individual who served as the Vice-Mayor the prior year shall serve as Mayor. In the event the individual who served as the Vice-Mayor the prior year is ineligible or otherwise unavailable to serve as Mayor, the Mayor shall be the individual with the most seniority, who has previously served as Mayor or Vice Mayor, but has not served as Mayor during their current term in office. If no such person exists, the Council shall select the individual of their choosing to serve as Mayor.

Seniority is defined as the longest serving member on the City Council without a break in service. In the event of a tie of seniority, then seniority shall be established by the number of highest votes received during their most recent election when said members were elected.

At no time shall the Mayor seat be filled by a Councilmember who has not served on the Council for a minimum of one year.

**CITY COUNCIL POLICY
SELECTION OF VICE MAYOR**

The City Council is the legislative-policy-making branch of City government. The City Council consists of five members. Each member is selected from a non-partisan, at-large election and serves a four-year term, however, there are no term limits in the City of Sebastopol. Annually, the City Council appoints a Vice Mayor from its membership to serve a one-year term.

The Mayor and Vice Mayor serve at the pleasure of the City Council, with the Vice Mayor authorized to possess and perform the duties of the Mayor in the absence of the Mayor.

It is important to note that the Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor and Vice-Mayor have some additional ceremonial and administrative responsibilities, all members are equal with regard to voting and in other significant areas. The intent of this policy is to ensure a fair and equitable policy for all Councilmembers regarding Selection of Vice Mayor.

PROCESS FOR SELECTION OF VICE-MAYOR:

The City Council believes that experience as a Council Member will assist those who are selected to serve as Vice Mayor, and that it is in the City's best interest that these selections be made in a manner that permits Vice Mayor to gain that experience in cycles of governing and to acclimate themselves to the jobs, tasks, and roles prior to assuming their respective offices.

During odd years, the City Council shall select the Vice-Mayor at its first regular meeting in December. During even years, the City Council shall select the Vice-Mayor at the meeting during which the results of the election are declared and confirmed, which will normally be the first regular meeting in December.

The Policy of the City Council is that the most senior member of the City Council who has not served as Mayor during their current term shall be the Vice-Mayor.

Seniority is defined as the longest serving member on the City Council without a break in service. In the event of a tie of seniority, then seniority shall be established by the number of highest votes received during their most recent election when said members were elected.

In order to ensure experience and continuity, a newly elected Councilmember shall serve at a minimum one year on the Council prior to being eligible to serve as Vice Mayor.

	Sandra Maurer & Neysa Hinton Win Re-election		Sandra Maurer wins Neysa Hinton doesn't		Sandra Maurer Doesn't Neysa Hinton Does		Sandra Maurer doesn't Neysa Hinton Doesn't	
	Mayor	Vice-Mayor	Mayor	Vice-Mayor	Mayor	Vice-Mayor	Mayor	Vice-Mayor
2025	Stephen Zollman	Jill McLewis	Stephen Zollman	Jill McLewis	Stephen Zollman	Jill McLewis	Stephen Zollman	Jill McLewis
2026	Jill McLewis	Sandra Maurer	Jill McLewis	Sandra Maurer	Jill McLewis	Sandra Maurer	Jill McLewis	Sandra Maurer
2027	Sandra Maurer	Neysa Hinton	Sandra Maurer	Top Vote Getter 2024	Neysa Hinton	Top Vote Getter 2024	*Stephen Zollman or Jill McLewis if re-elected; otherwise Council will choose	Top Vote Getter 2024
2028	Neysa Hinton	Top remaining vote getter from 2024	Top Vote Getter 2024	2 nd higher vote getter 2024	Top Vote Getter 2024	2 nd higher vote getter 2024	Top Vote Getter 2024	2 nd higher vote getter 2024

CITY COUNCIL POLICY ROLE OF MAYOR AND VICE MAYOR

The powers of the City Council to establish policy are quite broad. Essentially, the City Council may undertake any action related to city affairs other than those forbidden or preempted by state or federal law. Specifically, the City Council has the power, in the name of the city, to do and perform all acts and things appropriate to a municipal corporation and for the general welfare of its inhabitants which are not specifically forbidden by the Constitution and laws of the State of California. It is important to note that the City Council acts as a body. No member has any extraordinary powers beyond those of other members.

While the Mayor and Vice-Mayor have some additional ceremonial and administrative responsibilities as described below, in the establishment of policies, voting and in other significant areas, all councilmembers are equal. It is also important to note that policy is established by at least a majority vote of the City Council.

