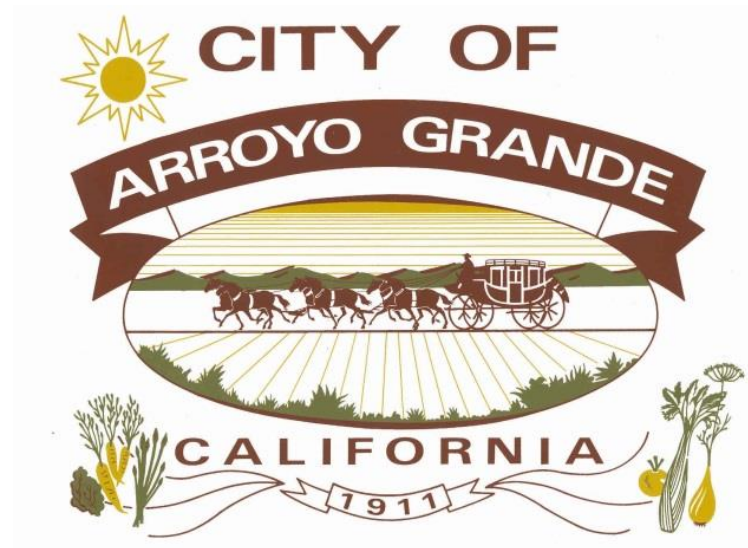


EXHIBIT A



*City of Arroyo Grande
City Council Handbook*

Adopted by the City Council:
August 13, 2024

Resolution No.

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1. INTRODUCTION

The City Council Handbook includes policies and procedures approved by the City Council regarding City Council activities. The objectives of the Manual are to:

- a) Serve as a reference document for the City Council;
- b) Provide comprehensive orientation information for new City Council Members; and
- c) Enable the City Council to effectively compile and maintain operational practices that are agreed upon.

The guidelines and protocols set forth herein are not intended to limit the inherent power and general legal authority of the City Council. Any of the protocols herein may be waived by a majority vote of the Council Members when it is deemed that there is good cause to do so based upon the particular facts and circumstances.

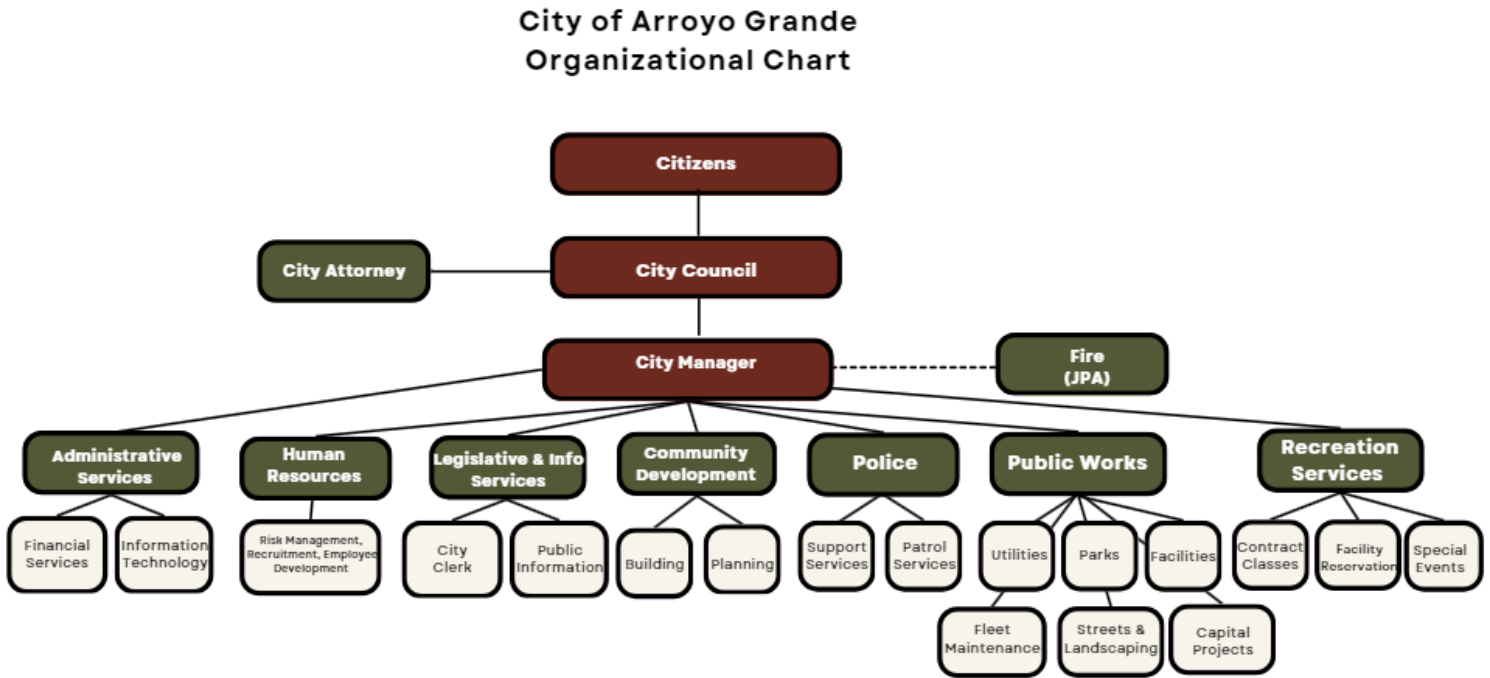
The policies shall be amended by a majority vote of the City Council and may be amended administratively by the City Clerk's Office in order to remain current with federal, state, and local law.

A. General Law City

Arroyo Grande was incorporated as a city on July 10, 1911. Arroyo Grande is a general law city and the City Council is the governing body. The City Council is vested with all the regulatory and corporate powers of a municipal corporation provided for by state law governing general law cities.

Certain state laws and other established regulations exist, which govern various responsibilities of the City Council. This manual is not intended to duplicate, fully articulate all requirements, or repeal any existing statutes or regulations. City Council Members are responsible for becoming familiar with these statutes and regulations.

B. City Organization Chart



Expanded Department Descriptions provided in Exhibit A

C. Arroyo Grande Municipal Code (AGMC)

Since the City of Arroyo Grande is a General Law City, as opposed to a Charter City, its City Council must act within the framework of limitations and procedures established by State Law. Local laws are established by Ordinance and are compiled in the AGMC. The Municipal Code sets forth the regulatory, penal and administrative laws of general application to the City. These laws are enforceable by the City, and violations thereof can constitute a misdemeanor or an infraction. Other directives and policies of the City Council are recorded in Council Ordinances, Resolutions or by minute action of the Council.

D. City of Arroyo Grande Administrative Policy Manual

The Administrative Policy Manual consolidates all administrative policies and procedures of a general or inter-departmental nature into one City document. Administrative regulations meet the following criteria: 1) are directed toward an ongoing City process or procedure; 2) are limited to one major subject area; and 3) are applicable to more than one City department. Administrative regulations are issued from the City Manager’s Office. Certain administrative policies that pertain to City Council Members are included as Exhibits to this Manual and/or will be provided to members at the time of assuming office.

E. Diversity, Equity, Inclusion, and Justice

It is the mission of the City to make Arroyo Grande the best place possible for everyone who lives, works and visits Arroyo Grande. The City Council adopted Resolution 5142 adopting a Diversity, Equity, Inclusion, and Justice Policy as a commitment to support diversity, equity, inclusion, and justice in all facets of society and to model and implement the objectives within the community and City organization (Exhibit G).

2. COUNCIL ORGANIZATION & DUTIES

2.1 City Council Districts

On April 12, 2022, the City Council adopted Ordinance 713 establishing a by-district election system and created four (4) district boundaries (Exhibit H). By 2024, each Councilmember will be elected by voters within their district boundary for a four-year term. The Mayor continues to be elected at-large for a two-year term.

The City Council wishes to remain united in its service to the community and will govern on an at-large basis, considering the needs and interests of the entire community. Professional management of the City will continue to be a Council-Manager form of government under the policy leadership of the City Council as a governing body. City resources will be allocated to address priorities and needs on a citywide basis with a budget adopted by the City Council as a governing body.

As customer service is a priority, any Council Member will help any member of the community who contacts them. Current practices regarding invitations of City Council Members to events and activities and appointments to committees and various bodies will remain in effect.

2.2 Newly-Elected Members

Newly-elected Council Members are sworn into office generally at a regular meeting in December following a regular municipal election. Immediately upon election (even before being sworn into office), newly-elected Council Members are subject to the provisions of the Brown Act.

A reception is traditionally held immediately following the reorganization meeting.

2.3 Appointment of Mayor Pro Tem

The City Council appoints a Council Member as Mayor Pro Tem to serve the duties of Mayor in his/her absence.

The Mayor Pro Tem shall serve a term of one year.

The appointment of the Mayor Pro Tem takes place at the first meeting in December of each year.

It is the City Council's policy to rotate appointment of the Mayor Pro Tem based upon the seniority of City Council Members that have not yet served in the position of Mayor Pro Tem. City Council Members become eligible to serve as Mayor Pro Tem after serving on the City Council for a period of one year.

If two Members of the City Council have the same seniority, the order of rotation will be based upon time served on a City Council appointed Commission and/or Committee prior to being elected to the City Council.

2.4 Meeting Duties of Mayor and Mayor Pro Tem

The Mayor shall preside at the meetings of the Council. If he/she is absent or unable to act, the Mayor Pro Tem shall serve until the Mayor returns or is able to act.

In the absence of the Mayor and Mayor Pro Tem, the City Clerk shall call the Council to order, whereupon a temporary Chairperson shall be elected by the members of the Council present.

2.5 Seating Order

Following the Council reorganization, the City Clerk shall designate the seating order for the Council dais. The Mayor Pro Tem shall sit to the Mayor's left.

2.6 Signing of City Documents

The Mayor, unless unavailable, shall sign all ordinances, resolutions, contracts/agreements and other documents which have been adopted by the City Council and require an official signature, except when the City Manager has been authorized by Council action to sign such documents. In the event the Mayor is unavailable or has a conflict of interest, the Mayor Pro Tem's signature may be used.

2.7 Representation at Ceremonial Functions

The Mayor shall represent the Council at ceremonial functions. The Mayor may, at his/her own discretion, ask the Mayor Pro Tem or another Council Member to represent the Council at the function. Voluntary attendance at ceremonial functions by Council Members is encouraged.

2.8 Issuance of Proclamations, Commendations, Special Recognition

PROCLAMATIONS AND COMMENDATIONS: All requests for proclamations are subject to the review and approval of the City Manager or his/her designee, or Mayor. Proclamations and commendations are signed by the Mayor, and are prepared in response to the type of recognition requested (which may include recognition of individuals, groups, and events of significance to the Arroyo Grande community). Proclamations and commendations may be presented at a City Council meeting or at an outside event or meeting. Typically, requests are honored for presentation at a Council meeting only if a local representative from the requesting party can appear to accept the proclamation or certificate.

IN MEMORY OF: A meeting may be adjourned in memory of an individual at the direction of the Mayor or a member of the City Council if the Council Member submits a request to the Mayor or to the City Clerk ahead of the meeting. The announcement will be made at adjournment of the meeting.

2.9 Annual Events

There are a number of Annual Events that the Mayor and Council Members may attend or participate in, including but not limited to the following:

- a. City of Arroyo Grande Volunteer Recognition Dinner
- b. South County Chambers of Commerce Annual Installation Dinner
- c. League of California Cities New Mayors and Council Members Academy
- d. Tip-A-Cop Dinner/Fundraiser for Special Olympics
- e. League of California Cities Annual Conference
- f. League of California Cities Channel Counties Dinners
- g. Harvest Festival Parade
- h. Village Holiday Parade
- i. Arroyo Grande Police Department Santa Cop Program
- j. Annual Employee Recognition and Awards Luncheon

3. COUNCIL ADMINISTRATION

3.1 Salaries and Benefits

AGMC Chapter 2.04 sets forth that Council compensation is established by City Council Resolution. Currently, the Mayor receives a monthly salary of \$798.00, and City Council Members receive a monthly salary of \$648.00. The City contributes an amount equivalent to that received by management employees towards the Mayor and Council Member's participation in medical, dental and vision insurance. Any unexpended amount shall not be distributed to the Mayor and Council Members in cash. If the Mayor and Council Members elect to opt out of medical, dental and vision, that individual will not receive the opt out amount.

3.2 Travel and Expense Reimbursements

The Council shall establish in the biennial budget funding for conferences, meetings, training, and representation at ceremonial functions. Council Members shall attend these functions at his/her own discretion for purposes of improving comprehension of and proficiency in municipal affairs and/or legislative operations.

The expenses of spouses who accompany public officials in the conduct of their public duties cannot be reimbursed [75 Cal. Op. Att'y. Gen. 20 (1992)].

Council Members shall be subject to the City's Administrative Policy and Procedures for travel and expense reimbursement. Council Members shall make an oral report on the meeting or conference during Council Communications as appropriate (EXHIBIT B).

3.3 Appointment of City Manager and City Attorney

The City Manager shall be appointed by the City Council solely on the basis of his/her executive and administrative qualifications (AGMC Section 2.08.020). The powers and duties of the City Manager are set forth in AGMC Section 2.08.070. The City Council shall conduct an annual evaluation for the City Manager in closed session.

The City Attorney shall be appointed by the City Council and shall serve as legal counsel to the City government and all officers, departments, boards,

commissions, and agencies thereof. The powers and duties of the City Attorney are prescribed by State law. The City Council shall conduct an annual evaluation for the City Attorney in closed session.

In the event a Council Member has issues with, or is concerned about the performance of either the City Manager or City Attorney, or the City Manager or City Attorney has concerns or issues regarding his or her relationship with or treatment by a Council Member, he or she should pursue the following steps in seeking to resolve the issue:

- a. The issues or concerns should be communicated in an appropriate way, so that the City Manager, City Attorney, or the Council Member is clearly aware of them and can respond constructively in an effort to resolve the matter.
- b. If the matter is not resolved, request that a closed session be scheduled to discuss the personnel matter consistent with the Brown Act. At the closed session, the City Council and affected individual should seek to resolve the issue or concern, and as appropriate, obtain a clear consensus on the expectations for the individual and/or Council Member and communicate those expectations clearly.
- c. Depending on the issues or concerns and the circumstances, the City Council may also consider appointing an ad hoc committee to review the matter, meet with the individual, and report back on its recommendations in a follow up closed session. The City Council may also consider retaining a facilitator to meet with the parties to the conflict, to seek solutions to the concerns or issues that have been identified.

3.4 City Council/City Manager Mutual Expectations

The following mutual expectations have been agreed upon by the City Council and City Manager regarding their respective roles and support the successful operation of the City Manager/Council form of government. They serve as a general framework to foster a constructive working relationship and provide new Council Members an overall outline of how we have committed to operate. They may also serve as a basis for discussion to resolve potential problems or when changes in the expectations are desired.

Expectation of City Manager

- a. Promote a high level of customer service to be provided by the organization.
- b. Clearly communicate to the City Council the operational impacts of policy decisions and direction.
- c. Deal with the City Council, staff and community in an up front and honest manner at all times.
- d. Be responsive to Council direction and needs and keep Council members informed of key issues, activities and follow-up to requests. Take necessary steps to avoid surprises for Council in public.

- e. Provide information equally to all Council members.
- f. Provide complete information regarding an issue or item. Never manipulate information in order to promote one viewpoint.
- g. Ensure staff reports include alternatives, potential impacts of each alternative and staff's best recommendation.
- h. Be fully committed to successfully implementing City Council's decisions, whether or not they are consistent with staff's recommendations.
- i. Involve the community in planning activities regarding issues impacting the public and make every effort to develop a consensus on issues in which there are differing viewpoints.
- j. Demonstrate and insist from all staff the highest level of ethics and integrity.
- k. Be an active and visible member of the community.
- l. Be an effective problem solver.
- m. Provide strong leadership in the organization, but also promote participation and responsibility on the part of the executive staff in accomplishing the City's goals.
- n. Promote professional development of staff in the organization.
- o. Be accessible.

Expectations of the City Council

- a. Recognize that the City Council gives direction only as a convened body. Share opinions and views, but refrain from providing direction without the participation of the full Council. Do not individually attempt to influence the decisions or recommendations of staff.
- b. Conclude discussions requiring staff follow-up or action with specific direction agreed upon by the City Council.
- c. Make an effort to let staff know concerns and questions prior to public meetings so staff can be prepared as best possible. Questions regarding agenda items should be submitted to the City Manager by noon on the Monday prior to a Tuesday Council meeting.
- d. Share in staff's commitment to the highest ethical standards and avoid any appearances of impropriety.
- e. Direct questions or requests for information to the City Manager or Department Directors only. Make requests that will require staff to prepare information to the City Manager. Non-emergency communications to the City Manager or Department Directors should be made during regular business hours to the extent reasonably possible.

