CITY OF ROCKLIN

COUNCILMEMBER HANDBOOK

Gen/Gov/City Attorney/Council Handbook
Council Handbook Revised 05-06-15

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CHAPTER 1

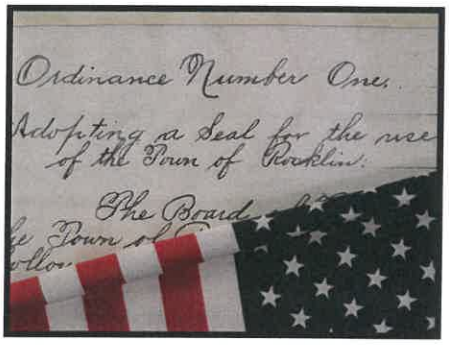
Introduction & Overview

Purpose of Handbook

The City staff has prepared this Handbook to assist new City Councilmembers to easily familiarize themselves with the City and to be able to easily obtain reference information on City Council adopted practices and procedures pertaining to City Council meetings, an overview of City operations, City Council powers and responsibilities and related matters.

Overview of Basic City Documents

This Handbook is a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of a City Council. Many other laws, plans and documents exist which bind the City Council to certain courses of action and practices. A summary of some of the most notable documents which establish City Council direction is provided below.



Rocklin Municipal Code: The Rocklin Municipal Code contains local laws and regulations adopted by ordinances. The Rocklin Municipal Code is located online at http://www.rocklin.ca.us/government/city_hall/city_clerk/city_municipal_code.asp. At the request of a Councilmember, a hard copy of the Rocklin Municipal Code and periodic amendments will be provided. Not all ordinances are published in the City's municipal code, but only those general ordinances which are the laws of the City. A full list of all ordinances is available in the table section of the municipal code, and the reference to each codified ordinance is noted in that table. If the ordinance is of a temporary nature or deals with subjects not normally codified, such as budgets, taxes, annexations, zoning of particular parcels, or development agreements, the ordinance will be listed in the table as a special ordinance.

California Government Code: The state government code contains many requirements for the operation of city government and administration of meetings of City Councils throughout the state. Many of these requirements, such as open meeting laws, are replicated or referenced within the municipal code to ensure there is broad awareness of such requirements. Rocklin is a "general law" city, rather than a "charter city," which means it is organized and governed in accordance with provisions of the government code.

Also described within the Government Code is the Council-City Manager form of government which is that practiced in Rocklin. Basically, this form of government prescribes that a City Council's role is to establish policies and priorities, while the role of the City Manager is to administer the daily affairs of the City government.

General Plan: The City of Rocklin General Plan is a comprehensive discussion of City Council policies for the development and operation of the City. The General Plan is a city's basic planning document. It provides the blueprint for development throughout the community, and is the vehicle through which competing interests and the needs of the citizenry are balanced and meshed. The General Plan addresses all aspects of development, including housing, traffic, natural resources, open space, safety, land use, and public facilities. [1]

Legislation requiring a city to have a General Plan was passed in 1971. Prior to that time, the General Plan was an advisory document. The 1971 legislation and subsequent amendments require cities to "engage in the discipline of setting forth their development policies, objectives and standards in a General Plan composed of various elements of land use." [2]State statutes setting forth the requirements of the General Plan are found in the California Government Code, Sec. 65300 et seq. The General Plan shall consist of a "statement of development policies," and must include diagrams and text setting forth "objectives, principles, standards, and plan proposals." (Gov't. Code Sec. 65302) The City of Rocklin General Plan consists of a Land Use Element, an Open Space, Conservation and Recreation Element, a Circulation Element, a Community Safety Element, a Noise Element, and a Public Services and Facilities Element. The individual elements are discussed further below.

The Land Use Element plays the central role in the General Plan. It establishes a pattern for land-use development, and sets policy on population density and building intensity of development. The Land Use Element is the basis for determining service requirements, including plans for future streets and roads, water and sewer services, schools, and fire and police protective services.

The Open Space, Conservation and Recreation Element of the City's General Plan contains a description of existing conditions, a description of existing recreational facilities and standards, a discussion of future open space, conservation and recreation lands and opportunities, the open space and conservation action plan, and the City's open space, conservation, and recreation goals and policies. The City's plan for parks is set forth in considerable detail.

The Circulation Element provides a description of major streets, roads, and highways, as well as other transportation and transit services and facilities. In addition, the circulation

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[1] (Curtin's California Land Use and Planning Law, Daniel J. Curtin and Cecily T. Talbert, 2006 edition, page 9.)
[2] (58 Ops. Cal. Atty. Gen. 21, 23, 1975)

element establishes City policy on maintenance of existing transportation facilities, transportation improvements, and transit services.

The Community Safety Element describes potential hazards to citizens and establishes City policies for the protection of citizens from the dangers of earthquake, fire, flood, and other natural disasters and man-made hazards.

The Noise Element provides a description of community noise and the exposure of citizens to noise. It also establishes City policies for the protection of citizens from the health hazards of excessive noise levels and sets forth noise compatibility guidelines.

And finally, the Public Services and Facilities Element provides a description of the general location, capacities, and plans for public services and facilities. This element also establishes City policies for the provision of public services and public facilities.

Budget: One of the most significant implementation actions the City Council undertakes each year is the approval of the City's budget. The City's budget provides a description of City services and the resources used to provide services. The document contains a broad overview of the budget as well as descriptions of programs offered within each division of the organization. The City's budget process is set forth at Chapter 3.28 of the Rocklin Municipal Code. Section 3.28.050 states "The council shall adopt a final budget on or before June 30th of each year, by resolution." Though generally considered good stewardship of public resources and a fiduciary duty to the citizens of the City, there is no stated requirement in the Rocklin Municipal Code, nor state statutes, that the City approve a balanced budget.

In addition to adoption of the City's budget, the City Council also approves budgets for the Community Facility Districts (CFDs), Lighting Maintenance District No. 1 (LM1), and Landscaping and Lighting District No. 2 (L&L2). The City Council acts as the governing board of the Rocklin Public Financing Authority (PFA) and approves the annual budget for the PFA.

All governmental agencies use fund accounting, establishing separate funds for specific revenue sources. The City of Rocklin receives two basic types of revenue sources: discretionary and non-discretionary.

With discretionary revenues, Council has the most control and flexibility of the use and types of expenditures. The General Fund is the fund where discretionary revenues are recorded. Examples of discretionary revenue in the General Fund include: sales tax, property tax, community development fees, and program fees. Non-discretionary revenues have restrictions and Council must use these funds for specific types of expenditures depending upon the source. Examples of non-discretionary funds include: revenue such as gas tax, special assessments, grants, and capital project revenues such as developer impact fees.

Emergency Operations Plan: The City maintains the City of Rocklin Emergency Operations Plan which is part of the federal and state prescribed format for emergency preparedness. The Emergency Operations Plan provides guidance for City response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations, both war and peacetime. The plan concentrates on operational concepts and response procedures relative to large scale

disasters primarily and also targets hazards as established by the Standardized Emergency Management System (SEMS). Additionally, the plan has adopted and uses the National Incident Management System (NIMS) to coordinate resource needs and manage the incident. The City Council may be called upon during an emergency to establish policies related to the specific incident.

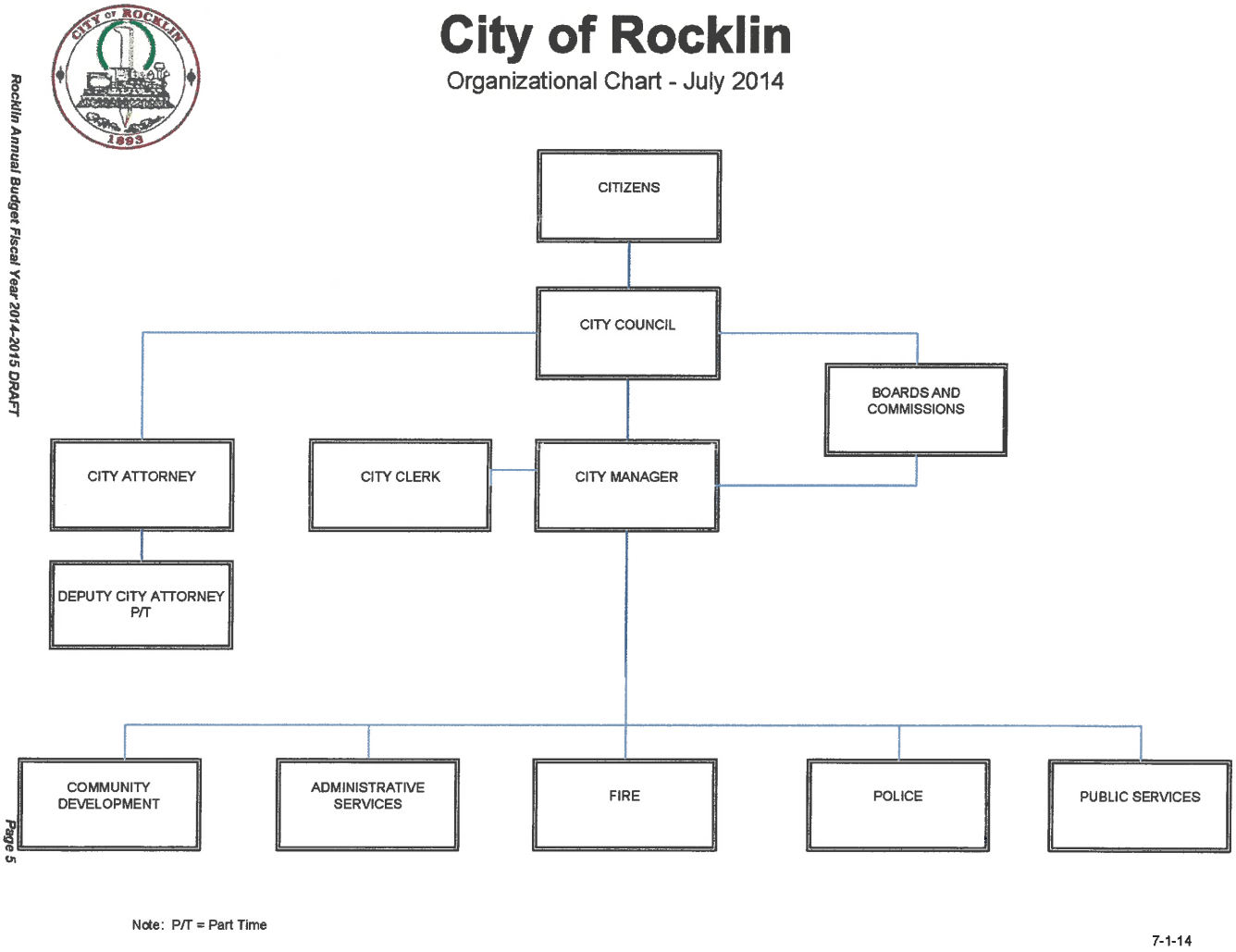
Adopted Policies: There are Legislative Policies and Administrative Policies which are applicable citywide on a variety of topics ranging from the Investment Policy for City funds and the Policy on Land Secured Financing to the Drug Free Workplace policy. Information on City policies can be found in Appendix A of this Handbook. The titles of all of the Legislative Policies are found at sheet A.1. Administrative Policy titles are found at sheet A.2. The full text of any of these policies is available from the City Clerk. In addition we have included in Appendix A the full text of four policies which are directly applicable to individual councilmembers, the Code of Ethics, the Anti-Harassment Policy, the Communications policy, and the Travel and Reimbursement Policy.

Orientation of New Members

It is important that members of the Council gain an understanding of the full range of services and programs provided by the organization. As new members join the City Council, the City Manager can make arrangements for you to meet with each department and division and provide site tours of City facilities. At any time, if there are facilities or programs about which you would like more information, arrangements should be made through the City Manager's office to increase your awareness of these operations.

Overview of Departments and Functions

Day-to-day operations are handled by the City's departments. Currently, the City is separated into several departments which provide a wide range of services to citizens. An Organization Chart is below. These services range from street repairs to building code inspections to parks and recreation services. The departments are run by department directors who report to the City Manager. This organization ensures the City Manager can keep the City Council aware of operational issues of importance and City-wide concern.



City Manager

The City Manager is appointed by the City Council and serves at its pleasure. As chief executive officer, the role of the City Manager is to administer the daily affairs of the City government. He/she also serves as Executive Director of the Public Finance Authority. The City Manager provides professional leadership in the administration and management of the City and execution of City Council policies.

The City Manager's office presents recommendations and information to the City Council enabling them to make necessary policy decisions, including input on regional, state and federal issues which affect the City of Rocklin. Disseminating information regarding City activities and responding promptly to the inquiries and requests of citizens is another function of the City Manager's office. The City Manager is responsible for the preparation of the City's budget and maintenance and oversight of sound fiscal policy for the City. In addition, the City Manager provides a liaison between the City of Rocklin and other governmental agencies and provides for effective public information.

Resolution No. 2012-49 defines the duties, responsibilities and limits of authority of the City Manager. This resolution is attached as Appendix B.

Chapter 2.20 of the Rocklin Municipal Code specifically addresses the role of the City Manager.

City Attorney

The City Attorney is appointed by the City Council, performing professional and administrative work as chief counsel and legal representative of the City and the Public Finance Agency. The City Attorney has a unique duty of professional responsibility to the client, which is the City as a whole. The City Attorney performs that duty by providing legal counsel to the full City Council, as well as individually to Councilmembers, the City Manager, Department Heads, agencies, and the commissions and boards of the City.

The City Attorney's office manages the legal affairs of the City including preparation or review of all City resolutions and ordinances; litigation management for defense for actions brought against the City and agencies of the City; prosecution of code violations by means of administrative, civil and criminal prosecutions; review of all contracts for supplies, construction, and services; and preparation of the necessary legal documents for the City Council, Planning Commission, and Public Financing Authority.

