

CITY OF SAN MATEO
City Council Regular Meeting
June 16, 2025
7:00 PM

City Hall Council Chamber
Entrance is on O'Farrell Street



COUNCIL MEMBERS
Robert Newsom Jr.
Adam Loraine
Nicole Fernandez
Danielle Cwirko-Godycki
Lisa Diaz Nash

AMENDED AGENDA

THIS MEETING CAN BE ATTENDED IN PERSON OR REMOTE BY JOINING ZOOM – SEE CODES BELOW.
PUBLIC COMMENTS WILL BE ACCEPTED BOTH IN PERSON AND REMOTELY.
SEE END OF AGENDA FOR OPTIONS AND INSTRUCTIONS ON HOW TO PARTICIPATE IN THE MEETING.

To join via Zoom – click here: [June 16, 2025](#)
To join via telephone: (408) 638-0968
Webinar ID: 835 2406 0663 Passcode: 203331

The City Council meeting will conclude by 11:00 p.m. unless otherwise extended by council vote.
Any unheard items will automatically move forward to the next regular meeting.

Agenda amended on June 13, 2025
Item 19: Agenda Report and Attachments

CALL TO ORDER

Pledge of Allegiance

Roll Call

AB 2449 Requests and Consideration for Meeting Participation by Teleconference due to Just Cause or Emergency Circumstances

CEREMONIAL

1. Juneteeth – Proclamation
2. Leadership Council San Mateo – Presentation
3. Fire Hazard Maps and Code – Presentation

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the Council to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed and considered separately.

4. Police Digital Forensic Analyst Classification and Reclassification — Approval

Adopt a Resolution to approve the job specification and salary range for the new classification Police Digital Forensic Analyst and reclassify the incumbent in the Police Digital Forensic Specialist position to Police Digital Forensic Analyst.

CEQA: This project is not a project subject to CEQA, because it can be seen with certainty that it will not cause a physical change in the environment. (Public Resources Code Section 21065.)

36. Bay Meadows Community Facilities District - Special Tax Levy Fiscal Year 2025-26 — Adoption

Adopt a Resolution to authorize the levy of special taxes for Fiscal Year 2025-26 for the Community Facilities District No. 2008-1 (Bay Meadows).

CEQA: This community facilities special district tax is not a project subject to CEQA, because it is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. (CEQA Guidelines Section 15378(b)(4).)

37. City Council and Boards and Commission Rules and Procedures — Update

Approve the proposed amendments to the Rules and Procedures for both the City Council and Boards and Commissions to reflect the direction provided by City Council, primarily regarding the Chapter on conduct of Council Members and Commissioners.

CEQA: This item is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

PUBLIC COMMENT

Members of the public wishing to comment on any item not appearing on the agenda may address the City Council at this time. State law prevents Council from taking action on any matter not on the agenda; your comments may be referred to staff for follow up. Public comment is limited to a total of 15 minutes; however, an opportunity for additional public comment may be provided later in the agenda.

PUBLIC HEARING

City Council action on the following public hearing(s) represents a final decision concluding all administrative proceedings. Judicial review may be had only if a petition is filed with the Court not later than the 90th day following the date the decision is made. Judicial review of environmental determinations may be subject to a time period for litigation as short as 30 days following the date the decision is made.

38. Zoning Code Amendments and Below Market Rate Program Update — Ordinance Introduction

Introduce an Ordinance amending the Zoning Code (Title 27) to address affordable housing compliance options, planning application procedures, and set minimum densities for residential mixed-use development projects; and approve a Resolution to update the City's Below Market Rate (Inclusionary) Program to implement various policies and programs established in San Mateo's 2023-2031 Housing Element (Sixth Housing Cycle); and find that the Ordinance and Resolution are exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Section 15183.

CEQA: The Environmental Impact Report (EIR) for General Plan 2040 analyzed new residential development of up to 19,764 new housing units and growth around the City through 2040. On March 18, 2024, the City Council certified the EIR. In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15183, the zoning amendment to modify housing development provisions and development standards ("Project") is exempt from further environmental review because the Project, which generally allows for more housing types to be permitted uses in specific zoning districts and remove regulatory barriers from the zoning code, is consistent with the anticipated land uses under the land use designations adopted as part of General Plan 2040 for which an EIR was certified...

39. Fiscal Year 2025-26 Budget, Capital Improvement Program, Gann Limit, and Capital Reserve Contribution — Approval



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 37

Section Name: CONSENT CALENDAR

Account Number: 10-1511

File ID: 25-10063

TO: City Council
FROM: Alex Khojikian, City Manager
PREPARED BY: City Clerk's Office
MEETING DATE: June 16, 2025
SUBJECT:
City Council and Boards and Commission Rules and Procedures – Update

RECOMMENDATION:

Approve the proposed amendments to the Rules and Procedures for both the City Council and Boards and Commissions to reflect the direction provided by City Council, primarily regarding the Chapter on conduct of Council Members and Commissioners.

BACKGROUND:

At an offsite, facilitator-led workshop on May 10, 2025, held at the San Mateo Senior Center, the City Council received a staff presentation, heard public comment, and directed staff to develop a formal enforcement mechanism for the City Council and Boards and Commissions Code of Conduct.

This direction builds on an initial discussion held during the February 22, 2025, Blue Sky Workshop and reflects the Council's continued commitment to fostering values of respect, integrity, and transparency city governance. The proposed amendments are outlined in Attachments 1 and 3 (City Council and Boards and Commissions).

Below is a summary of the proposed City Council Code of Conduct enforcement process:

- **Informal Resolution:** Where Council members are allegedly not following the rules set forth within the Code of Conduct, any concerned Council member is encouraged to resolve concerns on an informal basis, either through direct conversations or through private counseling by the Mayor (or Deputy Mayor, if the Mayor's conduct is at issue).
- **Filing a Complaint:** If the alleged offense(s) persist, or are serious in nature, two Council members may jointly submit a complaint to the City Clerk, with a copy to the City Manager and City Attorney, which will be agendaized for initial Council consideration. The Council Member who is the subject of the complaint may include a response for inclusion within the agenda packet and/or verbally address the complaint at the Council meeting.
- **Initial Council Review:** At this initial council review, upon hearing the complaint, the Council may: (1) choose to take no action; (2) issue a reprimand, requiring additional ethics training be completed; (3) schedule the matter for a future hearing to consider a formal resolution of censure; or (4) Direct the City Manager or City Attorney to investigate the matter directly or through a third party, and bring back the results to the City Council following the investigation.
- **Censure Hearing:** If a Council majority directs the scheduling of a hearing to consider a formal action of censure, it should appoint one or two Council Members to draft the proposed censure resolution. The Council Member who is the subject of the complaint will have an opportunity to rebut allegations. However, the formal rules of evidence shall not apply, and the hearing shall be generally informal.
- **Final Action:** Following the censure hearing, the Council may decide to: (1) take no action; 2) issue a reprimand,

requiring additional ethics training be completed; (3) adopt a formal resolution of censure, potentially including penalties including revoking committee assignments, revoking seniority in the mayoral rotation, and restriction of expenses, including travel. All decisions are final and not subject to appeal or reconsideration.

The enforcement process proposed for Boards and Commissions mirrors the steps outlined above for City Council, including informal resolution, complaint submission, Council review, and potential formal action. However, a key distinction is that all complaints involving Commissioners are initiated and addressed by the City Council, rather than the applicable Commission body. Specifically, Council Members are responsible for identifying and pursuing informal or formal resolution of any alleged misconduct by Commissioners. The Council retains full authority over the review, investigation, and determination of appropriate action in these matters. These proposed revisions are intended to apply only to future conduct and cannot be used to address actions that occurred before their adoption.

Related Amendments:

During the May 10, 2025, Special Meeting, Council provided staff with direction to make additional amendments related to the Code of Conduct for City Council and Boards and Commissions, these are summarized as follows. Referenced sections are from the City Council Code of Conduct, and the citation may differ for the Boards and Commissions document.

1. *Chapter 6 - Section 1:*
Council Members are committed to governing for all, **striving to avoid any appearance of impropriety**, and running our meetings with civility, decorum, and respect. With that spirit, San Mateo Council Members shall: ...
2. Chapter 6 – Section 1(M):
Speak for the City only when specifically authorized (**see Chapter 10, Communication, sections regarding “Speaking for the City” and “Speaking as an Individual”**).
3. Chapter 6 – Section 1(P):
Adhere to all **federal, state, and local laws in the performance of their public duties, including** conflict-of-interest laws.
4. Chapter 6 – Section 1(Q): (this is already part of the Code of Conduct for Board and Commissions)
Pay close attention to the meeting and limit the use of electronic devices while on the dais, except as necessary to access agenda materials or respond to urgent personal matters.
5. Chapter 6 – Section 1(R):
When acting in a quasi-judicial capacity: keep an open mind, do not rush to pre-judge any matter, and be fair and neutral towards all concerned parties. This applies to statements that are verbal and written, including those posted on social media. At the beginning of the hearing, disclose any ex parte communications (oral or written communications from one party outside of the hearing) and describe the nature and substance of the communication.

Ethics Training for All Commissioners:

At the direction of the City Council, all members of City Boards and Commissions will be required to take ethics training at least once every two years, beginning with a training in 2025. Thus, members will have more than six months to complete their first training. Training designed for Assembly Bill 1234 (AB 1234) will meet this requirement. The City Clerk’s office will make training materials available online to Board and Commission members.

1. Chapter 6 – Section 4:
Commissioners shall complete ethics training at least once every two years, beginning with calendar year 2025.

BUDGET IMPACT:

There is no budgetary impact associated with this administrative action.

ENVIRONMENTAL DETERMINATION:

This item is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – City Council Rules & Procedures – Tracked Changes

Att 2 – Boards and Commissions Rules & Procedures – Tracked Changes

Att 3 – City Council Rules & Procedures – Clean

Att 4 – Boards and Commissions Rules & Procedures – Clean

STAFF CONTACT

Martin McTaggart, City Clerk

mmctaggart@cityofsanmateo.org

(650) 522-7044

Prasanna Rasiah, City Attorney

prasiah@cityofsanmateo.org

(650) 522-7022



City Council Rules and Procedures

Adopted on August 17, 2015
by Resolution No. 82 (2015)

Amended by Council action on:
January 17, 2017, April 17, 2017, April 16, 2018, May 21, 2018, May 3, 2021,
February 22, 2022, October 17, 2022, April 1, 2024, and July 15, 2024

City of San Mateo Council Rules and Procedures

Table of Contents

Chapter 1. Purpose and Overview	3
Chapter 2. Authority of the City Council	4
Chapter 3. Key Governance Principles	5
Chapter 4. Duties	7
Chapter 5. Selection of Mayor and Deputy Mayor	10
Chapter 6. Council Member Conduct.....	12
Chapter 7. Meetings.....	15
Chapter 8. Meeting Agendas.....	20
Chapter 9. Financial Matters.....	23
Chapter 10. Communication	28
Chapter 11. Legislative	33
Chapter 12. Council Liaison Roles	36
Chapter 13. Boards and Commissions.....	39
Chapter 14. References.....	42

Chapter 1. Purpose and Overview

This handbook describes the way for the San Mateo City Council to conduct its business and the expectations for members, staff, and the public to operate and engage with each other and the community as a whole. It is a compilation of all Council-related rules and procedures that have been formally adopted by Council.

The purpose of these Rules and Procedures (Rules) is to set a standard of professionalism, civility, and decorum for the conduct of the City Council's business. San Mateo has a long and proud tradition of open government and civil, intelligent public discourse. These rules are intended to enhance public participation and Council debate so that the best possible decisions can be made for San Mateo.

Revisions to these Rules and Procedures

Amendments to these Rules must be approved by the City Council as a body and are subject to review and future modification as needed.

City Council Vision

The City Council's vision and strategic goals can be found on the City's website:

<http://www.cityofsanmateo.org/index.aspx?nid=167>

Chapter 2. Authority of the City Council

1. The City Council is the policy and lawmaking body of the City. State and local laws define the powers and responsibilities of the City Council.

2. General Authorities and Applicability

Charter section 2.12 and the San Mateo Municipal Code provide that the City Council shall determine its own rules and order of business. When not in conflict with the Charter of the City of San Mateo, or the Constitution, or laws of the State of California, these City Council Rules shall be in effect upon adoption by resolution of the Council.

3. Revisions to these Rules

The Council shall review and revise these Rules as needed.

4. Rosenberg's Rules of Order

To the extent these Rules do not address an issue of parliamentary procedure for legislative body meetings, Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century, shall apply.

Chapter 3. Key Governance Principles

In 2022, the City conducted its first by-district election for City Council members, with districts 1, 3, and 5 holding district elections in November 2022 and districts 2 and 4 to hold its first district elections in November 2024. This new election process changes how council members are elected, but not how they govern. It is the intent of the City Council to continue the practice of governing with a citywide perspective. The City Council acts as a body, not as individuals. An overriding principle is that all members of the City Council continue to serve all of the people of San Mateo.

Key Governance Principles

1. Serving the Entire Community

- A. The City Council wishes to remain united in its service to the community and will govern by considering the needs and interests of the community as a whole.
- B. Members of the City Council will continue to serve all residents, regardless of whether they live within their district. Members of the City Council may be responsive to requests from anyone in the community.

2. City Management and Governance

Professional management in a Council-Manager form of government will continue with all of the best management practices that the City Council currently receives.

3. Use of City Resources

- A. The City Council will strive to use taxpayer resources efficiently and effectively while providing consistent services for all residents. Resources will be allocated based on the City's long-term strategic plan and citywide considerations of service levels and financial capacity.
- B. Budget allocations and financial considerations will not be made based on districts.

4. Distribution of Council Duties and Events

Fair distribution of duties and assignments is a priority. Long-standing practices regarding invitations to members of the City Council to events and activities, appointments to committees and various bodies, and the process for board and commission appointments, will remain in effect.

5. Communications and Access to Information

- A. Council members will have equal access to information. Information necessary for the City Council to govern on a citywide basis will be shared with all City Councilmembers.
- B. Communication resources will be provided on a citywide and/or program-level basis with equitable distribution across districts, while being consistent with legal requirements prohibiting the use of public resources for campaign purposes

Chapter 4. Duties

1. Duties of the Council

- A. Refer to the Charter of the City of San Mateo for a detailed description of codified duties of the City Council.
- B. Disaster Responsibilities
 - 1. In the event of a disaster, the City Council holds the following roles:
 - a. Primarily, to make decisions that will enable emergency operations to continue effectively.
 - b. To assist in the conveyance of public information.
 - 2. Reference the “[Elected Officials’ Guide to Managing Disasters](#)” from the California Office of Emergency Services for a detailed description of the roles and responsibilities of Council Members in times of disaster.

2. Duties of Mayor

- A. To conduct meetings of the City Council as its chairperson.
 - 1. Ensure that consideration of items on the agenda move along without delay.
 - 2. Ensure that petitioners, proponents and opponents, are heard but not allowed to disrupt the meeting.
 - 3. Ensure that decorum and civility is maintained during the meeting.
 - 4. In presiding over matters where the public has provided comment or testimony and/or raised questions, the Mayor should:
 - a. At the end of the public comment period restate, if any, relevant questions raised from the public and direct questions or comments requiring a response to staff for a response.
 - b. Ensure that staff and members of the public direct their comments to the presiding officer and members.
 - c. Help keep Council Member questions and comments relevant to the matter being considered by the Council.

- d. Consider calling for a brief recess if orderly conduct of the meeting is being disrupted.
 - e. Announce the decision and vote of the Council on all items, this may occur with the assistance of the City Clerk, the City Manager, City Attorney, or key staff presenting.
- 5. To ensure that each member of the Council is provided an opportunity to completely express their views on items of business, the Mayor should:
 - a. Actively seek Council Member comments and ensure that Council Members ask to be recognized by the Mayor before speaking to maintain an orderly process on the dais.
 - b. Make sure that each Council Member has had a first chance at providing comments, before allowing a Council Member to make another statement – unless they are asked to clarify their prior statement.
 - c. Ensure that each Council Member is given the opportunity to fully express their views.
- B. To represent City Government as its chief elected official at community functions, events, meetings, and business outreach and retention visits.
- C. On behalf of the City Council, to officially welcome dignitaries, officials, and special event gatherings.
- D. To vote on behalf of the Council at regional meetings such as the San Mateo County Council of Cities/City Selection Committee, provided that the vote is not inconsistent with established policies or previously expressed Council consensus. This is expected protocol for any Council Member who represents the City on any regional bodies.
- E. To correspond on behalf of the Council on subjects, issues, and legislative proposals provided that opinions expressed on behalf of the Council or City Government are not inconsistent with established policies or previously expressed Council consensus.
- F. To vote as the City’s “voting delegate” at the League of California Cities Annual Conference and other similar meetings. This responsibility may be delegated to another Council Member by action of the City Council.
- G. To review the agendas of meetings of the City Council and participate in their preparation as necessary.

- H. To recommend Council Members for liaison positions on various boards, commissions and agencies. The Mayor's recommendations shall be discussed and confirmed by a majority vote of the Council and are subject to change.
- I. To serve as the City's primary media spokesperson in coordination with City staff. Appropriate City staff should always be alerted to media contact.
- J. Nothing under the Mayor's duties shall limit any individual Council Member's ability to interact with members of the public.
- K. The Mayor is still subject to all duties of Council Members as listed below in number 4.

3. Duties of Deputy Mayor

In the absence of the Mayor from the City or a Council meeting, the Deputy Mayor shall possess all powers of the office of the Mayor; and be subject to all prescribed duties for that office.

4. Duties of Council Members

- A. Arrive on time for all Council meetings.
- B. Review all meeting materials in preparation for Council meetings, and direct questions to staff (before meetings, whenever practical) if any item is unclear or clarification is needed.
- C. Alert staff in advance of the meeting whenever possible if an item is intended to be pulled off of the Consent Calendar or introduced under Reports and Announcements for future Council consideration.
- D. Fulfill the appointed and liaison assignments to internal and external agencies, legislators, and the City's boards and commissions, with all due diligence needed for the requirements of that particular assignment.
- E. It is the responsibility of all members to assist the Mayor in running an efficient and effective meeting by assisting with the orderly disposition of items, helping ensure all members are heard, participating fully in meaningful discussion and deliberation, keeping comments succinct, concise, civil and germane, and limiting repetitive comments. Council members are encouraged to hold their colleagues accountable for following these rules and do all in their power to contribute to the smooth running of a meeting for the community.
- F. All Council Members are asked to alert appropriate staff when receiving media inquiries.

Chapter 5. Selection of Mayor and Deputy Mayor

1. City Council reorganization, including rotation of the office of Mayor and Deputy Mayor occurs annually at the regular meeting in December.
2. The City Council believes that experience as a Council Member will assist those who are selected to serve as Mayor or Deputy Mayor, and that it is in the City's best interest that these selections be made in a manner that permits the Mayor and Deputy Mayor to gain that experience in cycles of governing and to acclimate themselves to the jobs, tasks, and roles prior to assuming their respective offices.
3. It is appropriate to base such succession on rotation and seniority according to the following:
 - A. Each Council Member has a specified position in the rotation sequence. In any year, the first person in the sequence is typically selected as Mayor, and the second in the sequence as the Deputy Mayor.
 - B. After serving as Mayor, that Council Member moves to the end of the rotation sequence, and the other four Council Members move forward.
 - C. When a Council Member is newly elected or appointed (as the result of a cancelled election), that new Council Member goes into the fourth position in the rotation, after all incumbents, but before the current outgoing Mayor.
 - D. If two or more Council Members are newly elected or appointed at the same time, the newly elected or appointed Council Members shall draw lots to determine their position relative to one another in the rotational sequence.
 - E. If a Council Member is appointed to fill a mid-term vacancy, that Council Member will go to the end of the rotational list.
 - F. Incumbent Council Members, when re-elected, do not begin anew at the end of the list, but rather retain their placement in the rotation.
 - G. If for any reason (death, resignation, recall, not seeking re-election, etc.) a Council Member is removed from the rotation, the remaining Council Members move forward in the sequence.
 - H. A Council Member may decline to serve as Mayor or Deputy Mayor. In this case, the office would pass to the next Council Member on the list. The Council Member who declined will drop back one position in the rotation.

4. When the Council reorganizes, the outgoing Mayor will nominate the Deputy Mayor to succeed him/her. The newly appointed Mayor will then nominate the next Council Member in the rotational sequence to serve as Deputy Mayor for the coming year.
5. The process described above shall guide the Council's selection of the Mayor and Deputy Mayor; however, a majority of the City Council retains the authority to disregard the process and select any member of the City Council for these positions.
6. The City Clerk shall keep a list outlining the rotational sequence and update it annually.

Chapter 6. Council Member Conduct

1. Council Members are committed to governing for all, striving to avoid any appearance of impropriety, and running our meetings with civility, decorum, and respect. With that spirit, San Mateo Council Members shall:
 - A. Govern as a body. If we work together well as a team, our City will excel.
 - B. Treat all with dignity, courtesy, and respect. This includes staff, each other, or members of the public, on and off the dais.
 - C. Keep confidential matters confidential.
 - D. Respect process and roles. This includes avoiding interruptions and distractions.
 - E. Agree to disagree in a respectful manner. We focus on the issue not the person.
 - F. Keep our comments clear, concise, and on-topic. This respects our colleagues', the public's, and staffs' time.
 - G. Give each other a chance to speak. Everyone gets to speak before another of us speaks for a second time. We refrain from dominating the discussion.
 - H. The Mayor normally speaks last. After other members of the Council have offered their opinions, the Mayor speaks. The Mayor can speak after each round of speaking by Council Members.
 - I. Be mindful of the impact of our words and tone. We consider this as we address each other, staff, and the public.
 - J. Promote discussion and resolution. We present problems and issues in that way.
 - K. Follow the agenda. We begin and end meetings on time.
 - L. Respect the City Charter, rule of law, and decisions once made. We do not attempt to undermine decisions.
 - M. Speak for the City only when specifically authorized.
 - N. Practice a "no surprises" rule. We give a heads up to the City Manager and City Attorney out of respect and teamwork.
 - O. Practice the principles of inclusivity and self-awareness to guard against implicit bias in our actions and decisions.

- A. Adhere to all federal, state, and local laws in the performance of their public duties, including conflict-of-interest laws.
 - B. Pay close attention to the meeting and limit the use of electronic devices while on the dais, except as necessary to access agenda materials or respond to urgent personal matters.
 - A-C. When acting in a quasi-judicial capacity: keep an open mind, do not rush to pre-judge any matter, and be fair and neutral towards all concerned parties. This applies to statements that are verbal and written, including those post on social media. At the beginning of the hearing, disclose any ex parte communications (oral or written from one party outside of the hearing) and describe the nature and substance of the communication.
- B.—
- 2. Council Members shall not participate as a volunteer in any of the City's operating departments.
- 3. Council Members are subject to all the provisions of the City's *Harassment, Discrimination and Reasonable Accommodations for Disabilities Policy* (#301).
- 4. Council Members shall complete ethics training as required by state law.
- 5. Enforcement.
 - A. Where a Council member is allegedly not following the rules set forth in this Chapter ("Code of Conduct"), any concerned Council member is encouraged to resolve the matter on an informal basis through direct conversations, or by referral to the Mayor (or the Deputy Mayor if the Mayor's conduct is at issue) to privately counsel the subject Council member.
 - B. If the offense(s) continue, or if warranted due to the serious nature of an initial violation, two Council members may file a complaint regarding the conduct of another Council Member for an alleged violation of the Code of Conduct. The complaint shall be in writing and filed with the City Clerk, with a copy to the City Manager and City Attorney. A copy of the complaint shall be promptly provided to the Council. The City Clerk shall place the complaint on the next available City Council agenda for initial consideration. The Council member who is the subject of the complaint may include a written response to be included with the agenda packet or may verbally address the complaint at the Council meeting, or both.
 - C. At the meeting where the complaint is considered, a Council majority (3 votes) shall decide whether to (1) take no action, (2) reprimand the subject Council member and require them to promptly take ethics training (in addition to any

training required by law), or (3) schedule the matter for a future hearing to consider a formal resolution of censure, revoke seniority and/or committee assignments (both internal and inter-governmental), and/or restrict payment of expenses such as for official travel. Alternatively, the Council may direct the City Manager or City Attorney to investigate the matter, or to engage a third party to do so, and bring it back to the Council following completion of the investigation.