- f. Treat staff in a respectful manner at all times. Recognize good work by staff. Communicate any concerns involving staff to the City Manager. Refrain from criticizing staff in public.
- g. Prevent disagreements with each other, the City Manager or staff from becoming personal. Commit to and support teambuilding efforts when necessary and appropriate.
- h. Provide feedback on an ongoing basis.
- i. In addition to ongoing communications, meet individually with the City Manager at least monthly for Council members and twice a month for the Mayor.
- j. Seek and provide honesty, directness and openness.
- k. Immediately communicate to the City Manager any items that are perceived not to be handled in accord with these expectations.
- l. Respect staff's impartiality involving elections and campaign activities.

3.5 Ethics Policy

City Council Resolution No. 3951, adopted by the Arroyo Grande City Council on September 12, 2006, established an Ethics Policy for City Employees, Elected Officials and Appointed Officials. The City Council has adopted this code of ethics and values to promote and maintain the highest standards of personal professional conduct in the City's government. Ethics training shall be required for all elected officials within one year of assuming office, and every two years thereafter, as required by State law. (Exhibit C)

3.6 Sexual Harassment Prevention Training and Education

State law requires that elected officials who receive any type of compensation, salary, or stipend from a local agency receive at least two hours of sexual harassment prevention training and education within the first six months of taking office, and every two years thereafter (Government Code Sections 53237-53237.5).

3.7 Workplace Violence Prevention Plan

The City established a Workplace Violence Prevention Plan in compliance with Labor Code section 6401.9 to outline procedures to handle and respond to reports of workplace violence, inspections to correct workplace violence hazards, emergency response protocols and employee training on the plan. Members of the City Council will be included in annual training to understand job-specific violence hazards and preventative measures.

3.8 The Brown Act

The Ralph M. Brown Act is a law which provides that all meetings of a legislative body, whether meetings of the City Council or its appointed advisory bodies, shall be open and public and all persons shall be permitted to attend. Notices of regular meetings must be made 72 hours prior to the meeting. Special meetings may be called by the Mayor or a majority of the

City Council and must be noticed 24 hours prior to the time of the meeting. The Open & Public Guide to the Ralph M. Brown Act will be provided to all Council Members upon assuming office.

3.9 Political Reform Act

The Political Reform Act states that public officials shall perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them. The Political Reform Act establishes regulations regarding conflicts of interests and campaign receipts and expenditures. (Government Code, Title 9, Sections 81000- 91015)

Conflict of Interest - General Provisions of the Law

The Political Reform Act requires state and local government agencies to adopt a Conflict of Interest Code, which shall be reviewed biennially in even-numbered years. The Arroyo Grande City Council adopted Resolution No. 5223 amending the City of Arroyo Grande's Conflict of Interest Code on September 27, 2022 (Exhibit D).

The Political Reform Act regulates conflicts of interest through disclosure and prohibition of participation in decisions, which constitutes conflicts of interest. Specifically, it requires City Council Members and other public officials to annually disclose all financial interests that may be affected by decisions made in their official capacity; this includes interests such as investments, real property, income, and gifts.

Council Members must disqualify themselves from making or participating in making or influencing any governmental decision that will have a foreseeable material financial effect on any economic interest of the Council Member or certain family members. Government Code Section 87105 states that a Council Member who has a conflict of interest must take the following steps after determining that a conflict of interest exists under the Political Reform Act:

- a. Publicly identify the financial interest. This must be done in enough detail for the public to understand the financial interest that creates the conflict of interest. Note: Residential street addresses do not have to be disclosed.
- b. Recuse yourself from both the discussion and the vote on the matter. You must recuse yourself from all proceedings related to the matter.
- c. Leave the room until the matter has been completed. The matter is considered complete when there is no further discussion, vote or any other action.

Exception: According to the FPPC, if the matter is on the consent agenda, you do not have to leave the room.

Exception: Under limited circumstances, if you wish to speak during public comment, you may do so as long as you have complied with the disclosure and recusal requirements, left the dais and the matter you appear on is related solely to your personal interest.

Government Code Section 1090

Government Code Section 1090 is similar to the Political Reform Act, but applies only to City contracts in which a public official has a financial interest. The financial interests covered by GC §1090 are different from those in the Political Reform Act. Having an interest in a contract may preclude the City from entering into the contract at all, even if the individual Council Member with the conflict recuses him or herself. In addition, the penalties for violating GC §1090 are severe. If a Council Member believes that he or she may have any financial interest in a contract that will be before the Council, the member should immediately seek advice from the City Attorney and/or the Fair Political Practices Commission.

Gifts

Council Members should carefully consider and monitor “gifts” from any person or organization whether the gift be financial support, loans, event tickets or passes, meals, etc. Many of these gifts may need to be reported and may present a conflict of interest when considering and/or voting on projects or issues related to the person presenting the gift.

Advice

It is critical to note that compliance with the State’s conflict of interest laws is each public official’s personal responsibility. While the City Attorney can render advice on the interpretation of State laws and regulations on conflict matters, such advice is solely an interpretation of the law. The only authority that can provide binding interpretations and possible immunity from civil or criminal liability on such matters is the Fair Political Practices Commission (FPPC). Council Members or the full Council are encouraged to solicit opinions on such matters directly from the FPPC.

It is also important to keep in mind that the City Attorney represents the City and City Council as a whole and not individual Council Members.

FPPC Filing Requirements

Elected officials file a Statement of Economic Interest (Form 700) to disclose certain investments, interests in real property, sources of income, gifts, loans and business positions within 30 days of assuming office; annually by April 1st covering the previous calendar year or from the last filing period, as required; and within 30 days of leaving office. Certain City advisory body members and designated City employees are also subject to this disclosure requirement.

Form 460/470 – Campaign Disclosure Statements (Form 460 or 470) are filed annually in July; or semi-annually in January and July as required by the FPPC.

4. CONDUCTING CITY COUNCIL BUSINESS

The following guidelines are to assist the City Council in the conduct of City business and are procedural only. Failure to strictly observe such procedures shall not affect the jurisdiction of the Council nor invalidate any action taken at a meeting that is otherwise held in conformance with the law.

Except as otherwise provided for in this Handbook, any special rule adopted by the City Council, or as otherwise provided by state statute, the procedures of the City Council meetings shall be governed by the latest revised edition of “Sturgis Standard

Code of Parliamentary Procedure”, as modified by Council practices. The City Attorney is designated as the parliamentarian for City Council meetings. The City Manager shall preside as the parliamentarian in the City Attorney’s absence.

4.1 Meetings

City Council Meetings

The City Council shall meet in regular session on the second and fourth Tuesday of each month.

Business at regular sessions shall be conducted from 6:00 PM to 11:00 PM only, unless extended by unanimous consent of the City Council Members present.

A special meeting may be called at any time by the presiding officer (Mayor) or by a majority of the City Council.

The Council may adjourn any regular, or special meeting, to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Brown Act.

A regular meeting may be cancelled by a majority vote of the Council. Historically, it has been the Council’s policy to cancel the first regular meeting in July so the City Council and staff can coordinate vacation time during the summer months. In addition, the City Council generally cancels the second regular meeting in December due to the holidays and related City office closures.

The order of business for the City Council shall be as arranged by the City Manager, except for matters set at a specific time by the Council.

4.2 Attendance / Quorum

Council Members acknowledge that attendance at lawful meetings of the City Council is part of their official duty. Council Members shall make a good faith effort to attend all such meetings unless unable. Council Members will notify the City Manager or City Clerk if they will be absent from a meeting.

Three members of the City Council shall constitute a quorum and shall be sufficient to transact business. If less than three appear at a regular meeting, the Mayor, Mayor Pro Tem in the absence of the Mayor, any Council Member in the absence of the Mayor and Mayor Pro Tem, or in the absence of all Council Members, the City Clerk, or his/her designee, shall adjourn the meeting to a stated day and hour or cancel the meeting due to the lack of a quorum.

Council Members may attend meetings remotely, in compliance with all applicable Brown Act or other legal requirements, if in-person attendance is not possible due to extenuating circumstances. If attending a meeting remotely, Council Members are responsible for ensuring that they are using reliable teleconferencing or videoconferencing services.

4.3 Best Practices of Civility and Civil Discourse

In order to ensure civility and civil discourse in all of its meetings, the City Council has pledged its commitment to the best practices of civility and civil discourse. The Arroyo Grande City Council adopted Resolution No. 4872 amending the pledge to reaffirm the importance of civility and civil discourse by including a Regional Code of Civility on June 26, 2018 (Exhibit E).

- a. To respect the right of all people to hold different opinions in all of our meetings;
- b. To avoid rhetoric intended to humiliate, malign, or question the motivation of those whose opinions are different from ours in all our meetings;
- c. To strive to understand differing perspectives in all our meetings;
- d. To choose words carefully in all our meetings;
- e. To speak truthfully without accusation, and avoid distortion in all our meetings; and
- f. To building a civil political community in which each person is respected and spirited public and political debate is aimed at the betterment of the City of Arroyo Grande and its people and not the disparagement of those with whom we disagree.

The City Council shall promote the use of and adherence to the principles of civility and civil discourse in conducting business with appointed and elected officials, staff, and citizens.

4.4 Agendas

- a. Agendas for the Council will be prepared by the City Manager.
- b. The purpose of the agenda is to provide a framework within which Council meetings can be conducted and to effectively implement the approved Council Goals, Long Term Financial Plan and Budget, Critical Needs Action Plan and also work programs, objectives, and business of the City as established by the City Council. Agenda items may also include, but are not limited to, recommendations to the City Council from advisory bodies, public hearings for land use and zoning actions or appeals, awarding bids, contracts, agreements, and adoption of resolutions and ordinances establishing various City regulations or policies. Agenda items will be within the policy context established by the Council, the scope of existing work programs, and within the jurisdiction of the City.
For items that are of a regional, State, or Federal nature, including but not limited to proposed legislation, the item may be placed on the City Council agenda if it meets any of the following criteria:
 1. Items that will result in any direct significant financial impact to the City;
 2. Items that involve new regulations, requirements or other impacts that will result in a significant impact to staff workload or adversely impact Arroyo Grande businesses or citizens;
 3. Items that will create or increase a fee, tax or other charge unique to Arroyo Grande residents.
- c. The electronic City Council agenda packet, including all reports,

communications, ordinances, resolutions, contracts, documents that are available, or other matters to be considered by the City Council at the regular meeting, will be delivered electronically to members of the City Council no later than 72 hours preceding the Tuesday Council meeting to which the agenda packet pertains. Agenda packets for special meetings will be delivered electronically to members of the City Council no later than 24 hours preceding the date and time set for the special meeting.

- d. Agendas shall be posted on a bulletin board, publicly accessible, at City Hall, 300 E. Branch Street, Arroyo Grande, and posted on the City website at www.arroyogrande.org.

4.5 Agenda Order

The order of the Regular Meeting Agenda is generally as follows:

- Call to Order
- Roll Call
- Moment of Reflection
- Flag Salute
- Agenda Review
- Special Presentations and City Manager Communications
- City Council Reports (2nd Meeting of Month)
- Consent Agenda
- Public Hearings
- Business Items
- Community Comments and Suggestions
- Council Communications
- Adjournment

As permitted by the Brown Act, the City Council Agenda may include a Closed Session before the regular City Council meeting or at the end of the City Council Agenda.

4.6 Meeting Procedures

- a. Council ordinances and resolutions must be reviewed in written form before binding action is taken on same.
- b. A Council order applies mainly as a directive to City officers or employees. It need not be in writing, as it generally applies to one specific act only.
- c. In the absence or inability of the Mayor and the Mayor Pro Tem to attend a meeting of the City Council, the Members present shall select one Member to temporarily preside.
- d. A motion shall not be debated or "put to vote", unless the same is seconded. When a motion is seconded, if requested, it shall be stated by the Mayor or the City Clerk before debate.
- e. Upon a motion having been made and seconded, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time, before decision or amendment, with the assent of a second.
- f. A Member called to order should relinquish the floor, unless permitted to explain; and the Council, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Mayor shall be final.
- g. Upon demand of any Council Member, or at the discretion of the Mayor,

- the vote shall be by roll call. Votes on all ordinances or resolutions shall be by roll call vote.
- h. Tie votes shall be lost motions.
 - i. Tie votes on the appeal of a Commission/Board/Committee or staff decision sustain the action of the Commission/Board/Committee, or staff.
 - j. Every Council Member, unless disqualified by reason of a conflict of interest or as otherwise provided by law, shall cast his/her vote upon any matter put to vote by the legislative body.
 - k. Any Council Member who abstains from voting without a valid reason shall be deemed to have voted with the majority on that particular issue.
 - l. A Council Member who publicly announces that he/she is abstaining from voting on a particular matter for specified reasons shall not subsequently be allowed to withdraw that abstention.
 - m. In order to avoid any attack on the validity of Council hearings, Council Members shall avoid forming final conclusions or making commitments with proponents and opponents during any meetings, conferences, or discussions regarding the merits of the matter or issue before the body, including but not limited to, specific zoning and related land-use proposals, comprehensive planning, and like matters.
 - n. A motion to reconsider a legislative or quasi-legislative action taken by the Council may be made only at the same meeting at which the action was taken. Quasi-judicial actions shall not be subject to a motion to reconsider.

4.7 Public Comment (Written and Oral)

- a. Comments on agenda items are encouraged. As a courtesy to the Council, citizens are encouraged to submit written comments at least one day prior to the meeting. This provides the Council with a greater opportunity to review and consider issues and/or concerns expressed in written communications prior to a meeting. Written comments received before 2 p.m. day-of, at, or during a Council meeting are included in the public record and posted to the City's website.
- b. "Agenda Correspondence," in general, includes correspondence and other documents from the public, the City Council, and City staff regarding Council agenda items that are received after the agenda packets have been distributed. Agenda Correspondence may take the following form: letters and emails from citizens; memos of clarification or revision from City staff; liaison reports from the City Council; communication items from the City Council; and late release or added-on agenda reports.
- c. Agenda Correspondence shall be date-stamped. Agenda Correspondence are distributed by the City Clerk via a Supplemental Memo and made available for public review, if received prior to 2 p.m. on the day-of the meeting.
- d. The Mayor will invite comments from the public, including in support of, or in opposition to, specific agenda items following the staff report. Oral communications on matters that are not on the agenda may be provided during the Public Comment period of every regular meeting.
- e. The following are guidelines for providing oral public comments:
 - i. Members of the public may address the City Council on items that are not on the printed agenda during the Community Comments and Suggestions portion of the Agenda. A time limit of three minutes is provided. A speaker may not yield time to another speaker.

- ii. There may only be one person at the podium and using the microphone at a time to speak during the Community Comments and Suggestions portion of the Agenda to ensure that it is clear which speaker is conveying the message and avoid cross-talk. There is an exception to this rule if an additional person is needed to provide language translation services or if there is an accessibility-related need under the ADA.
- iii. For all hybrid (in-person and via teleconference) meetings, those requesting to speak in-person will be called first, then those requesting to speak via teleconference will be called.
- iv. Pursuant to the Brown Act, action may not be taken on issues not listed on the agenda. Staff may be asked to follow up on such items.
- v. Individuals desiring to speak on an item on the agenda shall:
 - i. Address the Council from the podium or via teleconference after giving their name and city of residence. Speakers shall direct their comments to the Council, not the staff or audience.
 - ii. Comment on the specific matter before the Council with reasons for the position taken.
 - iii. Limit comments to three (3) minutes until others have had opportunity to address the Council. The Presiding Officer with the consensus of Council Members, in their discretion and after all others have spoken, may allow additional brief comment from speakers who have already commented on the same agenda item. A speaker may not yield their time to another speaker.
 - iv. Shall avoid personal attacks, abusive language or other disruptive behavior.
- vi. Applicants, applicant representatives, or appellants desiring to speak shall:
 - i. Be permitted to speak first prior to the public comment portion of the public hearing for not more than ten (10) total minutes unless extended by vote of the City Council.
 - ii. Address the Council from the podium or via teleconference after giving their name and address, and/or the name and address of the applicant/appellant they are representing, if applicable.
 - iii. Following discussion by Council, and prior to a vote on the item, the applicant, applicant representative or appellant will be entitled to a three-minute rebuttal period upon the applicant's request.
 - iv. Be permitted to use City audio-visual equipment for their presentation to City Council only if the items are emailed to the City Clerk by 12:00 noon on the day of the meeting so that the items can be scanned for viruses or malware and prepared for viewing in the meeting. Portable storage devices (i.e. USB, flash drive, etc.) will not be accepted (see section 4.8).
 - v. After the public comment portion of the public hearing is closed, no member of the public shall be permitted to address the Council or the staff from the audience, except at the discretion of the Presiding Officer. Staff and invited guests, meaning those invited by Staff or the City Council to speak on an item because of that speaker's expertise on

the item, may speak for such length of time and use such materials or visual aids that are necessary for the legislative body to appropriately deliberate the item, determined at the discretion of the Presiding Officer.