The City Attorney's office advises on issues of infrastructure bond financing, election law, employment law, conflict of interest laws, as well as the full spectrum of land use related law including annexations, general plan amendments, special districts, subdivisions, design review and other development entitlements and environmental law.

City Treasurer

The City Treasurer, appointed by the City Council, assures proper handling of municipal funds and oversees the investment of these funds.

Chapter 2.24 of the Rocklin Municipal Code specifically addresses the role of the City Treasurer.

City Clerk

The City Clerk, appointed by the City Council, plans, organizes and directs all activities of the City Clerk's office, which include serving as clerk to the City Council, Secretary to the Public Financing Authority, maintaining official City records, conducting City elections, Filing Officer for Statements of Economic Interests, preparing agenda packets[3] and minutes for City Council meetings, and providing information and service to the public as well as public access of records for review by interested parties.

Chapter 2.16 of the Rocklin Municipal Code specifically addresses the role of the City Clerk.

City Departments

The following is a brief description of City departments and the respective divisions in each department.

Legislative Services

Legislative Services includes the following offices and functions: City Manager, City Attorney, City Treasurer, City Clerk, Public Affairs/Economic Development, Public Financing Authority (PFA), Successor Agency to the Rocklin Redevelopment Agency, Housing and Risk Management. Legislative Services' offices and functions are described throughout the Handbook. Housing and Risk Management are described as follows:

- **Housing**
  Housing Services provides low interest First Time Homebuyer programs, Affordable Housing programs, and Housing Rehabilitation programs.

- **Risk Management**
  The purpose of Risk Management is to provide insurance coverage, claims handling, and safety programs for all City operations as required or as appropriate, to facilitate the management, transfer or sharing of risk when practical including monitoring worker's compensation and liability claims and recommending disposition of claims.

  The goal is to provide a comprehensive, pro-active and cost effective Risk Management program that promotes the health and safety of employees and the public and protects the assets of the City of Rocklin.

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[3] Agenda packets are delivered to each Councilmember on the Tuesday afternoon preceding the Tuesday night Council meeting. Late items, i.e., blue items are delivered via email.

The City of Rocklin is a member of the Northern California Cities Self Insurance Fund (NCCSIF), an association of municipalities joined together in 1979 to protect Member resources by stabilizing risk costs in a reliable, economical and beneficial manner while providing members with broad coverage and quality services in risk management and claims management.

The Northern California Cities Workers' Compensation Fund, a Joint Powers Authority (JPA), was first formed in early 1979. It is one of the oldest pooled municipal insurance programs in the State. The JPA's purpose is to provide median northern California cities a mechanism to self-fund a layer of workers' compensation insurance, as well as to obtain the advantages of group purchase excess insurance. In 1981, a number of the member cities desired to apply the same concepts of pooling to Automobile and General Liability coverage. In 1987, the name of the JPA was changed to Northern California Cities Self Insurance Fund (NCCSIF). Membership has grown over the years to now include twenty cities.

The Liability program provides coverage for bodily injury, property damage, employment practices liability, personal injury and public officials errors and omissions.

California Worker's Compensation laws require every employer to provide benefits to employees for injury and/or illness arising out of, or in the course of, employment. This coverage is provided under the Worker's Compensation program.

Administrative Services

Human Resources

The Human Resources Division conducts recruitments and testing for all City positions; maintains all employee personnel records; manages employee health and welfare programs, coordinates the worker's compensation program; ensures that City Personnel Rules and Regulations are implemented; and ensures Equal Employment/Federal Affirmative Action and Harassment policies are implemented.

Finance and Budget

Finance and Budget oversees the City's financial management, including budgeting, accounting, treasury operations, collection of taxes and fees, cash management, and other fiscal functions. Finance is responsible for the proper recording of all cash receipts. Finance also provides general accounting services for all City activities. Major functions include development of internal controls, monitoring of spending, disbursement of cash (via accounts payable and payroll), auditing and preparation of various financial reports. Finance also maintains the records for 13 Assessment Districts.

The City Investment Committee consisting of the City Treasurer, City Manager, and the City Attorney is responsible for investing surplus. The City's Investment Policy is on file in the City Clerk's Department.

Information Technology Systems
The Chief Financial Officer also manages the Information Technology (IT) Division which is responsible for the following:

Purchasing, installing, and maintaining the City's hardware and software technical infrastructure.

Handling all departmental automated information processing needs;

Providing IT support services around the clock, all year.

Public Services

The Public Services Department is comprised of the following divisions and services:

- **Facilities**
  The Facilities Division maintains City buildings and oversees the construction of new and rehabilitation of existing City buildings.

- **Fleet Operations**
  The Fleet Operations Division provides transportation and fueling services to all City Departments. This division is responsible for the establishment, implementation, and maintenance of policies and procedures governing City-owned mobile equipment. Transportation-related services provided include vehicle pools, repair facilities, vehicle inspection, commercial car rentals, vehicle acquisition and disposition, and consultation regarding automotive management problems.

- **Engineering**
  The Engineering Division provides improvement plan checking, mapping, drainage improvement plan checking, and grading inspections.

- **Engineering / Capital Improvements**
  Provides design services, project management and inspection services for maintenance, capital improvement, and private development projects.

- **Street Maintenance**
  The Street Maintenance Division keeps streets clean and safe and makes scheduled and emergency road repairs. They also maintain the City's open spaces, public right-of-way, creeks and drainage infrastructure.

- **Traffic Signals and Street Lights**
  The Traffic Signal and Street Light Division maintains traffic signals and street lights, roadway signage, pavement striping and markings.

- **Environmental Services**

  The Environmental Services division provides oversight of the City's environmental resources and coordinates with State and Federal entities to ensure compliance with all applicable laws and permitting requirements.

- **Parks and Landscapes**

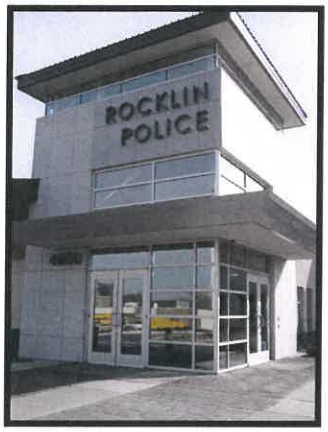
  The Parks and Landscape Division maintains City parks and roadway landscape medians and corridors. This Division also oversees the development and construction of new parks and City owned/managed streets landscape areas.

- **Recreation**

  The Recreation Division provides youth programs that include Preschool, Kids Junction (before and after school program), special interest classes, and special events. The adult programs include adult sports leagues and active adult/senior programs. This division also manages the rental of City buildings.

Police Services

The Police Department is committed to serve, protect and promote a safe community. The Rocklin Police Department is comprised of the following divisions:



- **Office of Administration**

  The Office of Administration is made up of the Chief of Police and his immediate staff. This office is responsible for fostering an environment that empowers leadership, promotes vision, and creates strategy, while securing the resources to execute the department's mission and achieve its goals. The Office of Administration serves as the primary administrative, fiscal and research entity for the department. Personnel provide professional administrative support to the Chief and other divisions.

- **Operations Division**

  The Operations Division is headed by a Division Commander and consists of Uniformed Patrol, Traffic Enforcement, S.W.A.T., Reserve Police Officer Program, Canine Program, Animal Control, Code Enforcement, and Neighborhood officers. The primary responsibility of the Operations Division Commander is to provide general management direction and control of the division. The Operations Division Commander is directly responsible to the Chief of Police, and exercises immediate supervision over the Watch Commanders and other supervisors/managers positioned to report directly to the Division Commander.

- **Investigations Division**

  The Investigations Division is headed by a Division Commander and consists of plain-clothes personnel assigned to Professional Standards, Detectives, Undercover assignments, Taskforces, Crime Analysis, and uniformed personnel assigned to the Youth Services Unit (School Resource Officer Program), as well

as Property & Evidence. The primary responsibility of the Investigations Unit Commander is to provide general management and control of the division. The Investigations Division Commander is directly responsible to the Chief of Police and exercises immediate supervision over unit managers, coordinators and supervisors.

- **Support Services Division**
  The Support Services Division is headed by a Division Commander and consists of Communications, Records, Crime Prevention, and the Volunteer Program. The primary responsibility of the Support Services Division Commander is to provide general management and control of the division. The Support Services Division Commander is directly responsible to the Chief of Police and exercises immediate supervision over unit managers, coordinators and supervisors.

Fire Services

The Fire Department's mission is to respond quickly, solve problems, and protect life and property from the effects of fire and other emergencies or hazards.

The Fire Department operates from three strategically located fire stations to ensure appropriate response. Additional resources are utilized and shared through Mutual and Automatic Aid agreements. The Fire Department is responsible for fire suppression; paramedic and emergency medical services; emergency rescue and extrication; hazardous materials response; fire prevention; code enforcement; fire and arson investigation; inspection; public education; and disaster management, including mitigation, preparedness, response and recovery.

- **Administration**
  Fire Administration supervises and plans for Fire Department needs, coordinates and establishes staffing requirements, equipment needs, develops long term plans for department operations, and administers the department budget.

- **Operations**
  Fire department operational staffing consists of three (3) platoons or shifts with a minimum daily staffing level of three personnel per station and one Battalion Chief who works as the shift commander and duty chief. A typical station assignment consist of 1 Captain, 1 Engineer and 1 Firefighter or Firefighter/Paramedic. Fire Department Operations is divided into three (3) divisions; EMS, Logistics and Special Operations, each addressing the many daily operational needs of the department to meet the local, state and federally mandated requirements.

- **Training**
  The Training Division plans and supervises mandatory and necessary training for all fire personnel, reviews current safety issues and ensures that current practices are being followed. The division works with outside agencies and educational institutions to improve response during mutual and automatic aid through training. Training coordinates and conducts Emergency Operations training for City staff and works with the Placer County Operational Area to coordinate regional training needs. The division is also responsible for the Safety Program and supervision of the Volunteer Programs of the department. The division works with other agencies to develop grant opportunities, training programs, and coordinated response.

- **Prevention**
  Analyzes, interprets, and enforces applicable fire safety codes and standards, provides technical support, and maintains records related to code enforcement, fire prevention, hazard mitigation, and development. The division conducts construction plan reviews and coordinates with other City departments to ensure safety concerns are met for all new development. The Prevention Division also coordinates fire and arson cause and origin investigation, prosecution and recovery issues, and works with the Sacramento-Sierra Arson Task Force to assist with investigations regionally. Public education and school safety coordination are also programs managed by this division.

Economic and Community Development

The Economic and Community Development Department is comprised of the following divisions & services:

- **Building Code Compliance and Enforcement**
  The Building Division provides building inspections, building permit processing, and plan checking.

- **Planning**
  The Planning Division provides current and advanced planning services, environmental documentation, and housing programs and administers the City of Rocklin General Plan.

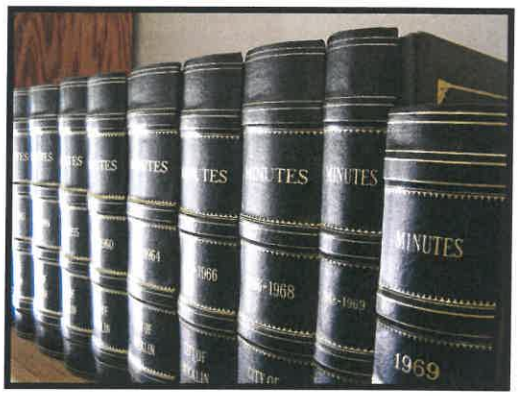
Economic and Community Development provides the requirements and procedures for developing property in Rocklin and information regarding pending projects.

Utilities
Rocklin utility services including water, wastewater, refuse collection, telephone and cable television are provided by outside independent public agencies or private companies.

CHAPTER 2

Rocklin City Council: General Powers and Responsibilities

City Council Generally



The City of Rocklin operates according to the Council-City Manager form of government which vests authority in an elected City Council. The City Council is composed of five members elected at-large (the City is not divided into represented districts) on a nonpartisan basis to serve overlapping four-year terms. Each year, the Council elects a Mayor and Vice Mayor to serve a one-year term. The Mayor serves as the presiding officer at City Council meetings and as the official head of the City for legislative and ceremonial purposes. The City Manager is appointed by the City Council and serves at the pleasure of that body.

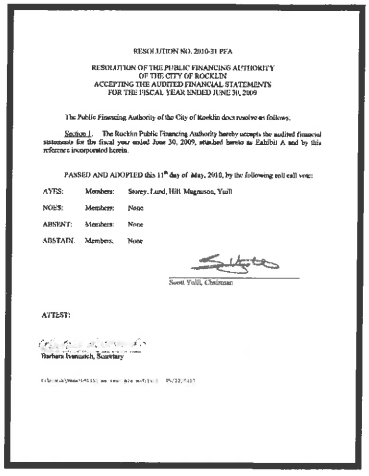
The City Council is the City's legislative and policy-making body. Acting as a whole, the City Council is responsible for passing ordinances and orders necessary for governing the City, as well as setting the direction of City policy. The City Manager is responsible for the overall administration of the City. This responsibility includes implementation of the general policies set by the City Council in addition to the day-to-day operations of all City functions. The City Manager, with the help of the staff, provides the City Council with the information needed to fulfill its policy-making role.

The Council-City Manager form of government separates legislative and executive responsibilities in a manner similar to state and federal governments. This system provides "checks and balances" of both policy and administrative branches of government by limiting the power of each.

Public Financing Authority

General Provisions

The Rocklin Public Financing Authority ("the PFA") was created December 13, 1994, and established by a Joint Powers Authority Agreement between the City of Rocklin and the Redevelopment Agency. The PFA was formed to provide an additional alternative financing mechanism for the construction of public improvements.