- A. If a Council majority (3 votes) directs the scheduling of a hearing, it should also appoint one or two Council members to draft a censure resolution to be included with the agenda packet. At the hearing, the Council member who is the subject of the complaint shall have the opportunity to rebut the allegations in the report either themselves or through a representative. The formal rules of evidence shall not apply, and the hearing shall be generally informal.
- B. At the close of the hearing, a Council majority (3 votes) shall decide whether to: (1) take no action, (2) issue a reprimand and require the Council member to promptly take ethics training (beyond what is required by law), or (3) adopt a censure resolution, revoke seniority and/or committee assignments (both internal and inter-governmental) and/or restrict payment of expenses such as for official travel. Any action taken by the Council is final and is not subject to appeal or reconsideration.

Chapter 7. Meetings

1. All Council decisions must be taken at City Council meetings only after hearing the presentation, project applicants, and hearing all public comments/testimony, then only under council discussion with colleagues should Council Member opinions be shared and deliberations engaged in before making any decision or taking action.
2. No business may be transacted by the Council at a regular or special meeting unless a quorum of the membership is present (50% plus one of those currently serving).
3. Council Meeting Dates
 - A. If at any time any regular meeting of the Council falls on a holiday, the regular meeting shall be held on the next business day or the earliest business day within a week.
 - B. Once a year, adopt a schedule of Council meetings for the following year identifying any regular meeting dates that need to move due to major holidays or other conflicts.
 - C. Meeting dates may be amended with the approval of the Council.
4. Types of Meetings
 - A. **Regular Meetings** are conducted at City Hall Council Chambers on the first and third Monday nights of each month. In July, August, and December, only one meeting is held during the month. The regular meetings are held not earlier than 6:30 pm. It is City policy to make every effort to complete and distribute the agenda and related reports by the preceding Thursday. For major complex projects and policies, the City will make every effort to distribute reports as early as possible before the meeting when the item will be considered.
 - B. **Special Meetings** are called at a non-regular meeting date and time. They are called by the Mayor or Council with a minimum of 24 hours' notice, versus 72 hours' notice for regular meetings.
 - C. **Study Sessions** are special meetings that are held for the purpose of providing information to the City Council, particularly on issues that are more complex or more time-consuming than matters typically scheduled on a regular City Council meeting. At study sessions, Council Members may state their individual responses and questions to the information provided and may collectively provide direction to City staff. No action is taken at the study sessions, but direction may be given.

- D. **Closed Sessions** can be part of either special or regular meetings. The Council conducts its business in public to the greatest extent possible. State law recognizes that public discussion of certain items could jeopardize the public interest, compromise the City's position, or cost the citizens of San Mateo financially, and, therefore; generally allows the City Council to hold closed session meetings for the consideration of certain personnel matters, labor negotiations, real property negotiations, matters of public security, and the discussion of litigation, among other things. These rules provide for strict confidentiality of City Council discussion as required by State law. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after an opportunity for public comment, are excluded.
- E. **Emergency Meetings** are allowed per the Ralph M. Brown Act when an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of the public's well-being.
- F. **Adjourned Meetings due to Power Outages.** In the event a quorum of the City Council loses electrical power or suffers an internet connection outage not corrected within 15 minutes, the meeting may be adjourned to a date certain. Any items noticed as public hearings will be continued to the next regularly scheduled meeting of the City Council. Any other agenda items the Council has not taken action on will be placed on a future agenda.

5. Voting

A motion, second, and a majority vote of the Council shall be required for any formal action of Council unless the law or charter require a different threshold.

6. The Mayor, with the approval of a majority of the Council, may change the order of hearing of items on the agenda. Staff may make suggestions on the order due to practical and logistical issues.

7. Public Participation

- A. Members of the public are encouraged and invited to participate in the legislative process by submitting written comments before the meeting or speaking in person or virtually when offered, at a meeting.
- B. It is the intent of these rules to allow everyone to be heard without fear of jeers or cheers that may discourage public participation. For this reason, these rules are taken seriously. Disruptive or unruly behavior may result in removal from the Council meeting.
- C. Public meetings are considered a limited public forum in which speakers must stay on-topic if speaking to a particular agenda item. If speaking during general public

comment, they must address matters within the subject matter jurisdiction of the City. If speakers fail to follow these rules, they will be warned, and if they continue to disregard the rules, their opportunity to speak will be ended.

- D. The Mayor may, at their discretion with Council concurrence, limit the amount of time allotted to speakers when needed, per the following time limits.
 - E. Generally, time limits for public comment are dependent on the number of speakers:
 - 1. Individual Speakers:
 - between 1 -10: 3 minutes
 - between 11-20: 2 minutes
 - over 21 speakers: 1 minute
 - 2. Organized group (in lieu of individual speakers of the group) – up to five (5) minutes, for a group presentation, as many speakers are allowed as fit in that time allowance.
 - 3. Yielding of Time. To ensure that all persons have an ample opportunity to be heard, all speakers will be recognized for the same amount of time. No speaker will be allowed to yield all or part of their time to another, and no speaker will be credited with time requested but not used by another.
 - F. Members of the public are invited to speak at the lectern microphone to ensure all attendees, in person and remote, can adequately hear comments, and so that it can be captured on the video recording.
 - G. Individuals who wish to speak should submit a speaker card to the City Clerk, or use the raise your hand feature virtually, to be called up at the appropriate time. The Clerk will announce the last opportunity to submit forms or raise hands and announce when the time has closed for public comment on any particular item.
8. Agendized Discussion Items (Public Hearings, New Business, Old Business)
- A. Staff / applicant presentation
 - B. Open public hearing (or public comment section) for testimony
 - C. Close public hearing (or public comment section)
 - D. Response by staff to public questions/concerns, if warranted

- E. Council questions to applicant and/or staff
- F. Council discussion and deliberation
- G. Council votes

9. Appeals

- A. Appeals are public hearings and will follow the order stated in #8 with the following time allocations:
 - 1. Appellant – 15 minutes
 - 2. Applicant – 15 minutes
 - 3. Individual Speakers - as outlined in Section 7(D)1 above.
 - 4. Rebuttal (Applies to Appellant and Applicant) – 5 minutes each
 - 5. Clarification (Staff may offer explanation or clarification for the testimony)
 - 6. If the appellant is also the applicant only one 15 minute presentation is allowed
 - 7. Tenant Relocation Appeals Hearings – both the Landlord and the Tenant shall each be given 15 minutes to present, and each shall have a 5-minute rebuttal.
- B. Appeals from decisions of the City's Boards and Commissions shall appear on the Council agenda for discussion. Council determines whether to affirm the action of the commission, refer the matter back to the commission, or reverse the decision.
- C. Any person that addressed the Council during one of the fifteen-minute periods may not speak again during the public comment period for individual speakers on the appeal.

10. Items Considered after 11:00 p.m.

At 11:00 pm, in order to ensure effective discourse on an item, Council will determine with a majority vote whether to continue with an item or if they will take up any remaining unheard items.

11. Action Minutes

- A. The City Council shall use Action Minutes (action minutes contain very little, if any, narrative content) or light summary at the discretion of the City Clerk, to record their proceedings.
- B. Motions and votes are shown in the record.
- C. Media (audio/video) recordings will be used in order to provide a verbatim record of meetings as identified in the City's Records Retention Schedule.

12. Conflict of Interest

- A. The Political Reform Act (PRA), implemented, regulated and enforced by the Fair Political Practices Commission (FPPC), controls financial conflicts of interest.
- B. The other applicable law is Government Code §1090, which applies only to City contracts in which a public official has a financial interest.
- C. Whenever it appears to a Council Member they may have a prohibited financial interest in any City contract, or an item that may be presented to the City Council, the Council Member should consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists.
- D. If the City Attorney is consulted on such a matter, the City Attorney shall provide their advice in writing, and shall provide a copy of their opinion to the City Council, the City Manager, and the City Clerk.
- E. With full consideration of the City Attorney's advice, it is up to each individual Council Member to decide for themselves whether there is a conflict of interest.
- F. A member shall not vote upon any matter on which they have a conflict of interest.
- G. A member shall openly state the reason for their conflict of interest.
- H. A member who is disqualified by a conflict of interest shall recuse him/herself from the dais and leave the room unless it is during the Consent Calendar.

Chapter 8. Meeting Agendas

1. Agenda Order

City Council agendas will be prepared by the City Clerk and presented to the City Council in the order described below.

A. Opening

1. Pledge of Allegiance
2. Roll Call
3. AB 2449 Member requests to join virtually for Just Cause or Emergency Circumstances – vote is required

B. Ceremonial Matters

The presentation and receipt of ceremonial resolutions and celebrations not requiring formal legislative action. In order to ensure the business of the meeting can be handled timely, no more than three (3) items will be scheduled under ceremonial in any meeting.

C. Consent Calendar

All matters listed under the Consent Calendar are considered by the Council to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed by a Council Member and considered separately. Members of the Public may speak to any Consent Calendar item without the item being pulled.

D. Public Comment

Members of the public wishing to comment on any item not appearing on the agenda may address the City Council at this time. State law prevents Council from taking action on any matter not on the agenda. Comments may be referred to staff for follow up. Public comment is limited to a total of 15 minutes unless Council by majority extends the total time; however, an opportunity for additional public comment may be provided later in the agenda, if needed. Timing as per Chapter 7 E(1) of these Rules.

E. Public Hearing

Duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the Council.

F. Old Business

Non-routine items that have been presented before that require further oral presentation and/or discussion before action is taken.

G. New Business

Non-routine items requiring an oral presentation and discussion before action is taken.

H. Reports and Announcements

City Manager, City Attorney, and Council Members, report on their various assignments and liaison roles, and Council Members may make individual requests to schedule future items for consideration. A majority vote or consensus of Council is required to place a request on a future agenda. If a Council Member is going to make a request to agendaize an item, such as a resolution of support that they have proposed wording for, or a sample copy of a proposed resolution, that item should be sent to the Clerk for distribution to members no later than the time of the agenda packet issuance and in advance of the meeting in order to give the other Council Members adequate time to review and determine if it is something they would like to support.

I. Additional Public Comment (if needed)

J. Adjourn

2. Agenda Item Submission

A. Persons who can place matters on the agenda: City Manager or City Attorney

B. Council Member:

1. A Council Member may request an item be considered on a future agenda. Before the decision is made, staff will provide information on how much staff time is estimated to be required to produce the agenda report. Then with a majority vote or consensus of Council, staff will prepare an agenda report and place the item on a future agenda.
2. Council Members may make this request verbally during a meeting or may submit a written request.

C. Members of the Public

1. A member of the public may request Council action in the following ways:

- a. Write a letter or email to the City Council
 - b. Speak during the Public Comment period at a City Council meeting
 - c. Attend annual Council goal setting meeting and provide input
2. Upon agreement of a majority of the City Council, Council will determine whether to place an item requested by the public on a future agenda.

Chapter 9. Financial Matters

1. Council Member Compensation

- A. State law sets the overall level of compensation for City Council Members (California Government Code § 36516).
- B. Compensation of Council Members is set by Resolution (see the San Mateo City Charter, [Section 2.03 Compensation](#)).
- C. Council Member benefits are established in San Mateo City Charter, [Section 2.04 Benefits and Expenses](#).
- D. A full explanation of Council Member compensation is available on the City's [website](#).

2. City Council Expense Reimbursement Policy

A. Authorized Expenses

- 1. 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 matters of interest to the City.
 - b. Meeting with City staff on matters relating to City business.
 - c. Attending educational seminars designed to improve officials' skill and information levels.
 - d. Participating in local, regional, state, and national organizations whose activities effect the City's interests; however, a member of the City Council shall not accept an elected or appointed position that would require anticipated costs to the City of more than \$100 annually without City Council approval.
 - e. Recognizing the service to the City (for example, thanking a longtime employee with a retirement gift of nominal value).
 - f. Attending fundraising events for nonprofit entities providing services of benefit to the City and/or its residents.
 - g. Attending City events.

- h. Implementing a City approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member.
- 2. All other expenses require prior approval by the City Council.
- 3. The City will not reimburse the following expenses:
 - a. The personal portion of any trip.
 - b. Political contributions or events.
 - c. Family expenses, including partner's expenses when accompanying official on agency-related business.
 - d. Entertainment expenses, such as movies, sporting events, or cultural events.
 - e. Non-mileage personal automobile expenses, including repairs, citations, insurance or gasoline.

B. Cost Control

To conserve City resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. If expenses are incurred that exceed these guidelines, the cost borne or reimbursed by the City will be limited to the costs that fall within these guidelines.

1. Airfare

Airfares that are equal to or less than those available through the League of California Cities, the California State Association of Counties, and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. If no discounted airfare is available through these entities, then the most reasonable and economical airfare possible should be utilized.

2. Airport Parking

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

3. Automobile

Mileage shall be reimbursed at IRS rates presently in effect (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses. In addition, drivers

may be reimbursed for bridge and road tolls. For rental vehicles, only receipted fuel expenses will be reimbursed.

4. Car Rental

Rental rates that are equal or less than those available through the State of California's website [Car Rental Resources for State Travel](#) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

5. Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

6. Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for City business.

7. Lodging

Council members are expected to select the most cost-effective and logical lodging available, including utilizing the lodging at the conference/training site, if available. If there is not specific lodging associated with the official City business, the City shall pay for actual lodging expenses up to the United States General Services Administration (GSA) maximum rate allowed by location ([Per Diem Rates | GSA](#)). This maximum applies to the room rate only and does not include any taxes or fees. Government rates for lodging are often available and should be sought. The City will pay only for standard single rooms, including taxes and fees, for individual Council members, and any additional nonbusiness expenses incurred will be paid by the Council member.

8. Meals

The City will pay for a Council member's meals during authorized, required travel up to the per diem amount ([Per Diem Rates | GSA](#)). If meals are included in the cost of a conference or training, the City will not pay for a meal that an employee elects to purchase from another source. Unlike lodging, using the per diem methodology for meals that is limited to the

GSA amount eliminates the need for employees to submit receipts. Thus, the Council members only need to report the per diem amounts in the expense report, but not the actual receipts. This only applies to meals, as all other travel expenses require a receipt to substantiate the purchase.

When the meal function is an organized event, the official or employee shall be reimbursed the amount being charged by the event organizer for the meal. The City will not pay for alcohol/personal bar expenses.

9. Taxis/Shuttles

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency.

10. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business.

11. Transportation

Officials traveling on City business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

C. Expense Reports

1. Expense reimbursement requests must be submitted on an expense report form provided by the City. Reports must document how the expenditure met the requirements of this policy.
2. Expense reports must be submitted within 30 days of an expense being incurred; and must be accompanied by receipts documenting each expense.
3. Expense reports are a public record.

D. Audits of Expenses

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

E. Reports on Meetings

Each official shall briefly give an oral report on any Brown Act meetings they attended for which they receive expense reimbursement at their next City Council, Board, or Commission meeting.

F. Violation of this Policy

Under state law, use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

Chapter 10. Communication

1. All communications are public records.

All letters, memoranda, email communications, texts and other social media platform writing involving City Council Members and members of boards, commissions, committees, and task forces, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records.

2. The Council, in adopting this policy, does not waive attorney-client privilege or any other privilege associated with a closed session authorized under the Ralph M. Brown Act.

3. Ralph M. Brown Act

Each Council Member should be mindful of all of the requirements of the Brown Act in communicating with each other.

4. Mail Processing

- A. Members of the City Council may receive mail and other materials through City Hall.
- B. City Clerk staff open all incoming mail for the Mayor and Council Members, unless it is labeled personal and confidential.
- C. City Clerk's Office staff disseminate these materials to individual Council Members. City Staff will scan and email correspondence.
- D. General correspondence addressed to Council Members as a whole will be opened and delivered to all Council Members. A correspondence addressed to a single Council Member on a topic that is the subject matter jurisdiction of the city and/or due to come on an upcoming agenda will be shared with all Council Members.

5. Correspondence

- A. The City Clerk is authorized to receive and take administrative action on all correspondence directed to the City Council. The City Clerk may also respond to correspondence submitted to the full City Council on non-agenda items or authorize a staff member to respond. A courtesy copy is provided to each Council Member.
- B. Generally, correspondence relating to a specific City Council agenda item shall be distributed with the agenda report; correspondence received after the publication of the agenda packet will be compiled and distributed to the City Council prior to

the City Council meeting (known as a Dais packet). This additional correspondence is appended to the Agenda Report as public comment on the public meeting portal and in the records repository permanent record. Any further correspondence received between posting of the Dais packet and until the end of when the item is heard, will also be appended to the Agenda report as supplemental correspondence.

- C. After the City Council has taken a position on an issue, official correspondence should reflect this position. While Council Members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official City Council title, and staff support should not be utilized.
- D. City letterhead, logo, insignia and brand, as well as staff support, cannot be utilized for personal or political purposes, See also Section 12 of this Chapter.

6. Electronic Communication Record Retention

- A. All emails sent and received through the City server are saved for at least three years on the City's network and are subject to the Public Records Act.
- B. Communications on social media sites are saved for at least two years.
- C. Text messages sent on any City-provided device are saved for at least two years.

7. Social Media Use as a Council Member

Social media are internet-based platforms that allow for interactive communication and engagement with the public. For example, these may include (without limitation): Facebook, X (formerly Twitter), Instagram, YouTube, TikTok, Snapchat, Nextdoor, blogs, etc.

The City's image as a professional organization is critical to maintaining the respect of the public, and members should use discretion when posting or communicating on social media. If Council Members choose to maintain and use personal social media accounts to conduct City business, they must follow current federal and state regulations, as well as Council and City policies.

- A. Brown Act: Social media postings may turn into an interactive dialogue. The Brown Act has expanded to provide guidance on elected officials' use of media platforms that are free of charge and open and accessible to the public.
 - 1. Permitted Uses: You may answer questions, provide information to the public and solicit information from the public about city business; share a City post to your Council Member site; and tag other elected officials in a post.

2. Prohibited Uses: A majority of the members may not use social media to discuss agency business and a member may not respond directly to any posting by another member regarding agency business including no 'likes' 'thumbs up', 'emojis' or other symbols.
- B. First Amendment: Councilmember social media platforms can become public forums subject to First Amendment requirements. If a social media platform is 1) used for City business and 2) has interactive features that are accessible to the public without limitation, it is a public forum. The City's Social Media Policy contains rules for public participation and addresses what will constitute unacceptable content. In general, officials may not block a member of the public from their social media sites if those sites have become public forums. If unacceptable content appears on a site that has become a public forum, please consult with City staff.
 - C. Public Records: Members are prohibited from deleting social media posts and related comments regarding any City-related matters to avoid violating the California Public Records Act. Social media is subject to the City's record retention schedule.
 - D. Best practices: Officials should be honest and accurate when posting information or news, especially when communicating during a crisis or emergency. Any mistakes, misstatements and/or factual errors must be corrected quickly upon discovery. News of citywide importance should first be announced by the official City-affiliated accounts then can be reshared by Council Members. Unless the member has been designated to serve as a spokesperson, members should never represent themselves as a spokesperson for the entire Council or City. Members should be mindful of recognizing that accomplishments of the City or Council are achieved by collective action of the entire body or organization, not by any individual council member.
 - D.E. Quasi-Judicial Capacity: see Chapter 6 (Council Member Conduct) for rules addressing the use of social media when Council Members are acting in a quasi-judicial capacity.

8. Written Communications for Council Meetings

- D. The deadline for the receipt of written communications for inclusion in the agenda packet is up to 4:00 pm the Wednesday before the Council meeting. This is to allow for adequate staff review and analysis, and to ensure public access to information, all plans, correspondence, and other documents supporting any item being heard by the City Council.
- E. To be included in the Dais packet, communication may be received up until 4:00 pm the day of the scheduled meeting.

- F. Materials distributed to Council Members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Council Member, or at the conclusion of the meeting if prepared by another person.
 - G. If a Council Member receives materials regarding an agenda item, they shall forward it to the City Clerk and the City Manager as soon as possible.
 - H. If late correspondence is received, the City Council will determine at the meeting whether to continue or refer the item to the appropriate Board and/or Commission if significant changes to a project, or significant new information has become known.
9. Council Communication to Boards and Commissions
- A. Council Members should be mindful not to unduly influence—through their attendance—the decision at a Board or Commission meeting so as to protect the independent process of that body.
 - B. It is not appropriate for a Council Member to make public comments at a Board or Commission meeting.
10. Council – Staff Relations
- A. Individual Council Members may make requests of City staff through the City Manager or Department Head for limited research and information without the formal concurrence of a majority of the members’ colleagues. Requests that will require significant staff time may be referred to the full Council and only pursued if supported by a majority of the Council.
 - B. Council Members are encouraged to submit their questions on agenda items to the City Manager or Department Head (including copying the City Manager) as far in advance of the meeting as possible so that Staff can be prepared to respond at the Council meeting.
 - C. Council Members should direct any questions on agenda reports to the City Manager or their designee, usually the staff member presenting.
 - D. Clarifications or technical questions will be answered before the meeting whenever possible.
 - E. Questions and all staff-prepared responses will be forwarded to all Council Members.
11. Speaking for “the City”

Similar to written correspondence, when Council Members are requested to speak to groups or are asked the City Council's position on an issue, the response should reflect the position of the City Council as a whole. Of course, a member may clarify their vote on a matter by stating, for example, "While I voted against X, the City Council voted in support of it." When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual member.

12. Speaking as an Individual

On occasion, Council Members may wish to transmit correspondence on an issue upon which the City Council has yet to take a position or about an issue for which the City Council has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the City Council as a whole, but for themselves as an individual member of the Council. City letterhead and office support may be utilized in these circumstances, except it may not be used for personal or political purposes (see also 5(D) of this chapter).

Chapter 11. Legislative

1. Council Legislative Committee

- A. It is the policy of the City Council that the Council be involved in the development of the City's position on significant pending federal and state legislation that may directly impact the City of San Mateo.
- B. The offices of Mayor and Deputy Mayor are the Council's Legislative Committee.
- C. The Legislative Committee may meet annually or as needed to draft the City's legislative priorities; and shall meet when necessary to develop recommendations for the City's position on legislative matters.
- D. Pending legislation for consideration by the Legislative Committee can be submitted to the Committee by a Council Member, City Manager, or by a Commission Staff Liaison if a majority of their commission voted in favor of submission to the Legislative Committee.
- E. The Committee's recommendations shall be presented to the City Council for its consideration; if there is a pressing and urgent need to comment on pending legislation and getting approval in a City Council meeting is not practical, the Legislative Committee may take immediate action to communicate with legislators and copy the entire City Council on the communication and provide a brief report of action taken under Reports and Announcements at the next City Council meeting
- F. The Council shall direct the Mayor or other City official to communicate the City's position on legislative matters to the appropriate legislative bodies.