4.8 Public Use of Visual Aids at Council Meetings

Applicants, applicant representatives or appellants who desire to utilize electronic visual aids to supplement their oral presentations:

- a. Must provide display ready material to the City Clerk by 12:00 noon on the day of the meeting via email.
 - i. No data provided to the City Clerk later than 12:00 noon on the day of the meeting will be accepted.
 - ii. Staff may recommend that the presenter produce hard copies of their materials and present the copies to Council during their presentations.
 - iii. Electronic presentations must be provided in a format that can be read on a standard PC-compatible computer running Microsoft Windows or Microsoft Office.
 - iv. Upon receipt, the City Clerk will promptly transmit electronic visual aids to the City's Information Technology Division for a determination as to whether the material is free of viruses.
 - v. Staff shall preload and queue the electronic visual aid in the City's media system and display it when the public member is called upon to speak.
 - vi. Members of the public shall not be permitted to connect equipment, devices, or storage media directly to the City's computer system during a live Council meeting.
 - vii. Members of the public shall not be permitted to access the internet from the City's computer equipment.
 - viii. Nothing in this Policy is intended to warrant or otherwise guarantee that electronic visual aids will successfully display at a City Council meeting.
 - ix. Members of the public are urged to have hard copies of their presentations available at the City Council meetings in the event a media system malfunction occurs.
- b. Members of the public shall not wear or display signs, placards, banners, hats, costumes or similar items at any time in the Council Chamber or Committee room that obstruct the view of other audience members. In no event shall signs, placards, banners, props or similar items be larger than 8 ½ by 11 inches, be illuminated, or be attached to any pole, stick or other device. This sub-clause only applies to general public comment. Applicant/appellants may use visual aids as stated in sub-clause a of this section. Staff and invited guests are regulated in the manner provided in Section 4.7 (at the discretion of the Presiding Officer).

4.9 Council Member Requests and Questions

- a. Under the Council Communications portion of the meeting agenda, Council Members may ask a question for clarification, make an announcement, or report briefly on his or her activities. Council Members may also request staff to report back to the Council at a subsequent meeting concerning any matter or request that staff place a matter of business on a future agenda. Any request to place a matter of business

- for original consideration on a future agenda requires the concurrence of two other Council Members.
- b. Proper action will then be taken by staff.

4.10 Disturbance of City Council Meetings

The following procedure and format will be used by the City Council to address disruptive persons at a Council Meeting:

- a. The Presiding Officer shall make the following announcement:
"As the Presiding Officer, I am advising you that your comments have violated the City Council's rules of procedure for addressing the City Council and you are causing a serious disruption to this meeting. I must ask you to immediately cease the disturbance before further action is necessary. At this time, I am going to recess the meeting for 10 minutes. We will then reconvene our meeting."
- b. Recess and call for police to be present when meeting reconvenes.
- c. If the disturbance continues after reconvening the meeting, the Presiding Officer shall make the following announcement:
"As Presiding Officer, since you are continuing this disturbance, I must advise you that the Penal Code provides that every person who, without authority of law, willfully disturbs or breaks up any meeting, not unlawful in its character, is guilty of a misdemeanor. If you do not immediately cease this disturbance, I will request the police to arrest you under Penal Code Section 403."
- d. If the disturbance continues, request the police to come forward to make the arrest. (Government Code Section 54957.95)

4.11 Council Action Items

Staff Reports

Each City Council agenda business item shall have a coordinating staff report prepared by the originating department. Staff reports are written specifically for the purpose of communicating information necessary for policy and decision-making and generally includes a recommended action, impact on financial and personnel resources, background, analysis of issues, alternatives, advantages, disadvantages, environmental review (if applicable), and public notification methods.

Ordinances

Ordinances are the laws of a municipality. An ordinance generally prescribes some permanent rule of conduct or government that remains in force until the ordinance is repealed. Ordinances are required to be read in their entirety at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all Council Members present (this occurs during the meeting under Agenda Review). Ordinances may only be passed at a regular meeting or at an adjourned regular meeting. Except for urgency ordinances, ordinances may not be passed at a special meeting. Ordinances generally take effect 30 days following the date of adoption. The following Ordinances take effect immediately: Ordinances relating to an election; and urgency ordinances for the immediate preservation of the public peace, health, or safety, containing a declaration of the facts constituting the urgency, and passed by a four-fifths vote of the City Council.

Resolutions

A Resolution expresses City Council policy or directs certain types of administrative action and may be changed by a subsequent Resolution. Resolutions are generally effective on the date of adoption.

Agreements/Contracts

Municipal governments enter into contracts for many different types of goods and services. These contracts are usually written agreements that are legally binding upon the parties. Typically, agreements are entered into with the approval of the City Council or, if legally authorized, the City Manager.

Minute Motion

A minute motion or motion is appropriate when: 1) the action is not of a penal nature or intended to be a local law; 2) an ordinance or resolution is not specifically required; or 3) a formal document reflecting the City Council's action is not necessary. The only record of such action is in the form of minutes taken of the meeting at which the action is taken.

Submitted Materials at Meetings are Public Record

Any written correspondence or other materials, when distributed to all, or a majority of all, of the members of the City Council by any person in connection with a matter subject to discussion or consideration at an open public meeting, are disclosable public records under the California Public Records Act and shall be made available upon request without delay. Writings that are public records and that are distributed during a public meeting shall be made available for public inspection at the meeting if prepared by City staff or a member of the City Council, or after the meeting if prepared by some other person. All writings referenced herein shall be provided to and documented with a received/filed date by the City Clerk.

Minutes

The minutes serve as a permanent record of the City Council's actions. The City Clerk, or his/her Deputy, shall attend and prepare action minutes of all public meetings of the City Council [Gov't Code Sections 36814 and 40801 and Resolution No. 4341, adopted February 22, 2011].

Minutes ready for Council approval shall be placed on the regular City Council meeting agenda and included in the Council packet. Minutes of Council meetings are available for review in the City Clerk's Office and online at www.arroyogrande.org.

4.12 Process for City Council Appeal of Planning Commission Decisions

Pursuant to Municipal Code Section 1.12.050, the City Council may appeal decisions of the Planning Commission. The following procedure has been established for such appeals:

- a. City Council will receive the Planning Commission Agenda the Friday prior to the Planning Commission meeting.
- b. The Wednesday following the Planning Commission meeting, staff will distribute to the City Council an annotated copy of the Planning Commission Agenda with the action of the Commission highlighted if any final actions were taken.
- c. City Council Members may determine if an appeal is desired after reviewing the annotated Agenda.

- d. Any Council Member that desires to appeal a decision shall contact the City Manager or City Clerk by 2:00 p.m. on Thursday following the Planning Commission meeting to direct that the request be placed on the next City Council Agenda under "Council Communications."
- e. In order to proceed with an appeal, the City Council shall adopt a motion to appeal the action of the Planning Commission.
- f. If approved by the City Council, the City Clerk will set a date for the hearing within 60 days of the City Council's decision to appeal the action and notify the affected applicant and Planning Commission.

4.13 Televised and Webstreamed Meeting Coverage

All regular City Council meetings are held in a hybrid in-person and virtual format in the City Council Chambers and online. Meetings are broadcast live and rebroadcast on the City's government access channel, webstreamed live on the City's website, and archived online for on-demand viewing. The purpose of televising and webstreaming meetings of the Arroyo Grande City Council is to enhance the awareness and education of the general public regarding the actions and deliberations of the City Council.

- a. Council coverage is not to be edited or subjected to editorial comment.
- b. All regular City Council meetings shall be televised and webstreamed, except for meetings or portions of meetings which are closed to the public, or when the Council or City Manager directs otherwise.
- c. Cameras used shall be owned by the City and operated only by City employees or persons under contract with the City.
- d. Cameras shall be operated so that they are focused only on the officially recognized speaker, and on any visually displayed information they may be showing.
- e. The City Clerk's minutes shall remain the official record of Council proceedings.
- f. To assure timely information for the public, a link to the Council meeting video will be placed on the City's website as soon as possible.

4.14 Flag Display Policy

City Council adopted a Resolution adopting a Flag Display Policy to provide guidance and standards for the outdoor display of flags at City facilities, including commemorative flags other than the United States flag, the State of California flag, and City flags (Exhibit F). The desire of the Council is to reflect the role of the Arroyo Grande City Hall as an inclusive gathering location and local symbol of government and democracy. Flying of flags on City facilities is a nonpublic forum for the display of the United States flag, the State of California flag, City flags, and any commemorative flag authorized by the City Council.

The City Council shall only consider a request to display a commemorative flag if the request is made by a member of the City Council and another City Council member agrees to place the discussion to authorize such display on the agenda for a regular or special City Council meeting. Four (4) Council Members must agree to display the Commemorative Flag.

5. COMMISSIONS/COMMITTEES/BOARDS

The City Council shall appoint committees as deemed necessary for the proper conduct

of City business.

No committee or subcommittee shall include in its membership more than two (2) Council Members.

The City Manager, or his/her designee, shall be an ex-officio member of all committees.

The City Clerk will maintain a list of all ad hoc and standing committees, and the list of all such committees will be reviewed annually by Council as an agenda item to determine whether such committees should be dissolved or extended, as the case may be. The list shall include the name of the committee, its purpose, the names of the active members, and in the case of ad hoc committees, the estimated date that it will be dissolved.

5.1 Ad Hoc Committees (“Ad Hocs”)

An ad hoc committee is an advisory committee that is comprised solely of less than a quorum of the Council and is formed for a specific task or objective for a limited period of time. Ad hoc committees should be dissolved after the completion of the task or achievement of the objective. They are not subject to the Brown Act, and are distinct from the City Commissions, Committees and Boards discussed below. An ad hoc committee must be limited to members of the legislative body, and in no instance may be comprised of a quorum of the legislative body. This means that only two Councilmembers may serve on an ad hoc committee.

Those appointed to an ad hoc committee must take care to only discuss the subject matter of the ad hoc only amongst themselves, and with no other members of the legislative body, to avoid creating a quorum or serial meeting issue. City officials and staff must treat those members of the ad hoc appropriately, meaning that if the Planning Commission creates an ad hoc discussing the same subject matter as an ad hoc formed by the City Council, those two bodies cannot work together and report back to the same legislative body. For example, a Council-formed ad hoc must report back only to the City Council, and a Planning Commission-formed ad hoc must report back only to the Planning Commission. Failure to follow this protocol could cause the ad hocs to be treated as a City Commission, Committee, or Board (“Standing Committee”), discussed in the subsequent Section 5.2. Those bodies are subject to the Brown Act’s requirements.

Ad hoc committees may be proposed by motion of a Councilmember, which is seconded and receives a majority vote in favor. The motion must identify a specific task or objective of the ad hoc committee and the two members of the proposed ad hoc.

The ad hoc committee shall regularly report back to Council on its progress in accomplishing its stated objective. Once the ad hoc committee completes its task or objective, it should report back to the City Council at a noticed public meeting, if contemplated by the ad hoc’s creation. After that time, the ad hoc committee should then be dissolved. Ad hoc committees will be presumed to dissolve two years following their creation, unless they are

extended for a limited duration by Council upon a factual showing of a need for that committee's continued existence and why the ad hoc committee was unable to accomplish its stated purpose within the two-year timeframe.

5.2 City Commissions, Committees and Boards ("Standing Committees")

City commissions (which hereinafter include standing Council-appointed boards, commissions, and committees) serve as advisory bodies to facilitate public input and citizen participation in the determination of public policies. This is accomplished by formulating recommended courses of action and policy to the City Council with whom final determination rests. The Planning Commission (AGMC Chapter 2.18, "Planning Commission") has authority to make final determination in applicable circumstances (AGMC Title 16, "Development Code"). These kinds of bodies are subject to the requirements of the Brown Act.

5.3 Appointment

Pursuant to Council Resolution, the City Council appoints representatives to the following City boards, commissions and committees:

- Planning Commission
- Downtown Parking Advisory Board
- Architectural Review Committee
- Tourism Business Improvement District (TBID) Board
- Community Service Grant Program (CSGP) Committee

The Mayor and each Council Member shall appoint one representative to each respective Commission/Board/Committee. All appointments are subject to approval by a majority of the Council.

Members of each respective Commission/Board/Committee shall serve for a term ending the January 31st following the expiration of the term of the respective appointing Mayor or Council Member, as applicable. Members of each respective Commission/Committee/Board may be removed prior to expiration of their term by a majority vote of the Council.

Applicants, with the exception of the Downtown Parking Advisory Board, and TBID Board must be registered voters of Arroyo Grande. Applicants for the Downtown Parking Advisory Board shall have a business within the Arroyo Grande City Parking and Business Improvement Area. The TBID Board shall consist of five (5) members, with a preference that at least three (3) members shall be owners of lodging businesses within the AGTBID, or others with knowledge of tourism and/or the lodging industry. Members of the Board who are lodging owners shall have a valid permit to operate and be current with TOT payments.

It is preferred that members of the CSGP Committee reside within the appointing Council Member's District, but is not required. TBID Advisory Board members will not be subject to the City's residency requirements otherwise required of advisory body members.

Those seeking appointment to a Commission/Board/Committee must submit an application to the City Clerk's Office. Those Commission/Board/Committee members whose terms have expired must

submit a new application (terms are not automatically renewed), and the City Clerk will notify said Commission/Board/Committee members with a letter and new application form.

Applications shall remain valid and on file for one year.

Following Council appointment, the new Commission/Board/Committee member will be notified by the City Clerk's Office via letter of the appointment and conflict of interest filing obligations. Copies of the letter and completed application form(s) will be forwarded to the appropriate staff liaison, who will contact the successful member(s) regarding meeting dates, times and responsibilities. All appointees to a City Commission/Board/Committee are also subject to the City's Ethics Policy and training requirements.

The City Council also appoints an Arroyo Grande representative to the San Luis Obispo Council of Government's (SLOCOG) Citizens Transportation Advisory Committee (CTAC). The CTAC provides citizen review and recommendations on agenda items to SLOCOG staff and the SLOCOG Board of Directors. Those seeking appointment to the CTAC must submit an application to the City Clerk's Office. The City Clerk will then forward the application to the City's appointee to the SLOCOG Board of Directors for review and recommendation for appointment by the City Council.

5.4 Removal

A person appointed by the City Council to a Commission/Board/Committee shall continue to serve as a member thereof except when:

- a. The person's term of office expires and a different person has been appointed.
- b. The person voluntarily resigns from the Commission, Board, or Committee.
- c. The person no longer meets the eligibility requirements.
- d. The person fails to attend three (3) consecutive and/or 25% of meetings of the Commission and does not have prior approval for said absences by way of a majority action of the City Council.
- e. A majority of the City Council determines the member shall be removed.

Any member of the City Council may initiate a person's removal from a Commission by requesting that consideration of the person's removal be placed on the Council's agenda at a regular or special meeting for discussion and potential action. The City Clerk shall notify the person affected of the time and place of the meeting. When the item is on the City Council agenda, the City Council may, by majority vote, remove the person from a Commission/Board/Committee.

A member of City Council, by contrast, may only be removed in the manner authorized by state law and are not subject to the guidelines of this section.

5.5 City of Arroyo Grande Commissioners Handbook

The Commissioners Handbook assists members of all City commissions, committees, and boards in carrying out responsibilities in accordance with the policies and guidelines established by Council. The Handbook outlines the

general purpose and duties of each commission.