RESOLUTION NO. 2010-31 PFA

RESOLUTION OF THE PUBLIC FINANCING AUTHORITY
OF THE CITY OF ROCKLIN
ACCEPTING THE AUDITED FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2009

The Public Financing Authority of the City of Rocklin does resolve as follows.

Section 1. The Rocklin Public Financing Authority hereby accepts the audited financial statements for the fiscal year ended June 30, 2009, attached hereto as Exhibit A and by this reference incorporated herein.

PASSED AND ADOPTED this 11th day of May, 2010, by the following roll call vote:

AYES: Members: Storey, Lund, Hill, Magnuson, Yuill
NOES: Members: None
ABSENT: Members: None
ABSTAIN: Members: None

Scott Yuill, Chairman

ATTEST:

Barbara Ivanusich, Secretary

The Authority is a separate legal entity from the City of Rocklin and the Rocklin Redevelopment Agency, whose functions are now performed, to the limited extent allowed by law, by the Successor Agency to the Redevelopment Agency of the City of Rocklin. The Authority is governed by five board directors consisting of the five members of the Rocklin City Council. The board is formally known as the Rocklin Public Financing Authority. All voting power rests with the board.

Meetings of the PFA are subject to the Ralph M. Brown Act and are held in conjunction with regular city council meetings. A majority of members of the board constitute a quorum for the transaction of business. The City's Chief Financial Officer is also the Chief Financial Officer of the PFA who functions as the PFA treasurer and auditor.

The officers of the PFA are the Chairman (the Rocklin City Mayor), Vice-Chairman (the Rocklin City Vice Mayor), Executive Director (the City Manager) and Secretary (the City Clerk). The Chairman signs all contracts for the Authority except as provided by action of the Board. The Vice Chairman shall act, sign contracts and perform the duties of the Chairman in the absence of the Chairman. The Executive Director has charge of the day-to-day activities of the Authority and shall execute the directives of the Board. The Secretary shall have charge of Authority records and record Authority minutes. The City Attorney acts as General Counsel and legal advisor to the Authority.

General Powers

The Authority powers derive from Joint Powers Law including those set forth under Article 1 (commencing with Section 6500) of Chapter 5, Division 7, Title 1 of the Government Code of the State of California ("the Joint Powers Law") and the Bond Act pursuant to Article 4 of the Joint Powers Law (commencing with Section 6584). The Authority is authorized to exercise the following powers:

1. to make and enter into contracts, agreements, assignments and other documents of any nature whatsoever as may be necessary or convenient;
2. to acquire, construct, manage, maintain or operate a Public Capital Improvement;
3. to sue and be sued in its own name;
4. to issue Bonds and otherwise to incur debts, liabilities or obligations;
5. to apply for, accept, receive and disburse grants, loans or other assistance from any agency of the United States or of the State of California;
6. to invest any money in the treasury pursuant to Section 6505.5 of the Joint Powers Law that is not required for immediate necessities of the Authority;

7. to make loans to any Local Agency for the purpose hereof, or to refinance indebtedness incurred by any Local Agency in connection with any of the purposes hereof; and
8. to exercise any and all other powers as may be provided in the Joint Powers Law or Bond Act.

Resolution No. 94-300 specifically addresses the Public Financing Authority.

Council Goals

Goal setting requires time, energy, and a well-defined process. Every year, Council Workshops are held with the City Manager and the senior management of the City departments to review progress on goals previously set, establish priorities, and define new goals and objectives for the City. While a myriad of responsibilities consume the limited time and energy of elected officials, there are some advantages for engaging in the process:

1. Goal setting gives the Council a basic framework for action. By setting goals and then deciding those that are most important, the Council is defining what it wants to achieve over a given period of time. Otherwise, the Council may find itself floating from issue to issue, crisis to crisis.

2. Goal setting helps the Council spend its time more wisely. By understanding what goals the Council wants to accomplish, the Council can wisely allocate time to achieve those goals.

3. Goal setting provides a framework to present individual priorities. Individual goals and priorities are presented and discussion is fostered among the Councilmembers so their differences can be addressed. The Council ends up with a list of goals to which everyone is committed.

4. Goal setting gives the City Manager clear guidelines to get the job done. It lets the City Manager know exactly what the Council is trying to accomplish as a group. Without clearly defined goals, the City Manager may get conflicting signals and end up not meeting anyone's goals.

5. Goal setting gives the Council and staff some important budget guidelines. Knowing what programs and issues are the highest priorities will enable staff to have a better idea of how to allocate funds when preparing the budget for Council approval.

6. Goal setting gives the Council an evaluation tool. When goals and priorities are set, the Council has valuable data in hand to determine how well the Council and the City Manager did in achieving the agreed upon goals and priorities.

Goal setting will not solve all the immediate problems nor guarantee that a crisis will not occur; but it will help to get a better idea of what is happening in the community and define what will happen over the long term.

Role in Disaster

The City Council has some extraordinary powers in the case of a disaster. Sections 2.32.010 through 2.32.120 of the Rocklin Municipal Code define those powers.

The Emergency Operations Center is located at the Police Station, 4080 Rocklin Road.

The Fire Department manages the City of Rocklin's Emergency Operations Plan (EOP), which provides for the effective mobilization of all City resources. Both public and private resources are a part of this planning process. The Emergency Operations Plan is designed to meet the needs of any local emergency, state of emergency or state of war emergency, and shall provide for the organization, powers and duties, services and staff of the emergency organization. This plan is updated and adopted by resolution of the City Council on an annual or as needed basis. The Emergency Operations Center (EOC) is activated when required due to threat of a local emergency or once an incident has occurred. The EOP outlines the structure of the organization, location of the EOC and back up locations, and general guidelines regarding the City of Rocklin's emergency management goals.

Councilmember Appointments to Advisory Boards

Councilmembers are requested to serve on various boards and committees for outside agencies. Typically in December, it is the duty of the Mayor to review the list of current assignments and make recommendations for appointments. Any Councilmember desiring to serve on a certain committee (or who desires not to be considered) should inform the Mayor. These appointments are subject to approval by the majority of Council and will be made in January.

Citizen Appointments to City Advisory Boards

The City has several committees, boards, and commissions. The following procedures reflect the policy of the City Council regarding the appointment of volunteer citizens to the various committees, boards, and commissions of the City.

The establishment of these procedures ensures that well-qualified, responsible and willing citizens are given the opportunity to serve the City and participate in the governing of their community. These procedures apply to all appointments and reappointments to standing committees, boards, and commissions.

Qualifications: Specific qualifications for appointment of members to the various committees, boards, and commissions are set forth in the Rocklin Municipal Code.

Process: In the spring of even numbered years, the City Clerk starts the recruitment process by advertising open seats on its Boards and Commissions. Qualified citizens may apply by submitting an application. After applications are reviewed and at the request of Council, interviews are scheduled for a Special City Council Meeting. All

Council interviews, deliberations and actions to appoint members to Boards and Commissions are subject to the Ralph M. Brown Act, and as such, must be noticed and open to the public. After each applicant is evaluated, the Council will deliberate and reach a decision.

Appointment: The Mayor will make all appointments to committees, boards, and commissions, subject to approval by the City Council unless specifically provided by statute. Appointments will be made no later than the second Council Meeting in June to ensure new members are seated by July 1.

Terms: Each advisory board has specific terms, usually four years per term. At the expiration of the term, the incumbent must reapply for appointment and compete with other interested candidates of the board position.

Parks, Recreation and Arts Youth Commissioner: A Youth Commissioner will annually be appointed to the Parks, Recreation and Arts Commission. The Youth Commissioner will be a senior from any high school in the City of Rocklin. The Youth Commissioner will go through a similar screening process as other Boards and Commissioners. The Youth Commissioner will be interviewed by a 2x2 committee consisting of two councilmembers and two Parks, Recreation and Arts' commissioners. The term will be one year.

The following is a summary of the specific scope of responsibility for each committee, board, or commission.

Planning Commission

The Planning Commission consists of five members who must be residents of the City and are appointed to alternating four-year terms. Responsibilities of the Planning Commission range from acting as the approving body for tentative parcel maps and design review for certain types of residential projects and all non-residential projects, to an advisory role making recommendations to the City Council regarding land use policies, long range planning ideas, changes to the City Zoning Code, and all land development related topics.

The Planning Commission holds its regular meetings on the first and third Tuesday of each month at 6:30 p.m. in the City Council Chambers. For more information on the Planning Commission, refer to Chapter 2.40 of the Rocklin Municipal Code.

Parks, Recreation and Arts Commission

The Parks, Recreation and Arts Commission is an advisory board to the Rocklin City Council serving alternating four-year terms. Commissioners must be residents of the City. As set forth in the Municipal Code, the Parks, Recreation and Arts Commission shall have the duty to do the following:

A. Act in advisory capacity to the Council in all matters pertaining to parks and recreation;

B. Examine that portion of the annual City budget pertaining to parks and recreation and make recommendations thereon to the Council and to the City Manager;
C. Assist in the planning and supervision of park and recreation programs of the City, including consultations with the Planning Commission and City Council on long-range development;
D. Promote and stimulate public interest in the park and recreation program of the City;
E. Cooperate with school authorities and other public and private agencies to coordinate all recreational and park activities;
F. To recommend policies for the development and improvement of present and future parks and recreation areas. Oversees the selection and master planning process for all City parks, conducts public workshops for the design of parks; and promotes healthy lifestyles through the recreation programs, provided by the Community Services & Facilities Department.

In addition,

The Parks, Recreation and Arts Commission is charged with the following scope of work:

- The Commission is responsible for advising the City Council on subjects referred by the City Council, City Manager, and Public Services Director or on matters the Commission feels are important regarding the preservation of open space, park lands, public art and cultural initiatives. The Commission has the duty to advise and recommend to the city council regarding long-term planning, acquisition and/or development of park or open space lands to include trail systems. The Commission will provide initial review and opportunity for public comments concerning open space, trail systems and/or park capital projects. (Non-maintenance projects in excess of $50,000)

- The Commission will represent the City's interest in park, recreation and art matters and serve as a spokesperson group for related matters in the City. The Commission is responsible for keeping the Mayor and City Council informed.

- The Commission seeks to develop cooperative efforts with art schools, and regional and national art organizations and will explore and obtain private, local, state, and federal funds to promote art projects within the community. The Commission also reviews and makes recommendations on works of art acquired by the City, and renders other service in the field of art, aesthetics, or beautification of the City when requested.

- Commission Priorities: (As the City Council shall establish and amend from time to time)

  - Research and complete an outreach mechanism to determine how the City is doing in terms of satisfying community needs.
  - Investigate and evaluate the use of public/private partnerships in support stated goals and objectives.
  - Develop a Master Plan for the development and use of Springfield Johnson Park

- Develop a City-wide Park and Trail System Master Plan
- Establish a Public Art Program (static and performing arts, festivals, etc...)
- Establish a 501 3 (c) non-profit organization for community fund raising in support of events and programs that further the City's Parks and Arts initiative; create a scope of work and governance framework.
- Expand volunteer opportunities
- Create and support Rocklin Youth Council Program(s)

The Parks, Recreation and Arts Commission holds its regular meetings on the second Wednesday of each month at 6:00 p.m. in the City Council Chambers. Additional information on the Parks, Recreation and Arts Commission can be found at Chapter 2.44 of the Rocklin Municipal Code.

Building Board of Appeals

The Board of Appeals consists of five members appointed to alternating four-year terms. The Board hears issues involving interpretation of the City's building and fire codes.

The Board of Appeals meets as necessary to hear appeals of determinations made by City staff regarding code interpretations.

For additional specific information on the Building Board of Appeals, refer to Resolution Nos. 81-34 and 94-273.

CHAPTER 3

City Finances

City revenue comes from a variety of sources. Major sources of City revenue for day-to-day operations and services come from sales and use tax, property tax, business license tax (a tax on businesses in the City, usually measured by gross receipts), and transient occupancy (or hotel bed) tax. Unlike a private business, much of the City's revenue is restricted to certain uses by law. Some revenue is payment for a specific service by customers. Many types of revenue cannot be increased without expensive campaigns for voter approval, often requiring supermajority votes to secure approval for rate increases. Still other revenue comes from state and federal agencies, and the City has no control over how much it receives, and the type of project for which the money can be spent. The California Constitution and state law often provide specific distinctions among municipal revenue sources and layers of limitations for expending these designated program funds.

Restrictions on the Use of Revenue

The law restricts many types of City revenues to certain uses. A special tax is levied for the specific purpose approved by the voters. Fees are charged for specific services, and fee revenue can fund only those services and related expenses. Many intergovernmental revenues, i.e. State and Federal funds, are designated by law for specific activities. To comply with these laws and standards, the Finance Department segregates revenues and expenditures into separate accounts or funds. The City has special revenue funds (non-discretionary funds) and the General Fund.

Non-discretionary or special revenue funds have specific limitations and restrictions on spending according to law. The Council must use these funds for specific types of expenditures depending upon the source of the money. Examples of non-discretionary funds include: special revenues such as gas tax, Lighting and Landscaping District assessments, and Housing and Urban Development (HUD) grants; capital project revenues such as developer impact fees and bond proceeds for specific projects (i.e. park development and capital construction); agency revenues such as donations, developer fees, and special taxes; and debt service revenue from special taxes such as CFDs and tax increment. Gas tax is an important revenue which is passed through to local agencies. The State imposes an 18-cent per gallon tax on gasoline (the Federal government taxes gasoline, too). These funds are apportioned to cities and counties, primarily on the basis of their populations, and local gas tax receipts must be spent on research, planning, construction, improvement and maintenance of public streets, highways, and mass transit.