2. Ceremonial Matters

- A. There are several different types of action the Council may take to provide recognition or express appreciation:
 - 1. Certifications of Appreciation or Recognition

Commendations typically issued to acknowledge the activities of a person or organization. These certificates may be issued by any member of the Council without formal action. Examples of traditional recipients would include departing Board and Commission Members, high school students with 4.0 grade point averages, Chamber of Commerce Outstanding Businesses Awards, recognizing Eagle Scouts, winners of local art or speech contests, etc.

2. Commendatory Resolutions

Typically used to handle matters requiring some type of formal memorialization such as the retirement of a long-tenured employee, or outgoing Mayor or Council Member. These are not voted on like a standard Resolution of Council action would be.

3. Proclamations

Public announcements directing attention to a person, organization, or event. Proclamations will be issued subject to the policy described below.

B. Preparation of City Proclamations

1. It is the policy of the City Council to issue proclamations for certain events or causes, when such a proclamation positively impacts the community and conveys an affirmative message to residents. Examples of causes for which proclamations are regularly and routinely issued include, but are not limited to: notable accomplishments by citizens, youth groups, schools, local organizations, non-profit groups, and local events that deserve special recognition. Discretion should be used in determining whether or not to issue a proclamation. Proclamations that are political in nature, are controversial, or that likely would not enjoy a high level of community interest and support, are discouraged.
2. It will be the policy of the City Council to process requests for proclamations in the following manner:
 - a. The City Clerk will review the request with the Mayor.
 - b. If the Mayor determines that the proclamation request is consistent with the policy stated above, the Mayor will direct the City Clerk to prepare the proclamation and the proclamation will be issued.
 - c. If the Mayor determines the proclamation request is not consistent with the policy stated above, the request will be routed to the other Council Members to determine if there is interest in issuing the proclamation.
 - d. If a Council Member has interest in issuing the proclamation that the Mayor determined was not consistent with this policy, that Council Member will sponsor the item and shall be responsible for drafting the language to be contained in the proclamation. The sponsor Council Member shall provide the draft proclamation language to the City Clerk.

- e. Upon receipt of the draft proclamation language, the City Clerk will place the item for consideration to considering issuing the proclamation on the Consent Calendar at the next available meeting. The proclamation will be issued upon a majority vote of the Council in support of issuing the proclamation. Depending on the nature and time-sensitivity of the request, the Mayor and Deputy Mayor can act without full formal concurrence of the Council when the situation warrants.

Chapter 12. Council Liaison Roles

1. The City Council will collectively review and approve liaison appointments. The recommended appointments will, to the best of the Council's ability, attempt to match the requested positions with the needs of the respective body and the experience of the Council Member, while also attempting to equitably balance the distribution of assignments.
2. It is generally suggested that newly elected Council Members undertake a limited number of assignments during their first year, to allow opportunity to gain familiarity with the obligations and expectations of the role.
3. The assignment of City Council liaisons is conducted annually according to the following process:
 - A. Following the reorganization in December, the City Clerk will distribute a memo to each Council Member which will include a list of potential liaison assignments.
 - B. Each Council Member will complete the list in a manner which prioritizes the assignments of interest to them; and will submit their list only to the City Clerk in December.
 - C. The ranking process uses the following methodology:
 1. Top priority = I really want this (please mark at most only two #1s)
 2. This is something I would like to have
 3. I'll take this one for the team
 4. I do not want (perhaps the meeting timing does not work for you)
 - D. The City Clerk will assemble responses into a table and provide it to the Mayor. The Mayor uses the following additional criteria to make assignments: Continuity assignments remain with the assignee unless the member is opting to step down from the role (see section 5 below); assignments will be assigned by highest priority desired with 1's first, 2's second etc.; in case of ties, overall balance and then seniority will be taken into account. For example, did the Council Member get their other first choice? Does the Council Member have other "plum" continuity assignments; ideally, everyone will get at least one of their top priorities; and the Council Member does not need to use their top rankings to hold onto continuity assignments.
 - E. In the event that a liaison has not been identified for each commission, the Mayor will divide any remaining liaison positions amongst the Council, attempting to equitably balance the distribution of the assignments and associated workload.

- F. The Mayor, working with the City Manager and City Clerk, will utilize the responses to present an Agenda Report and conduct a discussion at the first meeting in January regarding the liaison appointments.
 - G. The Mayor and Deputy Mayor have traditionally been assigned to the following bodies:
 - 1. City Council Legislative Committee - ordered by Resolution 158 (1981)
 - 2. City Budget and Audit Committee
 - 3. Planning Commission
 - 4. Council of Cities – City Selection Committee (Mayor with Deputy Mayor as alternate)
 - 5. Honorary Chair of Sister Cities Association (Mayor)
 - H. The City Clerk shall maintain a list of all such appointments. The final liaison list will be distributed to all Council Members and posted on the City’s website.
4. Liaison to the City’s Boards and Commissions
- A. Each of the City’s Boards and Commissions has a Council Member who serves as its Council liaison.
 - B. Council Members should act as an advisor and resource to commissioners and the commission’s staff liaison when issues regarding process, procedure, attendance, interpersonal or public relations arise.
 - C. The Council liaison serves on the Appointment Subcommittee for the Commission to which they are assigned. In the event the Mayor is serving as the commission’s liaison, the minimum subcommittee shall consist of the Mayor and Deputy Mayor.
5. Continuity Appointments to External Agencies
- A. The City Council has identified certain appointments for which there is a strong need and desire for consistency and continuity in terms of Council participation and representation. The Mayor will maintain the current Council Member assigned as liaison to that body. The Council will have an opportunity at its annual review to see if a supplemental designation is needed due to changing conditions or if new bodies have been added to the list. All continuity appointments should also have an alternate assigned, so a member can be ready to take over the role if needed.
 - B. Liaison appointments to these bodies would not annually be reassigned to another Council Member, as this would not provide the desired consistency. If it became necessary to reassign the liaison for one of these bodies as the result of a vacancy or other reason, the liaison role would not typically be assigned to a newly elected Council Member. A Council Member with an interest in serving as liaison to any of

these continuity bodies should confer with the current representative; and consider acting as an alternate or “shadowing” the current liaison for a time to learn more about the body’s functions and duties.

- C. If a Council Member who is assigned as liaison to one of the aforementioned bodies anticipates leaving office, every effort should be made to mentor another Council Member so that those critical relationships can continue uninterrupted.

6. Council of Cities Appointments

- A. In the case of appointments made by the regional Council of Cities - City Selection Committee, upon receipt of the City Selection Committee agenda packet listing all positions and nominees to be voted on, if time allows, the City Council may schedule a special meeting prior to the Council of Cities meeting to discuss and agree upon preferred appointees. This will allow the Mayor, or their proxy, to have clear direction on whom to vote for that reflects the best interest of the City. If scheduling a meeting is not practical, the Mayor and Deputy Mayor may confer on the vote. In the case of nominations from the floor at the City Selection voting meeting, the Mayor, or their proxy, will vote their conscience based on the feedback previously given by the City Council as a whole. In December, every year upon the Mayor’s rotation, a standing proxy shall be filled out and filed with the City Selection Committee for the year naming who may vote in the Mayor’s absence. The Deputy Mayor will be given first priority followed by any Council Member who has the most latitude and ability to attend the meetings.

Chapter 13. Boards and Commissions

1. Refer to the San Mateo [City Charter Article VI](#) on Boards and Commissions.
2. Council Members should refrain from participation at Board and Commission meetings to avoid influencing the outcome of those meetings.
3. Reappointments, Vacancies, and Appointments
 - A. The City Clerk's Office manages the Boards and Commissions (hereafter referred to as "Commission" for ease of reference) application process. The process begins with the Clerk contacting members who are eligible for appointment to a second term and finding out their interest in reappointment.
 - B. The City Clerk then shares the results with each appointment subcommittee and receives direction on the need to schedule an agendaized appointment subcommittee meeting to provide direction on reappointments. The default is that currently serving Commissioners will each be interviewed for reappointment. However, if it is determined that a Commissioner's performance is outstanding, or that other factors necessitate keeping them in their role, then an automatic reappointment can occur with a majority vote or majority consensus of the City Council. Any Commission seat selected for re-interviews, means the seat will be processed as part of the full annual recruitment and the currently sitting commissioner may be interviewed along with other applicants.
 - C. The City Clerk recruits for all open seats utilizing multiple avenues including: advertising, website, social media, and networking lists to present qualified candidates to the Council for consideration.
 - D. The interview and selection of candidates is an open process.
 - E. The City Clerk receives the applications (ideally a minimum of three applications is sought for each vacant seat) and arranges for the appropriate subcommittee, in a noticed special meeting, to interview applicants and form their recommendation.
 - F. Commissioners, Board and committee members (hereafter referred to as "Commissioners" for ease of reference) are appointed by a majority vote of the City Council and serve staggered terms.
 - G. An "Appointment subcommittee" may include up to five City Council members. The City Council shall appoint the members of the Appointment subcommittee. As a minimum, the Appointment subcommittee shall include and a quorum shall be established as: 1) the Mayor (or their Council designee) and the Council liaison to the Commission. The Department Head affiliated with that Commission shall participate as a non-voting member of the Appointment subcommittee.

- H. Except when reappointment is recommended, or an established eligibility list is used, the Appointment subcommittee shall conduct candidate interviews and make a recommendation for Council approval. Interviews shall be conducted in a noticed public meeting with at least a quorum of the Appointment subcommittee present.
- I. At the conclusion of an Appointment subcommittee's interviews of candidates, and the agreement on the recommended candidate, the appointment subcommittee may then designate up to two applicants who would be considered for listing on the eligibility list for a six-month period. The eligibility list is then ranked according to preferred next seating to a Commission vacancy. The list is only established with the full agreement of the Appointment subcommittee. It is not a requirement that an eligibility list be established if there are not applicants that are deemed qualified. This list may be used for automatic next appointments in the event of an unscheduled vacancy, the next person on the eligibility list would be submitted as the recommended candidate from the Appointment subcommittee on the next City Council regular meeting Consent Calendar.
- J. The full Council will receive the Appointment subcommittee's recommendation and the full list of candidates for each opening.
- K. The Appointment subcommittee recommendations for new and reappointed Commissioners are confirmed by Council under the Consent Calendar at regular Council meetings. An agenda report summarizing the Subcommittee's recommendations, including the full list of candidates reviewed for each opening, will be provided to the full City Council. Council may adopt the recommendations as presented or pull the item for further discussion. The City Council can consider for appointment any of the candidates interviewed.
- L. A majority vote of Council approves the appointees.
- M. Commission recruitment begins annually in the month of March, and completes in May, in order to ensure continuity on commissions before terms end June 10th.
- N. **Unscheduled Vacancies**
 - 1. Subject to the Maddy Act (California Government Code § 54970), if an unscheduled vacancy occurs on a commission, the Council may either appoint from the pool of applicants on file (the eligibility list if there is one available) or open up the position to new applications where the above process is followed.
 - 2. For such non-routine vacancies, the announcement for new applications is made as soon as possible in order to maintain viable memberships on the various boards and commissions.

3. All appointments occur in an open public meeting.

O. Youth Activities Council (YAC) Selection Process

The YAC is not appointed directly by the City Council but through an application method administered by the Parks and Recreation Department. High school students from all of the City's public high schools, as well as Junipero Serra High School and Nueva Upper School, are recruited for potential participation starting in the late spring of each year.

Chapter 14. References

1. San Mateo City Charter, §2.03, 2.04, 2.12, Article VI
2. [Ralph M. Brown Act](#) (California Government Code, § 54950 et seq.)
3. California Government Code, § [53234](#) et seq.
4. San Mateo Municipal Code
5. [California Public Records Act](#) (California Government Code, § 6250 et seq.)
6. [AB 1234](#) California Government Code, § 53232.3
7. [Rosenberg's Rules of Order](#)
8. Emergency Guide for Elected Officials



Boards and Commissions

Rules and Procedures

Adopted on August 17, 2015
by Resolution No. 82 (2015)
Amended by Council Action on:
January 17, 2017, April 17, 2017, April 16, 2018, May 21, 2018, May 3, 2021,
September 6, 2022 and April 1, 2024

City of San Mateo, Boards and Commissions Rules and Procedures

Table of Contents

Chapter 1.	Purpose and Overview	3
Chapter 2.	Commission Authority.....	4
Chapter 3.	Governance Principles.....	7
Chapter 4.	Duties	8
Chapter 5.	Selection of Chair and Vice Chair	12
Chapter 6.	Commissioner Conduct	13
Chapter 7.	Meetings	16
Chapter 8.	Meeting Agendas	21
Chapter 9.	Financial Matters.....	24
Chapter 10.	Communication	28
Chapter 11.	Boards and Commissions Selection Process.....	32
Chapter 12.	References.....	34

Chapter 1. Purpose and Overview

This manual describes the way the City of San Mateo's Boards and Commissions do their business. It is a compilation of all Board and Commission (hereafter referred to as "Commission" for the sake of brevity) rules and procedures that have been formally adopted by Council. These Rules and Procedures ("Rules") supersede individual Commission bylaws.

These Rules are intended to enhance public participation and debate so that the best possible decisions can be made for San Mateo. These Rules set a standard of professionalism, civility and decorum for the conduct of the City's business. San Mateo has a long and proud tradition of open government and civil, intelligent public discourse. These rules, which must be approved by the City Council as a body, are subject to review and future modification by the City Council as needed.

Appointed Board and Commission members are expected to understand and comply with these Rules and Procedures. Failure to comply with the rules and procedures outlined in this document may be cause for removal from the appointed position.

Amendments to these Rules are made and approved by the City Council as a body; and are subject to review and future modification as needed.

Chapter 2. Commission Authority

1. Commission Authority, Generally

- A. The primary role of City commissions is to increase public input and participation in the determination of City policies and some programs.
- B. The specific role of a City commission is to review and make recommendations to the City Council on matters within its scope of responsibility as defined in the Charter or Municipal Code. The commissions are basically a citizen's advisory arm of the City Council, although certain commissions, such as the Planning Commission, may take final actions in certain prescribed areas.
- C. Most importantly, the commission serves as a vehicle for public input into City programs and policies referred to it by the City Council or brought to its attention by staff.
- D. The commission also serves to reduce the reevaluation of these matters before the City Council.
- E. On the specific matters referred to it by the City Council, the commission serves as the principal reviewing body of the City.
- F. Commissions adhere to the City Council's policies on the programs under their scopes of interest.
- G. Commissions serve to represent the general interests of the entire City and not specific program areas or specific interest groups.
- H. Commissions are encouraged to express their views on issues, projects, or policies brought to them by the City department.
- I. As further described below, the Planning Commission has a distinct role with the City in that it makes decisions and recommendations to the Council on land use matters. These include development applications submitted by project proponents.

2. Applicability

The complete scope of responsibilities for each commission is identified either in the Charter or in the City's Municipal Code and will be provided by the Departments supporting the commission. When not in conflict with the Charter of the City of San Mateo, or the Constitution or laws of the State of California, these Commission Rules and Procedures ("Rules") shall be in effect upon adoption of the Council.

3. Authority of Each Board / Commission

The authority of the City of San Mateo's Boards and Commissions are described in the San Mateo City Charter Article VI, as well as its Municipal Code Title 2 Administration and Personnel in Chapters 2.15, 2.21, 2.24, 2.26, 2.27, 2.28, 2.29 and 2.57.

A. Library Board:

The Library Board oversees the Library department's policies and accepts in the name of the City money, personal and real property donated for Library purposes.

B. Personnel Board:

The Personnel Board hears appeals submitted by any person in the competitive service relative to any disciplinary action, dismissal, demotion, charge of discrimination, or alleged violation of [municipal code chapter 2.57](#), and to certify its findings and recommendations as provided in the personnel system rules.

C. Community Relations Commission (CRC):

The CRC addresses a broad spectrum of social issues and related policy and provides oversight for Federal grant programs that implement public services, housing, and community development programs. It is also the hearing and appeals board for Code Enforcement related cases.

D. Park & Recreation Commission:

The Park and Recreation Commission makes recommendations to the City Council on acquisition, development, beautification and maintenance of public parks, landscape resources, public recreation facilities, budget, and programs of park and recreation activities.

E. Planning Commission:

The Planning Commission hears requests and makes decisions and recommendations on land use projects. This body also recommends policy changes to the City Council.

F. Senior Citizens Commission:

The Senior Citizens Commission encourages, fosters, and facilitates programs for the enhancement of all matters relating to the social, economic, and personal well-being of the senior population.

G. Sustainability and Infrastructure Commission

The Sustainability and Infrastructure Commission was established in 2018, consolidating the Public Works Commission and Sustainability Commission into one commission. It is the duty of the Sustainability and Infrastructure Commission to advise on policies and programs related to environmental sustainability, transportation and infrastructure.

H. Investment Advisory Committee (IAC):

The IAC serves as an administrative advisory committee to the City Manager. The IAC provides added insight and an independent perspective on the City's investment policies and practices.

I. Youth Activity Council (YAC):

The Youth Activity Council provides experiences and opportunities for the youth and young adult population by: providing safe and enjoyable activities; creating community through special events; enhancing leadership and decision-making skills; providing service learning experiences; practicing civic participation and empowering our youth's voice with our decision makers.

4. Rosenberg's Rules of Order

To the extent these Rules do not address an issue of parliamentary procedure for legislative body meetings, Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century shall apply.

Chapter 3. Governance Principles

In alignment with the City Council governance principles, each Board and Commission acts as a body, not as individuals. Commissioners understand and acknowledge the City is run on a Council-Manager form of governance and will respect professional staff's role and the City Manager as leader of the City organization's operations. Commissioners should be aware of and mindful of the impact of requests on limited staff resources.

Chapter 4. Duties

1. Duties of the Chair

- A. All City commissions elect a presiding officer, known as a chairperson for a one-year period.
- B. The Chair sets the tone for the entire meeting.
- C. To conduct meetings of the Commission as its chairperson efficiently:
 - 1. Ensure that consideration of items on the agenda move along without delay.
 - 2. Ensure that petitioners, proponents, and opponents are heard but not allowed to disrupt the meeting.
 - 3. Ensure that decorum and civility is maintained during the meeting.
 - 4. In presiding over matters where the public has provided comment or testimony and/or raised questions, the Chair should:
 - a. At the end of the public comment period, restate, if any, relevant questions from the public.
 - b. Direct questions or comments requiring a response to staff for a response.
 - c. Ensure that staff and members of the public direct their comments to the chair and commission members.
 - d. Help keep Commissioner comments and questions relevant to the matter being considered by the Commission, and schedule non-agenda topics for subsequent meetings, where necessary and if agreed upon by the Commission during Reports and Announcements.
 - e. If necessary, consider calling for a brief recess if the orderly conduct of the meeting is being disrupted.
 - f. Ensure that the decision and vote of the Commission on all subjects is announced. This may occur with the assistance of the City Clerk, Staff Liaison or commission clerk.
 - 5. To ensure that each member of the Commission is provided an opportunity to completely express their views on items of business, the Chair should:

- a. Actively seek commission member comments and ensure that Commissioners ask to be recognized by the Chair before speaking to maintain an orderly process on the dais.
 - b. Make sure that each commission member has had a first chance at providing comments, before allowing another commission to make additional statements – unless they are asked to clarify their prior statement.
 - c. Ensure that each commission member is given the opportunity to fully express their views.
 - D. To correspond on behalf of the Commission, provided that opinions expressed on behalf of the Commission or City Government are consistent with the consensus of the Commission.
 - E. Nothing under the Chair’s duties shall limit any individual Commissioner’s ability to interact with members of the public.
2. Duties of Vice Chair

In the absence of the Chair from the Commission meeting, the Vice Chair shall possess all powers of the Chair and be subject to all prescribed duties for that position.

3. Duties of Commissioners

- A. Arrive on time for all Commission meetings.
- B. Review all meeting materials in preparation for Commission meetings, and direct questions to staff (before meetings, whenever practical) if any item is unclear or clarification is needed.
- C. Alert staff in advance of the meeting whenever possible if an item is intended to be pulled off of the Consent Calendar or introduced under Reports and Announcements for future Commission consideration.
- D. It is the responsibility of all members to assist the Chair in running an efficient and effective meeting by assisting with the orderly disposition of items, helping ensure all members are heard, participating fully in meaningful discussion and deliberation, keeping comments succinct, concise, civil and germane, and limiting repetitive comments. Commissioners are encouraged to hold their colleagues accountable for following these rules and do all in their power to contribute to the smooth running of a meeting for the community.
- E. All commission members are asked to alert the staff commission liaison when receiving media inquiries.

- F. It is expected that Commissioners will attend all meetings. If a commissioner is absent for three consecutive meetings or for 15% of scheduled meetings annually, the City Clerk will notify Council who may take action to vacate the seat. The Commissioner is expected to notify the Staff Liaison or Staff Admin if they are unable to attend a meeting.
- G. For Planning Commissioners, make every effort to participate in the California League of Cities Planning Commissioner Academy during the first year as a Commissioner, and every other year thereafter.
- H. Read, and use as a primary reference, the Institute for Local Government's Planning Commission Handbook.

4. Duties of Staff Liaison

- A. The liaison, an assigned City staff person, has the following responsibilities:
 - 1. Create meeting schedules.
 - 2. Prepare meeting agendas and Agenda Reports.
 - 3. Notify the City Clerk of attendance problems, resignations, and members' change of contact information.
 - 4. Ensure that sufficient research and analysis has been performed by staff to allow an informed decision by the Commission.
 - 5. Help facilitate and advise the Chair on meeting management.
 - 6. Ensure that all affected departments have an opportunity for input before bringing an item forward for commission consideration.
 - 7. For the Planning Commission, arrange an annual joint meeting with the City Council.
- B. The Staff Liaison, along with the City Clerk, is responsible for ensuring that appointed board/commission members are oriented about policies and procedures as they relate to the body.
- C. All communications addressed to a specific Board or Commission are received by the staff liaison, or their designee, and relayed to the appointed body.

5. Duties of Administrative Staff

Each commission also has an administrative staff person (Staff Admin), who works with the Staff Liaison, to support the body. Their responsibilities are to:

- A. Provide oversight of agenda preparation and its delivery to the full Commission and to the public.
- B. Ensure that meeting materials—including a sufficient number of agendas, universal speaker slips, and at least one binder of all related reports being presented at that meeting—are available for the public to examine at the meeting.
- C. Produce the action minutes for each meeting.
- D. Provide annually a record of attendance of each commissioner to the City Clerk.

6. Duties of Council Liaison

- A. Every year the Mayor will appoint Council Members to serve as liaisons to the City's Boards and Commissions.
- B. Council Members act as an advisor and resource to Commissioners and the commission's Staff Liaison when issues regarding process, procedure, interpersonal or public relations arise. Commissioners are also welcome to approach the Council Liaison for support or if they have any concerns. Council Members should refrain from participation at Board and Commission meetings to avoid influencing the outcome of those meetings.