5.6 Appointment of Council Members to Various Local and Regional Boards, Commissions and Committees

There are a number of local and regional boards, commissions and committees that either require a member of the City Council as the City representative or it has been established practice for a Council Member to serve as the representative. They include, but may not be limited to, the following:

- Air Pollution Control District Board of Directors (APCD)
- Audit Committee
- California Joint Powers Insurance Authority (CJPIA)
- Central Coast Community Energy (CCCE) Policy Board
- City Selection Committee (Mayors)
- Community Action Partnership San Luis Obispo (CAPSLO) (3-year rotation among South County Cities)
- Council of Governments/Regional Transit Authority (SLOCOG/SLORTA)
- County Water Resources Advisory Committee
- Five Cities Fire Authority JPA Board of Directors
- Homeless Services Oversight Council (HSOC) Board
- Integrated Waste Management Authority Board (IWMA)
- REACH Economic Development Roundtable
- South County Chambers of Commerce Governmental Affairs Committee
- South San Luis Obispo County Sanitation District (SSLOCSD) Board
- Visit SLO CAL Advisory Board
- Zone 3 Water Advisory Board

The City Council makes these appointments at the first regular meeting in December following a municipal election.

Most appointments include selection of a primary representative and an alternate.

5.7 Criteria and Process for Council Representatives Seeking Council Direction or Input on Items Being Considered by Regional or Local Boards and Committees

After each election year, the City Council appoints members of the City Council to serve on regional and local boards and committees that request Council representation. Appointees represent the City on these various boards and committees and are granted authority to make decisions in the best interest of the City of Arroyo Grande, as well as the general public and interests served by the specific agency. However, it is appropriate to seek City Council input and/or direction on items meeting criteria that has been established by the City Council. The following guidelines outline the criteria and process:

- a. When time permits prior to an item scheduled to be voted on by a board or committee that a member of the City Council has been appointed to by the City Council, City Council Members are advised to place items on the City Council agenda for direction and/or input if they meet any of the following criteria:

- i. Items that will result in a one-time or annual direct financial impact to the City of over \$100,000 (goods and services), or over \$200,000 (public projects).
 - ii. Items that involve new regulations, requirements or other impacts that will result in a significant impact to staff workload or adversely impact Arroyo Grande businesses or citizens.
 - iii. Items that will create or increase a fee, tax or other charge to Arroyo Grande residents.
 - iv. Items of a controversial nature that have been frequently reported in the media and have resulted in vocal opposition from the public and/or diverse vocal opinions from interest groups and the public.
 - v. Items involving issues that the City Council has received a significant number of comments or correspondence from members of the community.
- b. If time permits, City Council Members are advised to brief the remainder of the City Council on any item that may meet any of these criteria under "City Council Reports" and request whether the City Council would like the item to be placed on the next agenda for formal direction.
 - c. If an upcoming item meets any of these criteria, and there is not sufficient time to brief the City Council under the next scheduled "City Council Reports," Council Members are advised to notify the City Manager or City Clerk/Director of Legislative & Information Services to place the item on the next City Council agenda. If there is not time available, referral of items from other boards and committees may bypass the normal requirement for Council Members to first place under "Council Communications" the request that the item be placed on a future agenda. The City Manager will determine where on the agenda the item will be placed depending upon the nature of the item.
 - d. If an item is scheduled to be decided by the board and committee prior to the next City Council meeting, Council Members are advised to request the item be continued until feedback from the entire City Council can be placed on an agenda. If postponement of the item is not possible or is refused by the board or committee, Council Members are advised to vote on the item independently and report to the full City Council during the next "City Council Reports."

5.8 Appointment of Primary Voting Delegate and Alternate to National League of Cities and/or League of California Cities Annual Conferences

The City Council shall appoint a voting delegate and an alternate to serve as the voting delegate for all League of California Cities annual business meetings. However, if the Mayor or a Council Member serves on the League of California Cities (LOCC) Executive Board of Directors, the LOCC Channel Counties Division Board of Directors, or in any other League capacity, priority shall be given to that individual to be designated as the Voting Delegate. In the event that this individual does not attend, the Council shall appoint a voting delegate and alternate.

6. COMMUNICATIONS

6.1 General Communication

A fundamental role of a Councilmember is communication – communication with the public to assess community opinions and needs – communication with members of the legislature and other public agencies to represent the community’s interests – and, communication with the media to inform the public about the functions of government.

Because the City Council functions as a body, i.e. acting on a majority vote, it is important that members represent the City’s official position, or if expressing personal views, the public is so advised. To ensure that accurate City communications reach the public in a timely manner, the following shall apply.

6.2 Processing and Delivering of City Council Mail

Members of the City Council sometimes receive a large volume of mail and other hard copy materials from the public and staff. The City Manager’s Office maintains a mailbox at City Hall for each member. The City Manager, or his/her designee, is authorized to receive and open all mail addressed to the City Council as a whole, the Mayor and/or individual City Council Member, and said mail shall be opened and date stamped the day it was received. Letters addressed to the Mayor and/or individual City Council members will be copied to the full Council. Letters received which include issues directly related to a particular department shall be copied to the City Manager and the Department Director. Mail relating to a legal issue may also be forwarded to the City Attorney. Council Members may pick up their mail any time at City Hall. Notwithstanding mail that is time sensitive needing immediate attention, all other mail that is not picked up at City Hall will be delivered to the Council at every Council meeting.

All correspondence, including email, addressed to the City Council or to individual Council members relating to the conduct of the City’s business is a public record as defined in Government Code Section 6252 and will be retained by the City in accordance with its Records Retention Policy.

6.3 Written Correspondence

Members of the City Council will often be called upon to write letters to citizens, businesses or other public agencies. Typically, the Mayor will be charged with transmitting the City’s position on policy matters to outside agencies on behalf of the City Council. Individual members of the Council will often prepare letters for constituents in response to inquiries or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

On occasion, members may wish to transmit correspondence on an issue upon which the Council has yet to take a position or about an issue for which the Council has no position. In these circumstances, members should clearly indicate either in correspondence or verbally that they are not speaking for the City Council as a whole, but for themselves as one member of Council. City letterhead and office support may be utilized in these circumstances.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Council title, and staff support should not be utilized. In addition, City letterhead and staff support cannot be utilized for any personal

or political purposes.

Council members are often asked to prepare letters of recommendation for students and others seeking employment or appointment. It is appropriate for individual Council members to utilize City letterhead and their Council titles for such letters.

All Council member correspondence using City letterhead shall be copied to the full Council, the City Manager, the City Attorney, and the City Clerk. In addition, all Council correspondence to public agencies in which the Mayor or Council Member identifies themselves as such, shall be copied to the full Council.

6.4 Use of City Seal, City Logo, and Police Badge

The seal, logo, and police badge are considered symbols of the authority and jurisdiction of the City and, as such, are valuable assets of the City and its citizens. The City seal, logo, and police badge shall be used for official purposes only and according to policies and guidelines developed by the City Manager, or as authorized by the City Council. [EXHIBIT I]

6.5 Speaking Engagements

Council members may accept public speaking invitations.

Presentations shall clearly articulate the Council's adopted policy position.

A Councilmember may indicate that their individual position differs from that which was adopted.

6.6 Media Relations

Typically, the Mayor is the designated representative of the Council to speak on official City positions.

Individual Council members may comment to the media but should be clear about whether their comments represent the official City position or a personal viewpoint.

Generally, press releases shall be prepared and routed to the City Manager and Legislative & Information Services Director/City Clerk for approval before release to the media.

Police and Fire responses to, and/or press releases regarding, emergencies may be reported directly to the media by the designated department spokesperson.

6.7 City Council Protocol Regarding Communications with Project Applicants

The following are informal protocol guidelines and procedures regarding meetings between developers and City Council members to discuss upcoming projects.

- a. When meeting with a project applicant, a council member should state that they represent one vote on the City Council and any statements

represent the opinion of the individual council member only. Formal direction or action requires consideration and approval by a majority of the City Council at a lawfully scheduled and notified meeting.

- b. A council member should encourage the applicant to meet with all other members of the City Council and to seek their input.
- c. When a council member meets with an applicant regarding a potential project, the council member should attempt to notify the City Manager when possible. When appropriate, the City Manager will contact the applicant and request they meet with other members of the City Council.
- d. If any materials are provided by an applicant, the council member should provide them to the City Manager, who will forward copies to each of the other members of the City Council.
- e. A council member may request staff to attend a meeting if desired. If staff attends, it should be communicated to the applicant that staff is present to answer any process or technical questions. It is not appropriate for staff to participate in discussion regarding the merits of the project at such a meeting.
- f. While the meeting is an appropriate opportunity to express concerns, ask questions and identify issues, the council member should refrain from stating how he/she intends to vote on a project and should avoid making representation or commitments regarding future actions. A vote should be based upon information presented as part of the formal application process.
- g. Council members are encouraged to disclose ex parte contacts with a project applicant before consideration of the project.

6.8 Access to Communications/Technology Systems

The City will provide each Council Member with equal and appropriate communications and technological devices to facilitate their public service and within the confines of the Information Technology standards for hardware and software. Use of such devices shall be subject to the City's Administrative Policies, a copy of which is provided to Council Members upon assuming office.

6.9 Electronic Communications Prohibited During Meetings

The following policy shall define electronic communications and establish guidelines and procedures regarding electronic communications during public meetings that have implications under the Ralph M. Brown Act ("Brown Act") and/or the Public Records Act.

- a. Electronic Communications shall mean electronic text or visual communications and attachments distributed via e-mails, websites, instant messaging, text messages, Twitter or comparable services.
- b. Electronic devices (i.e., iPads or laptops) issued by the City to Council Members for use of storing agenda materials and accessing agenda materials during City Council meetings shall be the property of the City and returned to the City when a Council Member is no longer serving in his or her elected capacity. Agenda packets will be distributed through the City's Paperless Agenda Program so that Council Members receive their agenda packets electronically. Council Members may access agendas and agenda packets using City issued iPads or other electronic devices (including, but not limited to personal computers and smart phones).
- c. City Council Members shall not use electronic devices or electronic communications at any time during a meeting of the City Council at which

- he or she is in attendance to access the internet or to receive or send emails, text messages or other communications. The presiding officer of the meeting may use electronic devices to receive messages from City staff regarding procedural issues arising during the course of the meeting.
- d. The limitations on use of electronic devices and electronic communications during meetings contained herein shall not apply to the receipt of telephone calls or text messages from family members in the event of an urgent family matter. A Council Member wishing to respond to such a message during a meeting shall do so during a recess or shall excuse him or herself from the meeting to place the return call or text in a manner that does not disrupt the meeting.

6.10 Electronic Communications Using City-Issued and Personal Devices

As a public official, your communications regarding City business are potentially subject to disclosure via a Public Records Act (PRA) request, regardless of the medium used to send, receive, or store the records. In order to minimize potential risk, embarrassment, or awkward situations for yourself and for the City, please take the following into consideration when using various electronic communication methods:

- a. All City business should be conducted using City communications equipment and accounts to the greatest extent feasible. Conducting work communications in this way assures that the City has a record of your communications, which can then be searched and produced in a non-invasive manner should a public records request be received. However, should you need, under limited circumstances, to use personal devices and/or personal accounts, such as text messaging, email, or social media, to communicate with others regarding City business, please be prepared to timely search for and provide copies of work-related communications if the City receives a related PRA request.
- b. Exercise tact and caution when communicating in writing regarding City business, regardless of the medium or recipient. While the PRA's definition of work-related "records" is essentially limited to communications relating to actual conduct of the City's business by an individual in their official capacity, there is no guarantee that any particular personal or seemingly incidental work-related communication will ultimately be deemed exempt from production or disclosure.

While the law attempts to strike a balance between the public's interest in disclosure and the official's personal right to privacy, permitted exemptions from production and disclosure are rather narrow, and the City Attorney must act impartially when determining whether a record is exempt. Factors such as potential embarrassment cannot be accounted for in determining what to produce, and the City is obligated by law to err on the side of disclosure.

Additionally, bear in mind that in the event of litigation, a subpoena for records is a more powerful tool that can potentially compel the City to produce a broader array of records, including those that would not have been produced under a PRA request.

- c. Consider the appropriate platform for all work-related communications. As always, a good rule of thumb before hitting "send" is to consider how

you would feel if the communication were to be reprinted in the newspaper. If a communication is sensitive enough that you would not want it to be reprinted, you are encouraged to consider using the telephone and personal visits to communicate instead, when appropriate.

A copy of the City's Administrative Policy regarding the use of electronic communication and City-issued devices will be provided to Council Members upon assuming office.

6.11 Communications with Staff

Pursuant to AGMC Section 2.08.080, "Administrative relationships," the City Council and its members, except for the purpose of inquiry, shall deal with administrative services solely through the City Manager, and neither the City Council nor any member thereof shall give orders to any officer or employee of the City under the supervision of the City Manager.

In regard to questions relating to agenda items, Council Members are encouraged to contact the City Manager or appropriate Department Director to ask questions for clarification prior to the meeting at which the subject will be discussed.

6.12 Complaints Regarding Performance of Staff

Any concerns by a member of Council over the behavior or work of a City employee should be directed to the City Manager privately to ensure the concern is resolved. Council Members shall not reprimand employees directly, nor shall they communicate their concerns to anyone other than the City Manager.

6.13 Citizen Inquiries

Often a constituent will call a Council Member with a question or a complaint about a particular problem or issue. Sometimes the complaint is related to not understanding why a particular action is taken and sometimes it relates to how a service has been provided or not provided.

When particular service issues or questions come up, the staff is also concerned about getting a quick and accurate response to a citizen. The most effective way for staff to ensure this response is for the Council Member to contact the City Manager's office to relay the question or complaint. Staff will take the information, coordinate with the appropriate Department, follow up with the citizen directly or provide information back to the Council Member, whichever is preferred.

6.14 Handling of Litigation/Confidential Information

Council Members shall keep all written materials and verbal information provided to them on matters that are confidential in complete confidence to ensure that the City's position is not compromised. No disclosure or mention of information in these materials shall be made to anyone other than Council Members, the City Attorney, or City Manager.

Council Members may not disclose information obtained in closed session unless authorized by a majority vote of the Council, or as otherwise required by law.

6.15 Legislative Communications at the Request of City Affiliated Organizations

From time to time, the City is asked by the League of California Cities or other City-affiliated organizations to take a support and/or oppose position on a particular piece of legislation and/or proposal. When such a request is received, the matter shall be placed on the agenda and acted upon at the next regularly scheduled City Council meeting. When a request is received necessitating a more timely response in that action is required prior to the next regularly scheduled City Council meeting, the Mayor, or his/her designee, on behalf of the City, may sign and submit the requested communication so long as the position is consistent with the position taken by the League and/or other City-affiliated organizations and previous positions, if any, taken by the City. A copy of the communication shall be provided to the City Council and reported on as an informational item under City Manager Communications or Council Communications at the next regularly scheduled City Council meeting.

APPENDIX
Reference Table of Amendments

DATE	DESCRIPTION	ACTION
10/28/2022	Addition of Community Service Grant Program Committee to Section 5.2	City Council Direction 10/25/2022
08/13/2024	Adoption of a City Seal, City Logo, and Police Badge Policy (Exhibit I)	Resolution No. ____
08/13/2024	City Council adopted City Council Handbook Update	Resolution No. ____

EXHIBIT A: Expanded Description of City Departments

The following is a short description of the services of each of the City's departments.

City Manager

The City Manager serves at the will of the City Council and is responsible for providing them with policy recommendations, staff support and implementing their directions and decisions. The City Manager is responsible for overseeing day to day operations of the City and appoints professionals to direct departments responsible for a wide variety of services provided to the community. The City Manager is responsible for overall direction and coordination of the City organization to provide services and projects in an efficient manner. The City Manager coordinates with community organizations and individuals to ensure the City is responsive to the community's needs and concerns.

The City Manager is committed to providing leadership to the organization that promotes professionalism, responsiveness to the community, and decision making focused on addressing both current and future needs. The City Manager is dedicated to addressing financial challenges in a prudent and responsible manner, while maintaining critical services the community depends upon and protecting the community's heritage, natural resources and quality of life.

The City's Human Resources Officer reports directly to the City Manager. Human Resources includes ensuring compliance with State and Federal employment-related laws and regulations, participating in collective bargaining with employee unions and administering union contracts, Risk Management, Recruitment, Employee Development, Performance Management, administering benefits and worker safety, as well as administering job classifications and compensation plans.

City Attorney

The City Council appoints a city attorney to whom it turns to for legal advice. He/she attends Council meetings to advise on points of the law and to ensure that all proper procedures are maintained. The City Attorney also provides legal advice and represents the City Council, City Manager, City departments and other City boards and commissions on legal matters. The City Attorney is responsible for drafting ordinances, reviewing contracts and prosecuting municipal code violations.