ROLES:

The Mayor is:

- The presiding officer of the City and of all meetings of the Council
- The official head of the City for performance of duties lawfully delegated to the Mayor
- Referred to as "chair" or "chairperson" when acting as presiding officer of legislative body meetings other than the Council; (such as the Successor Agency to the former Community Development Agency)
- Considered a member of the Council
- The Mayor or presiding officer has authority and discretion to preserve order at all Council meetings. This includes the authority to remove any person that presents a physical threat to any other person in the Council meeting, or for conduct that disrupts the meeting to prevent the orderly prosecution of the City's business. The presiding officer also has the authority and discretion to enforce these rules of the Council and to determine the order of business. The presiding officer shall have the authority to prevent the misuse of the legitimate form of motions, the abuse of privilege of renewing certain motions, or the obstruction of the business of the City Council. The presiding officer may preserve orderly business by ruling such motions out of order. In so ruling, the presiding officer shall be courteous and fair and shall presume that the moving party is making the motion in good faith.
- Entitled to make and second motions on matters before the Council and vote on actions, but shall possess no veto power over actions of the Council May establish reasonable time limits for the presentation of information to the public
- Due to subject matter, number of speakers, approximate length of an item, may determine, at the meeting, the re-ordering of agenda items.
- Recognized as spokesperson for the City Council
- To serve as the City's primary media spokesperson in coordination with City staff. Appropriate City staff should always be alerted to media contact.
- Nothing under the Mayor's duties shall limit any individual Council Member's ability to interact with members of the public or media.

- Participate, along with the Vice Mayor, in the preparation of the agendas of meetings in accordance with the Agenda Review Committee Policy
- Shall be elected annually from among the members of the Council, in accordance with the Selection of Mayor/Vice Mayor Protocols at the Council's first meeting in December of each year, or as soon thereafter as possible following the canvass of ballots by the County Clerk; or at the first regular meeting after the office of Mayor becomes vacant for any reason. The term of office of the Mayor is one year.
- In the absence of the Mayor from the City or a Council meeting, the Vice Mayor shall possess all powers of the office of the Mayor, and be subject to all prescribed duties for that office

In the absence of the Mayor and Vice Mayor from the City or a Council meeting, the Council shall appoint a member of the Council to act as Mayor Tern and shall possess all powers of the office of the Mayor

**CITY COUNCIL POLICY
SEATING CRITERIA**

This policy establishes the procedure and authority for determining seating arrangements.

Seating of Mayor:

- A. The Mayor shall be seated in the center seat. Should the Mayor be absent, the Vice Mayor will assume the Mayor's seat.

Seating of the Vice Mayor:

- B. The Vice Mayor shall be seated to either side of the Mayor, with the Vice Mayor receiving preference for obtaining their desired seat.

Councilmember Seating

Authority is hereby delegated to the Mayor to assign seats at the dais.

Immediately following the meeting at which the declaration of the municipal election results is made and the City Council has chosen one of its members as Mayor based upon City Council Policy Number 1, the newly selected Mayor shall solicit input from the remaining Council Members as to seating preferences. The Mayor shall give highest priority to seating the Vice Mayor in their desired seat, pursuant to B above.

Prior to the next regular City Council meeting, the Mayor shall provide the City Council with the new seating arrangements.

Once a seating arrangement is established, the Mayor shall only adjust the seating arrangement for good cause.

CITY COUNCIL POLICY TRAININGS

This policy establishes the trainings required or recommended for City Councilmembers.

REQUIRED:

- Ethics Training/AB 1234

California law ([California Government Code Sections 53234 through 53235.2](#), commonly referred to as "AB 1234");) requires members of the City Council local designated employees, and appointed commissioners to receive two hours of ethics (AB 1234) within the first six months of appointment and every two years thereafter if the agency provides any type of compensation, salary, or stipend to those officials.

- Sexual Harassment Training

California law ([California Government Code Section 53237 through 53237.5](#), commonly referred to "AB 1661") requires members of the City Council and appointed commissioners to receive two hours of sexual harassment prevention (AB 1661) training and education within the first six months of appointment and every two years thereafter.

- Brown Act Training

The City Council is required to annually receive a Brown Act Training be completed to be provided annually by the City Attorney, or any organization approved by the City Attorney.

RECOMMENDED:

Although not required, it is recommended that City Council take courses offered by Organizations such as, but not limited to:

CAL Cities/League of CA Cities

 Mayors and Councilmembers Academy

 League of California Cities Annual Conference

Institute for Local Government

Fair Political Practices Commission