Chapter 5. Selection of Chair and Vice Chair

1. Commission reorganization, including rotation of the roles of the Chair and Vice Chair, occurs annually at the meeting as close as possible to June 10th of each year. The results of the vote should be publicly announced; and the vote recorded in the minutes.
2. Nomination of commissioners to serve as Chair and Vice Chair for the coming year can be made by any of the current commissioners in attendance.
3. The Chair and Vice Chair are elected by a majority of the commission for a one-year term and hold office until their successors are elected or until their terms as members of the commission expire.
4. The normal convention is a rotation from Vice Chair to Chair. Deviation from this normal convention should be extremely rare and must be accompanied by stated justification by the Commissioner making a nomination that does not conform to the normal convention.
5. The City Council believes that experience as a Commissioner will assist those who are selected to serve as Chair or Vice Chair, and that it is in everyone's best interest that candidates have experience in cycles of governing to acclimate themselves to the jobs, tasks, and roles of the Commission.

Chapter 6. Commissioner Conduct

1. Members are committed to governing for all, striving to avoid any appearance of impropriety, and running our meetings with civility, decorum, and respect. With that spirit, Members shall:
 - A. Govern as a body. If we work together well as a team, our City will excel.
 - B. Treat all with dignity, courtesy, and respect. This includes staff, each other, or members of the public, on and off the dais.
 - C. Keep confidential matters confidential.
 - D. Respect process and roles. This includes avoiding interruptions and distractions.
 - E. Agree to disagree in a respectful manner. We focus on the issue not the person.
 - F. Keep our comments clear, concise, and on-topic. This respects our colleagues', the public's, and staffs' time.
 - G. Give each other a chance to speak. Everyone gets to speak before another of us speaks for a second time. We refrain from dominating the discussion.
 - H. The Chair normally speaks last. After other members of the Commission have offered their opinions, the Chair speaks. The Chair can speak after each round of speaking by Members.
 - I. Be mindful of the impact of our words and tone. We consider this as we address each other, staff, and the public.
 - J. Promote discussion and resolution. We present problems and issues in that way.
 - K. Follow the agenda. We begin and end meetings on time.
 - L. Respect the City Charter, rule of law, and decisions once made. We do not attempt to undermine decisions.
 - M. Speak for the City only when specifically authorized (see Chapter 10, Communication, sections regarding "Speaking for the City" and "Speaking as an Individual").
 - N. Practice a "no surprises" rule. We give a heads up to the Commission staff liaison, and City Attorney's Office representative (if applicable) out of respect and teamwork.

- O. Practice the principles of inclusivity and self-awareness to guard against implicit bias in our actions and decisions.
 - P. Adhere to all federal, state, and local laws in the performance of their public duties, including conflict-of-interest laws.
 - Q. *Not engage in discussion with a member of the public during the meeting.*¹
 - R. *Determine whether to schedule a future agenda item for discussion and/or action, during Reports and Announcements, when non-agenda items are raised in the course of the meeting.*
 - S. *Meet with the Council liaison to the Commission when requested.*
 - T. Pay close attention the meeting and limit the use of electronic devices while on the dais, except as necessary to access agenda materials or respond to urgent personal matters.
 - T.U. When acting in a quasi-judicial capacity: keep an open mind, do not rush to pre-judge any matter, and be fair and neutral towards all concerned parties. This applies to statements that are verbal and written, including those posted on social media. At the beginning of the hearing, disclose any ex parte communications (oral or written communications from one party outside of the hearing) and describe the nature and substance of the communication.
2. Commissioners may not be employed by the City or provide services under a contract with the City. Commissioners may not volunteer in the operations arm of the department their commission is affiliated with, without Department Head approval. However, Commissioners are encouraged to volunteer for city events, put on by any City department, or volunteer in any capacity in other City departments. Commissioners enhance their presence in the community by volunteering with local non-profits or assisting with community events and serving on special committees.
3. Commissioners are subject to all the provisions of the City's Harassment and Discrimination Policy (#301).
4. Commissioners shall complete ethics training at least once every two years, beginning with calendar year 2025.
5. Enforcement.
- A. Where a Commissioner is allegedly not following the rules set forth in this Chapter ("Code of Conduct"), any concerned Council member is encouraged to resolve the

¹ Items Q-T are included within the existing Commissioner Conduct chapter and do not overlap with the new conduct. Staff recommends retaining items Q-T for this reason.

matter on an informal basis through direct conversations, or by referral to the Mayor or Council Liaison to the Commission to privately counsel the subject Commissioner.

- A. If the offense(s) continue, or if warranted due to the serious nature of an initial violation, two Council members may file a complaint regarding the conduct of a Commissioner for an alleged violation of the Code of Conduct. The complaint shall be in writing and filed with the City Clerk, with a copy to the City Manager and City Attorney. A copy of the complaint shall be promptly provided to the Council and to the Commissioner. The City Clerk shall place the complaint on the next available City Council agenda for initial consideration. The Commissioner who is the subject of the complaint may include a written response to be included with the agenda packet or may verbally address the complaint at the Council meeting, or both.
- B. At the meeting where the complaint is considered, a Council majority (3 votes) shall decide whether to (1) take no action, (2) reprimand the subject Commissioner and require them to promptly take ethics training (in addition to any training required by law), or (3) schedule the matter for a future hearing to consider a formal resolution of censure, [revoke seniority](#), and/or restrict payment of expenses such as for official travel. Alternatively, the Council may direct the City Manager or City Attorney to investigate the matter, or to engage a third party to do so, and bring it back to the Council following completion of the investigation.
- C. If a Council majority (3 votes) directs the scheduling of a hearing, it should also appoint one or two Council members to draft a censure resolution to be included with the agenda packet. At the hearing, the Commissioner who is the subject of the complaint shall have the opportunity to rebut the allegations in the report either themselves or through a representative. The formal rules of evidence shall not apply, and the hearing shall be generally informal.
- A.D. At the close of the hearing, a Council majority (3 votes) shall decide whether to (1) take no action, (2) issue a reprimand and require the Commissioner to promptly take ethics training (beyond what is required by law), or (3) adopt a censure resolution, [revoke seniority](#), and/or restrict payment of expenses such as for official travel. Any action taken by the Council is final and is not subject to appeal or reconsideration.

Chapter 7. Meetings

1. All Commission decisions must be taken at Commission meetings only after hearing the presentation, project applicants, and hearing all public comments/testimony, then only under Commission discussion with colleagues should Commission Members opinions be shared, and deliberations engaged in before making any decision or taking action.
2. No business may be transacted by the commission at a regular or special meeting unless a quorum of the membership is present (50% plus one of those currently appointed).
3. Commission Meeting Dates
 - A. If at any time any regular meeting of the Commission falls on a holiday or if it is known that a quorum will not be available, the meeting may be rescheduled to the earliest convenient time.
 - B. The Boards and Commissions shall adopt a schedule of quarterly or more frequent meetings on an annual basis, which become the regular meeting dates.
 - C. Regular meeting dates may be amended with the approval of the Commission.
4. Types of Meetings
 - A. **Regular Meetings** are those identified in the adopted meeting schedule. Regular meetings are agendized and posted at least 72 hours in advance of the meeting.
 - B. **Special Meetings** are called at a non-regular meeting date and time. They are called by the Chair or Commission with a minimum of 24 hours' notice, versus 72 hours' notice for regular meetings.
 - C. **Study Sessions** are special meetings that are held for the purpose of providing information to the Commission, particularly on issues that are more complex or more time-consuming than matters typically scheduled on regular Commission meetings. At study sessions Commissioners may collectively provide direction to City staff, or to an applicant in the case of the Planning Commission. Typically, no action is taken at the study sessions, but direction may be given.
 - D. **Closed Sessions** at the commission level would be very rare and would only occur at the direction of the City Attorney. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after allowance for public comment, will be excluded.
 - E. **Emergency Meetings** are allowed per the Ralph M. Brown Act when an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of the public's well-being.

F. Adjourned Meetings due to Power Outages

In the event a quorum of the body loses electrical power or suffers an internet connection outage not corrected within 15 minutes, the meeting may be adjourned to a date certain. Any items noticed as public hearings will be continued to the next regularly scheduled meeting of the Commission. Any other agenda items the Commission has not taken action on will be placed on a future agenda.

5. Voting

A motion, second, and a majority vote of the Commission shall be required for any formal action of Commission. If the meeting is virtual, or any member is teleconferencing in, the vote must be taken by roll call vote.

6. The Chair, with the approval of a majority of the Commission, can change the order of hearing of items on the agenda. Staff may make suggestions on the order due to practical and logistical issues.

7. Public Participation

- A. All members of the public are encouraged and invited to participate in the legislative process of the City's Boards and Commissions, for example by submission of comments before the meeting or speaking in person, or virtually when offered, at the scheduled meeting.
- B. It is the intent of these rules to allow everyone to be heard without fear of cheers or jeers that may discourage public participation. For these reasons, these rules are taken seriously. Disruptive or unruly behavior can result in removal from the Commission meeting to the extent allowed by state law. The presiding member of a legislative body may remove an individual for disrupting a meeting after the individual first receives a warning yet continues the disruptive behavior. The legislative body may also decide to clear the room if interruptions render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of disruptive individual(s) alone.
- C. Public meetings are considered a limited public forum in which the speaker must stay on-topic if speaking to a particular agenda item. If speaking during general public comment, they must address matters within the subject matter jurisdiction of the City. If speakers fail to follow these rules, they will be warned, and if they continue to disregard the rules, their opportunity to speak will be ended.
- D. The Chair may, at their discretion with commission concurrence, limit the amount of time allotted to speakers when needed, per the following time limits.

- E. Generally, time Limits for public comment are dependent on the number of speakers:
 - 1. Individual Speakers - 3 minutes
 - a. between 1 -10: 3 minutes
 - b. between 11-20: 2 minutes
 - c. over 21 speakers: 1 minute
 - 2. Organized group (in lieu of individual speakers) – up to five (5) minutes for a group presentation, as many speakers as fit within the time allowance.
 - 3. Yielding of Time. To ensure that all persons have an ample opportunity to be heard, all speakers will be recognized for the same amount of time. No speaker will be allowed to yield all or part of their time to another, and no speaker will be credited with time requested but not used by another.
 - 4. The Chair shall manage public comments such that no individual speaker is allotted a disproportionate amount of time.
- F. In-person members of the public are invited to speak at the lectern microphone, whenever available, to ensure all attendees can hear and so that the recording can be captured.
- G. Individuals who wish to speak in-person should submit a speaker card to the commission's Staff Admin for in-person meetings. For remote meetings conducted virtually, the raise the hand feature is used and managed by the Staff Admin. The Staff Admin will announce the last opportunity to submit forms or raise hands and announce when the time has closed for public comment on any particular item.
- H. Commissioners should be careful to not engage in back-and-forth questions or discussion with public speakers. If a member of the public raises a question, the Chair should invite staff (or an applicant before the Planning Commission) to respond to any questions raised at the end of the public comment period.
- 8. Agendized Discussion Items (Public Hearings, New Business, Old Business)
 - A. Staff / applicant presentation
 - B. Open public hearing (or public comment section) for testimony
 - C. Close public hearing (or public comment section)

- D. Response by staff to public questions/concerns (or by an applicant before the Planning Commission), if warranted
- E. Council questions to applicant and/or staff.
- F. Commission discussion and deliberation.
- G. Commission votes.

9. Appeals

- A. Appeals are public hearings and will follow the order stated above with the following time allocations:
 - 1. Appellant – 15 minutes
 - 2. Applicant – 15 minutes
 - 3. Individual Speakers – as outlined in Section 7(E)1 above.
 - 4. Rebuttal (Applies to Appellant and Applicant) – 5 minutes each.
 - 5. Clarification (Staff may offer explanation or clarification for the testimony)
 - 6. If the appellant is also the applicant, only one 15-minute presentation is allowed.
- B. Any person that addressed the Commission during one of the fifteen-minute periods may not speak again during the public comment period for individual speakers on the appeal.

10. Items Considered after 11:00 p.m.

- 11. At 11 pm, in order to ensure effective discourse on an item, the Commission will determine with a majority vote on whether to continue with an item or take up any unheard items.

12. Action Minutes

- A. The City Council and all of its Boards and Commissions shall use Action Minutes to record the decisions of the body.
- B. Action Minutes contain very little, if any, narrative content and do not capture details of public comments, or Commissioner comments, questions, and opinions. The staff is responsible for producing the minutes. Commissioners may request

correction only of factual errors when presented with the draft minutes. No supplemental materials may be appended to minutes.

- C. Motions and votes are shown in the record, whenever applicable.
- D. Media (audio/video) recordings will be used to provide a verbatim record of meetings and are kept as identified in the City's Records Retention Schedule.

13. Conflict of Interest

- A. The Political Reform Act (PRA), implemented and enforced by the Fair Political Practices Commission (FPPC), controls financial conflicts of interest.
- B. The other applicable law is Government Code §1090, which applies only to City contracts in which a public official has a financial interest.
- C. Whenever it appears to a Commissioner that they may have a prohibited financial interest in any City contract, or an item that may be presented to the Commission, the Commissioner should consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists.
- D. If the City Attorney is consulted on such a matter, the City Attorney shall provide their advice in writing, and shall provide a copy of their opinion to the Commission, the City Council, the City Manager, the affiliated Department Head, and the Staff Liaison.
- E. With full consideration of the City Attorney's advice, it is up to each individual Council Member to decide for themselves whether there is a conflict of interest.
- F. A member shall not vote upon or participate in any matter on which they have a conflict of interest.
- G. A member shall openly state the reason for their conflict of interest.
- H. A member who is disqualified by a conflict of interest shall recuse themselves from the dais and leave the room unless it is during the Consent Calendar

Chapter 8. Meeting Agendas

1. Agenda Order

Commission agendas will be prepared by the Staff Liaison to the commission and presented to the Commission in the order described below.

A. Opening

1. Pledge of Allegiance
2. Roll Call

B. Consent Calendar

All matters listed under the Consent Calendar are considered by the Commission to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed by a Commission member and considered separately. Members of the public may speak to any Consent Calendar item without the item being pulled.

C. Public Comment

Members of the public wishing to comment on any item not appearing on the agenda may address the Commission at this time. State law prevents Commissions from taking action on any matter not on the agenda. Comments may be referred to staff for follow-up. Public comment is limited to a total of 15 minutes; however, an opportunity for additional public comment will be provided later in the agenda, if needed. Timing is per Chapter 7(E)1 of these Rules.

D. Public Hearing

Duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the Commission.

E. Old Business

Non-routine items that have been presented before that require further oral presentation and/or discussion before action is taken.

F. New Business

Non-routine items requiring an oral presentation and discussion before action is taken.

G. Reports and Announcements

Commissioners provide an update on any meetings they attended in their commissioner role and Commissioners may make individual requests to schedule future items for consideration. A majority vote of the Commission is required to place a request on a future agenda.

H. Additional Public Comment (if needed)

I. Adjourn

2. Agenda Item Submission

A. The Staff Liaison coordinates all agenda items for consideration on a given agenda. In order to ensure that each item for discussion has been thoroughly analyzed in advance, an Agenda Report shall be prepared.

1. The preparation of Agenda Reports applies to all Boards and Commissions in order to ensure:

a. The Board or Commission has all the information needed to make a well-informed decision; and

b. Any action is fully transparent to the public.

2. Agenda Reports shall be part of the public agenda packet issued prior to the meeting. Copies of the agenda, Agenda Reports and supporting materials shall be made available to the public at the meeting.

B. A Commissioner may request an item be considered on a future agenda and, upon a majority vote of the Commission, staff will prepare an Agenda Report and agendaize the item for a future meeting. Before the vote, staff will provide information, if available, on how much staff time would be required to produce the Agenda Report.

C. Members of the Public

1. A member of the public may request Commission action in the following ways:

a. Write a letter or email to the Commission.

b. Speak during the Public Comment period at a Board / Commission meeting.

2. The first response is for the staff liaison to address concerns raised directly outside the meeting regarding the issue.
3. If a majority of the Commission agrees, the item will be agendaized at a future meeting.

Chapter 9. Financial Matters

1. All Commissioners serve as volunteers without compensation or a stipend.
2. Commissioner Expense Reimbursement Policy

It is rare that a Commissioner would need reimbursement, but in the event that they do, the following policy shall apply:

A. Authorized Expenses

1. City funds, equipment, supplies, titles, and staff time must only be used for authorized city business.
2. Expenses incurred while attending educational seminars designed to improve officials' skill and information levels are permitted with pre-approval from the affiliated Department Head.
3. All other expenses require prior approval by the City Council.
4. The City will not reimburse the following expenses:
 - a. The personal portion of any trip.
 - b. Political contributions or events.
 - c. Family expenses, including partner's expenses when accompanying official on agency-related business.
 - d. Entertainment expenses, such as movies, sporting events, or cultural events.
 - e. Non-mileage personal automobile expenses, including repairs, citations, insurance or gasoline.

B. Cost Control

To conserve City resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. If expenses are incurred that exceed these guidelines, the cost borne or reimbursed by the City will be limited to the costs that fall within these guidelines.

1. Airfare

Airfares that are equal to or less than those available through the League of California Cities, the California State Association of Counties and the State

of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. If no discounted airfare is available through these entities, then the most reasonable and economical airfare possible.

2. Airport Parking

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

3. Automobile

Mileage shall be reimbursed at IRS rates presently in effect (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses. In addition, drivers may be reimbursed for bridge and road tolls. For rental vehicles, only receipted fuel expenses will be reimbursed.

4. Car Rental

Rental rates that are equal or less than those available through the State of California's website [Car Rental Resources for State Travel](#) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

5. Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

6. Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for City business.

7. Lodging

Commissioners are expected to select the most cost-effective and logical lodging available, including utilizing the lodging at the conference/training site, if available. If there is not specific lodging associated with the official City business, the City shall pay for actual lodging expenses up to the United States General Services Administration (GSA) maximum rate allowed by location (<http://www.gsa.gov/portal/content/104877>). This

maximum applies to the room rate only and does not include any taxes or fees. Government rates for lodging are often available and should be sought. The City will pay only for standard single rooms, including taxes and fees, for individual Council members, and any additional nonbusiness expenses incurred will be paid by the Council member.

8. Meals

The City will pay for a Commissioner's meals during authorized, required travel up to the per diem amount ([Per Diem Rates | GSA](#)). If meals are included in the cost of a conference or training, the City will not pay for a meal that a Commissioner elects to purchase from another source. Unlike lodging, using the per diem methodology for meals that is limited to the GSA amount eliminates the need for employees to submit receipts. Thus, the Commissioner only needs to report the per diem amounts in the expense report, but not the actual receipts. This only applies to meals, as all other travel expenses require a receipt to substantiate the purchase.

When the meal function is an organized event, the official shall be reimbursed the amount being charged by the event organizer for the meal. The City will not pay for alcohol/personal bar expenses.

9. Taxis/Shuttles

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency.

10. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business.

11. Transportation

Officials traveling on City business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

C. Expense Reports

1. Expense reimbursement requests must be submitted on an expense report form provided by the City. Reports must document how the expenditure met the requirements of this policy.
2. Expense reports must be submitted within 30 days of an expense being incurred; and must be accompanied by receipts documenting each expense.
3. Expense reports are a public record.

D. Audits of Expenses

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

E. Reports on Meetings

Each official shall briefly give an oral report on any Brown Act meetings they attended for which they receive expense reimbursement at their next City Council, Board, or Commission meeting.

F. Violation of this Policy

Under state law, use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

Chapter 10. Communication

1. All communications are public records.

All letters, memoranda, email, texts and other platform writing communications involving members of boards, commissions, committees and task forces, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records.

2. The City Council, in adopting this policy, does not waive attorney-client privilege or any other privilege associated with a closed session authorized under the Ralph M. Brown Act.
3. Ralph M. Brown Act

Each Commissioner should be mindful of all the requirements of the Brown Act in communicating with each other.

4. Correspondence

- A. After the Commission has taken a position on an issue, official correspondence should reflect this position. While Commissioners who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Board or Commission title, and staff support should not be utilized.
- B. City letterhead, logo, insignia and brand, as well as, staff support cannot be utilized for personal or political purposes.
- C. Generally, correspondence relating to a specific Commission agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packet will be compiled and distributed to the Commission prior to the meeting (known as a Dais packet). This additional correspondence is appended to the Agenda Report as public comment on the public meeting portal and in the records repository permanent record. Any further correspondence received between posting of the Dais packet and until the end of when the item is heard, will also be appended to the Agenda report as supplemental correspondence.

5. Electronic Communication Record Retention

- A. Commissioners are issued City of San Mateo email addresses and are required to use this email for all commission related communication. The City email may not be forwarded to a personal email.
- B. All emails sent and received through the City server are saved for at least three years on the City's network and are subject to the Public Records Act.

- C. Communication on social media sites are saved for at least two years.
- D. Text messages sent on any City-provided device are saved for at least two years.

6. Social Media Use as a Commission Member

Social media are internet-based platforms that allow for interactive communication and engagement with the public. For example, these may include (without limitation): Facebook, Twitter, Instagram, YouTube, TikTok, Snapchat, Nextdoor, blogs, etc.

The City's image as a professional organization is critical to maintaining the respect of the public, and members should use discretion when posting or communicating on social media. If Commission Members choose to maintain and use personal social media accounts to conduct City business, they must follow current federal and state regulations, as well as Council and City policies.

- A. Brown Act: Social media postings may turn into an interactive dialogue. The Brown Act has expanded to provide guidance on elected officials' use of media platforms that are free of charge and open and accessible to the public.
 - 1. Permitted Uses: You may answer questions, provide information to the public and solicit information from the public about city business; share a City post to your Council Member site; and tag other elected officials in a post.
 - 2. Prohibited Uses: A majority of the members may not use social media to discuss agency business and a member may not respond directly to any posting by another member regarding agency business including no 'likes' 'thumbs up', 'emojis' or other symbols.
- B. First Amendment. Commissioners' social media platforms can become public forums subject to First Amendment requirements. If a social media platform is 1) used for City business and 2) has interactive features that are accessible to the public without limitation, it is a public forum. The City's Social Media Policy contains rules for public participation and addresses what will constitute unacceptable content. In general, officials may not block a member of the public from their social media sites if those sites have become public forums. If unacceptable content appears on a site that has become a public forum, please consult with City staff.
- C. Public Records: Members are prohibited from deleting social media posts and related comments regarding any City-related matters to avoid violating the California Public Records Act. Social media is subject to the City's record retention schedule.

A. Best practices: Officials should be honest and accurate when posting information or news, especially when communicating during a crisis or emergency. Any mistakes, misstatements and/or factual errors must be corrected quickly upon discovery. News of citywide importance should first be announced by the official City-affiliated accounts then can be reshared by Commissioners. Unless the member has been designated to serve as a spokesperson, members should never represent themselves as a spokesperson for the entire Commission or City. Members should be mindful of recognizing that accomplishments of the City or Commission are achieved by collective action of the entire body or organization, not by any individual commissioner.

A.B. Quasi-Judicial Capacity: see Chapter 6 (Commissioner Conduct) for rules addressing the use of social media when Commissioners are acting in a quasi-judicial capacity.