Administrative Services

The Administrative Services Department collects and disburses all City monies. It maintains accounting records of all monetary transactions, involving cash receipts, accounts payable, payroll, utility billing, and business licensing, and oversees the information technology function of the City. The Department manages the prudent investment of currently idle City funds. It also prepares the proposed biennial City budget, in conference with various City department directors and key personnel and under the general direction of the City Manager. Following City Council adoption, the final budget is then prepared.

Legislative and Information Services (City Clerk)

The Legislative and Information Services Department is responsible for managing the legislative history of the City; responding to requests for information and researching legislative data for the public, staff, media, and the City Council; recording actions taken at City Council meetings; preparing and distributing City Council meeting agenda packets; coordinating official filings with the California Fair Political Practices Commission; updating the City's Conflict of Interest and Municipal Codes; maintaining official records and archives of the City including ordinances, resolutions, contracts, agreements, deeds, insurance

documents and minutes; and conducting elections for the City. The Legislative and Information Services Department also is responsible for the City's public information program to include the City's website, social media, mobile app, local government access channel, and media relations.

Recreation Services

The Recreation Services Department is responsible for providing recreation and leisure opportunities for residents and visitors of all ages. These programs are offered with the hope that they not only meet the community's interests, but also inspire residents to try something new. The Department offers adult and youth programs and classes, sport leagues, and special events which are highlighted in a seasonal Activity Guide. The Recreation Services Department manages scheduling and reservations for all recreational facilities, including parks and barbeque areas, community centers, and athletic fields. The Department provides staff assistance for the Arroyo Grande Tourism Business Improvement District Advisory Board.

Community Development

The primary goal of the Community Development Department is to assist the community, City Council, and Planning Commission in preparing for the City's future growth and development, as well as review current development plans for consistency with local ordinances. The Department deals with transportation, housing, community facilities, public safety, open space, design, and the use of land. Additionally, the Department oversees economic development efforts to create an atmosphere conducive to the retention, expansion, and creation of quality businesses, consistent with the community's vision of Arroyo Grande. This effort will result in maintaining and increasing the number of jobs and enhancing the fiscal position of the City through increased business tax, sales tax, and property tax revenues. The building division reviews project plans, issues permits, and provides inspection services for compliance of California's building, fire, mechanical, electrical, plumbing, energy, and disabled access codes, as well as city ordinances, for all new and existing buildings in the city. The Department provides staff assistance for the Planning Commission, Architectural Review Committee, Downtown Parking Advisory Board, and Community Service Grant Committee.

Public Works

The Public Works Department is responsible for maintaining all City infrastructure (streets, parks, sports complex, city-owned buildings, water and sewer facilities) as well as maintaining the City's vehicle fleet and equipment. The capital improvement projects manager administers the design, construction and inspection of all publicly funded capital projects. The engineering division ensures all construction in the public right-of-way related to land development entitlements comply with adopted codes and engineering standards. Engineering is also responsible for all subdivision processing, approval of final subdivision maps, accepting related offers of dedications and entering into agreements to complete subdivision agreements. The Public Works Department also administers the City of Arroyo Grande Community Tree Program including the administration of tree removal requests and permits.

Police

The mission of the Police Department is to maintain the public peace, safeguard lives and property, and to provide for a quality of life whereby those persons within the City have a sense of security and freedom in their daily activities. To accomplish this, the Department provides a wide variety of public safety-related services. These services are provided through the program areas: Uniformed patrol, traffic management, investigations, crime prevention, delinquency prevention, records management, communications, and disaster management.

Five Cities Fire Authority

Pursuant to the Joint Exercise of Powers Agreement (JPA) creating the Five Cities Fire Authority (FCFA), the FCFA serves the City of Arroyo Grande to provide its citizens with fire protection and other emergency services. The fire chief is overseen by the Management Committee which is made up of the current City Manager of each Member Agency of the JPA (currently the two member agencies are the City of Arroyo Grande and the City of Grover Beach). The Fire Prevention Division assists in the elimination of fire hazards through the inspection of commercial, residential, and industrial areas. The Fire Division is also responsible for the fire protection requirements on new subdivisions and occupancies.

EXHIBIT B: Travel Policy

CITY OF ARROYO GRANDE ADMINISTRATIVE POLICY AND PROCEDURES	
POLICY #: <u>A-012</u>	SUBJECT: TRAVEL
ISSUED: <u>11/24/15</u>	
EFFECTIVE: <u>12/1/15</u>	
CANCELLATION DATE: <u>N/A</u>	
SUPERSEDES: <u>12/1/08</u>	

POLICY:

It is the City's policy to authorize City employees and officials for travel outside the City in order to participate in regional meetings, training and conference activities for professional development and to represent the City's interests. However, it is the City's policy to manage travel expenses in an efficient manner and to limit such expenses to matters that are necessary and provide a direct benefit to the City. The City shall reimburse travel expenses directly related to travel on approved City business. All costs incurred for travel-related expenses are subject to budgeted amounts and this policy is applicable to all City employees, elected officials and appointed officials. Travel expense reimbursements are tax-free, provided IRS regulations are followed as described below. Employees traveling on City business are representing the City and are expected to conduct themselves in the same manner as they would while at work. Violation of the travel policy and procedures will be investigated and may result in disciplinary action and/or possible denial of future travel requests.

Authorized expenditures of City funds for the purpose of this policy includes items paid directly by the City to applicable vendors, paid via City credit card, advanced to the employee, or reimbursed to the employee after travel is completed.

PROCEDURE:

1. Authorized Travel

City funds, equipment, supplies, titles and staff time must only be used for authorized City business. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:

- A. Communicating with representatives of regional, state and national government on City adopted policy positions;
- B. Attending educational seminars designed to improve skill and information levels;

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TRAVEL
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- C. A conference or organized educational activity relating to topics important to City policy and operations;
- D. Attending meetings involving activities and/or decisions important to the City's interests;
- E. Preparing research for City projects and/or implementing City approved strategies.

2. Authorization and Cash Advances

- A. Travel on City business shall be claimed on an itemized basis. Employees and officials attending a conference, training or out of town meeting shall itemize all daily expenses. In general, expenses should be charged to the City credit card. Funds can be advanced. However, the employee or official must itemize all expenses and may be eligible for additional reimbursement or need to refund some of the cash advance to the City. Receipts should be kept and submitted on all expenses, except for P.O.S.T. meal and incidental per diem as described below.
- B. Whenever possible, conference and training should be specified during the budget process.
- C. On all travel on City business that exceeds \$200 or involves a cash advance, regardless of whether it is a one-day conference or involves overnight travel, a Travel Request and Expense Report form (Exhibit A) must be submitted.

Travel authorizations should detail all expenses associated with a trip. This would include, but not be limited to, meals, lodging, registration fees, air fare/mileage reimbursement, and estimated car rental.

Travel authorizations and accompanying Travel Request and Expense Form require approval of the Department Director or his/her designee.

Out-of-state travel or travel that exceeds the Department's budget allocation for travel must be approved by the City Manager.

Travel authorizations and accompanying Travel Request and Expense Form for Department Directors require approval of the City Manager or his/her designee. Travel authorizations for the City Manager require approval of the Mayor or his/her designee.

- D. Travel authorizations should be submitted a minimum of 10 business days prior to the scheduled travel for approval and within 10 business days following the travel for reimbursement.

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- E. If a receipt is lost, a Travel Substitute Receipt Form (Exhibit B) may be submitted in its place.
- F. All individuals traveling on City business who are not City employees (i.e., Planning Commission, Traffic Commission), where the total cost of the travel exceeds \$100, must have the prior approval of the City Council. In cases where prior approval at a Council meeting is not possible due to a last-minute necessity, the City Manager will make the determination and inform the City Council at the earliest opportunity.
- G. Police Department personnel attending P.O.S.T. training courses will be allocated the per diem rate currently approved by P.O.S.T. for meals and incidental expenses.

3. Reimbursable Expenditures

A. Registration

The City shall pay for or reimburse primary registration costs for authorized training and conferences. The City shall not reimburse costs for additional optional social and entertainment conference activities offered. The City shall not reimburse conference registration costs for family and friends accompanying the employee or official.

B. Transportation

- 1. Air travel shall be reimbursed at the lowest reasonable coach rate available. Tickets should be purchased through the Enhanced Local Government Airfare Program whenever possible as long as they represent the lowest rate available at the time. This program entitles member agencies to reduced airfares through the State of California YCAL rating agreement and also provides rental car and hotel reservations.
- 2. In cases where air travel would be the normal means of transportation on City business, an employee or official may drive one's personal vehicle with the permission of the Department Director. Costs shall be reimbursed at the City Council established per mile rate. In no case shall the cost of mileage exceed the cost of coach air travel to the conference or training.
- 3. Employees that receive auto allowance shall only be eligible for mileage reimbursement for travel to destinations outside a fifty (50) mile radius of the City.
- 4. An employee may leave from home for a meeting, conference, training session, etc. However, the mileage reimbursement for travel from

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home to the conference, etc., shall not exceed what would normally be the mileage reimbursement for travel from employee's work site to the conference.

5. Use of City vehicles may be authorized for travel on City business outside the local area when this method of transportation can be demonstrated as the most economical means available. There shall be no reimbursement for transportation when a City-owned vehicle is used. Any out-of-pocket expenses incurred in operating the vehicle, such as gasoline, shall be reimbursed if receipts are provided.
6. Rental vehicles shall be utilized for travel if rental fees and actual projected gasoline costs are determined to be less than the projected mileage reimbursement to utilize a personal vehicle. Any out-of-pocket expenses incurred in operating the vehicle, such as gasoline, shall be reimbursed if receipts are provided.
7. Carpooling is encouraged when more than one employee or official are attending the same event or activity.
8. Rental rates that are equal or less than those available through the State of California's website (www.catravelmart.com/default.htm) shall be considered the most economical and reasonable for purposes of reimbursement under this policy. The most economical car make and models sufficient to meet the needs of the travel shall be utilized, subject to vendor availability.
9. Taxi, bus and shuttle fares may be reimbursed, including a 10% gratuity per fare when applicable, 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.

C. Lodging

1. Lodging expenses at the single room rate will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay.
2. If such lodging is in connection with a conference, lodging expenses shall not exceed the group rate published by the conference sponsor if such rates are available at the time of booking.
3. Employees and officials shall request government rates when available.
4. Gratuities of \$1 per night for hotel maids shall be reimbursed and \$1 per bag for bellhops when necessary.

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5. Lodging incidental costs that are not listed as reimbursable expenses in this policy shall not be reimbursed.

D. Meals

1. Meals shall be paid or reimbursed at actual cost not to exceed the U.S. Government Per Diem Schedule for the specific geographic area, as stated on the U.S. General Services Administration web site (www.gsa.gov), which shall include tax and a 15% to 20% gratuity, as appropriate.
2. To determine the maximum reimbursement amount for daily meals, access www.gsa.gov and take the following steps:
 - a. Access the per diem rates table
 - b. Identify the Meals & Incidental Expense (M&IE) rate for the area where the travel will take place.
 - c. Access the M & IE table and apply the M&IE rate to determine the daily limit for meals by adding the amounts for all meals identified.
 - d. If meals are provided by the event or hotel and consumed by the employee or official, the amount identified in the M & IE table for that meal shall be deducted from the allowable reimbursement amount. Employees and officials are encouraged to take advantage of meals provided unless infeasible due to times or business necessity. To determine the amount to be deducted from the daily limit for a specific meal, access M & IE table and apply the M&IE rate to identify the specific limit for each meal.
 - e. Per diem amounts provided for each eligible meal required during authorized travel will be considered full compensation for those meals.
3. Meals for meetings or travel within the local area will be paid or reimbursed at the Department Director's discretion.

E. Parking

1. Parking fees shall be reimbursed at the actual cost, including a \$2 gratuity for valet parking when necessary.

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2. Parking fees at hotels and conference sites will be predetermined whenever possible and included in the employee's travel expenses. When parking costs cannot be predetermined, employees will be reimbursed for any required parking fees.
3. Long-term parking shall be used for any airport parking for travel exceeding 24 hours.

F. Communications

1. Employees and officials shall be reimbursed for actual telephone, fax and internet access occurred on City business.
2. Telephone bills should identify which calls were made on City business.
3. Staff needing internet access for City related business while on City travel and/or training may purchase high speed internet access from the employee's place of lodging if available at the City's expense. Determination of the need for internet access shall require approval of the Department Director. Internet access paid for by the City shall be subject to the provisions of the City's Information Systems Policy (A-016).

4. Non-Authorized Expenditures

- a. Alcohol and personal bar expenses are not authorized unless pre-approved by the City Manager.
- b. Personal expenses such as in-room movies or games are not authorized expenditures.
- c. Excess baggage charges are generally not eligible for reimbursement. If the airline charges for all checked baggage, the City will cover the cost for one checked bag only, unless pre-approved by the City Manager.
- d. Laundry and Dry Cleaning services are generally not reimbursable.
- e. Rental car options such as GPS devices are not a reimbursable expenditure unless pre-approved by the City Manager.
- f. Expenses for which City employees or officials receive reimbursement from another agency are not reimbursable.
- g. No costs associated with family members and friends accompanying an employee or official shall be reimbursed.
- h. The City shall not be responsible for or reimburse any additional costs related to the extension of stay beyond the time necessary to complete the approved conference, trainings, conventions or other functions.

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5. IRS Guidelines

- a. Payment for travel related expenses is not considered compensation for tax purposes under IRS regulations, provided reimbursement requests are submitted and approved within the timelines in this policy. However, should a request be submitted and approved more than sixty (60) days after being incurred, the reimbursement will be considered compensation for tax purposes.

6. Travel Time

For non-exempt (hourly) travelers, required travel time to the event on workdays during normal working hours will be counted as time worked. Generally, travel time to the event on City business is limited to the actual dates of a function plus reasonable travel time not to exceed a maximum of twenty-four (24) hours before and/or after the function.

No overtime will be provided for travel time to the event, other than that mandated by the Federal Fair Labor Standards Act ("FLSA") requirements and/or approved Memorandums of Understanding (MOU). Departments must be aware of the FLSA and MOU requirements when arranging for travel for all non-exempt (hourly) travelers. Travel-related overtime in connection with travel on City business requires authorization from the Supervisor.

Upon prior approval by the Department Director, the employee may stay beyond the time required for business purposes. Such time must be charged to an available leave balance such as vacation, personal leave, or compensatory time for the individual traveler. The City will not be responsible for any additional costs associated with extended travel.

7. Follow-Up

Council Members shall make an oral report on the meeting or conference during Council Communications as appropriate. Written reports of the highlights of a conference or training program may also be required for employees at the discretion of the City Manager or applicable Department Director, particularly when other individuals in the organization could benefit from such information.

8. Audits of Expense Reports

All expenses are subject to verification of compliance with this policy.

9. Exceptions

Questions or interpretation of exceptions to the above must be clarified and/or approved by the City Manager in advance of the proposed travel.

/s/ Dianne Thompson
Dianne Thompson
City Manager

**CITY OF ARROYO GRANDE
TRAVEL REQUEST AND EXPENSE REPORT
FORM "T" FOR TRAVEL**

**EXHIBIT A
POLICY A-012**

Part I - TRAVEL REQUEST

INSTRUCTIONS: Prior to travel, prepare Part I, list checks to be issued, obtain required approvals and submit to the Administrative Services Department (Accounts Payable).

Name & Title of Requester _____
 Date of Request _____ Date of Trip _____
 Conference or Meeting _____ Estimated Cost of Trip _____
 Location _____ Account Number _____
 Was travel included in Department Budget? Yes _____ No _____

Advance Payments Requested:

Date Requested	Payable To:	Amount
Total Requested:		

 Signature of Requester Department Director Approval City Manager Approval (if req'd)

PART II - EXPENSE REPORT

INSTRUCTIONS: Following travel, complete Part II and submit to the Administrative Services Department with receipts, printout of U.S. Government per diem meal schedule for the location of travel, and any balance due to the City if applicable.

Final Costs	Amount
Registration Fees	
Transportation	
Lodging (room charges & taxes only)	
Meals	
Garage/Parking	
Communications	
Gratuities	
Other (please itemize)	
Total Expenses	\$ -
Less Total Advanced/Paid by City Credit Card	
Balance Due to: Traveler/(City)	\$ -

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT STATEMENT OF MY EXPENDITURES

 Employee Department Director Approval City Manager Approval (if req'd)
 Audited By _____ Date _____ Check or Receipt No. _____



EXHIBIT B
POLICY A-012

**CITY OF ARROYO GRANDE
TRAVEL SUBSTITUTE RECEIPT FORM**

INSTRUCTIONS: If a receipt for eligible travel reimbursement expenses is lost, complete the following and submit with itemized expenses along with Travel Request and Expense Report.