Discretionary funds are held in the City's General Fund. The General Fund is used to account for money that is not required legally or by sound financial management to be accounted for in another special fund. With discretionary revenues, Council has the most control and flexibility over the use and types of expenditures. Examples of discretionary revenue in the General Fund include: sales tax, property tax, business license tax, and transient occupancy tax (commonly referred to as TOT or hotel tax), community development fees, and program fees. In Rocklin, like most cities, the largest portion of the General Fund is spent on police and fire services.

Types of Revenue

Taxes

A tax is a charge for public services and facilities. There need not be a direct relationship between the services and facilities used by an individual taxpayer and the tax paid. Cities may impose any tax not otherwise prohibited by state law (Gov't. Code section 37100.5).

The California Constitution distinguishes between a general tax and a special tax. General tax revenues may be used for any purpose. A majority of voters must approve a new general tax, its increase or extension in the same election in which city councilmembers are elected. Special tax revenues must be used for a specific purpose, and two-thirds of voters must approve a new special tax, its increase or extension. Special taxes may be put to a vote and approved at any regular election or a special election may be called. The special election can be conducted with typical precinct voting or voting by a mail ballot procedure.

Fees

A fee is a charge imposed on an individual for a service that the person chooses to receive. A fee may not exceed the estimated reasonable cost of providing the particular service or facility for which the fee is charged, plus overhead. Examples of City fees include building permits, recreation classes, processing of a design review for a commercial project, permit fees for signs, and development impact fees such as the citywide transportation impact fee. Cities have the general authority to impose fees under the cities' police powers granted by the State Constitution (Article XI, sections 7 and 9).

Development impact fees are imposed on new construction (like new houses, apartments, shopping centers, or industrial plants). They pay for improvements and facilities required to serve new development and to reduce the impacts of new development on a community. Development impact fees pay for community amenities such as streets, sewers, parks and schools. They may not be used for day-to-day operating expenses.

The ordinance or resolution establishing a fee must explain the connection, otherwise known as the "nexus," between the development project and fee. Thus a neighborhood park impact fee must be connected to the demand for parks created by the construction of a new neighborhood. New development cannot be asked to pay for a new park a community needs or wants for other reasons. The amount of the fee must not exceed the cost of providing the service or improvement that the fee pays for.

There are specific procedures in State law for fee and rate adoption. Proposition 218 provides special rules for property-related fees used to fund property-related services. The City each year produces a fee study of the costs of providing all City services based on the fully loaded hourly rate for the individuals involved in providing the service. The goal is to approve the fee study just after the approval of the budget for the fiscal year, so that the current fees relate to the current budget. Not every fee is recovered at 100% of the cost of providing the service. Determining, and approving, the annual fee study, and the amount of cost recovery per service provided, is an important part of a Councilmember's fiscal responsibility.

Assessments
Special benefit assessments are charges levied to pay for public improvements or services within a predetermined district or area, according to the benefit the parcel receives from the improvement or services. The State Constitution requires property-owner approval to impose a benefit assessment. The City has two assessment districts which pay for street lights, intersection signalization, and landscaping along the public rights-of-way. Lighting and Maintenance District 1 (LM#1) and Landscaping and Lighting District 2 (L&L#2) each have an engineer's report done annually which provides the basis for, and show the costs associated with, the amounts of the assessments.

Intergovernmental Revenue
An important source of revenue is from other government agencies, principally the State and Federal governments. These revenues include general or program specific support monies, as well as grants for specific projects and programs, and reimbursements for the costs of some State mandates. For example, the City receives grants of State and Federal transportation funds, State Department of Justice funds, and State and Federal housing funds. Those monies provided from State or Federal sources such as State gas tax, transportation funding, or housing funds have specific restrictions for spending those funds, often times with a "use it or lose it" type provision.

Other Local Revenues
Other locally raised revenues include business licenses and permits; City franchise fees related to use of the City's rights-of-way such as our cable TV franchise fee and franchise fees from PG&E; rentals of community facilities; fines, forfeitures and penalties; investment earnings; revenue from the sale of property; and proceeds from debt financing. Each type of revenue has legal limitations on what may be charged and collected as well as how the money may be spent.

The City Budget

As mentioned in Chapter 1, perhaps the most significant action the City Council undertakes each year is the approval of the City's budget. The budget is based on projected revenues and is the roadmap to spending those revenues for the public benefit. The budget document contains a complete overview of the revenues projected and the proposed departmental expenditures. The City's budget is separated on a departmental basis into Police, Fire, Community Development, Administrative Services, Public Services, and

Legislative Services; each with differing goals, objectives, and the ability to generate fees or other revenue to fund a portion or all of their operating costs.

The City's budget process is set forth at Chapter 3.28 of the Rocklin Municipal Code. Section 3.28.050 states "The council shall adopt a final budget on or before June 30th of each year, by resolution." Though generally considered good stewardship of public resources and a fiduciary duty to the citizens of the City, there is no stated requirement in the Rocklin Municipal Code, nor state statutes, that the City approve a balanced budget.

A primary limitation on expenditures is that cities generally may not incur indebtedness or liability which exceeds in any year the income and revenue anticipated for that year without two-thirds voter approval. (Cal. Const. art. XVI, §18.)

The City budget includes the following types of funds: General Fund, Special Revenue funds, Capital Projects funds, Debt Service funds, Internal Service fund, Permanent funds and Agency funds. The General Fund is used to account for resources traditionally associated with the City which are not required legally to be accounted for in another fund. The General Fund represents a majority of the City's total budgeted expenditures and is the fund Council has the most control and flexibility over spending.

Special revenue funds are used to account for specific revenues that are legally or otherwise restricted to expenditures for particular purposes and include the funds pertaining to revenues for: State gas taxes, a portion of the sales tax on fuel purchases, grants and revenues dedicated for a specific use. Revenues received from the State gas tax account (Highway Users Tax Account) commonly referred to as "Gas Taxes" are recorded in the Gas Tax fund and can only be used for repairs and maintenance of City streets. The revenues received relating to the portion of the sales tax on fuel purchases are recorded within the Sales tax – SB325 funds and are to be used for public transportation purposes first, with the remaining funds to be used for repairs and maintenance of City streets.

Grant revenues are reported separately within individual funds and usually are one time project specific funding sources, awarded by Federal, State or Local entities. For example, the City has received State Community Development Block Grants (CDBG) for rehabilitating low income housing and for first time home buyers. The City has been granted the Federal "HUD Entitlement Community" program status, which annually allocates monies to the City, for various programs. Revenues associated with Special revenue funds are to be used for specific purposes and some within specified timelines.

Capital project funds are used to account for financial resources used for the acquisition or construction of major capital facilities and include the funds pertaining to revenues for development impact fees and in the case of bond financed capital projects, proceeds from the issuance of bonds. For the City budget, the capital project funds account for revenues obtained from development impact fees and can only be used to finance public improvements which reduce the impact caused by the new development within the City. These revenues are recorded with separately identified funds for specific fees. City capital project funds include: Park Development Fees, Community Park Fees, Traffic Circulation Impact Fees, Capital Construction Impact Fees and Oak Tree Mitigation Fees.

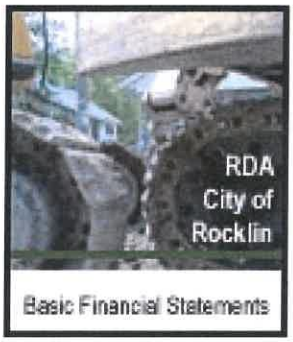
The Internal Service fund is used to account for the financing of the City's fleet services provided by one City department to other departments on a cost-reimbursement basis and titled "Vehicle Fleet Mgmt" fund within the City budget.

Permanent funds are used to report resources that are legally restricted to the extent that only earnings, and not principal, may be used to support the City's programs. The City has two such funds; the Wetlands Maintenance fund and the Conservation Easement Endowment fund.

Agency funds account for assets held by the City in a purely custodial capacity. The City budget includes the following agency funds: Boroski Landfill Monitoring Trust.

In addition to adoption of the City's budget, the City Council also approves budgets for the Mello Roos Community Facility Districts (CFDs) and the two City Assessment Districts, Lighting Maintenance Assessment District 1 and Landscaping and Lighting Assessment District 2. The Community Facility Districts and the Assessment Districts budgets consist of Agency and Capital Project funds. The agency funds account for district administration and bond debt service payments which are funded by special taxes or assessments. The capital project funds account for the acquisition or construction of major capital facilities, such as infrastructure, which are funded by bond proceeds.

Redevelopment Agency Finance and the Successor Agency



The California Community Redevelopment Law (CRL), contained in the California Health and Safety Code beginning with Section 33000 et seq., provided the authority and implementation provisions for a redevelopment program. California voters adopted Article XVI, Section 16 of the California Constitution in 1952, providing for tax increment financing. Tax increment financing is a unique financing structure, in that, before an agency is lawfully entitled to property tax increment, the Agency must incur debt. In other words, tax increment can only be used to repay debt.

The Legislature adopted ABX1-26 in 2011 which ultimately led to the dissolution of all redevelopment agencies in the state, including Rocklin's. By law, a Successor Agency to the Redevelopment Agency of the City of Rocklin was established in February of 2012 to conclude the affairs of the former Redevelopment Agency. The majority of those activities relate to the payoff of redevelopment agency debt, so the following discussion of redevelopment agency financing is included to provide background information on those remaining financial obligations.

The concept of tax increment financing is based on the assumption that a revitalized project area will generate more property taxes than were being produced before redevelopment. When a redevelopment project area is adopted, the current assessed values of the property within the project area are designated as the base year value. Tax increment comes from the increased assessed value of property, not from an increase in tax rate. Any increases in property value, as assessed because of change of ownership

or new construction, will increase tax revenue generated by the property. This increase in tax revenue is the tax increment that goes to the Agency.

For example, a property owner pays $1,000 (the standard property tax rate of one percent) on land assessed at $100,000 this year, pursuant to Proposition 13. If, as a result of new construction on the property, the property increases in assessed valuation to $500,000, the property owner would pay $5,000 at the same standard tax rate. The $4,000 increase is called "tax increment." Redevelopment agencies are entitled to collect this increase in property tax revenues, or tax increment, on the acreage they redeveloped to repay the debt involved in the project, and to reinvest these dollars in redevelopment activities within the project area. An important restriction on redevelopment funds is that 20% of the Agency's tax increment money must be transferred into a housing fund set aside specifically to finance low- to moderate income housing.

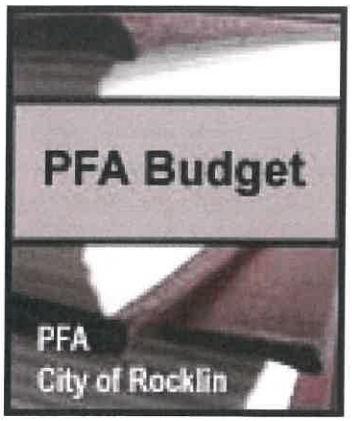
Though redevelopment is primarily financed by tax increment revenue, other revenue sources include loans, grants and issuance of tax allocation bonds. Typically, agencies use tax increment funds to leverage financial assistance from various agencies of the State and Federal governments, and private sources.

The most common bond instrument used by redevelopment agencies to finance projects is called a tax allocation bond. These bonds, which are a loan of money to an agency, are not a debt of the community or the general taxpayer. Rather, they are repaid solely from tax increment revenue generated within the project area. In other words, increased tax revenues generated through redevelopment activities are funneled back into the project area to stimulate more development as well as to pay the costs involved.

Acting in their capacity as the Board Members of the Redevelopment Agency (RDA), the elected Councilmembers approve a separate budget for the Redevelopment Agency. The Redevelopment Agency (RDA) budget has three types of funds; a Debt Service fund, Special Revenue funds and Capital Projects fund. The Debt Service fund is used to account for the payment of principal and interest on the long-term obligations of the RDA, tax increment pass-through payments to other governmental entities and administration of the RDA.

The Special Revenue funds are used to account for the 20% set-aside requirement for the tax increment within the RDA (Housing Set Aside fund) and the Down Payment Assistance Fund, which is used for down payment assistance for first-time homebuyers. The Capital Projects fund is used to account for financial resources (bond proceeds and grants) to be used for capital improvement programs intended to improve the overall RDA's project area's appearance, development, or other infrastructure enhancements to eliminate blight.

Public Financing Authority



Councilmembers sit as the Board Members of the Rocklin Public Financing Authority. (the "PFA") The City created the PFA in 1994 to provide a means to refinance special tax bonds issued by the City for Stanford Ranch Community Facilities District No. 3. The Public Finance Authority is a Joint Powers Authority made up of the City of Rocklin and the City of Rocklin Redevelopment Agency. Since that initial refinancing of bonds, the PFA has been used seven times to reissue bonds when financial analysis shows it provides cost savings to the City taxpayers. The PFA is also used for certain lease financing situations and for the issuance of Certificates of Participation related to construction financing for the new police station built in 2005.

Acting in their capacity as the Board Members of the Rocklin Public Financing Authority, the Councilmembers also approve a separate annual budget for the PFA. The PFA budget includes the Debt Service fund, accounting for the payment of principal and interest on the long-term obligations of the City and related administration of the PFA.

Council Compensation

State law limits City Council salaries. A City Council may establish a salary by ordinance up to a ceiling determined by a city's population, although the city's electorate may approve a higher salary. State law allows an increase in City Council salaries up to 5% per year; however, any salary increase may take effect only when a least one member of the City Council commences a new term. Consistent with the state law limitations, the City's Municipal Code has fixed City Councilmember salaries at $685 per month.

The City does not provide cell phones, car allowances, laptop computers, or dedicated staff to Councilmembers. All of those expenses are included in the monthly stipend. As explained in more detail below, reimbursement for local travel is also expected to be included in the monthly stipend and not reimbursed in addition to the approved monthly Council salary.