7. Written Communications for Commission Meetings on Agenda Items

- A. The deadline for the receipt of written communications for inclusion in the agenda packet is up to 4:00 pm one week before the Commission meeting. This is to allow for adequate staff review and analysis, and to ensure public access to information; on all plans, correspondence, and other documents being heard by the Commission. Contact the Commission's Staff Liaison or Staff Admin for specifics.
- B. To be included in the addendum to the packet, items may be received up until 4 pm the day of the scheduled meeting.
- C. Materials distributed to Commissioners during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Commissioner, or at the conclusion of the meeting if prepared by another person.
- D. If a Commissioner receives materials regarding an agenda item, they shall forward it the Staff Liaison as soon as possible.

8. Commission - Staff Relations

- A. Commissioners may make requests of City staff through their Department Head for limited research and information. Requests that will require significant staff time, as determined by the Staff Liaison, may be referred to the full Commission and only pursued if supported by a majority of the Commission. All requests for research and information shall be made through the Staff Liaison.
- B. Commissioners are encouraged to submit their questions on agenda items to the Staff Liaison as far in advance of the meeting as possible so that staff can be prepared to respond at the Commission meeting.

- C. Clarifications or technical questions will be answered before the meeting whenever possible.
- D. Questions and all staff-prepared responses will be forwarded to all Commissioners.

9. Speaking for “the City”

Similar to written correspondence, when Commissioners are requested to speak to groups or are asked the Commission’s position on an issue, the response should reflect the position of the Commission as a whole. Of course, a member may clarify their vote on a matter by stating, for example, “While I voted against X, the Commission voted in support of it.” When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the Commission’s position rather than that of an individual member.

10. Speaking as an Individual

On occasion, Commissioners may wish to transmit correspondence on an issue upon which the Commission has yet to take a position or about an issue for which the Commission has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the Commission or the City as a whole, but for themselves as an individual.

Chapter 11. Boards and Commissions Selection Process

1. Refer to the San Mateo [City Charter Article VI](#) on Boards and Commissions.
2. Reappointments, Vacancies and Appointments
 - A. The City Clerk's Office manages the Boards and Commissions (hereafter referred to as "Commission" for ease of reference) application process. The process begins with the Clerk contacting members who are eligible for appointment to a second term and finding out their interest in reappointment.
 - B. The City Clerk then shares the results with each appointment subcommittee and receives direction on the need to schedule an appointment subcommittee meeting to provide direction on reappointments. The default is that currently serving Commissioners will each be interviewed for reappointment. However, if it is determined that a commissioner's performance is outstanding, or that other factors necessitate keeping them in their role, then an automatic reappointment can occur with a majority vote or majority consensus of the City Council. Any commission seat selected for re-interview means the seat will be processed as part of the full annual recruitment and the currently sitting commissioner may be interviewed along with other applicants. Commission recruitment occurs annually in the months of April and May and is managed by the City Clerk's Office. For these routine vacancies, the announcement is made approximately two months prior to the date on which the vacancy is to occur.
 - C. The City Clerk recruits for all open seats utilizing multiple avenues including advertising, the website, social media and networking lists to present qualified candidates to the Council for consideration.
 - D. The interview and selection of candidates is an open process.
 - E. The City Clerk receives the applications (ideally a minimum of three applications is sought for each vacant seat) and arranges for the appropriate sub-committee, in a noticed special meeting, to interview applicants and form their recommendation.
 - F. Commissioners, Board and committee members (hereafter referred to as "Commissioners" for ease of reference) are appointed by a majority vote of the City Council and serve staggered terms.
 - G. A City Council Appointment Subcommittee conducts the candidate interviews and makes a recommendation for Council approval. The Council will receive the full list of candidates for each opening.

H. The Appointment Subcommittee recommendations for new and reappointed Commissioners are confirmed by Council under the Consent Calendar at regular Council meetings. A staff report summarizing the Subcommittees' recommendations will be provided to the full City Council and will include the list of all candidates reviewed by the subcommittee. The Council may adopt the recommendations as presented or pull the item for further discussion. A majority vote of the Council approves the appointees.

I. The designated Appointment Subcommittee may establish an eligibility list for up to two applicants that will remain in effect for a six-month period.

J. **Unscheduled Vacancies**

1. Subject to the Maddy Act (California Government Code § 54970), if an unscheduled vacancy occurs on a commission, the Council may either appoint from the pool of applicants on file (the eligibility list if there is one available) or open up the position to new applications where the above process is followed.

2. For such non-routine vacancies, the announcement for new applications is made as soon as possible in order to maintain viable memberships on the various boards and commissions.

3. All appointments occur in an open public meeting.

K. **Youth Activities Council (YAC) Selection Process**

The YAC is not appointed directly by the City Council but through an application method administered by Parks and Recreation. High school students from all of the City's public high schools, as well as Junipero Serra High School and Nueva Upper School, are recruited for potential participation starting in the late spring of each year.

Chapter 12. References

1. [San Mateo City Charter](#), §2.03, 2.04, 2.12, Article VI
2. [Ralph M. Brown Act](#) (California Government Code, § 54950 et seq.)
3. California Government Code, § [53234](#) et seq.
4. [San Mateo Municipal Code](#)
5. [California Public Records Act](#) (California Government Code, § 6250 et seq.)
6. [AB 1234](#) California Government Code, § 53232.3
7. [Rosenberg's Rules of Order](#)



City Council Rules and Procedures

Adopted on August 17, 2015
by Resolution No. 82 (2015)

Amended by Council action on:
January 17, 2017, April 17, 2017, April 16, 2018, May 21, 2018, May 3, 2021,
February 22, 2022, October 17, 2022, April 1, 2024, and July 15, 2024

City of San Mateo Council Rules and Procedures

Table of Contents

Chapter 1. Purpose and Overview	3
Chapter 2. Authority of the City Council	4
Chapter 3. Key Governance Principles	5
Chapter 4. Duties	7
Chapter 5. Selection of Mayor and Deputy Mayor	10
Chapter 6. Council Member Conduct.....	12
Chapter 7. Meetings.....	15
Chapter 8. Meeting Agendas.....	20
Chapter 9. Financial Matters.....	23
Chapter 10. Communication	28
Chapter 11. Legislative	33
Chapter 12. Council Liaison Roles	36
Chapter 13. Boards and Commissions.....	39
Chapter 14. References.....	42

Chapter 1. Purpose and Overview

This handbook describes the way for the San Mateo City Council to conduct its business and the expectations for members, staff, and the public to operate and engage with each other and the community as a whole. It is a compilation of all Council-related rules and procedures that have been formally adopted by Council.

The purpose of these Rules and Procedures (Rules) is to set a standard of professionalism, civility, and decorum for the conduct of the City Council's business. San Mateo has a long and proud tradition of open government and civil, intelligent public discourse. These rules are intended to enhance public participation and Council debate so that the best possible decisions can be made for San Mateo.

Revisions to these Rules and Procedures

Amendments to these Rules must be approved by the City Council as a body and are subject to review and future modification as needed.

City Council Vision

The City Council's vision and strategic goals can be found on the City's website:

<http://www.cityofsanmateo.org/index.aspx?nid=167>

Chapter 2. Authority of the City Council

1. The City Council is the policy and lawmaking body of the City. State and local laws define the powers and responsibilities of the City Council.

2. General Authorities and Applicability

Charter section 2.12 and the San Mateo Municipal Code provide that the City Council shall determine its own rules and order of business. When not in conflict with the Charter of the City of San Mateo, or the Constitution, or laws of the State of California, these City Council Rules shall be in effect upon adoption by resolution of the Council.

3. Revisions to these Rules

The Council shall review and revise these Rules as needed.

4. Rosenberg's Rules of Order

To the extent these Rules do not address an issue of parliamentary procedure for legislative body meetings, Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century, shall apply.

Chapter 3. Key Governance Principles

In 2022, the City conducted its first by-district election for City Council members, with districts 1, 3, and 5 holding district elections in November 2022 and districts 2 and 4 to hold its first district elections in November 2024. This new election process changes how council members are elected, but not how they govern. It is the intent of the City Council to continue the practice of governing with a citywide perspective. The City Council acts as a body, not as individuals. An overriding principle is that all members of the City Council continue to serve all of the people of San Mateo.

Key Governance Principles

1. Serving the Entire Community

- A. The City Council wishes to remain united in its service to the community and will govern by considering the needs and interests of the community as a whole.
- B. Members of the City Council will continue to serve all residents, regardless of whether they live within their district. Members of the City Council may be responsive to requests from anyone in the community.

2. City Management and Governance

Professional management in a Council-Manager form of government will continue with all of the best management practices that the City Council currently receives.

3. Use of City Resources

- A. The City Council will strive to use taxpayer resources efficiently and effectively while providing consistent services for all residents. Resources will be allocated based on the City's long-term strategic plan and citywide considerations of service levels and financial capacity.
- B. Budget allocations and financial considerations will not be made based on districts.

4. Distribution of Council Duties and Events

Fair distribution of duties and assignments is a priority. Long-standing practices regarding invitations to members of the City Council to events and activities, appointments to committees and various bodies, and the process for board and commission appointments, will remain in effect.

5. Communications and Access to Information

- A. Council members will have equal access to information. Information necessary for the City Council to govern on a citywide basis will be shared with all City Councilmembers.
- B. Communication resources will be provided on a citywide and/or program-level basis with equitable distribution across districts, while being consistent with legal requirements prohibiting the use of public resources for campaign purposes

Chapter 4. Duties

1. Duties of the Council

- A. Refer to the Charter of the City of San Mateo for a detailed description of codified duties of the City Council.
- B. Disaster Responsibilities
 - 1. In the event of a disaster, the City Council holds the following roles:
 - a. Primarily, to make decisions that will enable emergency operations to continue effectively.
 - b. To assist in the conveyance of public information.
 - 2. Reference the “[Elected Officials’ Guide to Managing Disasters](#)” from the California Office of Emergency Services for a detailed description of the roles and responsibilities of Council Members in times of disaster.

2. Duties of Mayor

- A. To conduct meetings of the City Council as its chairperson.
 - 1. Ensure that consideration of items on the agenda move along without delay.
 - 2. Ensure that petitioners, proponents and opponents, are heard but not allowed to disrupt the meeting.
 - 3. Ensure that decorum and civility is maintained during the meeting.
 - 4. In presiding over matters where the public has provided comment or testimony and/or raised questions, the Mayor should:
 - a. At the end of the public comment period restate, if any, relevant questions raised from the public and direct questions or comments requiring a response to staff for a response.
 - b. Ensure that staff and members of the public direct their comments to the presiding officer and members.
 - c. Help keep Council Member questions and comments relevant to the matter being considered by the Council.

- d. Consider calling for a brief recess if orderly conduct of the meeting is being disrupted.
 - e. Announce the decision and vote of the Council on all items, this may occur with the assistance of the City Clerk, the City Manager, City Attorney, or key staff presenting.
- 5. To ensure that each member of the Council is provided an opportunity to completely express their views on items of business, the Mayor should:
 - a. Actively seek Council Member comments and ensure that Council Members ask to be recognized by the Mayor before speaking to maintain an orderly process on the dais.
 - b. Make sure that each Council Member has had a first chance at providing comments, before allowing a Council Member to make another statement – unless they are asked to clarify their prior statement.
 - c. Ensure that each Council Member is given the opportunity to fully express their views.
- B. To represent City Government as its chief elected official at community functions, events, meetings, and business outreach and retention visits.
- C. On behalf of the City Council, to officially welcome dignitaries, officials, and special event gatherings.
- D. To vote on behalf of the Council at regional meetings such as the San Mateo County Council of Cities/City Selection Committee, provided that the vote is not inconsistent with established policies or previously expressed Council consensus. This is expected protocol for any Council Member who represents the City on any regional bodies.
- E. To correspond on behalf of the Council on subjects, issues, and legislative proposals provided that opinions expressed on behalf of the Council or City Government are not inconsistent with established policies or previously expressed Council consensus.
- F. To vote as the City’s “voting delegate” at the League of California Cities Annual Conference and other similar meetings. This responsibility may be delegated to another Council Member by action of the City Council.
- G. To review the agendas of meetings of the City Council and participate in their preparation as necessary.

- H. To recommend Council Members for liaison positions on various boards, commissions and agencies. The Mayor's recommendations shall be discussed and confirmed by a majority vote of the Council and are subject to change.
- I. To serve as the City's primary media spokesperson in coordination with City staff. Appropriate City staff should always be alerted to media contact.
- J. Nothing under the Mayor's duties shall limit any individual Council Member's ability to interact with members of the public.
- K. The Mayor is still subject to all duties of Council Members as listed below in number 4.

3. Duties of Deputy Mayor

In the absence of the Mayor from the City or a Council meeting, the Deputy Mayor shall possess all powers of the office of the Mayor; and be subject to all prescribed duties for that office.

4. Duties of Council Members

- A. Arrive on time for all Council meetings.
- B. Review all meeting materials in preparation for Council meetings, and direct questions to staff (before meetings, whenever practical) if any item is unclear or clarification is needed.
- C. Alert staff in advance of the meeting whenever possible if an item is intended to be pulled off of the Consent Calendar or introduced under Reports and Announcements for future Council consideration.
- D. Fulfill the appointed and liaison assignments to internal and external agencies, legislators, and the City's boards and commissions, with all due diligence needed for the requirements of that particular assignment.
- E. It is the responsibility of all members to assist the Mayor in running an efficient and effective meeting by assisting with the orderly disposition of items, helping ensure all members are heard, participating fully in meaningful discussion and deliberation, keeping comments succinct, concise, civil and germane, and limiting repetitive comments. Council members are encouraged to hold their colleagues accountable for following these rules and do all in their power to contribute to the smooth running of a meeting for the community.
- F. All Council Members are asked to alert appropriate staff when receiving media inquiries.

Chapter 5. Selection of Mayor and Deputy Mayor

1. City Council reorganization, including rotation of the office of Mayor and Deputy Mayor occurs annually at the regular meeting in December.
2. The City Council believes that experience as a Council Member will assist those who are selected to serve as Mayor or Deputy Mayor, and that it is in the City's best interest that these selections be made in a manner that permits the Mayor and Deputy Mayor to gain that experience in cycles of governing and to acclimate themselves to the jobs, tasks, and roles prior to assuming their respective offices.
3. It is appropriate to base such succession on rotation and seniority according to the following:
 - A. Each Council Member has a specified position in the rotation sequence. In any year, the first person in the sequence is typically selected as Mayor, and the second in the sequence as the Deputy Mayor.
 - B. After serving as Mayor, that Council Member moves to the end of the rotation sequence, and the other four Council Members move forward.
 - C. When a Council Member is newly elected or appointed (as the result of a cancelled election), that new Council Member goes into the fourth position in the rotation, after all incumbents, but before the current outgoing Mayor.
 - D. If two or more Council Members are newly elected or appointed at the same time, the newly elected or appointed Council Members shall draw lots to determine their position relative to one another in the rotational sequence.
 - E. If a Council Member is appointed to fill a mid-term vacancy, that Council Member will go to the end of the rotational list.
 - F. Incumbent Council Members, when re-elected, do not begin anew at the end of the list, but rather retain their placement in the rotation.
 - G. If for any reason (death, resignation, recall, not seeking re-election, etc.) a Council Member is removed from the rotation, the remaining Council Members move forward in the sequence.
 - H. A Council Member may decline to serve as Mayor or Deputy Mayor. In this case, the office would pass to the next Council Member on the list. The Council Member who declined will drop back one position in the rotation.

4. When the Council reorganizes, the outgoing Mayor will nominate the Deputy Mayor to succeed him/her. The newly appointed Mayor will then nominate the next Council Member in the rotational sequence to serve as Deputy Mayor for the coming year.
5. The process described above shall guide the Council's selection of the Mayor and Deputy Mayor; however, a majority of the City Council retains the authority to disregard the process and select any member of the City Council for these positions.
6. The City Clerk shall keep a list outlining the rotational sequence and update it annually.

Chapter 6. Council Member Conduct

1. Council Members are committed to governing for all, striving to avoid any appearance of impropriety, and running our meetings with civility, decorum, and respect. With that spirit, San Mateo Council Members shall:
 - A. Govern as a body. If we work together well as a team, our City will excel.
 - B. Treat all with dignity, courtesy, and respect. This includes staff, each other, or members of the public, on and off the dais.
 - C. Keep confidential matters confidential.
 - D. Respect process and roles. This includes avoiding interruptions and distractions.
 - E. Agree to disagree in a respectful manner. We focus on the issue not the person.
 - F. Keep our comments clear, concise, and on-topic. This respects our colleagues', the public's, and staffs' time.
 - G. Give each other a chance to speak. Everyone gets to speak before another of us speaks for a second time. We refrain from dominating the discussion.
 - H. The Mayor normally speaks last. After other members of the Council have offered their opinions, the Mayor speaks. The Mayor can speak after each round of speaking by Council Members.
 - I. Be mindful of the impact of our words and tone. We consider this as we address each other, staff, and the public.
 - J. Promote discussion and resolution. We present problems and issues in that way.
 - K. Follow the agenda. We begin and end meetings on time.
 - L. Respect the City Charter, rule of law, and decisions once made. We do not attempt to undermine decisions.
 - M. Speak for the City only when specifically authorized.
 - N. Practice a "no surprises" rule. We give a heads up to the City Manager and City Attorney out of respect and teamwork.
 - O. Practice the principles of inclusivity and self-awareness to guard against implicit bias in our actions and decisions.

- P. Adhere to all federal, state, and local laws in the performance of their public duties, including conflict-of-interest laws.
 - Q. Pay close attention to the meeting and limit the use of electronic devices while on the dais, except as necessary to access agenda materials or respond to urgent personal matters.
 - R. When acting in a quasi-judicial capacity: keep an open mind, do not rush to pre-judge any matter, and be fair and neutral towards all concerned parties. This applies to statements that are verbal and written, including those post on social media. At the beginning of the hearing, disclose any ex parte communications (oral or written from one party outside of the hearing) and describe the nature and substance of the communication.
- 2. Council Members shall not participate as a volunteer in any of the City's operating departments.
 - 3. Council Members are subject to all the provisions of the City's *Harassment, Discrimination and Reasonable Accommodations for Disabilities Policy* (#301).
 - 4. Council Members shall complete ethics training as required by state law.
 - 5. Enforcement.
 - A. Where a Council member is allegedly not following the rules set forth in this Chapter ("Code of Conduct"), any concerned Council member is encouraged to resolve the matter on an informal basis through direct conversations, or by referral to the Mayor (or the Deputy Mayor if the Mayor's conduct is at issue) to privately counsel the subject Council member.
 - B. If the offense(s) continue, or if warranted due to the serious nature of an initial violation, two Council members may file a complaint regarding the conduct of another Council Member for an alleged violation of the Code of Conduct. The complaint shall be in writing and filed with the City Clerk, with a copy to the City Manager and City Attorney. A copy of the complaint shall be promptly provided to the Council. The City Clerk shall place the complaint on the next available City Council agenda for initial consideration. The Council member who is the subject of the complaint may include a written response to be included with the agenda packet or may verbally address the complaint at the Council meeting, or both.
 - C. At the meeting where the complaint is considered, a Council majority (3 votes) shall decide whether to (1) take no action, (2) reprimand the subject Council member and require them to promptly take ethics training (in addition to any training required by law), or (3) schedule the matter for a future hearing to consider a formal resolution of censure, revoke seniority and/or committee

assignments (both internal and inter-governmental), and/or restrict payment of expenses such as for official travel. Alternatively, the Council may direct the City Manager or City Attorney to investigate the matter, or to engage a third party to do so, and bring it back to the Council following completion of the investigation.

- D. If a Council majority (3 votes) directs the scheduling of a hearing, it should also appoint one or two Council members to draft a censure resolution to be included with the agenda packet. At the hearing, the Council member who is the subject of the complaint shall have the opportunity to rebut the allegations in the report either themselves or through a representative. The formal rules of evidence shall not apply, and the hearing shall be generally informal.
- E. At the close of the hearing, a Council majority (3 votes) shall decide whether to: (1) take no action, (2) issue a reprimand and require the Council member to promptly take ethics training (beyond what is required by law), or (3) adopt a censure resolution, revoke seniority and/or committee assignments (both internal and inter-governmental) and/or restrict payment of expenses such as for official travel. Any action taken by the Council is final and is not subject to appeal or reconsideration.

Chapter 7. Meetings

1. All Council decisions must be taken at City Council meetings only after hearing the presentation, project applicants, and hearing all public comments/testimony, then only under council discussion with colleagues should Council Member opinions be shared and deliberations engaged in before making any decision or taking action.
2. No business may be transacted by the Council at a regular or special meeting unless a quorum of the membership is present (50% plus one of those currently serving).
3. Council Meeting Dates
 - A. If at any time any regular meeting of the Council falls on a holiday, the regular meeting shall be held on the next business day or the earliest business day within a week.
 - B. Once a year, adopt a schedule of Council meetings for the following year identifying any regular meeting dates that need to move due to major holidays or other conflicts.
 - C. Meeting dates may be amended with the approval of the Council.
4. Types of Meetings
 - A. **Regular Meetings** are conducted at City Hall Council Chambers on the first and third Monday nights of each month. In July, August, and December, only one meeting is held during the month. The regular meetings are held not earlier than 6:30 pm. It is City policy to make every effort to complete and distribute the agenda and related reports by the preceding Thursday. For major complex projects and policies, the City will make every effort to distribute reports as early as possible before the meeting when the item will be considered.
 - B. **Special Meetings** are called at a non-regular meeting date and time. They are called by the Mayor or Council with a minimum of 24 hours' notice, versus 72 hours' notice for regular meetings.
 - C. **Study Sessions** are special meetings that are held for the purpose of providing information to the City Council, particularly on issues that are more complex or more time-consuming than matters typically scheduled on a regular City Council meeting. At study sessions, Council Members may state their individual responses and questions to the information provided and may collectively provide direction to City staff. No action is taken at the study sessions, but direction may be given.
 - D. **Closed Sessions** can be part of either special or regular meetings. The Council conducts its business in public to the greatest extent possible. State law recognizes

that public discussion of certain items could jeopardize the public interest, compromise the City's position, or cost the citizens of San Mateo financially, and, therefore; generally allows the City Council to hold closed session meetings for the consideration of certain personnel matters, labor negotiations, real property negotiations, matters of public security, and the discussion of litigation, among other things. These rules provide for strict confidentiality of City Council discussion as required by State law. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after an opportunity for public comment, are excluded.

- E. **Emergency Meetings** are allowed per the Ralph M. Brown Act when an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of the public's well-being.
- F. **Adjourned Meetings due to Power Outages.** In the event a quorum of the City Council loses electrical power or suffers an internet connection outage not corrected within 15 minutes, the meeting may be adjourned to a date certain. Any items noticed as public hearings will be continued to the next regularly scheduled meeting of the City Council. Any other agenda items the Council has not taken action on will be placed on a future agenda.

5. Voting

A motion, second, and a majority vote of the Council shall be required for any formal action of Council unless the law or charter require a different threshold.

6. The Mayor, with the approval of a majority of the Council, may change the order of hearing of items on the agenda. Staff may make suggestions on the order due to practical and logistical issues.

7. Public Participation

- A. Members of the public are encouraged and invited to participate in the legislative process by submitting written comments before the meeting or speaking in person or virtually when offered, at a meeting.
- B. It is the intent of these rules to allow everyone to be heard without fear of jeers or cheers that may discourage public participation. For this reason, these rules are taken seriously. Disruptive or unruly behavior may result in removal from the Council meeting.
- C. Public meetings are considered a limited public forum in which speakers must stay on-topic if speaking to a particular agenda item. If speaking during general public comment, they must address matters within the subject matter jurisdiction of the

City. If speakers fail to follow these rules, they will be warned, and if they continue to disregard the rules, their opportunity to speak will be ended.