1. Name & Title _____

2. Date of Request _____ , 3. Date of Expense _____

4. Amount of Expense _____

5. Description of Expense _____

6. Name of Business _____

7. Location of Business _____

8. Reason Why Receipt is Not Available _____

Signature of Requester _____

Department Director Approval _____

City Manager Approval _____

EXHIBIT C: Ethical Standards Policy

CITY OF ARROYO GRANDE ADMINISTRATIVE POLICY AND PROCEDURE

POLICY #: <u>A-030</u>	SUBJECT: ETHICAL STANDARDS
ISSUED: <u>10/1/06</u>	
EFFECTIVE: <u>10/1/06</u>	
CANCELLATION DATE: <u>N/A</u>	
SUPERSEDES: <u>New</u>	

POLICY:

It shall be the City's policy to have fair, ethical and accountable local government, which has earned the public's confidence for its integrity. To do this requires that public officials be independent, impartial and responsible in their judgement and actions to the people. City employees are also in a position of public trust and have an obligation to do their jobs in the spirit of public service. As such, it is the City's policy that City officials and employees conduct themselves in an ethical manner, both on and off the job, and in a manner that does not present the appearance of a conflict of interest.

PROCEDURE:

A. Act in the Public Interest

Recognizing that stewardship of the public interest be their primary concern, officials and employees shall work for the common good of the people of Arroyo Grande and not for any private or personal political or financial business interest. Officials and employees shall assure fair and equal treatment of all persons, claims and transactions.

B. Comply with the Law

Officials and employees shall comply with all federal, state and local laws in the performance of their duties. These laws include, but are not limited to, the Constitutions of the United States of America and State of California; the City of Arroyo Grande Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and other City resolutions and policies.

C. Personal Conduct

The conduct of officials and employees must be above reproach and avoid the appearance of any impropriety. Officials and employees shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other officials, employees or the public. Officials and employees shall conduct their official and private affairs so as not to give the impression that they

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ETHICAL STANDARDS
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can be improperly influenced in the performance of their duties. Officials and employees will make impartial decisions, free of bribes, unlawful gifts, narrow political interests and be truthful in what they say and do.

D. Use of Public Resources

Officials and employees shall not use public resources that are not available to the public in general for private gain or personal purposes. Officials and employees shall use their titles and City letterhead for official City business related purposes only.

E. Respect for Established Processes and Procedures

Officials and employees shall perform their duties in accordance with the processes and rules of order established by the City Council, City Manager and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

F. Conduct of Public Meetings

Officials and employees shall prepare themselves for public issues, listen courteously and attentively to all public discussions, 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.

G. Decisions Based on Merit

Officials and employees shall base their decisions on the merits and substance of the matter at hand rather than on unrelated considerations.

H. Conflict of Interest

To assure independence and impartiality on behalf of the common good, officials and employees shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship that may give the appearance of a conflict of interest. In accordance with the law, officials and designated employees shall disclose investments, interests in real property, sources of income, and gifts. They shall also abstain from participating in deliberations and decision-making where conflicts may exist. However, this does not preclude the right of any individual to participate in deliberations as a member of the general public.

I. Gifts and Favors

Officials and employees shall not take any special advantage of services or opportunities for personal gain by virtue of their public office that are not available

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ETHICAL STANDARDS
PAGE 3

to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that might compromise their independence of judgement or action or give the appearance of being compromised.

J. Confidentiality

Officials and employees shall respect the confidentiality of information concerning litigation, personnel, property, or other affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

K. Advocacy

Officials and employees shall represent official policies and positions of the City to the best of their ability when designated for this purpose. When representing individual opinions and positions, officials and employees shall explicitly state they do not represent their body or the City of Arroyo Grande, nor will they allow the inference that they do.

L. Roles of Officials and Employees

Officials and employees shall respect and adhere to the Council-Manager structure of government as outlined in the City of Arroyo Grande Municipal Code. In this structure, the City Council determines policies of the City with the advice, information and analysis provided by the public, boards and commissions, and staff. Elected and appointed officials shall not interfere with the administrative functions of the City or professional duties of City staff. City employees shall not take actions that establish or conflict with policy decisions reserved for the City Council's authority. In order to maintain the value of the independent advice of boards and commissions, the City Council shall also refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.

M. Travel

To effectively conserve City resources, officials and employees shall attempt to use the most reasonable, economical and cost efficient means of travel related expenditures when conducting City business for which the City may reimburse them.

N. Positive Work Place Environment

Officials and employees shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Officials and employees shall be committed to the organization's value statements, which serve as the overall guideline to how officials and employees treat each other and the customers the City serves.

POLICY #: A-030
ETHICAL STANDARDS
PAGE 4

O. Implementation

Officials and employees have the primary responsibility to assure that ethical standards are understood and adhered to and that the public can continue to have full confidence in the integrity of its government. Therefore, the following measures shall be taken on an ongoing basis to inform and reinforce the ethical standards of conduct described in this policy and procedure:

1. Ethical standards shall be included in the regular orientation for newly elected and appointed officials, board members and commission members, and employees.
2. Ethics training shall be required every two years for all elected officials, board members and commissioners, and department directors. Training shall be required every three years for all other City employees. Those required to complete training shall have the option of attending and/or participating in programs provided by:
 - a. League of California Cities
 - b. Central Coast Employment Relations Consortium
 - c. Institute for Local Government
 - d. State of California Department of Justice
 - e. Special training programs contracted directly by the City or provided by the City Attorney
3. Each individual shall obtain and provide to the City Clerk a certificate of completion.
4. The Mayor and chairs of boards and commissions have the responsibility to intervene when actions of fellow officials appear to be in violation of the City's Ethics Policy are brought to their attention. If the Mayor or chairperson is the subject of the complaint, the Mayor Pro Tem or vice chairperson shall be responsible. Employees may be subject to disciplinary action when conduct does not comply with these ethical standards. Employees are expected to secure the advice from their department director or City Manager when in doubt about the meaning or application of any conduct requirement applying to their specific situation.



Steven Adams
City Manager

EXHIBIT D: Conflict of Interest Code

CONFLICT OF INTEREST CODE

FOR THE CITY OF ARROYO GRANDE

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes.

The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Therefore, the terms of Title 2 of the California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference, and along with the attached appendices, Exhibit "A" and Exhibit "B", in which positions are designated and disclosure categories are set forth, constitute the conflict of interest code of the City of Arroyo Grande, which is considered the "agency" within the purview of this code.

Designated employees, committees, commissions, boards, and consultants shall file statements of economic interests with the City Clerk of the City of Arroyo Grande, who shall be and will perform the duties of filing officer for the City of Arroyo Grande and who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Upon receipt of the statements of those positions designated in Government Code Section 87200 (members of the City Council and Planning Commission, City Manager, City Attorney, and City Treasurer), the City Clerk shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. Statements of all other designated positions will be retained by the City Clerk in accordance with State law.

RESOLUTION NO. 5223
PAGE 5

EXHIBIT "A"
APPENDIX OF DESIGNATED POSITIONS

The following positions entail the making or participation in the making of decisions which may foreseeably have a material effect on financial interests:

<u>Designated Position:</u> ²	<u>Disclosure Category:</u>
Management Analyst	1, 3
Assistant City Manager/Public Works Director	1, 2, 3
Capital Improvement Project Manager	1, 2, 3
Utilities Manager	1, 3
Public Works Manager	1, 3
Public Works Supervisor	1, 3
Director of Community Development	1, 2, 3
Planning Manager	1, 2, 3
Associate Planner	1, 2, 3
Assistant Planner	1, 2, 3
City Engineer	1, 2, 3
Senior Engineer	1, 2, 3
Associate Engineer	1, 2, 3
Assistant Engineer	1, 2, 3
Engineering Inspector	1, 2, 3
Building Official	1, 2, 3
Building and Fire Safety Inspector	1, 2, 3
Director of Legislative and Information Services/City Clerk	1, 3
Information Technology Manager	1, 3
Deputy City Clerk/Communications Coordinator	1, 3
Police Chief	1, 2, 3
Police Commander	1, 2, 3
Director of Administrative Services	1, 2, 3
Accounting Manager	1, 3
Human Resources Officer	1, 3
Director of Recreation Services	1, 2, 3
Assistant City Attorney	1, 2, 3
Deputy City Attorney	1, 2, 3
Architectural Review Committee Member	1, 2, 3
Downtown Parking Advisory Board Member	1, 2, 3
Tourism Business Improvement District Board Member	1, 2, 3
Successor Agency Board Member	1, 2, 3
Consultants ³	Determined on case by case basis
Exempt Officials ⁴	1, 2, 3

² In the event that State law or regulations regarding the filing of Conflict of Interest Statements should be amended, this Exhibit shall be changed to include the designated position and category of each official as required by said amendment.

³ Consultants: An individual is a consultant if the person serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by a person holding a position specified or that should be specified in the City's Conflict of Interest Code. The City Manager and/or the City Attorney may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described herein. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's and/or the City Attorney's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

⁴ Exempt Officials include the Mayor, Members of the City Council, candidates for City offices, Members of the Planning Commission, City Manager, City Attorney, and City Treasurer who are all otherwise required to file disclosure statements pursuant to State Law.

RESOLUTION NO. 5223
PAGE 6

EXHIBIT "B"

APPENDIX OF DISCLOSURE CATEGORIES

**CATEGORIES OF DISCLOSURE FOR
DESIGNATED POSITIONS**

The following shall be the categories of disclosure covered by this Policy:

1. Investments
California Fair Political Practices Committee ("FPPC") Form 700,
Schedules A-1 and A-2
2. Interests in Real Property
FPPC Form 700, Schedule B
3. Income & Business Positions
FPPC Form 700, Schedule C, D, and E

The officials and employees covered by this policy shall each disclose the categories 1, 2, and 3 as designated herein above set forth.

EXHIBIT E – BEST PRACTICES OF CIVILITY AND CIVIL DISCOURSE

RESOLUTION NO. 4872

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ARROYO GRANDE AMENDING THE EXISTING PLEDGE TO
FOLLOW BEST PRACTICES OF CIVILITY AND CIVIL
DISCOURSE IN ALL MEETINGS**

WHEREAS, members of the City Council, Commissions, Committees, and Boards are committed to building a civil political community in which each person is respected and spirited public and political debate is aimed at the betterment of the City of Arroyo Grande and its citizens and not the disparagement of those with whom we disagree; and

WHEREAS, the City Council pledges to promote the use of and adherence to the principles of civility and civil discourse in conducting business with appointed and elected officials, staff, and citizens; and

WHEREAS, the City Council desires to reaffirm the importance of civility and civil discourse in the democratic process by incorporating a regional Code of Civility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Arroyo Grande, in order to ensure civility and civil discourse in all of our meetings, we pledge our commitment to the following best practices of civility and civil discourse:

- a. To respect the right of all people to hold different opinions in all our meetings.
- b. To avoid rhetoric intended to humiliate, malign, or question the motivation of those whose opinions are different from ours in all our meetings.
- c. To strive to understand differing perspectives in all our meetings.
- d. To choose words carefully in all our meetings.
- e. To speak truthfully without accusations, and avoid distortion in all our meetings.

BE IT FURTHER RESOLVED that the City Council desires to reaffirm the importance of civility and civil discourse by including a regional "Code of Civility", attached hereto as Exhibit A and incorporated herein by reference.

BE IT FURTHER RESOLVED that this Resolution amends and supercedes Resolution No. 4685 adopted September 8, 2015.

On motion by Mayor Hill, seconded by Council Member Harmon, and on the following roll call vote, to wit:

AYES: Mayor Hill, Council Members Harmon, Brown, Barneich, and Ray
NOES: None
ABSENT: None

The foregoing Resolution was passed and adopted this 26th day of June, 2018.

RESOLUTION NO. 4872
PAGE 2



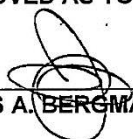
JIM HILL, MAYOR

ATTEST:



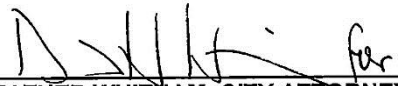
KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:



JAMES A. BERGMAN, CITY MANAGER

APPROVED AS TO FORM:



HEATHER WHITHAM, CITY ATTORNEY

EXHIBIT A

CODE OF CIVILITY

A healthy democracy respects the people's right to debate issues with passion. A healthy democracy not only tolerates disagreement but welcomes it in order to refine ideas and create policies that benefit the greater good.

The deterioration of civility across the country and within our community poses a threat to our democracy and our civic well-being. This deterioration:

- Compromises the integrity of a healthy, representative democracy
- Closes the door on depth of thought, reducing complex problems to harmful oversimplification
- Deters potential leaders from running for office or serving in government
- Poisons the civic well and discourages citizens from engaging on pressing community issues
- Casts the spotlight on poor behavior rather than shining a light on possible solutions
- Sets a poor example for our children

We have crafted this Code of Civility as a promise to each other, and to the people and institutions we serve, that we will always strive to conduct our debates - whether in person, online, or in written communication - in ways that allow for the widest range of opinions on ideas and policies, yet also respect the dignity, integrity and rights of those with whom we might disagree. With our individual and collective commitment to this code, we welcome our elected colleagues, the press and the public to hold us accountable.

In our deliberations we pledge to:

Listen First

We will make an honest effort to understand views and reasoning of others by listening to understand, not listening to find fault, allowing thoughtful discussion to lead to the best possible outcomes.

Respect Different Opinions

We will invite and consider different perspectives, allowing space for ideas to be expressed, opposed and clarified in a constructive manner.

Be Courteous

We will treat all colleagues, staff and members of the public in a professional and courteous manner whether in person, online, or in written communication, especially when we disagree.

Disagree Constructively

We strive to advance solutions to community issues; when faced with disagreement, we do more than simply share our concerns with differing positions, we work to propose a course of action of mutual benefit.

Debate the Policy Not the Person

We will focus on the issues, and not personalize debate or use other tactics that divert attention from the issue.

EXHIBIT F – FLAG DISPLAY POLICY

RESOLUTION NO. 5083

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ARROYO GRANDE ADOPTING A FLAG DISPLAY
POLICY**

WHEREAS, the City of Arroyo Grande currently displays the United States Flag and the State of California Flag at the Arroyo Grande City Hall; and

WHEREAS, the City of Arroyo Grande does not have a policy regarding the display of flags; and

WHEREAS, the City Council desires to establish a policy that provides guidance and standards for the outdoor display of flags at City facilities, including commemorative flags other than the United States flag, the State of California flag, and City flags; and

WHEREAS, in adopting this Policy, the City Council desires to reflect the dignity of the flags flown at City-owned or City-maintained facilities, as well as the role of the Arroyo Grande City Hall as an inclusive gathering location and local symbol of government and democracy; and

WHEREAS, in adopting this flag display policy, the City Council declares that flags and flagpoles owned or maintained by the City of Arroyo Grande are not intended to serve as a forum for free expression by the public, but rather as a nonpublic forum for the display of the United States flag, the State of California flag, City flags, and any commemorative flag authorized by the City Council as an expression of the City Council's official sentiments (government speech); and

WHEREAS, in adopting this Policy, the City Council declares that the following flags shall not be considered commemorative flags that can be displayed or flown on City owned or maintained flagpoles: 1) flags of a particular religious movement or creed to avoid the appearance of City government endorsing religion or a particular religious movement or creed; 2) flags of a political party to avoid the appearance of City government endorsing a political party; and 3) flags advocating a certain outcome in an election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Arroyo Grande as follows:

1. The recitals set forth herein are true, correct and incorporated herein by this reference.
2. The City of Arroyo Grande Policy on Display of Flags, attached hereto as Exhibit A and incorporated herein by reference, is hereby adopted.
3. This Resolution shall be effective immediately upon its adoption.

RESOLUTION NO. 5083
PAGE 2

On motion by Council Member Barneich, seconded by Council Member George, and on the following roll call vote, to wit:

AYES: Council Members Barneich, George, Storton, Paulding, and Mayor Ray Russom
NOES: None
ABSENT: None

The foregoing Resolution was passed and adopted this 25th day of May, 2021.