There are other limitations on the amount of compensation a City Council can approve for Councilmembers for service on other boards and commissions. For example, the City Council may not approve an additional salary for the Public Financing Agency when the Council serves as the City's Public Financing Agency when meetings of the agency are held jointly with City Council meetings.

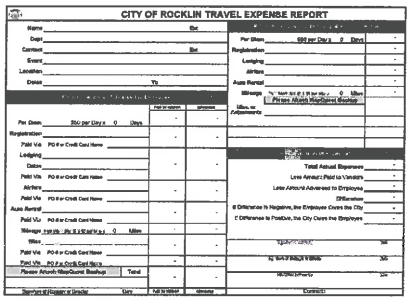
Though state law allows the City Council to approve payment of benefits to the Councilmembers, such as health and retirement, the Council has not approved any benefits other than those required by law. The City of Rocklin participates in an alternative retirement plan through ICMA-RC (ICMA-ARS) in lieu of participation in Social Security. Under the ICMA-ARS plan, Councilmembers contribute 7.5% of their salary on a pre-tax basis. Contributions are retained by ICMA-ARS in a fully vested individual account.

Newly elected Councilmembers must complete certain documents through the Human Resources Division. Staff assistance and the required forms are available in Human Resources. The forms listed below should be completed within **thirty (30)** days by each newly elected official and returned to Human Resources.

1. Employee Data Record – includes confidential emergency information.
2. Designation of Physician for Industrial Injury (optional).
3. Employment Eligibility Verification (I-9 form) with a copy of Social Security Card and CA Driver's License or see form for other optional forms of identification.
4. W-4 (current year Federal form can also be obtained online from www.irs.gov).

Allowable Expenditures

The City budget includes funds for Councilmembers to undertake official City business. To do the job, there are a number of highly recommended training classes available from the League of California Cities Eligible expenses include membership in professional associations, attendance at conferences or educational seminars (especially for newly elected members), and the purchase of publications and annual subscriptions. For travel approved by the City Council, Councilmembers are entitled to reimbursement for travel expenses, including meals for Councilmembers and mileage, when attending functions or training classes on behalf of the City which involve significant travel.


CITY OF ROCKLIN TRAVEL EXPENSE REPORT

Expenditure Guidelines

It is very important to note that any reimbursable expense must be related to City affairs, and those expenses must be approved by the City Council. Public property and funds may not be used for any private or personal purposes. Courts have ruled that this prohibition includes personal political purposes. For example, the City cannot reimburse a Councilmember for meals at a meeting designed to discuss political or campaign strategies.

When a Councilmember has attended a conference, meeting, etc., and has requested reimbursement, that Councilmember is required by law to report at the next Council Meeting the purpose of the reimbursable expense.

Included in Appendix A is Resolution No. 2014-190 establishing per diem and travel allowance policies for City officials and employees. The past practice of the Rocklin City Council has been to attend committee meetings, and regional meetings and events involving local travel, without reimbursement from the City.

Additional Information Regarding City Finances

General information on city finance and fiscal issues facing city governments can be found at the League of California Cities (LCC) website and the companion website the Institute for Local Government (ILG). Councilmembers are encouraged to discuss with staff both general and specific information regarding Rocklin's budget and financing. A good starting point for more detailed information is a document on the LCC website entitled *A Primer On California City Finance* published by the League. Included with this handbook is a publication from the League of California Cities book store entitled *Municipal Revenue Sources Handbook*, which provides an in depth look at City revenue sources and the limitations on spending those funds.

CHAPTER 4

City Council Meetings

Open Meeting Laws (The "Brown Act")

The entire City organization conducts its business in compliance with the Ralph M. Brown Act, Government Code Section 54950. (the "Brown Act") Because this law is such an important part of local government operations, some specific requirements of the law are highlighted below for your information and future reference. A publication of the League of California Cities entitled *Open and Public IV, A Guide to the Ralph M. Brown Act* will be provided with this Handbook which goes into greater detail on this subject.

Applicability and Penalties: The intent of the Act is to ensure that deliberation and actions of local public agencies are conducted in open and at public meetings. The law provides for misdemeanor penalties for members of a body who violate the Act (Cal Gov Code Section 54959). In addition, violations are subject to civil action (Cal Gov Code Section 54960). The provisions that most directly affect the Council are summarized in this chapter.

1. Applicability: The Act applies to Council and all commissions, boards and task forces that advise Council. Staff cannot promote actions which would violate the Act.

2. Meetings. All meetings shall be open and public. A City Council meeting takes place whenever a quorum (generally 3 or more members) is present and information about the business of the body is received: discussions qualify as a meeting. Social functions (e.g., receptions, dinners) do not fall under the Act unless City business is conducted.

3. Agendas. Agendas for regular meetings must be posted 72 hours in advance of the meeting and must meet various requirements.[4]

4. Actions. The general rule is that no action can be taken on any item not appearing on the posted agenda. However, there are three exceptions to that rule:

    a. An emergency situation exists (determined by a separate motion and majority vote of the Council).

[4] Many individual agenda items have specific and more complex public notice requirements than the regular meeting agenda posting requirement.

b. An urgency situation exists, in that the need to take action arose subsequent to the agenda being posted and there is a need for immediate action (determined by a separate motion and 2/3 vote of the Council; or if less than 2/3 are present, by unanimous vote).

c. The item was continued to another meeting that was scheduled and posted within 5 days of the original agenda.

5. Public Input. The public, by law, has an opportunity to address the Council on any item of interest to the public that is within the jurisdiction of the Council, at the time the matter is heard. The Mayor has the right to establish a time limit on speakers and the total time allocated for a particular issue. Five minutes per speaker is the standard, but in unusual circumstances, shorter or longer time periods may be enacted.

6. Public Disruptions. A portion or all of the public may be removed if willful disruption makes conducting the meeting "unfeasible"; the press may remain unless they participate in the disruption.

7. Correspondence. All writings distributed for discussion or consideration at a public meeting are public records.

8. Special Meetings. Special meetings may be called by the Mayor or a majority of the Council with strict notification requirements for delivery to the media and Council 24 hours before the time of the meeting.

9. Emergency Meetings. Emergency meetings may be called without notification due to the disruption or threatened disruption of public facilities. Only work stoppages or crippling disasters that impair the public health and/or safety qualify for emergency meetings.

10. Other Provisions. The Act provides many other restrictions and requirements; this chapter is intended merely as a Council summary and overview of the Act, and nothing in this Chapter supersedes the provisions of the Brown Act. Please check with the City Attorney if you have any questions about the Brown Act requirements.

Formation of the Agenda

1. Items Related to City Business: The City Manager is responsible for scheduling items related to City business on City Council meeting agendas. Department heads and other staff members must request the City Manager's permission to schedule their department's items for upcoming Council agendas.

2. Items Unrelated to City Business: Councilmembers may request that an item unrelated to City business be added to a future agenda. They may do this during the "Future Agenda Items" portion of a regular council meeting. Future Agenda Items is routinely included on the agenda of every regular council meeting.

3. Citizen Requests to Add Items to Upcoming Agendas: Citizens wishing to have items added to an upcoming agenda should attend a Council meeting and make the request to the City Council and the City Manager during the "Citizens Addressing the Council" item of business. If the item is related to City business, the City Manager may add the item to a future agenda. If the item is unrelated to

City business, one or more Councilmembers must direct the City Manager to add the item to an upcoming agenda. In lieu of attending a meeting, a citizen may direct a written request to the City Manager or the City Council to add an item to a future agenda.

Council Meetings and Rules of Procedure

Rules of Procedure

The City Council adopts rules of procedure by resolution. The current Rules of Procedure adopted by Council Resolution No. 2009-7 are included in this handbook as Appendix C. These rules of procedure are adopted pursuant to the authority of Section 2.08.010 of the Rocklin Municipal Code. The following information is only a portion of the information contained in the adopted Rules of Procedure, and all councilmembers are encouraged to read and be familiar with the all of the information in Appendix C.

Regular Meetings

The Council holds its regular meetings on the second and fourth Tuesday of each month at the hour of 6:00 p.m. If the regular meeting date falls on a holiday, the meeting shall be held on the next business day or another day agreed upon by the Council, or the Council may by majority vote cancel the meeting altogether.

Special Meetings

From time to time, a special meeting of the council may be called by the mayor, by the presiding officer in the absence of the mayor, or by a majority of the Council. A special meeting shall be held at the place specified in the notice and as provided in Government Code §54954, and are not necessarily held in the Council Chambers. Business at a special meeting is limited to only the items specified in the special meeting agenda notice.

All regular and special meetings of the Council shall be public; provided that the Council may hold a closed session as provided by law during any regular, special, adjourned regular or adjourned special meeting, from which the public shall be excluded.

Closed Sessions

The Brown Act begins with a strong statement in favor of open meetings; private discussions among a majority of a legislative body are prohibited, unless expressly authorized under the Brown Act. It is not enough that a subject is sensitive, embarrassing, or controversial. Without specific authority in the Brown Act for a closed session, a matter must be discussed in public.

Grounds for convening a closed session in this chapter are called "exceptions" because they are exceptions to the general rule that meetings must be conducted openly. In some circumstances, none of the closed session exceptions apply to an issue or information the legislative body wishes to discuss privately. It is improper in these cases, to convene a

closed session, even to protect confidential information. For example, the Brown Act does not authorize closed sessions for general contract negotiations.

In general, the most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the agency or compromise the privacy interests of employees. Closed sessions should be conducted keeping those narrow purposes in mind.

Typically, closed sessions are called to discuss real property negotiations, existing or anticipated litigation, liability claims, labor negotiations, or public employee appointments, evaluations and discipline. There are some other exceptions, but they arise so rarely that a Councilmember can expect a confidential briefing from the City Attorney explaining the situation prior to the meeting.

Meetings of a legislative body are either fully open or fully closed; there is nothing in between. Closed sessions may involve only the members of the legislative body and only agency counsel, management and support staff, and consultants necessary for consideration of the matter that is the subject of closed session. Individuals who do not have an official role in advising the legislative body on closed session subject matters must be excluded from closed session discussions.

Closed session items must be briefly described on the posted agenda and the description must state the specific statutory exemption. An item that appears on the open meeting portion of the agenda may not be taken into closed session until it has been properly agendized as a closed session or unless it is properly added as a closed session item by a two-thirds vote of the body after making the appropriate urgency findings.

If the Council intends to convene in closed session, it must include the section of the Brown Act authorizing the closed session in advance on the agenda and it must make a public announcement prior to the closed session discussion. In most cases, the announcement may simply be a reference to the agenda item.

Following a closed session the presiding officer must provide an oral or written report on certain actions taken and the vote of every elected member present. The timing and content of the report varies according to the reason for the closed session. The announcements may be made at the site of the closed session, so long as the public is allowed to be present to hear them.

Confidentiality Notice for Closed Sessions: By law, no member of the Council, employee of the City, or any other person required to be present during a closed session shall disclose to any person the content or substance of any discussion which took place during the closed session unless disclosure is authorized by a majority vote of the Council.

Preparation of the Agenda

For all regular and special meetings, the City Manager shall cause to be prepared an agenda setting forth the time and place of the meeting and a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session as provided in section IX.B. of the Rules. The City Manager shall cause to be prepared a memorandum giving pertinent facts and background information on each item which requires Council action.

Meeting Order of Business
The order of business of all regular meetings of the Council shall be as follows:

1. Call to order at 6:00 p.m.;
2. Pledge of allegiance;
3. Roll call;
4. Agenda review;
5. Approval of minutes;
6. Consent calendar;
7. Citizens addressing the Council;
8. Hearings;
9. Ordinances and resolutions;
10. Bid openings and actions on bids;
11. Reports from city officials;
12. Reports from city committees or commissions;
13. Miscellaneous;
14. Councilmember announcements and activity reports;
15. Future agenda items;
16. Closed sessions;
17. Adjournment.

The order of business herein prescribed may be changed any time by a majority vote of the Council.

Standards of Decorum
As to Councilmembers, while the Council is in session, the members shall preserve order and decorum, and no member shall, either by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council or disturb any member while speaking, or refuse to obey the orders of the Council or its presiding officer. Councilmembers shall be courteous at all times in their dealings with the public, staff and each other.

As to any other persons, any person making personal, impertinent or slanderous remarks, or who disrupts the meeting of the Council, may be barred by the presiding officer from further audience before the Council during that meeting, unless permission to continue be granted by majority vote of the Council.

Manner of Addressing Council
The Mayor or presiding officer shall request that each person addressing the Council give his name and city of residence in an audible tone of voice for the record before making comments, although a person is not required to identify himself before addressing the Council. All remarks shall be addressed to the Council as a body and not to any member thereof, or to staff, or to the public. No person, other than a member of the Council, the City Manager or the City Attorney and the person having the floor, shall be permitted to enter into any discussion without the permission of the presiding officer.

For items not on the agenda, the person addressing the Council shall be limited to five minutes, unless the time is extended by the presiding officer. For all items on the agenda, the presiding officer may impose reasonable time limits on any citizen

addressing the Council, including applicants, proponents and opponents, when the presiding officer determines the limits are necessary for the orderly conduct of the hearing, and the limits are fairly applied.

Procedure for Public Hearing

There are a number of action items that will come before the Council which the agenda will list under public hearings. These are typically land use issues which are required to have specific public notice requirements and a public hearing is specified by state law. Since the Brown Act, discussed at the beginning of this Chapter now affords the public the right to comment on any item on the agenda, there is no longer a significant difference between the rights afforded by a statutory public hearing, and the rights of any citizen regarding some other action item on the agenda. For the slightly more formal public hearing, the Rules of Procedure specify the conduct of the public hearing shall be as follows:

a. Presiding officer announces the item and opens the public hearing;

b. Staff report;

c. Questions of staff for clarification by Councilmembers;

d. Statement by proponents;

e. Questions of proponents or staff by Councilmembers;

f. Public comments;

g. As necessary, questions of public or staff by Councilmembers;

h. Response by proponent;

i. Response by staff;

j. Final questions by Councilmembers to staff, proponent or public;

k. Presiding officer closes public hearing;

l. Council discussion;

m. Council action on item.