- D. The Mayor may, at their discretion with Council concurrence, limit the amount of time allotted to speakers when needed, per the following time limits.
 - E. Generally, time limits for public comment are dependent on the number of speakers:
 - 1. Individual Speakers:
 - between 1 -10: 3 minutes
 - between 11-20: 2 minutes
 - over 21 speakers: 1 minute
 - 2. Organized group (in lieu of individual speakers of the group) – up to five (5) minutes, for a group presentation, as many speakers are allowed as fit in that time allowance.
 - 3. Yielding of Time. To ensure that all persons have an ample opportunity to be heard, all speakers will be recognized for the same amount of time. No speaker will be allowed to yield all or part of their time to another, and no speaker will be credited with time requested but not used by another.
 - F. Members of the public are invited to speak at the lectern microphone to ensure all attendees, in person and remote, can adequately hear comments, and so that it can be captured on the video recording.
 - G. Individuals who wish to speak should submit a speaker card to the City Clerk, or use the raise your hand feature virtually, to be called up at the appropriate time. The Clerk will announce the last opportunity to submit forms or raise hands and announce when the time has closed for public comment on any particular item.
8. Agendized Discussion Items (Public Hearings, New Business, Old Business)
- A. Staff / applicant presentation
 - B. Open public hearing (or public comment section) for testimony
 - C. Close public hearing (or public comment section)
 - D. Response by staff to public questions/concerns, if warranted
 - E. Council questions to applicant and/or staff

F. Council discussion and deliberation

G. Council votes

9. Appeals

A. Appeals are public hearings and will follow the order stated in #8 with the following time allocations:

1. Appellant – 15 minutes
2. Applicant – 15 minutes
3. Individual Speakers - as outlined in Section 7(D)1 above.
4. Rebuttal (Applies to Appellant and Applicant) – 5 minutes each
5. Clarification (Staff may offer explanation or clarification for the testimony)
6. If the appellant is also the applicant only one 15 minute presentation is allowed
7. Tenant Relocation Appeals Hearings – both the Landlord and the Tenant shall each be given 15 minutes to present, and each shall have a 5-minute rebuttal.

B. Appeals from decisions of the City's Boards and Commissions shall appear on the Council agenda for discussion. Council determines whether to affirm the action of the commission, refer the matter back to the commission, or reverse the decision.

C. Any person that addressed the Council during one of the fifteen-minute periods may not speak again during the public comment period for individual speakers on the appeal.

10. Items Considered after 11:00 p.m.

At 11:00 pm, in order to ensure effective discourse on an item, Council will determine with a majority vote whether to continue with an item or if they will take up any remaining unheard items.

11. Action Minutes

- A. The City Council shall use Action Minutes (action minutes contain very little, if any, narrative content) or light summary at the discretion of the City Clerk, to record their proceedings.
- B. Motions and votes are shown in the record.
- C. Media (audio/video) recordings will be used in order to provide a verbatim record of meetings as identified in the City's Records Retention Schedule.

12. Conflict of Interest

- A. The Political Reform Act (PRA), implemented, regulated and enforced by the Fair Political Practices Commission (FPPC), controls financial conflicts of interest.
- B. The other applicable law is Government Code §1090, which applies only to City contracts in which a public official has a financial interest.
- C. Whenever it appears to a Council Member they may have a prohibited financial interest in any City contract, or an item that may be presented to the City Council, the Council Member should consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists.
- D. If the City Attorney is consulted on such a matter, the City Attorney shall provide their advice in writing, and shall provide a copy of their opinion to the City Council, the City Manager, and the City Clerk.
- E. With full consideration of the City Attorney's advice, it is up to each individual Council Member to decide for themselves whether there is a conflict of interest.
- F. A member shall not vote upon any matter on which they have a conflict of interest.
- G. A member shall openly state the reason for their conflict of interest.
- H. A member who is disqualified by a conflict of interest shall recuse him/herself from the dais and leave the room unless it is during the Consent Calendar.

Chapter 8. Meeting Agendas

1. Agenda Order

City Council agendas will be prepared by the City Clerk and presented to the City Council in the order described below.

A. Opening

1. Pledge of Allegiance
2. Roll Call
3. AB 2449 Member requests to join virtually for Just Cause or Emergency Circumstances – vote is required

B. Ceremonial Matters

The presentation and receipt of ceremonial resolutions and celebrations not requiring formal legislative action. In order to ensure the business of the meeting can be handled timely, no more than three (3) items will be scheduled under ceremonial in any meeting.

C. Consent Calendar

All matters listed under the Consent Calendar are considered by the Council to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed by a Council Member and considered separately. Members of the Public may speak to any Consent Calendar item without the item being pulled.

D. Public Comment

Members of the public wishing to comment on any item not appearing on the agenda may address the City Council at this time. State law prevents Council from taking action on any matter not on the agenda. Comments may be referred to staff for follow up. Public comment is limited to a total of 15 minutes unless Council by majority extends the total time; however, an opportunity for additional public comment may be provided later in the agenda, if needed. Timing as per Chapter 7 E(1) of these Rules.

E. Public Hearing

Duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the Council.

F. Old Business

Non-routine items that have been presented before that require further oral presentation and/or discussion before action is taken.

G. New Business

Non-routine items requiring an oral presentation and discussion before action is taken.

H. Reports and Announcements

City Manager, City Attorney, and Council Members, report on their various assignments and liaison roles, and Council Members may make individual requests to schedule future items for consideration. A majority vote or consensus of Council is required to place a request on a future agenda. If a Council Member is going to make a request to agendaize an item, such as a resolution of support that they have proposed wording for, or a sample copy of a proposed resolution, that item should be sent to the Clerk for distribution to members no later than the time of the agenda packet issuance and in advance of the meeting in order to give the other Council Members adequate time to review and determine if it is something they would like to support.

I. Additional Public Comment (if needed)

J. Adjourn

2. Agenda Item Submission

A. Persons who can place matters on the agenda: City Manager or City Attorney

B. Council Member:

1. A Council Member may request an item be considered on a future agenda. Before the decision is made, staff will provide information on how much staff time is estimated to be required to produce the agenda report. Then with a majority vote or consensus of Council, staff will prepare an agenda report and place the item on a future agenda.
2. Council Members may make this request verbally during a meeting or may submit a written request.

C. Members of the Public

1. A member of the public may request Council action in the following ways:

- a. Write a letter or email to the City Council
 - b. Speak during the Public Comment period at a City Council meeting
 - c. Attend annual Council goal setting meeting and provide input
2. Upon agreement of a majority of the City Council, Council will determine whether to place an item requested by the public on a future agenda.

Chapter 9. Financial Matters

1. Council Member Compensation

- A. State law sets the overall level of compensation for City Council Members (California Government Code § 36516).
- B. Compensation of Council Members is set by Resolution (see the San Mateo City Charter, [Section 2.03 Compensation](#)).
- C. Council Member benefits are established in San Mateo City Charter, [Section 2.04 Benefits and Expenses](#).
- D. A full explanation of Council Member compensation is available on the City's [website](#).

2. City Council Expense Reimbursement Policy

A. Authorized Expenses

- 1. 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 matters of interest to the City.
 - b. Meeting with City staff on matters relating to City business.
 - c. Attending educational seminars designed to improve officials' skill and information levels.
 - d. Participating in local, regional, state, and national organizations whose activities effect the City's interests; however, a member of the City Council shall not accept an elected or appointed position that would require anticipated costs to the City of more than \$100 annually without City Council approval.
 - e. Recognizing the service to the City (for example, thanking a longtime employee with a retirement gift of nominal value).
 - f. Attending fundraising events for nonprofit entities providing services of benefit to the City and/or its residents.
 - g. Attending City events.

- h. Implementing a City approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member.
- 2. All other expenses require prior approval by the City Council.
- 3. The City will not reimburse the following expenses:
 - a. The personal portion of any trip.
 - b. Political contributions or events.
 - c. Family expenses, including partner's expenses when accompanying official on agency-related business.
 - d. Entertainment expenses, such as movies, sporting events, or cultural events.
 - e. Non-mileage personal automobile expenses, including repairs, citations, insurance or gasoline.

B. Cost Control

To conserve City resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. If expenses are incurred that exceed these guidelines, the cost borne or reimbursed by the City will be limited to the costs that fall within these guidelines.

1. Airfare

Airfares that are equal to or less than those available through the League of California Cities, the California State Association of Counties, and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. If no discounted airfare is available through these entities, then the most reasonable and economical airfare possible should be utilized.

2. Airport Parking

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

3. Automobile

Mileage shall be reimbursed at IRS rates presently in effect (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses. In addition, drivers

may be reimbursed for bridge and road tolls. For rental vehicles, only receipted fuel expenses will be reimbursed.

4. Car Rental

Rental rates that are equal or less than those available through the State of California's website [Car Rental Resources for State Travel](#) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

5. Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

6. Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for City business.

7. Lodging

Council members are expected to select the most cost-effective and logical lodging available, including utilizing the lodging at the conference/training site, if available. If there is not specific lodging associated with the official City business, the City shall pay for actual lodging expenses up to the United States General Services Administration (GSA) maximum rate allowed by location ([Per Diem Rates | GSA](#)). This maximum applies to the room rate only and does not include any taxes or fees. Government rates for lodging are often available and should be sought. The City will pay only for standard single rooms, including taxes and fees, for individual Council members, and any additional nonbusiness expenses incurred will be paid by the Council member.

8. Meals

The City will pay for a Council member's meals during authorized, required travel up to the per diem amount ([Per Diem Rates | GSA](#)). If meals are included in the cost of a conference or training, the City will not pay for a meal that an employee elects to purchase from another source. Unlike lodging, using the per diem methodology for meals that is limited to the

GSA amount eliminates the need for employees to submit receipts. Thus, the Council members only need to report the per diem amounts in the expense report, but not the actual receipts. This only applies to meals, as all other travel expenses require a receipt to substantiate the purchase.

When the meal function is an organized event, the official or employee shall be reimbursed the amount being charged by the event organizer for the meal. The City will not pay for alcohol/personal bar expenses.

9. Taxis/Shuttles

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency.

10. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business.

11. Transportation

Officials traveling on City business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

C. Expense Reports

1. Expense reimbursement requests must be submitted on an expense report form provided by the City. Reports must document how the expenditure met the requirements of this policy.
2. Expense reports must be submitted within 30 days of an expense being incurred; and must be accompanied by receipts documenting each expense.
3. Expense reports are a public record.

D. Audits of Expenses

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

E. Reports on Meetings

Each official shall briefly give an oral report on any Brown Act meetings they attended for which they receive expense reimbursement at their next City Council, Board, or Commission meeting.

F. Violation of this Policy

Under state law, use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

Chapter 10. Communication

1. All communications are public records.

All letters, memoranda, email communications, texts and other social media platform writing involving City Council Members and members of boards, commissions, committees, and task forces, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records.

2. The Council, in adopting this policy, does not waive attorney-client privilege or any other privilege associated with a closed session authorized under the Ralph M. Brown Act.

3. Ralph M. Brown Act

Each Council Member should be mindful of all of the requirements of the Brown Act in communicating with each other.

4. Mail Processing

- A. Members of the City Council may receive mail and other materials through City Hall.
- B. City Clerk staff open all incoming mail for the Mayor and Council Members, unless it is labeled personal and confidential.
- C. City Clerk's Office staff disseminate these materials to individual Council Members. City Staff will scan and email correspondence.
- D. General correspondence addressed to Council Members as a whole will be opened and delivered to all Council Members. A correspondence addressed to a single Council Member on a topic that is the subject matter jurisdiction of the city and/or due to come on an upcoming agenda will be shared with all Council Members.

5. Correspondence

- A. The City Clerk is authorized to receive and take administrative action on all correspondence directed to the City Council. The City Clerk may also respond to correspondence submitted to the full City Council on non-agenda items or authorize a staff member to respond. A courtesy copy is provided to each Council Member.
- B. Generally, correspondence relating to a specific City Council agenda item shall be distributed with the agenda report; correspondence received after the publication of the agenda packet will be compiled and distributed to the City Council prior to

the City Council meeting (known as a Dais packet). This additional correspondence is appended to the Agenda Report as public comment on the public meeting portal and in the records repository permanent record. Any further correspondence received between posting of the Dais packet and until the end of when the item is heard, will also be appended to the Agenda report as supplemental correspondence.

- C. After the City Council has taken a position on an issue, official correspondence should reflect this position. While Council Members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official City Council title, and staff support should not be utilized.
- D. City letterhead, logo, insignia and brand, as well as staff support, cannot be utilized for personal or political purposes, See also Section 12 of this Chapter.

6. Electronic Communication Record Retention

- A. All emails sent and received through the City server are saved for at least three years on the City's network and are subject to the Public Records Act.
- B. Communications on social media sites are saved for at least two years.
- C. Text messages sent on any City-provided device are saved for at least two years.

7. Social Media Use as a Council Member

Social media are internet-based platforms that allow for interactive communication and engagement with the public. For example, these may include (without limitation): Facebook, X (formerly Twitter), Instagram, YouTube, TikTok, Snapchat, Nextdoor, blogs, etc.

The City's image as a professional organization is critical to maintaining the respect of the public, and members should use discretion when posting or communicating on social media. If Council Members choose to maintain and use personal social media accounts to conduct City business, they must follow current federal and state regulations, as well as Council and City policies.

- A. Brown Act: Social media postings may turn into an interactive dialogue. The Brown Act has expanded to provide guidance on elected officials' use of media platforms that are free of charge and open and accessible to the public.
 - 1. Permitted Uses: You may answer questions, provide information to the public and solicit information from the public about city business; share a City post to your Council Member site; and tag other elected officials in a post.

2. Prohibited Uses: A majority of the members may not use social media to discuss agency business and a member may not respond directly to any posting by another member regarding agency business including no 'likes' 'thumbs up', 'emojis' or other symbols.
- B. First Amendment: Councilmember social media platforms can become public forums subject to First Amendment requirements. If a social media platform is 1) used for City business and 2) has interactive features that are accessible to the public without limitation, it is a public forum. The City's Social Media Policy contains rules for public participation and addresses what will constitute unacceptable content. In general, officials may not block a member of the public from their social media sites if those sites have become public forums. If unacceptable content appears on a site that has become a public forum, please consult with City staff.
- C. Public Records: Members are prohibited from deleting social media posts and related comments regarding any City-related matters to avoid violating the California Public Records Act. Social media is subject to the City's record retention schedule.
- D. Best practices: Officials should be honest and accurate when posting information or news, especially when communicating during a crisis or emergency. Any mistakes, misstatements and/or factual errors must be corrected quickly upon discovery. News of citywide importance should first be announced by the official City-affiliated accounts then can be reshared by Council Members. Unless the member has been designated to serve as a spokesperson, members should never represent themselves as a spokesperson for the entire Council or City. Members should be mindful of recognizing that accomplishments of the City or Council are achieved by collective action of the entire body or organization, not by any individual council member.
- E. Quasi-Judicial Capacity: see Chapter 6 (Council Member Conduct) for rules addressing the use of social media when Council Members are acting in a quasi-judicial capacity.
8. Written Communications for Council Meetings
 - D. The deadline for the receipt of written communications for inclusion in the agenda packet is up to 4:00 pm the Wednesday before the Council meeting. This is to allow for adequate staff review and analysis, and to ensure public access to information, all plans, correspondence, and other documents supporting any item being heard by the City Council.
 - E. To be included in the Dais packet, communication may be received up until 4:00 pm the day of the scheduled meeting.

- F. Materials distributed to Council Members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Council Member, or at the conclusion of the meeting if prepared by another person.
- G. If a Council Member receives materials regarding an agenda item, they shall forward it to the City Clerk and the City Manager as soon as possible.
- H. If late correspondence is received, the City Council will determine at the meeting whether to continue or refer the item to the appropriate Board and/or Commission if significant changes to a project, or significant new information has become known.

9. Council Communication to Boards and Commissions

- A. Council Members should be mindful not to unduly influence—through their attendance—the decision at a Board or Commission meeting so as to protect the independent process of that body.
- B. It is not appropriate for a Council Member to make public comments at a Board or Commission meeting.

10. Council – Staff Relations

- A. Individual Council Members may make requests of City staff through the City Manager or Department Head for limited research and information without the formal concurrence of a majority of the members' colleagues. Requests that will require significant staff time may be referred to the full Council and only pursued if supported by a majority of the Council.
- B. Council Members are encouraged to submit their questions on agenda items to the City Manager or Department Head (including copying the City Manager) as far in advance of the meeting as possible so that Staff can be prepared to respond at the Council meeting.
- C. Council Members should direct any questions on agenda reports to the City Manager or their designee, usually the staff member presenting.
- D. Clarifications or technical questions will be answered before the meeting whenever possible.
- E. Questions and all staff-prepared responses will be forwarded to all Council Members.

11. Speaking for “the City”

Similar to written correspondence, when Council Members are requested to speak to groups or are asked the City Council's position on an issue, the response should reflect the position of the City Council as a whole. Of course, a member may clarify their vote on a matter by stating, for example, "While I voted against X, the City Council voted in support of it." When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual member.

12. Speaking as an Individual

On occasion, Council Members may wish to transmit correspondence on an issue upon which the City Council has yet to take a position or about an issue for which the City Council has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the City Council as a whole, but for themselves as an individual member of the Council. City letterhead and office support may be utilized in these circumstances, except it may not be used for personal or political purposes (see also 5(D) of this chapter).

Chapter 11. Legislative

1. Council Legislative Committee

- A. It is the policy of the City Council that the Council be involved in the development of the City's position on significant pending federal and state legislation that may directly impact the City of San Mateo.
- B. The offices of Mayor and Deputy Mayor are the Council's Legislative Committee.
- C. The Legislative Committee may meet annually or as needed to draft the City's legislative priorities; and shall meet when necessary to develop recommendations for the City's position on legislative matters.
- D. Pending legislation for consideration by the Legislative Committee can be submitted to the Committee by a Council Member, City Manager, or by a Commission Staff Liaison if a majority of their commission voted in favor of submission to the Legislative Committee.
- E. The Committee's recommendations shall be presented to the City Council for its consideration; if there is a pressing and urgent need to comment on pending legislation and getting approval in a City Council meeting is not practical, the Legislative Committee may take immediate action to communicate with legislators and copy the entire City Council on the communication and provide a brief report of action taken under Reports and Announcements at the next City Council meeting
- F. The Council shall direct the Mayor or other City official to communicate the City's position on legislative matters to the appropriate legislative bodies.

2. Ceremonial Matters

- A. There are several different types of action the Council may take to provide recognition or express appreciation:
 - 1. Certifications of Appreciation or Recognition

Commendations typically issued to acknowledge the activities of a person or organization. These certificates may be issued by any member of the Council without formal action. Examples of traditional recipients would include departing Board and Commission Members, high school students with 4.0 grade point averages, Chamber of Commerce Outstanding Businesses Awards, recognizing Eagle Scouts, winners of local art or speech contests, etc.

2. Commendatory Resolutions

Typically used to handle matters requiring some type of formal memorialization such as the retirement of a long-tenured employee, or outgoing Mayor or Council Member. These are not voted on like a standard Resolution of Council action would be.

3. Proclamations

Public announcements directing attention to a person, organization, or event. Proclamations will be issued subject to the policy described below.

B. Preparation of City Proclamations

1. It is the policy of the City Council to issue proclamations for certain events or causes, when such a proclamation positively impacts the community and conveys an affirmative message to residents. Examples of causes for which proclamations are regularly and routinely issued include, but are not limited to: notable accomplishments by citizens, youth groups, schools, local organizations, non-profit groups, and local events that deserve special recognition. Discretion should be used in determining whether or not to issue a proclamation. Proclamations that are political in nature, are controversial, or that likely would not enjoy a high level of community interest and support, are discouraged.
2. It will be the policy of the City Council to process requests for proclamations in the following manner:
 - a. The City Clerk will review the request with the Mayor.
 - b. If the Mayor determines that the proclamation request is consistent with the policy stated above, the Mayor will direct the City Clerk to prepare the proclamation and the proclamation will be issued.
 - c. If the Mayor determines the proclamation request is not consistent with the policy stated above, the request will be routed to the other Council Members to determine if there is interest in issuing the proclamation.
 - d. If a Council Member has interest in issuing the proclamation that the Mayor determined was not consistent with this policy, that Council Member will sponsor the item and shall be responsible for drafting the language to be contained in the proclamation. The sponsor Council Member shall provide the draft proclamation language to the City Clerk.

- e. Upon receipt of the draft proclamation language, the City Clerk will place the item for consideration to considering issuing the proclamation on the Consent Calendar at the next available meeting. The proclamation will be issued upon a majority vote of the Council in support of issuing the proclamation. Depending on the nature and time-sensitivity of the request, the Mayor and Deputy Mayor can act without full formal concurrence of the Council when the situation warrants.

Chapter 12. Council Liaison Roles

1. The City Council will collectively review and approve liaison appointments. The recommended appointments will, to the best of the Council's ability, attempt to match the requested positions with the needs of the respective body and the experience of the Council Member, while also attempting to equitably balance the distribution of assignments.
2. It is generally suggested that newly elected Council Members undertake a limited number of assignments during their first year, to allow opportunity to gain familiarity with the obligations and expectations of the role.
3. The assignment of City Council liaisons is conducted annually according to the following process:
 - A. Following the reorganization in December, the City Clerk will distribute a memo to each Council Member which will include a list of potential liaison assignments.
 - B. Each Council Member will complete the list in a manner which prioritizes the assignments of interest to them; and will submit their list only to the City Clerk in December.
 - C. The ranking process uses the following methodology:
 1. Top priority = I really want this (please mark at most only two #1s)
 2. This is something I would like to have
 3. I'll take this one for the team
 4. I do not want (perhaps the meeting timing does not work for you)
 - D. The City Clerk will assemble responses into a table and provide it to the Mayor. The Mayor uses the following additional criteria to make assignments: Continuity assignments remain with the assignee unless the member is opting to step down from the role (see section 5 below); assignments will be assigned by highest priority desired with 1's first, 2's second etc.; in case of ties, overall balance and then seniority will be taken into account. For example, did the Council Member get their other first choice? Does the Council Member have other "plum" continuity assignments; ideally, everyone will get at least one of their top priorities; and the Council Member does not need to use their top rankings to hold onto continuity assignments.
 - E. In the event that a liaison has not been identified for each commission, the Mayor will divide any remaining liaison positions amongst the Council, attempting to equitably balance the distribution of the assignments and associated workload.