RESOLUTION NO. 5083
PAGE 3



CAREN RAY RUSSOM, MAYOR

ATTEST:



JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:



WHITNEY McDONALD, CITY MANAGER

APPROVED AS TO FORM:



TIMOTHY J. CARMEL, CITY ATTORNEY

EXHIBIT A

**CITY OF ARROYO GRANDE POLICY ON
DISPLAY OF FLAGS**

I. Purpose

- A. The Arroyo Grande City Council desires to establish clear guidelines regarding:
1. The outdoor display of the United States Flag, the California State Flag, and the City of Arroyo Grande Flag at City facilities or City-owned or City-maintained flagpoles; and
 2. The outdoor display of commemorative flags at the Arroyo Grande City Hall and Heritage Square Park.
- B. In adopting this Policy, the City Council desires to reflect the dignity of the flags flown on flagpoles or displayed at City-owned or City-maintained facilities, as well as the role of the Arroyo Grande City Hall as an inclusive gathering location and local symbol of government and democracy.
- C. In adopting this Policy, the City Council declares that flagpoles owned or maintained by the City of Arroyo Grande are not intended to serve as a forum for free expression by the public, but rather as a non-public forum for the display of the United States, State of California, City of Arroyo Grande, and any commemorative flag authorized by the City Council as an expression of the City Council's official sentiments (government speech).

II. Policy

- A. Conformance with Federal and State Regulations. Flags shall be displayed in accordance with Federal and State statutes and regulations, including, but not limited to, United States Code, Title 4, Chapter 1 and California Government Code section 430 et seq., and this Policy.
1. Per California Government Code section 431(a), the Flag of the United States and the Flag of the State of California shall be prominently displayed upon or in front of public buildings of the City.
 2. Per California Government Code section 434.7, any Flag of the United States or Flag of California that the City purchases must be made in the United States.
 3. The United States Flag may only be flown at half-staff in accordance with the guidelines set forth at <https://www.usa.gov/flag>. The State of California Flag shall be flown at half-staff if the United States Flag is flown at half-staff or on order of the Governor.
- B. City Facilities other than the Arroyo Grande City Hall. At facilities that the City owns or maintains (other than facilities maintained by other governmental entities), there may be one flagpole where the United States Flag shall be flown and the State of California flag may be flown as described in Section II.

C. Arroyo Grande City Hall.

1. There shall be flagpoles at the Arroyo Grande City Hall to fly the following flags in the manner described below: Flag of the United States, Flag of the State of California, Flag of the City of Arroyo Grande, and any approved commemorative flag.
2. The City of Arroyo Grande Flag shall fly at half-staff if either the United States or California Flag is at half-staff. The Mayor may order the City of Arroyo Grande Flag to fly at half-staff at the death of a current or former City Council Member or current City staff member or a historically significant member of the community.
3. Commemorative Flag.
 - a. As expression of the City's official government speech, the City Council may authorize the display of a commemorative flag to fly at the Arroyo Grande City Hall and the Heritage Square Park flagpoles only.
 - b. The City Council shall only consider a request to display a commemorative flag if the request is made by a member of the Arroyo Grande City Council and another City Council member agrees to place the discussion to authorize such display on the agenda for a regular or special City Council meeting. Requests to fly a commemorative flag by members of the public will not be considered.
 - c. At a noticed and agendized City Council meeting, four (4) Council Members must agree to display the Commemorative Flag.
 - d. Commemorative flags shall be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, but no longer than thirty (30) consecutive days.
 - e. Commemorative flags must be either purchased by the City or temporarily donated for the City's use and must be clean, without holes and tears, and be made of an all-weather fabric. Commemorative flags must be the same size or smaller than the United States and California flags that are flown. The City will not be responsible for the condition of the commemorative flag once flown.
 - f. If any other flag is flown at half-staff, the commemorative flag will also be flown at half-staff.
 - g. A "commemorative flag" as defined in this Policy shall mean a flag that identifies with a specific historical event, cause, nation or group of people that the City Council choses to honor or commemorate consistent with the City's mission and priorities. The following are not allowed as Commemorative Flags and will not be considered by the City Council:

- i. Flags of a particular religious movement or creed to avoid the appearance of City government endorsing religion or a particular religious movement or creed;
- ii. Flags of a political party to avoid the appearance of City government endorsing a political party; and
- iii. Flags advocating a certain outcome in an election.

III. Procedures

- A. No other flag shall be placed above the United States Flag and no other flag shall be larger than the United States Flag. Other flags may be flown at the same height and in the same size, in accordance with this Policy. Where both the United State Flag and the California State Flags are flown, they shall be of the same size.
- B. Flags should be hoisted briskly and lowered ceremoniously. The United States Flag should be hoisted first and lowered last.
- C. Flags shall be displayed during operating hours on all days on which the City is open for business, and on national and State holidays. Flags may be displayed twenty-four (24) hours a day as long as they are illuminated during darkness.
- D. Flags shall not be displayed during inclement weather, unless all-weather flags are used and are illuminated during darkness.
- E. When flags are displayed on a single pole, the order from top to bottom shall be: the United States Flag, the California State Flag, and, if displayed, the City of Arroyo Grande Flag.
- F. When the flags are flown from adjacent flag poles, the United States Flag shall be flown at the highest point of honor, which is the furthest point to the left from the standpoint of the observer ("the flag's right").
- G. When a flag is displayed at half-staff, it shall first be hoisted to the peak for a moment and then lowered to half-staff position. Before being lowered at the end of the day or when taken down, the flags shall again be hoisted to the peak for a moment and then fully lowered.

EXHIBIT G – DIVERSITY, EQUITY, INCLUSION, AND JUSTICE POLICY

RESOLUTION NO. 5142

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ARROYO GRANDE ADOPTING A DIVERSITY, EQUITY,
INCLUSION, AND JUSTICE POLICY**

WHEREAS, it is the mission of the City to make Arroyo Grande the best place possible for everyone who lives, works, and visits; and

WHEREAS, the City is committed to supporting diversity, equity, inclusion, and justice, in all facets of society; and

WHEREAS, the City of Arroyo Grande does not currently have a policy specifically stating its commitment to diversity, equity, inclusion, and justice; and

WHEREAS, the City Council desires to establish a diversity, equity, inclusion, and justice (DEIJ) policy that provides guidance and standards for the City to model and implement the aforementioned objectives within the community and the City organization; and

WHEREAS, in adopting this policy, the City Council declares that it is vital to assume the responsibility to face the challenges and seize opportunities created by diversity, and to identify opportunities in policies, regulations, and guidance to address systemic inequities.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Arroyo Grande that:

1. All recitals set forth and above, are true, correct and incorporated herein.
2. The Diversity, Equity, Inclusion, and Justice (DEIJ) Policy, attached hereto as Exhibit A and incorporated herein, is hereby adopted.
3. This Resolution shall be effective immediately upon its adoption.

On motion of Council Member Storton, seconded by Council Member Paulding, and on the following roll call vote, to wit:

AYES: Council Members Storton, Paulding, Barneich, George, and Mayor Ray Russom

NOES: None

ABSENT: None

the foregoing Resolution was passed and adopted this 11th day of January, 2022.

RESOLUTION NO. 5142
PAGE 2




CAREN RAY RUSSOM, MAYOR

ATTEST:



JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:



WHITNEY McDONALD, CITY MANAGER

APPROVED AS TO FORM:



TIMOTHY J. CARMEL, CITY ATTORNEY

Exhibit A

CITY OF ARROYO GRANDE
DIVERSITY, EQUITY, INCLUSION, AND JUSTICE POLICY

POLICY:

The City is committed to supporting diversity, equity, inclusion, and justice (DEIJ) in all facets of society, the principles of which include fairness of treatment, recognition of rights, acceptance of responsibilities, commitment to equity and justice, and dedication to expanding opportunities for all. The mission of the City is to make Arroyo Grande the best place possible for everyone who lives, works, and visits here. Valuing diversity is a core City principle that will be practiced and communicated at all levels of the organization.

PURPOSE:

Members of our community face challenges and opportunities related to their race, religion, gender, ethnicity, language, age, sexual orientation and gender identity, socioeconomic background, and diverse abilities. It is important for members of our community and the City as a whole to assume the responsibility of facing the challenges and seizing the opportunities created by diversity, and to identify opportunities in policies, regulations, and guidance to address systemic inequities.

Inclusion and equity do not seek to 'treat everyone the same,' but recognize that everyone is different, that there are strengths inherent in those differences, and that people's needs are met in different ways. This can be as a resident, visitor, City Council Member, City Advisory Body Member, or employee. Diversity awareness recognizes that each individual is unique, engendering recognition, respect, and celebration of the added value that differences bring.

DEFINITIONS:

Diversity

Diversity refers to the variety of similarities and differences between people based on which they experience advantages or encounter barriers to opportunities, including but not limited to: gender, gender identity, ethnicity, race, native or indigenous origin, age, generation, sexual orientation, culture, religion/belief system, marital status, parental status, socio-economic status, appearance, language and accent, physical and mental ability, mental health, education, geography, and nationality.

Equity

Equity refers to the consistent and systematic, fair, just, and impartial treatment of all individuals, seeking to ensure that all people have access to the same opportunities and resources while recognizing that people do not all start from the same place due to systemic and individual advantages and barriers.

POLICY #: _____
DIVERSITY, EQUITY, INCLUSION, AND JUSTICE
PAGE 2

Inclusion

Inclusion seeks to support people with different identities to feel valued and welcomed within a given setting, including fostering a sense of belonging by centering and amplifying the voices, perspectives, and styles of those who experience more barriers based on their identities.

Justice

Justice refers to the practice of directly dismantling barriers to resources and opportunities in society so that all individuals and communities can live a full and dignified life.

IMPLEMENTATION:

The City is committed to modeling and implementing diversity, equity, inclusion, and justice within the community and the City organization, and will do so through measures that include but are not limited to the following:

- A. Provide informed, authentic leadership supporting diversity, equity, inclusion, and justice by:
1. Connecting diversity, equity, inclusion, and justice to the City's mission as critical principles to ensure the well-being of the City's employees and the community;
 2. Acknowledging and dismantling inequities within the City's policies, systems, programs, and services, including continual review and updates to support ongoing progress;
 3. Embedding language in the City's plans, policies, and goals consistent with the intent of this Policy to promote diversity, equity, inclusivity, and justice;
 4. Exploring potential underlying, unquestioned assumptions that interfere with diversity, equity, inclusivity, and justice;
 5. Advocating for and supporting executive team-level thinking about how systemic inequities impact the City's work, and how best to address these inequities in a way that is consistent with the City's mission and this Policy;
 6. Challenging assumptions about what it takes to be a strong leader within the City organization and who is well-positioned to provide leadership;
 7. Practicing and encouraging transparent and inclusive communication in all interactions, including focus on and commitment to reducing and preventing incidents of prejudice;
 8. Committing time and resources to expand diverse leadership opportunities within the City Council, employees, committees, and advisory bodies, including outreach to diverse social and professional organizations and publications;
 9. Championing diversity, equity, inclusivity, and justice by leading with respect, awareness, and acceptance;
 10. Committing to keeping current on "best practices" that take place in other cities and government jurisdictions, and partnering with other cities in sharing information and efforts;

POLICY #: _____
DIVERSITY, EQUITY, INCLUSION, AND JUSTICE
PAGE 3

11. Expecting all employees to exemplify this Policy in all workplace interactions and through everyday practices.

B. Abide by the following to help promote diversity and inclusion in the workplace:

1. Pursue cultural competency throughout the organization by creating substantive learning opportunities and formal, transparent policies;
2. Pursue and evaluate quantitative and qualitative research related to justice, equity, diversity, and inclusion initiatives and barriers to guide the implementation of effective measures;
3. Make incremental, measurable progress toward the visibility of the City's diversity, equity, inclusion, and justice efforts;
4. Improve the City's cultural leadership pipeline by creating and supporting programs and policies fostering leadership that reflects the full diversity of American society;
5. Identify and incorporate DEI efforts and components in the City's recruitment, retention, and training efforts;
6. Pool resources and expand offerings for underrepresented communities by connecting with other organizations committed to DEI efforts;
7. Develop and present sessions internally on DEI to provide education and resources and to support full implementation of this Policy;
8. Promote opportunities for organizations, businesses, and advocacy groups to share information with the City and with each other regarding the changing realities of the workforce and workplace;
9. Be intentional in bringing awareness and consciousness of bias during the hiring, promoting, and/or evaluating process and institute practices to increase DEI in all aspects of recruitment and retention;
10. Advocate for public and private-sector policies that DEI and challenge systems and policies that create inequity, oppression, and disparity.

C. Promote inclusive outreach to diverse communities by:

1. Identifying traditionally underrepresented or marginalized communities within the City and developing and implementing strategies to increase effective communication and engagement;
2. Regularly conferring with representatives of diversity groups to better understand and support the community and to ensure ongoing application and review of this Policy;
3. Work with community partners to support opportunities for professional leadership and DEI training for small businesses within the City;
4. Intentionally incorporate DEI initiatives into the City's economic development efforts, including support for small and diverse businesses;
5. Evaluating barriers to participation in decision-making processes by traditionally underrepresented or marginalized communities and developing mechanisms to reduce identified barriers;
6. Fostering an environment of inclusivity in internal and public-facing events, meetings, and processes through intentional application of this Policy.

EXHIBIT H – CITY COUNCIL DISTRICTS

ORDINANCE NO. 713

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, ADDING CHAPTER 2.21 TO TITLE 2 OF THE CITY OF ARROYO GRANDE MUNICIPAL CODE ESTABLISHING BY-DISTRICT ELECTIONS FOR FOUR COUNCIL MEMBERS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING THE ORDER OF ELECTION FOR EACH DISTRICT

WHEREAS, the City of Arroyo Grande (“City”) currently elects four (4) Council members and one (1) Mayor using an at-large election system; and

WHEREAS, in response to threatened litigation regarding alleged non-compliance with the California Voting Rights Act (“CVRA”), the City Council of the City of Arroyo Grande (“City Council”) has determined that it is in the best interest of the City to shift from its current at-large election system to a by-district election system for four (4) Council members and to continue electing the mayor at-large; and

WHEREAS, on October 22, 2019 the City Council adopted Resolution No. 4949, declaring the City’s intention to transition from at-large to district-based elections for Council members pursuant to Elections Code Section 10010; and

WHEREAS, California Government Code section 34886 permits the City Council to change the City’s method of election by ordinance, with certain formalities, to require the members of the legislative body to be elected by district with an elective mayor; and

WHEREAS, pursuant to California Government Code section 34886, it is declared that the purpose of this change in the method of electing Council members is to further the purposes of the California Voting Rights Act of 2001, (California Elections Code section 14025 et seq.) and implement the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution; and

WHEREAS, the City engaged an expert demographic firm to assist the City with the process of analyzing the City’s population, developing draft maps, and gathering input from residents on the possible maps; and

WHEREAS, in accordance with Elections Code section 10010, the City Council held two (2) public hearings to obtain input on proposed district boundaries on July 27, 2021 and August 10, 2021; and

WHEREAS, the City conducted public workshops on September 18, 2021 and October 28, 2021 on the proposed district maps and made presentations to eight (8) community organizations; and

WHEREAS, on February 15, 2022, the City posted all draft maps submitted by the public on its website for public review; and

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WHEREAS, on March 1, 2022, the City posted four (4) Council-selected focus district maps prepared by its demographer on its website for public review; and

WHEREAS, at its regular meetings on February 22, 2022, March 8, 2022 and March 22, 2022, the City Council held three (3) additional public hearings at which the public was invited to provide input regarding the draft maps and the sequence of district elections; and

WHEREAS, at its March 8, 2022, meeting, the City Council provided direction to staff to bring back this Ordinance with a designated draft district map for the consideration of the City Council; and

WHEREAS, on March 22, 2022, the City Council introduced, read by title, and waived further reading of this Ordinance; and

WHEREAS, the City Council has satisfied all legal prerequisites to the enactment of this Ordinance; and

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code section 34886, an ordinance providing for the election of Council members by-district in four (4) single-member districts, as reflected in Exhibit A to this Ordinance, and the election of a Mayor by an at-large election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Chapter 2.21 entitled "Elections" is hereby added to Title 2 of the City of Arroyo Grande Municipal Code.

SECTION 3. At-Large Election of Mayor. Section 2.21.010 of Chapter 2.21 is hereby added to Title 2 of the City of Arroyo Grande Municipal Code to read as follows:

At-Large Election of Mayor.