Attendance at Meetings

If any Councilmember cannot attend a meeting, he or she shall notify the Clerk as soon as possible, but in no event later than noon on the meeting day.

Validity of Actions
No action taken by the Council which is otherwise legally valid shall be voided or nullified by reason of a failure to follow these Rules of Procedure.

Actions by the City Council

The City Council takes formal action by one of three ways. The simplest matters are done by what is called a minute order. The presiding officer simply discusses the topic looking to gain consensus among the councilmembers and asks for a motion, a second, and a vote on the matter. An example of this would be consideration of a report from a Department Head looking for direction as to a future course of action.

The most typical council action is taken by way of a formal resolution. A draft resolution is provided to council along with a description of the action requested and background on the project which is presented in the staff report. The draft resolution may be approved as presented, or during council deliberations changes may be suggested and incorporated into the resolution. The resolution is approved by the presiding officer asking for a motion to approve, a second, and a vote on the matter. A resolution has the legal effect of being a formal written record of the opinion of the legislative body.

The most powerful tool available to a City Council is the adoption of an ordinance. An ordinance has the force and effect of being a local law, which unless preempted by state or federal law, has all the force and effect of any other local, state or federal law. General ordinances of the City of Rocklin are codified in the Rocklin Municipal Code. In most circumstances, a violation of the Rocklin Municipal Code may be prosecuted by the City Attorney as a criminal misdemeanor in the name of the People of the State of California.

With the rare exception, ordinances are adopted by way of a three step process. When introduced, the ordinance must be read in its entirety, unless a majority of the council votes to read the ordinance by title only. Therefore, the first step is for the presiding officer to ask for a motion to read by title only. Upon hearing the motion and obtaining a second, there is a vote on the matter. Assuming a vote in favor of reading by title only, the presiding officer or another designated councilmember must read into the record the full title of the ordinance.

Discussion of the ordinance then takes place in the typical format of presentation of the staff report, presentation of a directly interested party or applicant if there is one, public comment on the ordinance, then deliberations and a vote to approve the introduction of the ordinance. An ordinance must first be introduced, but no ordinance may be passed (with the exception of an urgency ordinance) within five days of its introduction. Therefore an ordinance must be on two council agendas, first to be introduced, and secondly to be approved, however, it can only be approved at a regular meeting of the City Council.

Tips on The Dais

The Council Chambers is equipped with a public address system. The system provides microphones at the dais, staff table, and podium. The public address system not only provides a means for the audience to hear all of a speaker's comments, but is also directly tied into a digital recorder so that a verbatim record of the meeting is produced. There are several issues related to the sound system which are important to keep in mind:

Turn the microphone on when you want to talk, and speak directly into the microphone.

Turn the microphone off when you are through talking, during recesses, and after the meeting.

Be mindful that you are speaking in a recorded public setting. Even the most harmless humor can easily be misinterpreted after the fact. Never say things near a microphone you do not want heard.

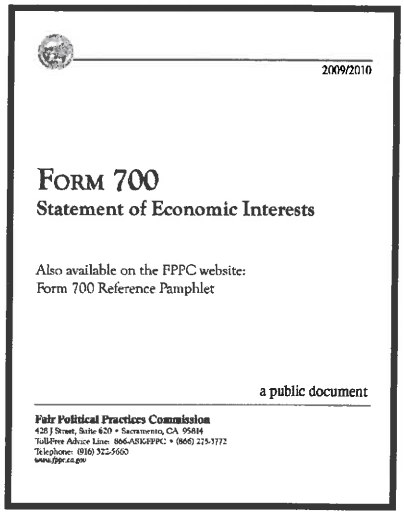
Have all speakers come forward to the podium. Do not allow people to speak from the audience as they cannot be heard.

CHAPTER 5

Conflicts & Liability

Conflict of Interest

State laws are in place which attempt to eliminate any action by a Councilmember which may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. Newly elected officials are required to file a Statement of Economic Interests (Form 700) within 30 days of being sworn into office. Thereafter, elected officials are required to file an annual Form 700. The City Clerk's Department will notify you of your filing requirements. **Note: Councilmembers also serve on various joint power agencies, Placer County committees, regional boards, and standing committees and should verify with each of those agencies to determine their filing requirements.**


2009/2010

FORM 700
Statement of Economic Interests

Also available on the FPPC website:
Form 700 Reference Pamphlet

a public document

Fair Political Practices Commission
428 J Street, Suite 620 • Sacramento, CA 95814
Toll-Free Advice Line: 866-ASK-FPPC • (866) 275-3772
Telephone: (916) 322-5660
www.fppc.ca.gov

The Council's most current Statement of Economic Interests (Form 700) and Campaign Disclosure Statements (Form 460 or 470) are posted to the City's website. Written permission must be obtained before posting elected officials' home addresses/telephone numbers on the Internet. A sample form "Authorization to Post FPPC Forms to Website" is attached as Appendix D authorizing the posting of these forms to the City's website.

At any time a member believes a potential for conflict of interest exists, he/she is encouraged to consult with the City Attorney or private legal counsel for advice. Staff may also request an opinion from the City Attorney regarding a member's potential conflict. Laws that regulate conflicts are very complicated. Violations may result in significant penalties including criminal prosecution.

While not inclusive, a general summary of conflict rules has been prepared by the City Attorney and is as follows:

There are laws that govern conflicts of interest for public officials in California - the Political Reform Act, Government Code §1090 and Government Code §87105 (http://www.leginfo.ca.gov/calaw.html.) In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before the official; §1090 prohibits a public official from being interested in government contracts.

Political Reform Act

The Political Reform Act prohibits public officials from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a financial interest. Therefore, if a public official has a conflict of interest, the official must disqualify him or herself from acting on or participating in the decision before the City.

An official has a financial interest if "it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from the effect on the public generally,.." on a financial interest of the official or a member of the official's immediate family.

Determining whether a Councilmember has a financial interest is very complicated and fact specific. Financial interests include interests in businesses worth $2,000 or more, interests in real property, both ownership and leases, worth $2,000 or more, and gifts of $420 or more provided to or received within one year of the decision. These dollars amounts are subject to annual increases. Please check with the City Attorney to verify current dollar amounts.

Often the financial interest involved is real property owned or leased by the Councilmember. In these cases, determining whether the Councilmember has a conflict requiring disqualification involves an analysis of the distance the property is from the property involved in the governmental decision, the uniqueness of the property use, what is between the two properties, exactly what decision is before the Council, and other factors that would influence whether the decision before the Council would have a material financial effect on the Councilmember's property.

Government Code 87105 states that a Council or commission member who has a conflict of interest must now recuse him or herself and leave the room, unless the matter is on the Consent Calendar. You must take the following steps after you have determined that a conflict of interest exists under the Political Reform Act:

1. **Publicly identify the financial interest**. This must be done in enough detail for the public to understand the financial interest that creates the conflict of interest. Residential street addresses do not have to be disclosed.

2. **Recuse yourself from both the discussion and the vote on the matter**. You must recuse yourself from all proceedings related to the matter.

3. **Leave the room until the matter has been completed**. The matter is considered complete when there is no further discussion, vote or any other action.

Exception: If the matter is on the consent calendar, you do not have to leave the room.

Exception: If you wish to speak during public comment, you may do so as a private citizen, but this is the only time when you may be in the room while the matter is considered.

The Fair Political Practices Commission (FPPC) has published lengthy regulations and opinions on conflicts of interest that are useful in determining whether a particular financial interest or decision could give rise to disqualification based on a potential conflict of interest. The FPPC also puts out informational pamphlets to assist public officials in determining what types of situations may give rise to prohibited conflicts of interest. Visit the FPPC website at http://www.fppc.com.

Government Code Section 1090

Government Code §1090 is similar to the Political Reform Act, but applies only to city contracts in which a public official has a financial interest. The financial interests covered by §1090 are different from those in the Political Reform Act. Having an interest in a contract may preclude the City from entering into the contract at all. In addition, the penalties for violating §1090 are severe. If a Councilmember believes that he or she may have any financial interest in a contract that will be before the Council, the member should immediately seek advice from the City Attorney.

There are a number of restrictions placed on Council actions that are highlighted in the League of California Cities *Resource Guide* (http://www.cacities.org). Such restrictions include prohibitions on secrecy, discrimination, and assurance that all City funds are spent for public purposes. Violations of these restrictions may result in personal liability for individual Councilmembers.

Common Law Conflict of Interest

The public has a right to fair and unbiased decision makers. The decision maker should not be tempted by his or her own personal interest or pecuniary interest. Examples of bias which could create a common law conflict of interest are a personal, but not financial interest in the outcome. A people bias, where you hold strong personal feelings positive or negative about one of the parties involved in a proceeding or decision. Or a factual bias, whereby you have information not available to the other decision makers.

Conflicts Related to Real Property Holdings

The California Political Reform Act and the regulations administered by the FPPC provide that Councilmembers may not participate in certain governmental decisions if they, their spouse or dependent children may have a financial positive or negative interest in the outcome of the decision. If applicable, the Councilmember is disqualified from making, participating in making or using his or her official position to influence the making of the decision **at any stage of the decision making process**.

Real property interests of the Councilmember, his or her spouse or dependent children often affect participation by Councilmembers. You will have an interest in real property if you, your spouse or dependent children have a direct or indirect equity, option or leasehold interest of

$2000 or more in parcel of real property (e.g., ownership, mortgages, deeds of trust, option to buy, joint tenancies, partnerships hold real property) and any part of that property is located in the City or within two miles of the City boundaries.

If that real property is the direct subject of a proceeding in the City, it is generally presumed you have a disqualifying interest and you must not participate in any manner regarding the pending matter. For example, the FPPC regulations expressly provide that if your property (described above) is involved in City related zoning, annexations, sale, lease, actual or permitted use of, or taxes or fees imposed on the property or major redevelopment decisions, among other things, you will be presumed to be disqualified.

You can also be disqualified if your real property (described above) is not the subject of a City matter but any part of it is within 500 feet of other real property which is the subject of a City proceeding or action. In such cases you will be presumed to have a disqualifying direct interest in the outcome unless you can demonstrate that the outcome will not have a positive or negative financial outcome on you, your spouse or dependent children's own real property. The City Clerk will assist you in identifying all your real property interests (as defined above) and the 500 foot radius.

If you think you may have a disqualifying real property interest (or any other financial interest) in a matter coming before or pending in the City, there are a series of checklists and rules to review to determine whether you can participate or not. Please contact the City Attorney at the earliest possible time to get assistance.

Ex Parte Communications

All Councilmembers may have "ex parte" communications – meaning communications outside the meeting forum; however, such communication should not be encouraged, made or accepted when such communication is designed to influence the official decision or conduct of the official or other officials in order to obtain a more favored treatment or special consideration to advance the personal or private interests of him/herself or others. This guarantees that all interested parties to any matter shall have equal opportunity to express and represent their interests.

Councilmembers who have ex parte communication with a party that appears before them at the meeting, should disclose that he/she had ex parte communication with the party. This can be done by stating that the Councilmember had ex parte communication with a party at a time in the meeting when the item is discussed.

Any written ex parte communication received by an official in matters where all interested parties should have an equal opportunity for a hearing shall be made a part of the record by the recipient.

Transportation Pass Restriction

Councilmembers should be aware that acceptance of free passes for public transportation will cause a forfeiture of office under the California Constitution (Art. 12.6)

Liability

The City is a large institution offering a variety of services and may often find itself subject to legal actions through lawsuits. For example, those involved in automobile accidents sometimes choose to take actions against a city since the accident occurred on a city roadway. The City must always approach its responsibilities in a manner which reduces risk to all involved; however, with such a wide variety of high-profile services (e.g., police, fire), risk cannot be eliminated. As noted under "Risk Management," the City belongs to a Joint Powers Authority (JPA) comprised of approximately 20 cities in Northern California to pool our resources to manage insurance and risk activities.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in that member being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment or fraud.

Anti-Harassment

State law prohibits, and the City has policies and procedures which prohibit, any form of harassment. Councilmembers should be familiar with the City's harassment policy included in Appendix A. Councilmembers may be personally liable for violations of such policies.

Code of Ethics Policy

Councilmembers should become familiar with the City's Code of Ethics Policy included in the policies section in Appendix A.

AB 1234 – Ethics Training for Public Officials

Assembly Bill 1234 was signed into law and went into effect on January 1, 2006. This State law requires City Councilmembers (those who receive compensation for their service or are eligible to have their expenses reimbursed) to receive two hours of ethics training every two years. Newly seated officials must receive this training within 12 months of taking their positions. The original Certificate of Completion of this training must be filed with the City Clerk by that deadline.

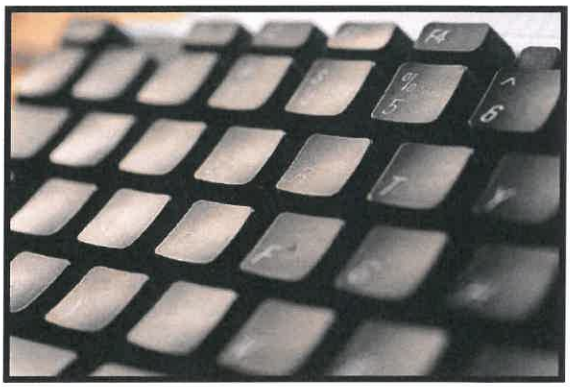
This training covers subjects such as personal financial gain, personal advantages and perks, government transparency, fair process and when to seek advice from agency counsel. The training will cover in detail the laws that are briefly presented above.

Please contact the City Clerk for training opportunities.