- F. The Mayor, working with the City Manager and City Clerk, will utilize the responses to present an Agenda Report and conduct a discussion at the first meeting in January regarding the liaison appointments.
 - G. The Mayor and Deputy Mayor have traditionally been assigned to the following bodies:
 - 1. City Council Legislative Committee - ordered by Resolution 158 (1981)
 - 2. City Budget and Audit Committee
 - 3. Planning Commission
 - 4. Council of Cities – City Selection Committee (Mayor with Deputy Mayor as alternate)
 - 5. Honorary Chair of Sister Cities Association (Mayor)
 - H. The City Clerk shall maintain a list of all such appointments. The final liaison list will be distributed to all Council Members and posted on the City’s website.
4. Liaison to the City’s Boards and Commissions
- A. Each of the City’s Boards and Commissions has a Council Member who serves as its Council liaison.
 - B. Council Members should act as an advisor and resource to commissioners and the commission’s staff liaison when issues regarding process, procedure, attendance, interpersonal or public relations arise.
 - C. The Council liaison serves on the Appointment Subcommittee for the Commission to which they are assigned. In the event the Mayor is serving as the commission’s liaison, the minimum subcommittee shall consist of the Mayor and Deputy Mayor.
5. Continuity Appointments to External Agencies
- A. The City Council has identified certain appointments for which there is a strong need and desire for consistency and continuity in terms of Council participation and representation. The Mayor will maintain the current Council Member assigned as liaison to that body. The Council will have an opportunity at its annual review to see if a supplemental designation is needed due to changing conditions or if new bodies have been added to the list. All continuity appointments should also have an alternate assigned, so a member can be ready to take over the role if needed.
 - B. Liaison appointments to these bodies would not annually be reassigned to another Council Member, as this would not provide the desired consistency. If it became necessary to reassign the liaison for one of these bodies as the result of a vacancy or other reason, the liaison role would not typically be assigned to a newly elected Council Member. A Council Member with an interest in serving as liaison to any of

these continuity bodies should confer with the current representative; and consider acting as an alternate or “shadowing” the current liaison for a time to learn more about the body’s functions and duties.

- C. If a Council Member who is assigned as liaison to one of the aforementioned bodies anticipates leaving office, every effort should be made to mentor another Council Member so that those critical relationships can continue uninterrupted.

6. Council of Cities Appointments

- A. In the case of appointments made by the regional Council of Cities - City Selection Committee, upon receipt of the City Selection Committee agenda packet listing all positions and nominees to be voted on, if time allows, the City Council may schedule a special meeting prior to the Council of Cities meeting to discuss and agree upon preferred appointees. This will allow the Mayor, or their proxy, to have clear direction on whom to vote for that reflects the best interest of the City. If scheduling a meeting is not practical, the Mayor and Deputy Mayor may confer on the vote. In the case of nominations from the floor at the City Selection voting meeting, the Mayor, or their proxy, will vote their conscience based on the feedback previously given by the City Council as a whole. In December, every year upon the Mayor’s rotation, a standing proxy shall be filled out and filed with the City Selection Committee for the year naming who may vote in the Mayor’s absence. The Deputy Mayor will be given first priority followed by any Council Member who has the most latitude and ability to attend the meetings.

Chapter 13. Boards and Commissions

1. Refer to the San Mateo [City Charter Article VI](#) on Boards and Commissions.
2. Council Members should refrain from participation at Board and Commission meetings to avoid influencing the outcome of those meetings.
3. Reappointments, Vacancies, and Appointments
 - A. The City Clerk's Office manages the Boards and Commissions (hereafter referred to as "Commission" for ease of reference) application process. The process begins with the Clerk contacting members who are eligible for appointment to a second term and finding out their interest in reappointment.
 - B. The City Clerk then shares the results with each appointment subcommittee and receives direction on the need to schedule an agendaized appointment subcommittee meeting to provide direction on reappointments. The default is that currently serving Commissioners will each be interviewed for reappointment. However, if it is determined that a Commissioner's performance is outstanding, or that other factors necessitate keeping them in their role, then an automatic reappointment can occur with a majority vote or majority consensus of the City Council. Any Commission seat selected for re-interviews, means the seat will be processed as part of the full annual recruitment and the currently sitting commissioner may be interviewed along with other applicants.
 - C. The City Clerk recruits for all open seats utilizing multiple avenues including: advertising, website, social media, and networking lists to present qualified candidates to the Council for consideration.
 - D. The interview and selection of candidates is an open process.
 - E. The City Clerk receives the applications (ideally a minimum of three applications is sought for each vacant seat) and arranges for the appropriate subcommittee, in a noticed special meeting, to interview applicants and form their recommendation.
 - F. Commissioners, Board and committee members (hereafter referred to as "Commissioners" for ease of reference) are appointed by a majority vote of the City Council and serve staggered terms.
 - G. An "Appointment subcommittee" may include up to five City Council members. The City Council shall appoint the members of the Appointment subcommittee. As a minimum, the Appointment subcommittee shall include and a quorum shall be established as: 1) the Mayor (or their Council designee) and the Council liaison to the Commission. The Department Head affiliated with that Commission shall participate as a non-voting member of the Appointment subcommittee.

- H. Except when reappointment is recommended, or an established eligibility list is used, the Appointment subcommittee shall conduct candidate interviews and make a recommendation for Council approval. Interviews shall be conducted in a noticed public meeting with at least a quorum of the Appointment subcommittee present.
- I. At the conclusion of an Appointment subcommittee's interviews of candidates, and the agreement on the recommended candidate, the appointment subcommittee may then designate up to two applicants who would be considered for listing on the eligibility list for a six-month period. The eligibility list is then ranked according to preferred next seating to a Commission vacancy. The list is only established with the full agreement of the Appointment subcommittee. It is not a requirement that an eligibility list be established if there are not applicants that are deemed qualified. This list may be used for automatic next appointments in the event of an unscheduled vacancy, the next person on the eligibility list would be submitted as the recommended candidate from the Appointment subcommittee on the next City Council regular meeting Consent Calendar.
- J. The full Council will receive the Appointment subcommittee's recommendation and the full list of candidates for each opening.
- K. The Appointment subcommittee recommendations for new and reappointed Commissioners are confirmed by Council under the Consent Calendar at regular Council meetings. An agenda report summarizing the Subcommittee's recommendations, including the full list of candidates reviewed for each opening, will be provided to the full City Council. Council may adopt the recommendations as presented or pull the item for further discussion. The City Council can consider for appointment any of the candidates interviewed.
- L. A majority vote of Council approves the appointees.
- M. Commission recruitment begins annually in the month of March, and completes in May, in order to ensure continuity on commissions before terms end June 10th.
- N. **Unscheduled Vacancies**
 - 1. Subject to the Maddy Act (California Government Code § 54970), if an unscheduled vacancy occurs on a commission, the Council may either appoint from the pool of applicants on file (the eligibility list if there is one available) or open up the position to new applications where the above process is followed.
 - 2. For such non-routine vacancies, the announcement for new applications is made as soon as possible in order to maintain viable memberships on the various boards and commissions.

3. All appointments occur in an open public meeting.

O. Youth Activities Council (YAC) Selection Process

The YAC is not appointed directly by the City Council but through an application method administered by the Parks and Recreation Department. High school students from all of the City's public high schools, as well as Junipero Serra High School and Nueva Upper School, are recruited for potential participation starting in the late spring of each year.

Chapter 14. References

1. San Mateo City Charter, §2.03, 2.04, 2.12, Article VI
2. [Ralph M. Brown Act](#) (California Government Code, § 54950 et seq.)
3. California Government Code, § [53234](#) et seq.
4. San Mateo Municipal Code
5. [California Public Records Act](#) (California Government Code, § 6250 et seq.)
6. [AB 1234](#) California Government Code, § 53232.3
7. [Rosenberg's Rules of Order](#)
8. Emergency Guide for Elected Officials



Boards and Commissions

Rules and Procedures

Adopted on August 17, 2015
by Resolution No. 82 (2015)
Amended by Council Action on:
January 17, 2017, April 17, 2017, April 16, 2018, May 21, 2018, May 3, 2021,
September 6, 2022 and April 1, 2024

City of San Mateo, Boards and Commissions Rules and Procedures

Table of Contents

Chapter 1.	Purpose and Overview	3
Chapter 2.	Commission Authority.....	4
Chapter 3.	Governance Principles.....	7
Chapter 4.	Duties	8
Chapter 5.	Selection of Chair and Vice Chair	12
Chapter 6.	Commissioner Conduct	13
Chapter 7.	Meetings	16
Chapter 8.	Meeting Agendas	21
Chapter 9.	Financial Matters.....	24
Chapter 10.	Communication	28
Chapter 11.	Boards and Commissions Selection Process.....	32
Chapter 12.	References.....	34

Chapter 1. Purpose and Overview

This manual describes the way the City of San Mateo's Boards and Commissions do their business. It is a compilation of all Board and Commission (hereafter referred to as "Commission" for the sake of brevity) rules and procedures that have been formally adopted by Council. These Rules and Procedures ("Rules") supersede individual Commission bylaws.

These Rules are intended to enhance public participation and debate so that the best possible decisions can be made for San Mateo. These Rules set a standard of professionalism, civility and decorum for the conduct of the City's business. San Mateo has a long and proud tradition of open government and civil, intelligent public discourse. These rules, which must be approved by the City Council as a body, are subject to review and future modification by the City Council as needed.

Appointed Board and Commission members are expected to understand and comply with these Rules and Procedures. Failure to comply with the rules and procedures outlined in this document may be cause for removal from the appointed position.

Amendments to these Rules are made and approved by the City Council as a body; and are subject to review and future modification as needed.

Chapter 2. Commission Authority

1. Commission Authority, Generally

- A. The primary role of City commissions is to increase public input and participation in the determination of City policies and some programs.
- B. The specific role of a City commission is to review and make recommendations to the City Council on matters within its scope of responsibility as defined in the Charter or Municipal Code. The commissions are basically a citizen's advisory arm of the City Council, although certain commissions, such as the Planning Commission, may take final actions in certain prescribed areas.
- C. Most importantly, the commission serves as a vehicle for public input into City programs and policies referred to it by the City Council or brought to its attention by staff.
- D. The commission also serves to reduce the reevaluation of these matters before the City Council.
- E. On the specific matters referred to it by the City Council, the commission serves as the principal reviewing body of the City.
- F. Commissions adhere to the City Council's policies on the programs under their scopes of interest.
- G. Commissions serve to represent the general interests of the entire City and not specific program areas or specific interest groups.
- H. Commissions are encouraged to express their views on issues, projects, or policies brought to them by the City department.
- I. As further described below, the Planning Commission has a distinct role with the City in that it makes decisions and recommendations to the Council on land use matters. These include development applications submitted by project proponents.

2. Applicability

The complete scope of responsibilities for each commission is identified either in the Charter or in the City's Municipal Code and will be provided by the Departments supporting the commission. When not in conflict with the Charter of the City of San Mateo, or the Constitution or laws of the State of California, these Commission Rules and Procedures ("Rules") shall be in effect upon adoption of the Council.

3. Authority of Each Board / Commission

The authority of the City of San Mateo's Boards and Commissions are described in the San Mateo City Charter Article VI, as well as its Municipal Code Title 2 Administration and Personnel in Chapters 2.15, 2.21, 2.24, 2.26, 2.27, 2.28, 2.29 and 2.57.

A. Library Board:

The Library Board oversees the Library department's policies and accepts in the name of the City money, personal and real property donated for Library purposes.

B. Personnel Board:

The Personnel Board hears appeals submitted by any person in the competitive service relative to any disciplinary action, dismissal, demotion, charge of discrimination, or alleged violation of [municipal code chapter 2.57](#), and to certify its findings and recommendations as provided in the personnel system rules.

C. Community Relations Commission (CRC):

The CRC addresses a broad spectrum of social issues and related policy and provides oversight for Federal grant programs that implement public services, housing, and community development programs. It is also the hearing and appeals board for Code Enforcement related cases.

D. Park & Recreation Commission:

The Park and Recreation Commission makes recommendations to the City Council on acquisition, development, beautification and maintenance of public parks, landscape resources, public recreation facilities, budget, and programs of park and recreation activities.

E. Planning Commission:

The Planning Commission hears requests and makes decisions and recommendations on land use projects. This body also recommends policy changes to the City Council.

F. Senior Citizens Commission:

The Senior Citizens Commission encourages, fosters, and facilitates programs for the enhancement of all matters relating to the social, economic, and personal well-being of the senior population.

G. Sustainability and Infrastructure Commission

The Sustainability and Infrastructure Commission was established in 2018, consolidating the Public Works Commission and Sustainability Commission into one commission. It is the duty of the Sustainability and Infrastructure Commission to advise on policies and programs related to environmental sustainability, transportation and infrastructure.

H. Investment Advisory Committee (IAC):

The IAC serves as an administrative advisory committee to the City Manager. The IAC provides added insight and an independent perspective on the City's investment policies and practices.

I. Youth Activity Council (YAC):

The Youth Activity Council provides experiences and opportunities for the youth and young adult population by: providing safe and enjoyable activities; creating community through special events; enhancing leadership and decision-making skills; providing service learning experiences; practicing civic participation and empowering our youth's voice with our decision makers.

4. Rosenberg's Rules of Order

To the extent these Rules do not address an issue of parliamentary procedure for legislative body meetings, Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century shall apply.

Chapter 3. Governance Principles

In alignment with the City Council governance principles, each Board and Commission acts as a body, not as individuals. Commissioners understand and acknowledge the City is run on a Council-Manager form of governance and will respect professional staff's role and the City Manager as leader of the City organization's operations. Commissioners should be aware of and mindful of the impact of requests on limited staff resources.

Chapter 4. Duties

1. Duties of the Chair

- A. All City commissions elect a presiding officer, known as a chairperson for a one-year period.
- B. The Chair sets the tone for the entire meeting.
- C. To conduct meetings of the Commission as its chairperson efficiently:
 - 1. Ensure that consideration of items on the agenda move along without delay.
 - 2. Ensure that petitioners, proponents, and opponents are heard but not allowed to disrupt the meeting.
 - 3. Ensure that decorum and civility is maintained during the meeting.
 - 4. In presiding over matters where the public has provided comment or testimony and/or raised questions, the Chair should:
 - a. At the end of the public comment period, restate, if any, relevant questions from the public.
 - b. Direct questions or comments requiring a response to staff for a response.
 - c. Ensure that staff and members of the public direct their comments to the chair and commission members.
 - d. Help keep Commissioner comments and questions relevant to the matter being considered by the Commission, and schedule non-agenda topics for subsequent meetings, where necessary and if agreed upon by the Commission during Reports and Announcements.
 - e. If necessary, consider calling for a brief recess if the orderly conduct of the meeting is being disrupted.
 - f. Ensure that the decision and vote of the Commission on all subjects is announced. This may occur with the assistance of the City Clerk, Staff Liaison or commission clerk.
 - 5. To ensure that each member of the Commission is provided an opportunity to completely express their views on items of business, the Chair should:

- a. Actively seek commission member comments and ensure that Commissioners ask to be recognized by the Chair before speaking to maintain an orderly process on the dais.
 - b. Make sure that each commission member has had a first chance at providing comments, before allowing another commission to make additional statements – unless they are asked to clarify their prior statement.
 - c. Ensure that each commission member is given the opportunity to fully express their views.
 - D. To correspond on behalf of the Commission, provided that opinions expressed on behalf of the Commission or City Government are consistent with the consensus of the Commission.
 - E. Nothing under the Chair’s duties shall limit any individual Commissioner’s ability to interact with members of the public.
2. Duties of Vice Chair

In the absence of the Chair from the Commission meeting, the Vice Chair shall possess all powers of the Chair and be subject to all prescribed duties for that position.

3. Duties of Commissioners

- A. Arrive on time for all Commission meetings.
- B. Review all meeting materials in preparation for Commission meetings, and direct questions to staff (before meetings, whenever practical) if any item is unclear or clarification is needed.
- C. Alert staff in advance of the meeting whenever possible if an item is intended to be pulled off of the Consent Calendar or introduced under Reports and Announcements for future Commission consideration.
- D. It is the responsibility of all members to assist the Chair in running an efficient and effective meeting by assisting with the orderly disposition of items, helping ensure all members are heard, participating fully in meaningful discussion and deliberation, keeping comments succinct, concise, civil and germane, and limiting repetitive comments. Commissioners are encouraged to hold their colleagues accountable for following these rules and do all in their power to contribute to the smooth running of a meeting for the community.
- E. All commission members are asked to alert the staff commission liaison when receiving media inquiries.

- F. It is expected that Commissioners will attend all meetings. If a commissioner is absent for three consecutive meetings or for 15% of scheduled meetings annually, the City Clerk will notify Council who may take action to vacate the seat. The Commissioner is expected to notify the Staff Liaison or Staff Admin if they are unable to attend a meeting.
- G. For Planning Commissioners, make every effort to participate in the California League of Cities Planning Commissioner Academy during the first year as a Commissioner, and every other year thereafter.
- H. Read, and use as a primary reference, the Institute for Local Government's Planning Commission Handbook.

4. Duties of Staff Liaison

- A. The liaison, an assigned City staff person, has the following responsibilities:
 - 1. Create meeting schedules.
 - 2. Prepare meeting agendas and Agenda Reports.
 - 3. Notify the City Clerk of attendance problems, resignations, and members' change of contact information.
 - 4. Ensure that sufficient research and analysis has been performed by staff to allow an informed decision by the Commission.
 - 5. Help facilitate and advise the Chair on meeting management.
 - 6. Ensure that all affected departments have an opportunity for input before bringing an item forward for commission consideration.
 - 7. For the Planning Commission, arrange an annual joint meeting with the City Council.
- B. The Staff Liaison, along with the City Clerk, is responsible for ensuring that appointed board/commission members are oriented about policies and procedures as they relate to the body.
- C. All communications addressed to a specific Board or Commission are received by the staff liaison, or their designee, and relayed to the appointed body.

5. Duties of Administrative Staff

Each commission also has an administrative staff person (Staff Admin), who works with the Staff Liaison, to support the body. Their responsibilities are to:

- A. Provide oversight of agenda preparation and its delivery to the full Commission and to the public.
- B. Ensure that meeting materials—including a sufficient number of agendas, universal speaker slips, and at least one binder of all related reports being presented at that meeting—are available for the public to examine at the meeting.
- C. Produce the action minutes for each meeting.
- D. Provide annually a record of attendance of each commissioner to the City Clerk.

6. Duties of Council Liaison

- A. Every year the Mayor will appoint Council Members to serve as liaisons to the City's Boards and Commissions.
- B. Council Members act as an advisor and resource to Commissioners and the commission's Staff Liaison when issues regarding process, procedure, interpersonal or public relations arise. Commissioners are also welcome to approach the Council Liaison for support or if they have any concerns. Council Members should refrain from participation at Board and Commission meetings to avoid influencing the outcome of those meetings.

Chapter 5. Selection of Chair and Vice Chair

1. Commission reorganization, including rotation of the roles of the Chair and Vice Chair, occurs annually at the meeting as close as possible to June 10th of each year. The results of the vote should be publicly announced; and the vote recorded in the minutes.
2. Nomination of commissioners to serve as Chair and Vice Chair for the coming year can be made by any of the current commissioners in attendance.
3. The Chair and Vice Chair are elected by a majority of the commission for a one-year term and hold office until their successors are elected or until their terms as members of the commission expire.
4. The normal convention is a rotation from Vice Chair to Chair. Deviation from this normal convention should be extremely rare and must be accompanied by stated justification by the Commissioner making a nomination that does not conform to the normal convention.
5. The City Council believes that experience as a Commissioner will assist those who are selected to serve as Chair or Vice Chair, and that it is in everyone's best interest that candidates have experience in cycles of governing to acclimate themselves to the jobs, tasks, and roles of the Commission.

Chapter 6. Commissioner Conduct

1. Members are committed to governing for all, striving to avoid any appearance of impropriety, and running our meetings with civility, decorum, and respect. With that spirit, Members shall:
 - A. Govern as a body. If we work together well as a team, our City will excel.
 - B. Treat all with dignity, courtesy, and respect. This includes staff, each other, or members of the public, on and off the dais.
 - C. Keep confidential matters confidential.
 - D. Respect process and roles. This includes avoiding interruptions and distractions.
 - E. Agree to disagree in a respectful manner. We focus on the issue not the person.
 - F. Keep our comments clear, concise, and on-topic. This respects our colleagues', the public's, and staffs' time.
 - G. Give each other a chance to speak. Everyone gets to speak before another of us speaks for a second time. We refrain from dominating the discussion.
 - H. The Chair normally speaks last. After other members of the Commission have offered their opinions, the Chair speaks. The Chair can speak after each round of speaking by Members.
 - I. Be mindful of the impact of our words and tone. We consider this as we address each other, staff, and the public.
 - J. Promote discussion and resolution. We present problems and issues in that way.
 - K. Follow the agenda. We begin and end meetings on time.
 - L. Respect the City Charter, rule of law, and decisions once made. We do not attempt to undermine decisions.
 - M. Speak for the City only when specifically authorized (see Chapter 10, Communication, sections regarding "Speaking for the City" and "Speaking as an Individual").
 - N. Practice a "no surprises" rule. We give a heads up to the Commission staff liaison, and City Attorney's Office representative (if applicable) out of respect and teamwork.

- O. Practice the principles of inclusivity and self-awareness to guard against implicit bias in our actions and decisions.
 - P. Adhere to all federal, state, and local laws in the performance of their public duties, including conflict-of-interest laws.
 - Q. *Not engage in discussion with a member of the public during the meeting.*¹
 - R. *Determine whether to schedule a future agenda item for discussion and/or action, during Reports and Announcements, when non-agenda items are raised in the course of the meeting.*
 - S. *Meet with the Council liaison to the Commission when requested.*
 - T. *Pay close attention the meeting and limit the use of electronic devices while on the dais, except as necessary to access agenda materials or respond to urgent personal matters.*
 - U. When acting in a quasi-judicial capacity: keep an open mind, do not rush to pre-judge any matter, and be fair and neutral towards all concerned parties. This applies to statements that are verbal and written, including those posted on social media. At the beginning of the hearing, disclose any ex parte communications (oral or written communications from one party outside of the hearing) and describe the nature and substance of the communication.
2. Commissioners may not be employed by the City or provide services under a contract with the City. Commissioners may not volunteer in the operations arm of the department their commission is affiliated with, without Department Head approval. However, Commissioners are encouraged to volunteer for city events, put on by any City department, or volunteer in any capacity in other City departments. Commissioners enhance their presence in the community by volunteering with local non-profits or assisting with community events and serving on special committees.
 3. Commissioners are subject to all the provisions of the City's *Harassment and Discrimination Policy* (#301).
 4. Commissioners shall complete ethics training at least once every two years, beginning with calendar year 2025.
 5. Enforcement.
 - A. Where a Commissioner is allegedly not following the rules set forth in this Chapter ("Code of Conduct"), any concerned Council member is encouraged to resolve the

¹ Items Q-T are included within the existing Commissioner Conduct chapter and do not overlap with the new conduct. Staff recommends retaining items Q-T for this reason.

matter on an informal basis through direct conversations, or by referral to the Mayor or Council Liaison to the Commission to privately counsel the subject Commissioner.