The mayor shall be elected at-large and have a term of two (2) years. At a general municipal election in 1982, the voters determined to have an elected mayor who should serve a term of two (2) years.

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SECTION 4. By-District Elections. Section 2.21.020 is hereby added to Chapter 2.21 of Title 2 of the City of Arroyo Grande Municipal Code to read as follows:

By-District Elections of Council members.

A. Pursuant to California Government Code section 34886, four (4) members of the City Council of the City of Arroyo Grande shall be elected by-district in separate single-member districts.

1. Members of the City Council shall be elected in the electoral districts established by subdivision B of this Section, as may be subsequently reapportioned pursuant to State law. Elections shall take place "by district" as that term is defined in California Government Code section 34871, meaning one Council member shall be elected from each district, by the voters of that district alone.
2. Any candidate for City Council must reside in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued. Any Council member elected or appointed to the seat of a specific district must reside in that district and be a registered voter in that district for his or her full term of office.
3. Termination of residency in a district by a Council member shall create a vacancy for that City Council district unless a substitute residence within the district is declared and established within thirty (30) days after the termination of residency.
4. Notwithstanding any other provision of this section, the Council members in office at the time this section takes effect shall continue in office until the expiration of the term to which they were elected. In the event a vacancy occurs during a Council member's term, the vacancy shall be filled pursuant to the provisions of Government Code section 36512 (b).

B. City Council Districts and District Elections. Four (4) Council members shall be elected on a "by-district" basis from the Council districts shown and numbered on the map titled 'City of Arroyo Grande District Map' attached as Exhibit A, a copy of which shall be on file in the City Clerk's office. In 2022, and every four (4) years thereafter, the following two (2) City Council districts shall be elected by-district: District 1 and District 4. In 2024, and every four (4) years thereafter, the following two (2) City Council districts shall be elected by-district: District 2 and District 3.

C. Amendment of District Boundaries. Pursuant to Elections Code section 21601, as it may be amended from time to time, the City Council shall adjust the boundaries of any or all of the districts following each decennial federal census to ensure that the districts are in compliance with all applicable provisions of law.

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SECTION 5. CEQA. Based upon the whole of the administrative record before it, the City Council hereby finds that a transition from at-large to by-district elections is exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, §21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.) sections 15061(b)(3), 15320, and 15378(b)(3). Adoption of this Ordinance is an organizational and administrative activity of the City, does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment, and is therefore not a project for purposes of CEQA. (State CEQA Guidelines, §§15061(b)(3); 15378(b)(5).) In the event adoption of this Ordinance does constitute a project, it is categorically exempt under the Class 20 (Changes in the Organization of Local Governments) categorical exemption. (State CEQA Guidelines, §15320.) Further, none of the exceptions to the exemptions found in State CEQA Guidelines Section 15300.2 apply. Staff is hereby directed to prepare, execute and file with the San Luis Obispo County Clerk a CEQA Notice of Exemption within five (5) working days of the adoption of this Ordinance.

SECTION 6. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. Effective Date. Pursuant to Government Code section 36937(a), this Ordinance shall take effect immediately upon adoption.

SECTION 8. Publication. A summary of this Ordinance shall be published in a newspaper published and circulated in the City of Arroyo Grande at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the City Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those City Council members voting for and against the Ordinance shall be published again, and the City Clerk shall post a certified copy of the full text of such adopted Ordinance.

On motion by Council Member Storton, seconded by Council Member Barneich, and by the following roll call vote to wit:

AYES: Council Members Storton, Barneich, Paulding, and Mayor Pro Tem George

NOES: Mayor Ray Russom

ABSENT: None

the foregoing Ordinance was adopted this 12th day of April, 2022.

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CAREN RAY RUSSOM, MAYOR

ATTEST:




JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:



WHITNEY MCDONALD, CITY MANAGER

APPROVED AS TO FORM:



TIMOTHY J. CARMEL, CITY ATTORNEY

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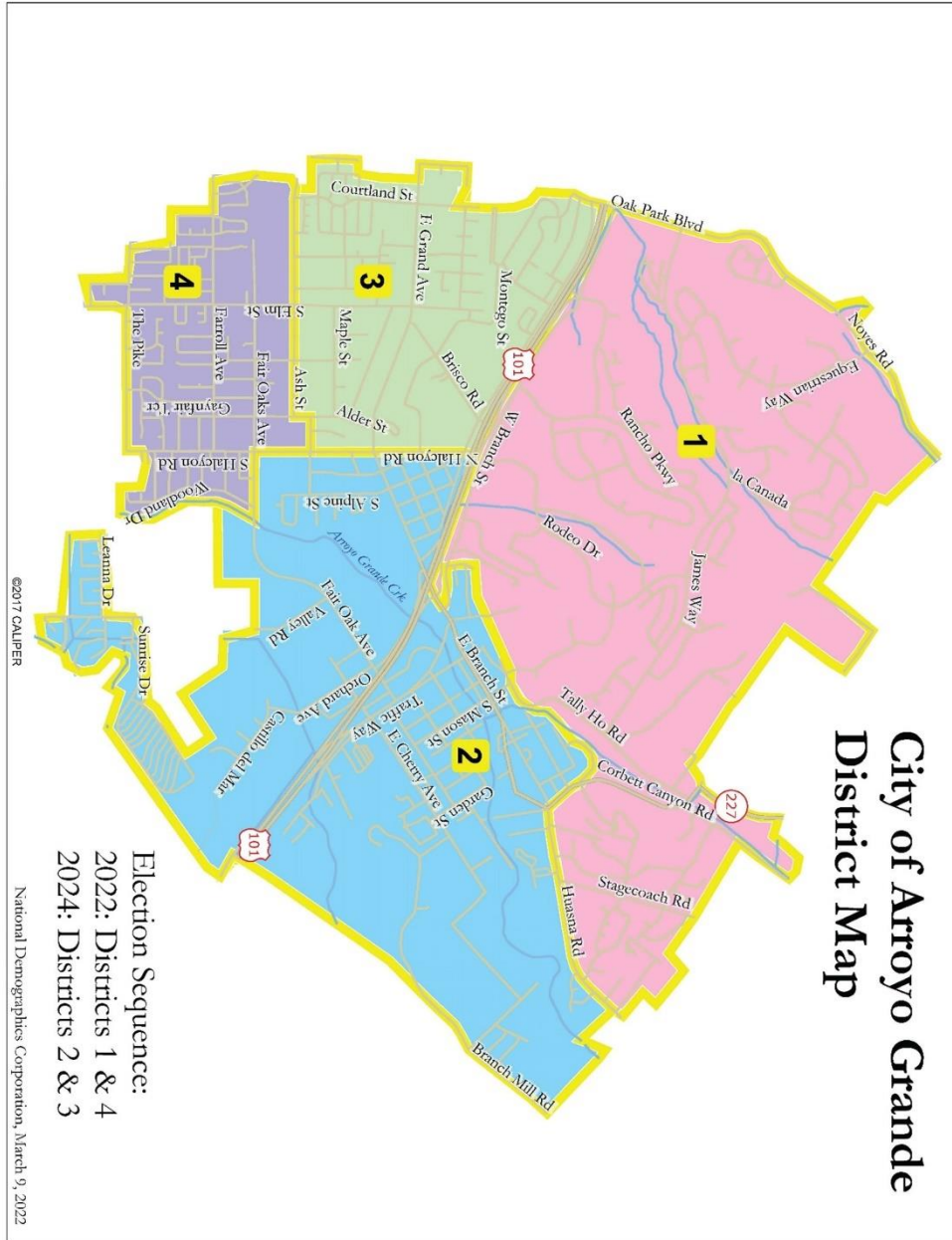


EXHIBIT I – CITY SEAL, CITY LOGO, AND POLICE BADGE POLICY

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ARROYO GRANDE DESIGNATING THE CITY SEAL, CITY
LOGO, AND POLICE BADGE AS OFFICIAL SYMBOLS OF
THE CITY OF ARROYO GRANDE**

WHEREAS, the City of Arroyo Grande does not currently have a policy specifically designating the City Seal, City Logo, and Police Badge as official symbols; and

WHEREAS, the City Council desires to establish a City Seal, City Logo, and Police Badge use policy that provides guidance and standards for use of the symbols; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Arroyo Grande that:

1. The City Council finds and declares as follows:
 - A. It is in the public interest to establish a policy guiding the appearance of the City Seal and distinctive devices, including badges, incorporating the City Seal. The City Seal is a symbol of the authority and jurisdiction of the City, and as such, is a valuable asset of the City and its citizens;
 - B. The City Seal should only be used when conducting official City business as unauthorized use of the City Seal may mislead the public; and
 - C. The most appropriate method of implementing such a policy is to adopt this resolution and authorize the City Manager to implement the provisions specified within this resolution.
2. Definitions. Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this resolution:
 - A. “City Seal” means the current Seal, any and all prior versions of the City’s Seal, or any graphic representation that simulates, approximates or resembles the City’s Seal and contains the City’s name. The image of the City Seal is substantially the same as the form shown in Exhibit A and incorporated by this reference.
 - B. “City Logo” means the official logo of the City of Arroyo Grande that is displayed on City documents, stationary, uniforms, and monument signs, the image of which is substantially the same as shown on Exhibit B and incorporated by this reference.
 - C. “Police Badge” means the distinctive device worn as a sign of membership in and authority of the Arroyo Grande Police Department. The Police Badge identifies the wearer as an Arroyo Grande Police Officer. The image of the Police Badge is substantially the same as the form shown on Exhibit C, and incorporated by this reference.

3. City Seal, City Logo, and Police Badge Designated Official Symbols.

- A. The City Seal is designated the official seal of the City of Arroyo Grande.
- B. The City Logo is designated the official logo of the City of Arroyo Grande.
- C. The Police Badge is designated the official badge of the Arroyo Grande Police Department.

SECTION 4: Alteration of City Seal, City Logo, and Police Badge. The City Seal, City Logo, and Police Badge cannot be altered unless such alterations are approved by resolution of the City Council.

SECTION 5: Prohibition. No person can make, reproduce, manufacture, display or use the City Seal or City Logo or Police Badge, or their design, or any design so closely resembling the same as to deceive or be reasonably mistaken for the City Seal or City Logo, for any purpose other than for official City business, a City-sponsored event or publication, or a City-endorsed event or publication, without the approval of the City Council.

SECTION 6: Authorization. The City Manager or their designee is broadly authorized to promulgate administrative policies and procedures to implement the purpose and direction set forth in this Resolution that the City Seal, City Logo, and Police Badge be used only for official and authorized purposes.

SECTION 7: This Resolution will become effective immediately upon adoption and will remain effective unless superseded or repealed.

SECTION 8: The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

On motion of Council Member _____, seconded by Council Member _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:

the foregoing Resolution was passed and adopted this 13th day of August, 2024.

CAREN RAY RUSSOM, MAYOR

ATTEST:

JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:

MATTHEW DOWNING, CITY MANAGER

APPROVED AS TO FORM:

ISAAC ROSEN, CITY ATTORNEY

EXHIBIT A
CITY SEAL

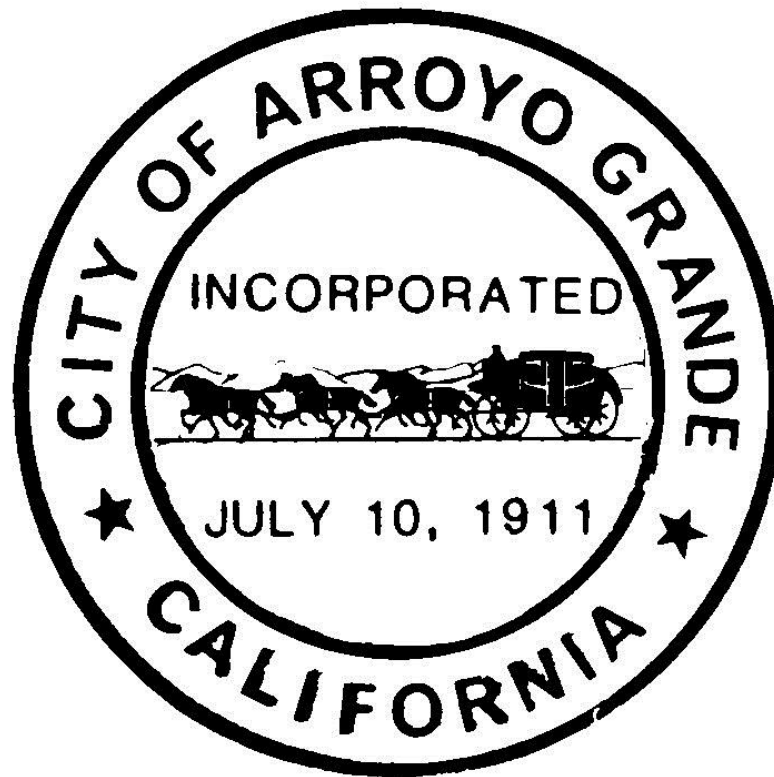


EXHIBIT B
CITY LOGO

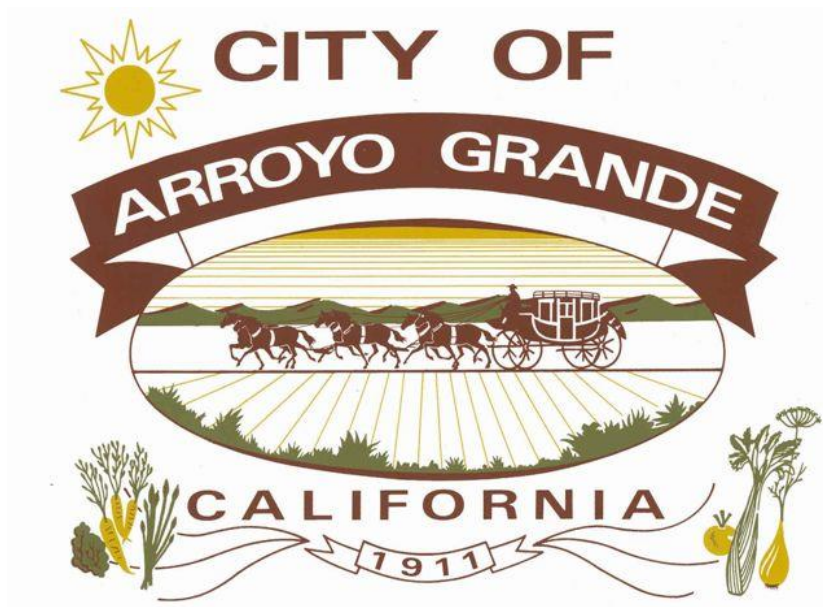
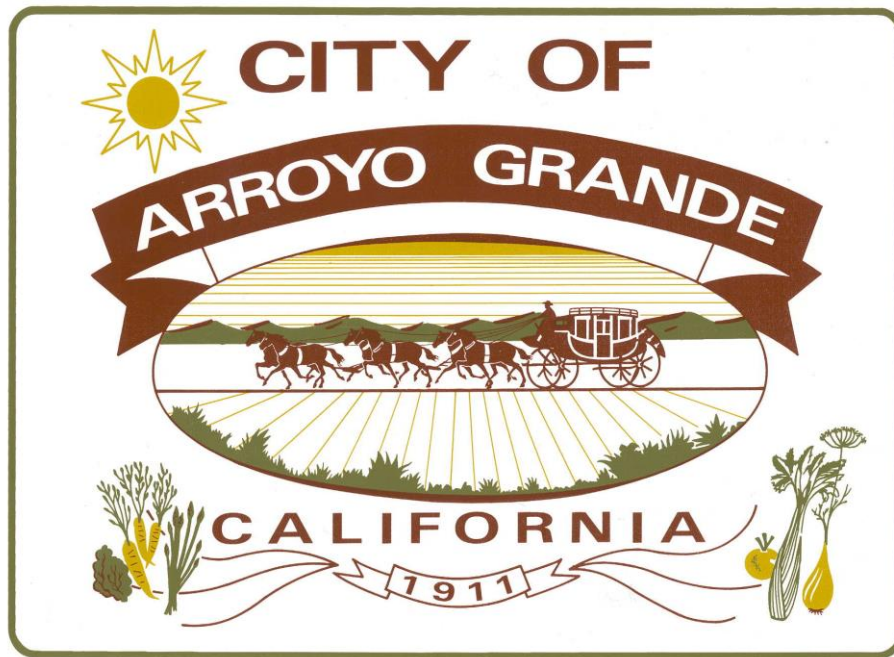


EXHIBIT C
POLICE BADGE