CHAPTER 6

Support Provided to City Council

Staff/Clerical Support



General staff and administrative support to members of the City Council is provided through the City Clerk's Office. Secretarial services including scheduling of appointments, receipt of telephone messages, and word processing services are available as needed. Sensitivity to the workload of support staff members in the City Manager's Office is appreciated. Please note that individuals may have other work assigned with high priority. Should requested tasks require significant time commitments, prior consultation with the City Manager is requested.

E-mail/Voicemail

Councilmembers will be offered the use of a City e-mail and voicemail account.

These technologies facilitate efficient communication by Councilmembers. However, their use also raises important legal issues to which Councilmembers must pay special attention. First, the Brown Act prohibits members from using "technological devices" to develop a concurrence by a majority regarding an action to be taken by the Council. "Technological devices" under the Brown Act include phones, faxes, computer e-mail, public access cable TV and video. Councilmembers should not use e-mail, faxes or phones for communicating with other Councilmembers in order to develop a majority position on any particular issue that may come before the full Council.

Second, be aware that any e-mails sent by Councilmembers addressing substantive city business, either from their City account or your personal email, may be public records under the Public Records Act. Even if an e-mail is not printed, the information in the e-mail is stored on the computer network until deleted, and may continue to exist on the network's back-up systems even after being deleted. As a result, e-mails can become records of the City maintained in the course of business, and thus available for public disclosure under the Public Records Act.

The City's use of Electronic Communications Policy is reprinted in Appendix A.

Mail, Deliveries

Members of the City Council receive a large volume of mail and other materials from the public, private interests, and staff. The City Clerk maintains a mailbox for each councilmember at City Hall and mail should be picked up on a regular basis.

Council Calendar

A web-based calendar identifying standing meetings, special events, items due is available to all councilmembers. Staff and councilmembers will be responsible for adding events to the calendar. The calendar will be emailed by the City Clerk's office every Wednesday showing the forecasted 30 days of events. The Information Technology Division can provide individual assistance for accessing the calendar from different types of technological devices.

Council Office

Historic City Hall has offices on the first floor for councilmember use.

CHAPTER 7

Interaction with City Staff/Officials

Overview

City Council policy is implemented through professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. The City of Rocklin has a long tradition of positive relationships between members of the City Council and staff. To maintain these effective relationships it is important that roles are clearly recognized.

City Council/City Manager Relationship

The employment relationship between the City Council and City Manager honors the fact that the City Manager is the chief executive officer of the City. This means the Council should direct the City Manager to implement policy, then the City Manager should delegate tasks to staff to implement policy. Individual Councilmembers should not directly delegate tasks to staff. Regular communication between the City Council and City Manager is important in maintaining open communications. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. Disagreements should be expressed in policy terms, rather than in terms which question satisfaction with or support of the City Manager.

The full City Council retains power to accept, reject, amend, influence, or otherwise guide and direct staff actions, decisions, recommendations, workloads and schedules, departmental priorities, and the performance of City business.

Should a Councilmember become dissatisfied about a department, he/she should always talk it over with the City Manager and/or the Acting City Manager in the absence of the City Manager, <u>not</u> the department head. Concerns about the department head must be taken to the City Manager <u>only</u>. Individuals are encouraged to initiate resolution of problems as soon as possible and not let them fester.

The City Council is to evaluate the City Manager on a regular basis to ensure that both the City Council and City Manager are in agreement about performance and goals based on mutual trust and common objectives.

As in any professional relationship, it is important that the City Manager keep the City Council informed. The City Manager respects and is sensitive to the political responsibility of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council. Communication must be undertaken in such a way that all Councilmembers are treated similarly and kept equally informed. It is equally important that the Council provide ongoing feedback,

information and perceptions to the City Manager including some response to written communication requesting feedback.

Staff roles: The primary functions of staff are to execute Council policy and actions taken by the Council, and to keep the Council informed. Through the direction of the City Manager, staff is obligated to take guidance and direction only from the Council as a whole. Staff is directed to reject any attempts by individual members of the Council to unduly direct or otherwise pressure them into making, changing or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests made by individual Councilmembers for information or assistance, provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council.

City Manager Code of Ethics

The City Manager is subject to a professional code of ethics from his/her professional association. These standards appear in Appendix E of this manual. It should be noted that this code binds the City Manager to certain practices that are designed to ensure actions are in support of the City's best interests. Violations of such standards can result in censure by the professional association.

City Council/City Attorney Relationship

The City Attorney is the legal advisor for the Council, City Manager and Department Heads. The general legal responsibilities of the City Attorney are to: 1) provide legal assistance necessary for formulation and implementation of legislative policies and projects; 2) represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations and similar proceedings; 3) prepare ordinances, resolutions, contracts and other legal documents to best reflect and implement the purposes for which they are prepared; and 4) to keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the City.

It is important to note that the City Attorney does not represent individual members of Council, but the City Council as a whole. So information a Councilmember shares with the City Attorney may be disclosed to the entire Council.

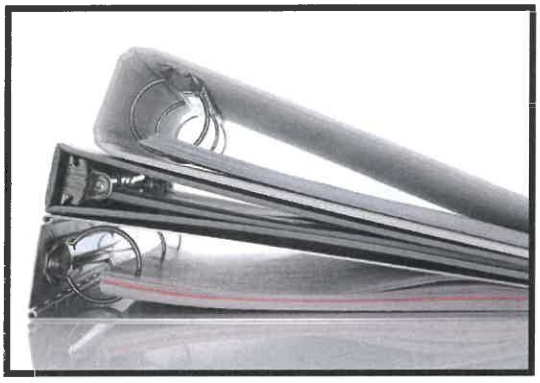
City Manager/City Attorney Relationship

The City Attorney provides legal support and advice to the City Manager to assist him/her in implementing City Council policies and exercising his/her authority as the chief executive officer of the City. The City Attorney also keeps the City Manager apprised of current relevant court rulings and legislation. It is important to note that the City Attorney represents the City Council and the City as a whole, not the City Manager as an individual. Therefore, the City Attorney may share confidential information obtained from the City Manager with the City Council if necessary to protect the best interests of the City.

The City Council is to evaluate the City Attorney on an annual basis to ensure that both the City Council and the City Attorney are in agreement about performance and goals based on mutual trust and common objectives.

Access to Information and Communications Flow

Objectives: It is the responsibility of staff to ensure Councilmembers access to information from the City and to insure such information is communicated completely and with candor to those making the request. However, Councilmembers must avoid intrusion into those areas that are the responsibility of staff. Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal.



Access to Information: Individual Councilmembers, as well as the Council as a whole, are generally permitted access to any information requested of staff and shall receive the full cooperation and candor of staff in providing any requested information. Appropriate personnel will pass critical information to all City Councilmembers. Council will always be informed by the City Manager or appropriate staff when a critical or unusual event occurs about which the public would be concerned.

There are limited restrictions when information cannot be provided. There are legal restrictions on the City's ability to release certain personnel information even to members of the City Council. Certain aspects of police department affairs (access to restricted or confidential information related to crimes) may not be available to members of the Council. Confidential personnel information also has restrictions on its ability to be released. Any concerns a Councilmember may have regarding the release of information, or the refusal of staff to release information should be discussed with the City Attorney for clarification.

City Councilmembers have a responsibility in this information flow as well. It is critical that they make extensive use of staff and commission reports and commission minutes. Councilmembers should come to meetings prepared – having read the council agenda packet materials and supporting documents, as well as any additional information or memoranda provided on city projects or evolving issues. Additional information may be requested from staff, if necessary.

Dissemination of Information

In cases where a staff response to an individual Councilmember request involves written materials which may be of interest to other Councilmembers, the City Manager will provide copies of the material to all other Councilmembers. In making this judgment, the City Manager will consider whether the information is significant, new, otherwise not available to the Council, or of interest to the Council.

Staff Relationship with Advisory Bodies

Staff support and assistance is provided to committees, boards, and commissions, but advisory bodies do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and ultimately the City Manager and City Council. The members of the commission/ board/committee are responsible for the functions of the advisory body.

Staff support includes preparation of an agenda, and preparation of reports providing a brief background of the issue, a list of alternatives, recommendations, and appropriate backup materials, if necessary. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues. The assigned staff person will serve as a clerk, taking minutes as needed.

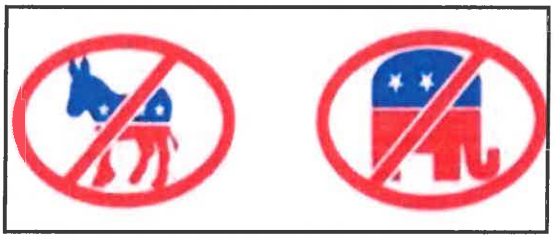
Council Relationship with Advisory Bodies

The City Council has determined that Councilmembers should not lobby commissioners for particular votes. However, Councilmembers may request that commissioners consider certain issues during their deliberations.

Restrictions on Political Involvement by Staff

Local governments are non-partisan entities. Professional staff, as reflected within the principles of Council-City Manager form of government, formulates recommendations in compliance with Council policy and for the good of the community and is not influenced by political factors. For this reason, it is very important to understand the restrictions of staff in any level of political involvement through campaigns, fund-raisers, or other means.

By working for the City, staff members do not surrender rights to be involved in local elections. Indeed, laws are in place to preserve those rights. However, there are limitations to such involvement.



Generally, employees have no restrictions while off the job. No participation in campaigns or other activities may take place while on the job. No City resources may be used by staff in support of any campaign. Even while off the job, no employee may participate in campaign or other activities while in a City uniform. For example, posing for a promotional photograph for a candidate for local office while in uniform is inappropriate.

CHAPTER 8

Communications

Overview

Councilmembers have regular communications with the general public and communicate with the public to assess community opinions and needs and with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives. Since the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

Speaking for "the City"

When members are requested to speak to groups regarding the City policy or the Council's position on an issue, the response should reflect the position of the Council as a whole. 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. Of course, a member may clarify their vote on a matter by stating "While I voted against X, the City Council voted in support of it." But when asked to discuss the position of the City, the comments should reflect the decision of the council on the matter being discussed.

Correspondence from Councilmembers

Members of the City Council will often be called upon to write letters to citizens, businesses or other public agencies. These communications fall into two categories, either the communication is from the City Council, or the Councilmember will be writing simply as an individual member of the City Council.

In the first case, typically the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. City letterhead is available for this purpose, and staff will assist in the preparation of such correspondence. Official City stationery shall only be used by the Mayor or a designated Councilmember at the direction of the full council or to communicate legislative positions taken by the council in their prior actions on the record. After the City Council has taken a position on an issue, official correspondence should reflect this position.

While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Council title, and staff support should not be utilized to criticize or condemn the majority action of the City Council. City letterhead and staff support cannot be utilized for personal or political purposes.

When the correspondence is related to City business and your position as an elected official of the City of Rocklin, it is appropriate to use your title in correspondence. Typically Councilmembers will write a personal letter using their official title for purposes related to City business such as thanking citizens or groups for community activities, letters of recommendation for students and others seeking employment or appointment, extending invitations to City-sponsored meetings, extending congratulations or support to citizens or groups for accomplishments, or answering correspondence sent by constituents. When using your official City title, Councilmembers should not interpret actions or positions taken by the full council. Members should clearly indicate within their letters that they are not speaking for the City Council as a whole, but for themselves as one member of the City Council. If desired, City office support may be utilized in these circumstances to assist in preparation of the correspondence.

Individual/informal councilmember letterhead is available in the City Clerk's office which includes a disclaimer that the contents of the letter is an individual communication and doesn't represent the official position of the Rocklin City Council or City of Rocklin.

Depending on the substance of the letter, a letter written using your official City title may come under the definition of a public record and copies of such letters must be provided to the City Clerk for inclusion in the official records of the City. A good guideline for this principle is if the content of the letter is such that you are inclined to keep a copy for your records, it is likely also a letter which meets the definition of a public record and should be copied to the City Clerk.

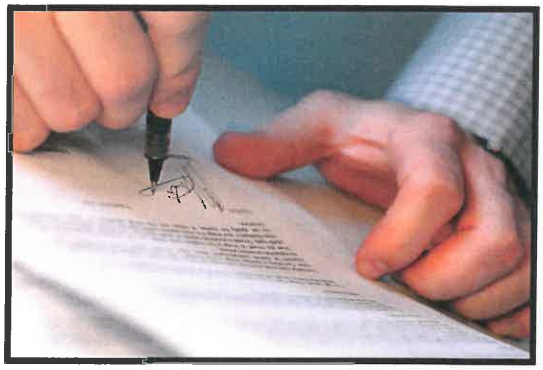
Ceremonial Documents, Proclamations and Resolutions

The City of Rocklin will consider a request for a proclamation, letter or certificate of appreciation, or resolution of appreciation or commendation from any group or individual, as long as the request has a significant connection to the City and its adopted goals and policies and/or promotes activities taking place in the City of Rocklin. Requests for letters or proclamations are subject to approval by and will be prepared by City staff on behalf of the Mayor or the Mayor's designee. Requests for resolutions will be reviewed and placed on the City Council agenda by the Office of the City Manager. If approved, they will be prepared by City staff for signature of all councilmembers. Examples of various categories of ceremonial documents are as follows:

Letters From The Mayor
Letters of Welcome may be issued for the following:
- New Businesses
- Conferences, conventions or seminars
- Sporting events
- New residents
- Dignitaries
- Prominent individuals

Letters of Congratulations or Celebration may be issued to individuals or organizations within the City for the following:
- Professional or community celebrations
- Special events sponsored by community partners
- Significant birthdays or marriage anniversaries

Letters of Appreciation may be issued to individuals or organizations for the following:
- Monetary donations
- In-kind contributions
- Cultural contributions
- Volunteer efforts



Information required: Requestors should indicate the title or nature of the event, the specific date, a brief history of the organization or a biographical outline of the person, and any other pertinent information including an address for the letter.