- B. If the offense(s) continue, or if warranted due to the serious nature of an initial violation, two Council members may file a complaint regarding the conduct of a Commissioner for an alleged violation of the Code of Conduct. The complaint shall be in writing and filed with the City Clerk, with a copy to the City Manager and City Attorney. A copy of the complaint shall be promptly provided to the Council and to the Commissioner. The City Clerk shall place the complaint on the next available City Council agenda for initial consideration. The Commissioner who is the subject of the complaint may include a written response to be included with the agenda packet or may verbally address the complaint at the Council meeting, or both.
- C. At the meeting where the complaint is considered, a Council majority (3 votes) shall decide whether to (1) take no action, (2) reprimand the subject Commissioner and require them to promptly take ethics training (in addition to any training required by law), or (3) schedule the matter for a future hearing to consider a formal resolution of censure, revoke seniority, and/or restrict payment of expenses such as for official travel. Alternatively, the Council may direct the City Manager or City Attorney to investigate the matter, or to engage a third party to do so, and bring it back to the Council following completion of the investigation.
- D. If a Council majority (3 votes) directs the scheduling of a hearing, it should also appoint one or two Council members to draft a censure resolution to be included with the agenda packet. At the hearing, the Commissioner who is the subject of the complaint shall have the opportunity to rebut the allegations in the report either themselves or through a representative. The formal rules of evidence shall not apply, and the hearing shall be generally informal.
- E. At the close of the hearing, a Council majority (3 votes) shall decide whether to (1) take no action, (2) issue a reprimand and require the Commissioner to promptly take ethics training (beyond what is required by law), or (3) adopt a censure resolution, revoke seniority, and/or restrict payment of expenses such as for official travel. Any action taken by the Council is final and is not subject to appeal or reconsideration.

Chapter 7. Meetings

1. All Commission decisions must be taken at Commission meetings only after hearing the presentation, project applicants, and hearing all public comments/testimony, then only under Commission discussion with colleagues should Commission Members opinions be shared, and deliberations engaged in before making any decision or taking action.
2. No business may be transacted by the commission at a regular or special meeting unless a quorum of the membership is present (50% plus one of those currently appointed).
3. Commission Meeting Dates
 - A. If at any time any regular meeting of the Commission falls on a holiday or if it is known that a quorum will not be available, the meeting may be rescheduled to the earliest convenient time.
 - B. The Boards and Commissions shall adopt a schedule of quarterly or more frequent meetings on an annual basis, which become the regular meeting dates.
 - C. Regular meeting dates may be amended with the approval of the Commission.
4. Types of Meetings
 - A. **Regular Meetings** are those identified in the adopted meeting schedule. Regular meetings are agendized and posted at least 72 hours in advance of the meeting.
 - B. **Special Meetings** are called at a non-regular meeting date and time. They are called by the Chair or Commission with a minimum of 24 hours' notice, versus 72 hours' notice for regular meetings.
 - C. **Study Sessions** are special meetings that are held for the purpose of providing information to the Commission, particularly on issues that are more complex or more time-consuming than matters typically scheduled on regular Commission meetings. At study sessions Commissioners may collectively provide direction to City staff, or to an applicant in the case of the Planning Commission. Typically, no action is taken at the study sessions, but direction may be given.
 - D. **Closed Sessions** at the commission level would be very rare and would only occur at the direction of the City Attorney. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after allowance for public comment, will be excluded.
 - E. **Emergency Meetings** are allowed per the Ralph M. Brown Act when an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of the public's well-being.

F. Adjourned Meetings due to Power Outages

In the event a quorum of the body loses electrical power or suffers an internet connection outage not corrected within 15 minutes, the meeting may be adjourned to a date certain. Any items noticed as public hearings will be continued to the next regularly scheduled meeting of the Commission. Any other agenda items the Commission has not taken action on will be placed on a future agenda.

5. Voting

A motion, second, and a majority vote of the Commission shall be required for any formal action of Commission. If the meeting is virtual, or any member is teleconferencing in, the vote must be taken by roll call vote.

6. The Chair, with the approval of a majority of the Commission, can change the order of hearing of items on the agenda. Staff may make suggestions on the order due to practical and logistical issues.

7. Public Participation

- A. All members of the public are encouraged and invited to participate in the legislative process of the City's Boards and Commissions, for example by submission of comments before the meeting or speaking in person, or virtually when offered, at the scheduled meeting.
- B. It is the intent of these rules to allow everyone to be heard without fear of cheers or jeers that may discourage public participation. For these reasons, these rules are taken seriously. Disruptive or unruly behavior can result in removal from the Commission meeting to the extent allowed by state law. The presiding member of a legislative body may remove an individual for disrupting a meeting after the individual first receives a warning yet continues the disruptive behavior. The legislative body may also decide to clear the room if interruptions render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of disruptive individual(s) alone.
- C. Public meetings are considered a limited public forum in which the speaker must stay on-topic if speaking to a particular agenda item. If speaking during general public comment, they must address matters within the subject matter jurisdiction of the City. If speakers fail to follow these rules, they will be warned, and if they continue to disregard the rules, their opportunity to speak will be ended.
- D. The Chair may, at their discretion with commission concurrence, limit the amount of time allotted to speakers when needed, per the following time limits.

- E. Generally, time Limits for public comment are dependent on the number of speakers:
 - 1. Individual Speakers - 3 minutes
 - a. between 1 -10: 3 minutes
 - b. between 11-20: 2 minutes
 - c. over 21 speakers: 1 minute
 - 2. Organized group (in lieu of individual speakers) – up to five (5) minutes for a group presentation, as many speakers as fit within the time allowance.
 - 3. Yielding of Time. To ensure that all persons have an ample opportunity to be heard, all speakers will be recognized for the same amount of time. No speaker will be allowed to yield all or part of their time to another, and no speaker will be credited with time requested but not used by another.
 - 4. The Chair shall manage public comments such that no individual speaker is allotted a disproportionate amount of time.
- F. In-person members of the public are invited to speak at the lectern microphone, whenever available, to ensure all attendees can hear and so that the recording can be captured.
- G. Individuals who wish to speak in-person should submit a speaker card to the commission's Staff Admin for in-person meetings. For remote meetings conducted virtually, the raise the hand feature is used and managed by the Staff Admin. The Staff Admin will announce the last opportunity to submit forms or raise hands and announce when the time has closed for public comment on any particular item.
- H. Commissioners should be careful to not engage in back-and-forth questions or discussion with public speakers. If a member of the public raises a question, the Chair should invite staff (or an applicant before the Planning Commission) to respond to any questions raised at the end of the public comment period.
- 8. Agendized Discussion Items (Public Hearings, New Business, Old Business)
 - A. Staff / applicant presentation
 - B. Open public hearing (or public comment section) for testimony
 - C. Close public hearing (or public comment section)

- D. Response by staff to public questions/concerns (or by an applicant before the Planning Commission), if warranted
- E. Council questions to applicant and/or staff.
- F. Commission discussion and deliberation.
- G. Commission votes.

9. Appeals

- A. Appeals are public hearings and will follow the order stated above with the following time allocations:
 - 1. Appellant – 15 minutes
 - 2. Applicant – 15 minutes
 - 3. Individual Speakers – as outlined in Section 7(E)1 above.
 - 4. Rebuttal (Applies to Appellant and Applicant) – 5 minutes each.
 - 5. Clarification (Staff may offer explanation or clarification for the testimony)
 - 6. If the appellant is also the applicant, only one 15-minute presentation is allowed.
- B. Any person that addressed the Commission during one of the fifteen-minute periods may not speak again during the public comment period for individual speakers on the appeal.

10. Items Considered after 11:00 p.m.

- 11. At 11 pm, in order to ensure effective discourse on an item, the Commission will determine with a majority vote on whether to continue with an item or take up any unheard items.

12. Action Minutes

- A. The City Council and all of its Boards and Commissions shall use Action Minutes to record the decisions of the body.
- B. Action Minutes contain very little, if any, narrative content and do not capture details of public comments, or Commissioner comments, questions, and opinions. The staff is responsible for producing the minutes. Commissioners may request

correction only of factual errors when presented with the draft minutes. No supplemental materials may be appended to minutes.

- C. Motions and votes are shown in the record, whenever applicable.
- D. Media (audio/video) recordings will be used to provide a verbatim record of meetings and are kept as identified in the City's Records Retention Schedule.

13. Conflict of Interest

- A. The Political Reform Act (PRA), implemented and enforced by the Fair Political Practices Commission (FPPC), controls financial conflicts of interest.
- B. The other applicable law is Government Code §1090, which applies only to City contracts in which a public official has a financial interest.
- C. Whenever it appears to a Commissioner that they may have a prohibited financial interest in any City contract, or an item that may be presented to the Commission, the Commissioner should consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists.
- D. If the City Attorney is consulted on such a matter, the City Attorney shall provide their advice in writing, and shall provide a copy of their opinion to the Commission, the City Council, the City Manager, the affiliated Department Head, and the Staff Liaison.
- E. With full consideration of the City Attorney's advice, it is up to each individual Council Member to decide for themselves whether there is a conflict of interest.
- F. A member shall not vote upon or participate in any matter on which they have a conflict of interest.
- G. A member shall openly state the reason for their conflict of interest.
- H. A member who is disqualified by a conflict of interest shall recuse themselves from the dais and leave the room unless it is during the Consent Calendar

Chapter 8. Meeting Agendas

1. Agenda Order

Commission agendas will be prepared by the Staff Liaison to the commission and presented to the Commission in the order described below.

A. Opening

1. Pledge of Allegiance
2. Roll Call

B. Consent Calendar

All matters listed under the Consent Calendar are considered by the Commission to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed by a Commission member and considered separately. Members of the public may speak to any Consent Calendar item without the item being pulled.

C. Public Comment

Members of the public wishing to comment on any item not appearing on the agenda may address the Commission at this time. State law prevents Commissions from taking action on any matter not on the agenda. Comments may be referred to staff for follow-up. Public comment is limited to a total of 15 minutes; however, an opportunity for additional public comment will be provided later in the agenda, if needed. Timing is per Chapter 7(E)1 of these Rules.

D. Public Hearing

Duly noticed hearings as mandated by local, state, or federal law, providing an opportunity for public review and comment of a proposed action by the Commission.

E. Old Business

Non-routine items that have been presented before that require further oral presentation and/or discussion before action is taken.

F. New Business

Non-routine items requiring an oral presentation and discussion before action is taken.

G. Reports and Announcements

Commissioners provide an update on any meetings they attended in their commissioner role and Commissioners may make individual requests to schedule future items for consideration. A majority vote of the Commission is required to place a request on a future agenda.

H. Additional Public Comment (if needed)

I. Adjourn

2. Agenda Item Submission

A. The Staff Liaison coordinates all agenda items for consideration on a given agenda. In order to ensure that each item for discussion has been thoroughly analyzed in advance, an Agenda Report shall be prepared.

1. The preparation of Agenda Reports applies to all Boards and Commissions in order to ensure:

a. The Board or Commission has all the information needed to make a well-informed decision; and

b. Any action is fully transparent to the public.

2. Agenda Reports shall be part of the public agenda packet issued prior to the meeting. Copies of the agenda, Agenda Reports and supporting materials shall be made available to the public at the meeting.

B. A Commissioner may request an item be considered on a future agenda and, upon a majority vote of the Commission, staff will prepare an Agenda Report and agendaize the item for a future meeting. Before the vote, staff will provide information, if available, on how much staff time would be required to produce the Agenda Report.

C. Members of the Public

1. A member of the public may request Commission action in the following ways:

a. Write a letter or email to the Commission.

b. Speak during the Public Comment period at a Board / Commission meeting.

2. The first response is for the staff liaison to address concerns raised directly outside the meeting regarding the issue.
3. If a majority of the Commission agrees, the item will be agendaized at a future meeting.

Chapter 9. Financial Matters

1. All Commissioners serve as volunteers without compensation or a stipend.
2. Commissioner Expense Reimbursement Policy

It is rare that a Commissioner would need reimbursement, but in the event that they do, the following policy shall apply:

A. Authorized Expenses

1. City funds, equipment, supplies, titles, and staff time must only be used for authorized city business.
2. Expenses incurred while attending educational seminars designed to improve officials' skill and information levels are permitted with pre-approval from the affiliated Department Head.
3. All other expenses require prior approval by the City Council.
4. The City will not reimburse the following expenses:
 - a. The personal portion of any trip.
 - b. Political contributions or events.
 - c. Family expenses, including partner's expenses when accompanying official on agency-related business.
 - d. Entertainment expenses, such as movies, sporting events, or cultural events.
 - e. Non-mileage personal automobile expenses, including repairs, citations, insurance or gasoline.

B. Cost Control

To conserve City resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. If expenses are incurred that exceed these guidelines, the cost borne or reimbursed by the City will be limited to the costs that fall within these guidelines.

1. Airfare

Airfares that are equal to or less than those available through the League of California Cities, the California State Association of Counties and the State

of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. If no discounted airfare is available through these entities, then the most reasonable and economical airfare possible.

2. Airport Parking

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

3. Automobile

Mileage shall be reimbursed at IRS rates presently in effect (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses. In addition, drivers may be reimbursed for bridge and road tolls. For rental vehicles, only receipted fuel expenses will be reimbursed.

4. Car Rental

Rental rates that are equal or less than those available through the State of California's website [Car Rental Resources for State Travel](#) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

5. Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

6. Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for City business.

7. Lodging

Commissioners are expected to select the most cost-effective and logical lodging available, including utilizing the lodging at the conference/training site, if available. If there is not specific lodging associated with the official City business, the City shall pay for actual lodging expenses up to the United States General Services Administration (GSA) maximum rate allowed by location (<http://www.gsa.gov/portal/content/104877>). This

maximum applies to the room rate only and does not include any taxes or fees. Government rates for lodging are often available and should be sought. The City will pay only for standard single rooms, including taxes and fees, for individual Council members, and any additional nonbusiness expenses incurred will be paid by the Council member.

8. Meals

The City will pay for a Commissioner's meals during authorized, required travel up to the per diem amount ([Per Diem Rates | GSA](#)). If meals are included in the cost of a conference or training, the City will not pay for a meal that a Commissioner elects to purchase from another source. Unlike lodging, using the per diem methodology for meals that is limited to the GSA amount eliminates the need for employees to submit receipts. Thus, the Commissioner only needs to report the per diem amounts in the expense report, but not the actual receipts. This only applies to meals, as all other travel expenses require a receipt to substantiate the purchase.

When the meal function is an organized event, the official shall be reimbursed the amount being charged by the event organizer for the meal. The City will not pay for alcohol/personal bar expenses.

9. Taxis/Shuttles

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency.

10. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business.

11. Transportation

Officials traveling on City business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

C. Expense Reports

1. Expense reimbursement requests must be submitted on an expense report form provided by the City. Reports must document how the expenditure met the requirements of this policy.
2. Expense reports must be submitted within 30 days of an expense being incurred; and must be accompanied by receipts documenting each expense.
3. Expense reports are a public record.

D. Audits of Expenses

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

E. Reports on Meetings

Each official shall briefly give an oral report on any Brown Act meetings they attended for which they receive expense reimbursement at their next City Council, Board, or Commission meeting.

F. Violation of this Policy

Under state law, use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

Chapter 10. Communication

1. All communications are public records.

All letters, memoranda, email, texts and other platform writing communications involving members of boards, commissions, committees and task forces, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records.

2. The City Council, in adopting this policy, does not waive attorney-client privilege or any other privilege associated with a closed session authorized under the Ralph M. Brown Act.
3. Ralph M. Brown Act

Each Commissioner should be mindful of all the requirements of the Brown Act in communicating with each other.

4. Correspondence

- A. After the Commission has taken a position on an issue, official correspondence should reflect this position. While Commissioners who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Board or Commission title, and staff support should not be utilized.
- B. City letterhead, logo, insignia and brand, as well as, staff support cannot be utilized for personal or political purposes.
- C. Generally, correspondence relating to a specific Commission agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packet will be compiled and distributed to the Commission prior to the meeting (known as a Dais packet). This additional correspondence is appended to the Agenda Report as public comment on the public meeting portal and in the records repository permanent record. Any further correspondence received between posting of the Dais packet and until the end of when the item is heard, will also be appended to the Agenda report as supplemental correspondence.

5. Electronic Communication Record Retention

- A. Commissioners are issued City of San Mateo email addresses and are required to use this email for all commission related communication. The City email may not be forwarded to a personal email.
- B. All emails sent and received through the City server are saved for at least three years on the City's network and are subject to the Public Records Act.

- C. Communication on social media sites are saved for at least two years.
- D. Text messages sent on any City-provided device are saved for at least two years.

6. Social Media Use as a Commission Member

Social media are internet-based platforms that allow for interactive communication and engagement with the public. For example, these may include (without limitation): Facebook, Twitter, Instagram, YouTube, TikTok, Snapchat, Nextdoor, blogs, etc.

The City's image as a professional organization is critical to maintaining the respect of the public, and members should use discretion when posting or communicating on social media. If Commission Members choose to maintain and use personal social media accounts to conduct City business, they must follow current federal and state regulations, as well as Council and City policies.

- A. Brown Act: Social media postings may turn into an interactive dialogue. The Brown Act has expanded to provide guidance on elected officials' use of media platforms that are free of charge and open and accessible to the public.
 - 1. Permitted Uses: You may answer questions, provide information to the public and solicit information from the public about city business; share a City post to your Council Member site; and tag other elected officials in a post.
 - 2. Prohibited Uses: A majority of the members may not use social media to discuss agency business and a member may not respond directly to any posting by another member regarding agency business including no 'likes' 'thumbs up', 'emojis' or other symbols.
- B. First Amendment. Commissioners' social media platforms can become public forums subject to First Amendment requirements. If a social media platform is 1) used for City business and 2) has interactive features that are accessible to the public without limitation, it is a public forum. The City's Social Media Policy contains rules for public participation and addresses what will constitute unacceptable content. In general, officials may not block a member of the public from their social media sites if those sites have become public forums. If unacceptable content appears on a site that has become a public forum, please consult with City staff.
- C. Public Records: Members are prohibited from deleting social media posts and related comments regarding any City-related matters to avoid violating the California Public Records Act. Social media is subject to the City's record retention schedule.

- D. Best practices: Officials should be honest and accurate when posting information or news, especially when communicating during a crisis or emergency. Any mistakes, misstatements and/or factual errors must be corrected quickly upon discovery. News of citywide importance should first be announced by the official City-affiliated accounts then can be reshared by Commissioners. Unless the member has been designated to serve as a spokesperson, members should never represent themselves as a spokesperson for the entire Commission or City. Members should be mindful of recognizing that accomplishments of the City or Commission are achieved by collective action of the entire body or organization, not by any individual commissioner.
 - E. Quasi-Judicial Capacity: see Chapter 6 (Commissioner Conduct) for rules addressing the use of social media when Commissioners are acting in a quasi-judicial capacity.
7. Written Communications for Commission Meetings on Agenda Items
- A. The deadline for the receipt of written communications for inclusion in the agenda packet is up to 4:00 pm one week before the Commission meeting. This is to allow for adequate staff review and analysis, and to ensure public access to information; on all plans, correspondence, and other documents being heard by the Commission. Contact the Commission's Staff Liaison or Staff Admin for specifics.
 - B. To be included in the addendum to the packet, items may be received up until 4 pm the day of the scheduled meeting.
 - C. Materials distributed to Commissioners during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Commissioner, or at the conclusion of the meeting if prepared by another person.
 - D. If a Commissioner receives materials regarding an agenda item, they shall forward it the Staff Liaison as soon as possible.
8. Commission - Staff Relations
- A. Commissioners may make requests of City staff through their Department Head for limited research and information. Requests that will require significant staff time, as determined by the Staff Liaison, may be referred to the full Commission and only pursued if supported by a majority of the Commission. All requests for research and information shall be made through the Staff Liaison.
 - B. Commissioners are encouraged to submit their questions on agenda items to the Staff Liaison as far in advance of the meeting as possible so that staff can be prepared to respond at the Commission meeting.

- C. Clarifications or technical questions will be answered before the meeting whenever possible.
- D. Questions and all staff-prepared responses will be forwarded to all Commissioners.

9. Speaking for “the City”

Similar to written correspondence, when Commissioners are requested to speak to groups or are asked the Commission’s position on an issue, the response should reflect the position of the Commission as a whole. Of course, a member may clarify their vote on a matter by stating, for example, “While I voted against X, the Commission voted in support of it.” When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the Commission’s position rather than that of an individual member.

10. Speaking as an Individual

On occasion, Commissioners may wish to transmit correspondence on an issue upon which the Commission has yet to take a position or about an issue for which the Commission has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the Commission or the City as a whole, but for themselves as an individual.

Chapter 11. Boards and Commissions Selection Process

1. Refer to the San Mateo [City Charter Article VI](#) on Boards and Commissions.
2. Reappointments, Vacancies and Appointments
 - A. The City Clerk's Office manages the Boards and Commissions (hereafter referred to as "Commission" for ease of reference) application process. The process begins with the Clerk contacting members who are eligible for appointment to a second term and finding out their interest in reappointment.
 - B. The City Clerk then shares the results with each appointment subcommittee and receives direction on the need to schedule an appointment subcommittee meeting to provide direction on reappointments. The default is that currently serving Commissioners will each be interviewed for reappointment. However, if it is determined that a commissioner's performance is outstanding, or that other factors necessitate keeping them in their role, then an automatic reappointment can occur with a majority vote or majority consensus of the City Council. Any commission seat selected for re-interview means the seat will be processed as part of the full annual recruitment and the currently sitting commissioner may be interviewed along with other applicants. Commission recruitment occurs annually in the months of April and May and is managed by the City Clerk's Office. For these routine vacancies, the announcement is made approximately two months prior to the date on which the vacancy is to occur.
 - C. The City Clerk recruits for all open seats utilizing multiple avenues including advertising, the website, social media and networking lists to present qualified candidates to the Council for consideration.
 - D. The interview and selection of candidates is an open process.
 - E. The City Clerk receives the applications (ideally a minimum of three applications is sought for each vacant seat) and arranges for the appropriate sub-committee, in a noticed special meeting, to interview applicants and form their recommendation.
 - F. Commissioners, Board and committee members (hereafter referred to as "Commissioners" for ease of reference) are appointed by a majority vote of the City Council and serve staggered terms.
 - G. A City Council Appointment Subcommittee conducts the candidate interviews and makes a recommendation for Council approval. The Council will receive the full list of candidates for each opening.

H. The Appointment Subcommittee recommendations for new and reappointed Commissioners are confirmed by Council under the Consent Calendar at regular Council meetings. A staff report summarizing the Subcommittees' recommendations will be provided to the full City Council and will include the list of all candidates reviewed by the subcommittee. The Council may adopt the recommendations as presented or pull the item for further discussion. A majority vote of the Council approves the appointees.

I. The designated Appointment Subcommittee may establish an eligibility list for up to two applicants that will remain in effect for a six-month period.

J. **Unscheduled Vacancies**

1. Subject to the Maddy Act (California Government Code § 54970), if an unscheduled vacancy occurs on a commission, the Council may either appoint from the pool of applicants on file (the eligibility list if there is one available) or open up the position to new applications where the above process is followed.

2. For such non-routine vacancies, the announcement for new applications is made as soon as possible in order to maintain viable memberships on the various boards and commissions.

3. All appointments occur in an open public meeting.

K. **Youth Activities Council (YAC) Selection Process**

The YAC is not appointed directly by the City Council but through an application method administered by Parks and Recreation. High school students from all of the City's public high schools, as well as Junipero Serra High School and Nueva Upper School, are recruited for potential participation starting in the late spring of each year.

Chapter 12. References

1. [San Mateo City Charter](#), §2.03, 2.04, 2.12, Article VI
2. [Ralph M. Brown Act](#) (California Government Code, § 54950 et seq.)
3. California Government Code, § [53234](#) et seq.
4. [San Mateo Municipal Code](#)
5. [California Public Records Act](#) (California Government Code, § 6250 et seq.)
6. [AB 1234](#) California Government Code, § 53232.3
7. [Rosenberg's Rules of Order](#)