Mayoral Proclamations
Ceremonial proclamations are often requested of the City in recognition of an event or individual. Proclamations are not statements of policy, but a manner in which the City can make special recognition of an event (e.g., Red Ribbon Week). As part of his/her ceremonial responsibilities, the Mayor is charged with the administration of and issuance of proclamations. Individual Councilmembers do not issue proclamations. Proclamations may be issued for the following:

- Civic celebrations
- Organizations contributing to the economic development of the City
- Issues with widespread community interest with a primary emphasis on requests in support of the stated goals and policies of the City Council.
- Significant community based events
- Significant anniversaries of City of Rocklin based institutions, corporations, community partners, and non-profit organizations
- Fundraisers benefiting the citizens of Rocklin

Information required: A brief history of the organization or a description of the purpose, goals, motto or theme of the event is required to complete the proclamation. If funds are to be raised, who will benefit from the event, and what will take place during the time of celebration/recognition, including dates and times.

Resolutions of the City Council
Resolutions of Appreciation may be issued for the following:
- Monetary donations
- In-kind contributions
- Cultural contributions
- Volunteer efforts

Resolutions of Commendation may be issued for the following:
- Heroism
- Eagle Scout achievement
- School or sports groups achievements
- Non-profit corporations
- Retirements
- Individuals or groups who have made significant contributions to the community
- Long term employees (ten years or more) separating service who have made significant contributions during their employment with the City of Rocklin

Information required: A summary of the achievement or an overview of the years of service or specific contribution to the community. For donations, contribution or volunteer efforts, the name of the specific event or project, amount raised or donated, hours of volunteer hours, including names of individuals or groups participating in the event.

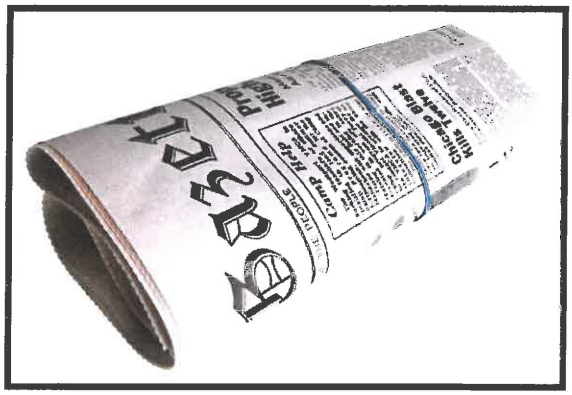
Certificates of Recognition
Certificates of Recognition are issued by the City Council as a ceremonial commemoration of an event or issue. Certificates of Recognition are a manner in which the City can make special recognition of an individual, event, or issue. Certificates of Recognition can be directly made if they have been listed on the Council approved list which may be amended from time to time. Certificates of Recognition will be administered by the City Clerk Department.

To start the ceremonial document process, an individual or organization must first submit a written request. Written requests should be sent to the attention of the Mayor on the standard application. Requests received will be administered by the City Manager's Office and the City Clerk Department and approved by the Mayor. Submitting a draft of the document desired will often expedite the process.

All requests will go through an internal review and approval process. The Mayor and the City Manager's Office reserves the right to determine the type of document to be issued based on the information provided by the requesting individual and/or organization. In some instances the request to be placed on an agenda will be denied. When this happens, the requesting party is notified and is advised that they have the option of making the request before the City Council under Citizens Addressing the Council portion of the agenda.

Ceremonial Representative
Responsibility to act as the City Council's ceremonial representative at public events and functions is assigned to the Mayor. In the Mayor's absence, the Mayor shall appoint the Vice Mayor or a Councilmember to perform the ceremonial role. However, all Councilmembers are encouraged to participate.

Press & News Media Relations



Councilmembers may receive occasional inquiries from the media. Councilmembers who prefer not to respond, should direct media inquiries to the City Manager's office. A Councilmember who does grant an interview should not discuss confidential information. If there is any question regarding privacy or confidential information, the City Attorney is available to discuss those concerns. An enthusiastic reporter may offer to discuss a matter "off the record", but they have absolutely no obligation to keep such a promise, and likely a duty to their employer to do just the opposite and report the story.

Public information is to be freely and openly provided to members of the press, while balancing the interests of the city, and the privacy rights of the citizens and city employees. Response to telephone inquiries should be limited to answering questions if you feel confident you have the information you need to give an accurate response. Should you need more information, it is appropriate to direct the questions to the City Manager or other professional staff. Requests for research or a report requiring additional staff time should be referred to the City Manager's Office.

It is the duty of the City Manager to coordinate press and news media releases on behalf of the City Council. Councilmembers who wish to issue press releases regarding individual issues of concern should be clear in their remarks that they are not speaking for the City Council as a whole. Councilmembers generally find it helpful, and are encouraged, to have the City Manager's office review individual press releases before they are released to the public. Copies of all press releases shall be forwarded to the City Manager's office and the City Clerk, as they would be considered public records subject to retention rules and disclosure under the Public Records Act.

CHAPTER 9

Leaving Office

Filling Council Vacancies

Generally, if a vacancy occurs on the City Council during a member's term (e.g., resignation) the Council may appoint an individual to serve the remaining term or call for a special election.

Conflicts of Interest When Leaving Office

A public official may not use his/her official position to influence prospective employment.

Government Code Section 87406.3 prohibits elected officials who held a position with the agency from lobbying the agency to take any action within one year of official's department from office or employment. However, the individual MAY appear before the agency with which the official worked if the official is appearing on behalf of another public agency.

CHAPTER 10

Additional Training & Resource Materials

League of California Cities

The League is an association of all cities in California. It provides many levels of service including the production of educational conferences for local officials, publication of various newsletters and a monthly magazine *Western City*. The League also has lobbyists on staff who represent the interest of cities before the state legislature and federal government.

Committees having local officials as members are also organized around the interests of City departments (e.g. City Council, City Manager, City Clerk, Fire, Police) to address issues as they arise. The League's website address is *www.cacities.org*. There are a number of important and useful educational documents on the League's website and members are encouraged to review the materials as often as possible to stay abreast of current issues of importance to California cities.

A valuable resource if you have questions regarding rules of procedure, not included in the adopted council rules, can be found on the League's website. Look for the League publication entitled *Rosenburg's Rules of Order Simple Parliamentary Procedure for the 21st Century.*

Institute for Local Government

The Institute for Local Government provides information skills and resources to the entire range of city and county officials that result in more effective local governments and stronger communities. The Institute's website address is www.ca-ilg.org. The ILG is the research and education affiliate of the California State Association of Counties and the League of California Cities. Similar to the League of California Cities website, you will find numerous educational guides and publications on the ILG website such as a guide to local planning, *Understanding the Basics of Land Use and Planning*, and a discussion of city finance in *Understanding the Basics of City and County Revenue.* There is also practical advice for conduct at meetings, such as an article on Dealing with Emotional Audiences. The ILG website is a valuable source of information which shouldn't be overlooked.

National League of California Cities

The National League of Cities is the oldest and largest national organization representing municipal governments throughout the United States. Its mission is to strengthen and promote cities as centers of opportunity, leadership, and governance. Their website address is www.nlc.org.

International City Management Association (ICMA)

ICMA is a professional association of local government chief executives. The association has an extensive list of publications to assist local officials. The Association's *Elected Officials Handbook* series can be of great value to Councilmembers. Publications have also been developed on every basic city service. ICMA's website address is www.icma.org.

Local Government Commission

The Commission is a California-based organization which has focused largely on planning and resource conservation issues. It conducts workshops, offers periodic seminars, and publishes several newsletters. The Commission's website address is www.lgc.org.

Other Reference Materials on File

Other reference materials which may be of interest are on file with the City Clerk or may be accessed at the below links:

The Brown Act - Open Meetings for Local Legislative Bodies
(http://www.cacities.org/resource_files/26038.OpenPublic2010.pdf

The Political Reform Act
(www.fppc.ca.gov)

City of Rocklin Municipal Code
(www.rocklin.ca.us)

California Government Codes
(www.leginfo.ca.gov/calaw.html)

APPENDIX

Appendix A – Adopted Policies of the City of Rocklin

Appendix A-1 – List of Legislative Policies

LEGISLATIVE POLICY

UPDATE TOC

NO.	SUBJECT	RESO.NO.	EFFECTIVE
1	Investment Policy	85-198	12-2-85
-	Amending Policy No. 1	88-231	6-28-88
-	Amending Policy No. 1	93-250	9-28-93
-	Amending Policy No. 1	96-302	12-10-96
-	Confirming Policy No. 1	98-49	2-10-98
-	Confirming Policy No. 1	99-218	6-22-99
-	Confirming Policy No. 1	2000-164	6-27-2000
-	Confirming Policy No. 1	2001-198	6-26-2001
-	Confirming Policy No. 1	2002-209	6-25-2002
-	Confirming Policy No. 1	2003-188	6-23-2003
-	Confirming Policy No. 1	2004-182	6-22-2004
-	Confirming Policy No. 1	2005-206	6-28-2005
-	Confirming Policy No. 1	2006-211	6-27-2006
-	Confirming Policy No. 1	2007-163	6-26-2007
-	Confirming Policy No. 1	2008-174	6-24-2008
2	Tax-Exempt Financing	86-14	1-20-1986
	Note: Land Secured Financing can be located at:	***96-219*** ***99-192***	***8-27-1996*** ***6-8-1999***
-	***Update Land Secured Financing***	***2005-112***	***4-26-2005***
3	Signatory Policy	87-292	11-10-87
-	Amending Legislative Policy No. 3	89-1	1-10-89
-	Amending Legislative Policy No. 3	92-14	1-28-92
4	Fire Sprinkler Systems	87-327	12-8-87
5	Traffic Policies #1 - #6	88-222	6-14-88
6	Public Works Bid Awards	89-85	3-28-89

7	Prohibition of Harassment	89-103	4-25-89
-	Amending Policy No. 7	92-220	9-22-92
8	Curb, Gutter, & Sidewalk Repair	89-214	7-11-89
9	"Not A Through Street" Sign	89-354	12-12-89
10	Use & Control/City Credit Cards	92-5	1-14-92
-	Amending Legislative Policy No. 10	2004-113	5-11-2004
-	Revising Legislative Policy No. 10	2007-207	7-10-2007
11	Maintaining a Drug Free Workplace	94-181	7-26-94
12	Travel Policy	2014-190	9-9-2014

Appendix A-2 – List of Administrative Policies

ADMINISTRATIVE POLICY

Policy Title		Effective Date
1.	Minimum Standards and Proof of Insurance for Drivers	1990
2.	Liability for Personal Property (reinstatement 1997)	1991
3.	Bidding at City Auction	1993
4.	Injury and Illness Prevention Program (Revised 2012)	1993
5.	Solicitation/Approval of Lease Agreements for Facilities and Equip (Reso 95-27)	1995
6.	Time Reporting for Management Personnel	1999
7.	Veteran's Preference (Revised 2004)	2002
8.	Use of City-Owned Vehicles (Revised 2003)	2003
9.	Use of Electronic Communications	2003
10.	Smoke Free Workplace	2012
11.	Prohibition of Violence in the Workplace (draft)	2004
12.	Employee Attendance at Union Meetings During Working Hours	1993
13.	Adopting Penal Code Sections Relating to Employment (Reso 87-319)	1987
14.	Questions and Answers about Epilepsy in the Workplace and ADA	Unknown
15.	Appropriate Use/Control of City-Issued Credit/Purchase Cards (Revised 2012)	2007
16.	Administrative Policy Against Retaliation	2007
17.	City-Wide Standby Procedure	2012
18.	City Communication with Media Organizations	2012
19.	American Flag Etiquette	2013
20.	Social Media Use Policy	2013
21.	Incident Review Process	2013
22.	Cash Handling Policy	2014
23.	Petty Cash Policy	2014

Appendix A-3 – Harassment Policy

RESOLUTION NO. 92-220

RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ROCKLIN AMENDING LEGISLATIVE
POLICY NO. 7 CONCERNING THE PROHIBITION OF HARASSMENT

The City Council of the City of Rocklin does resolve as follows:

Section 1. The City Council of the City of Rocklin hereby amends Legislative policy No. 7 adopted on April 25,1989 as Resolution 89-103, as attached hereto & amended herein.

Passed and adopted this 22nd day of September, 1992, by the following roll call vote:

Ayes: Councilmembers: Lund, Dominguez, Huson, Magnuson, Hill

Noes: Councilmembers: None

Absent: Councilmembers: None

Abstain: Councilmembers: None

Mayor

ATTEST:

City Clerk

nw:RES92B:mcr

CITY OF ROCKLIN
LEGISLATIVE POLICY NO. 7

SUBJECT: Prohibition of Harassment

PURPOSE: The purpose of this policy is to define what actions may be considered to constitute unlawful harassment, to be on record that the City will not tolerate any such actions directed against any City employee by another employee, a City official, or a non-employee, and to institute a procedure for the investigation and resolution of any complaints regarding harassment.

NEED: The need for this policy is to state that City will not tolerate any actions by or against any City employees that are found to constitute unlawful harassment. With increased awareness in this subject area, employees will be encouraged to report any such actions which may constitute unlawful harassment.

OBJECTIVE: The objective of this policy shall be to create a working environment which shall be free from unlawful harassment directed against any employee.

POLICY

A. The City of Rocklin condemns and prohibits harassment of an individual because of that individual's sex, race, religious creed, color, age, national origin, ancestry, marital status, medical condition, sexual orientation, or physical or mental disability. Such harassment by employees, officials, or non-employees is demeaning to both the victim and the City. It can result in high turnover, absenteeism, low morale and productivity and an uncomfortable atmosphere to work in. Therefore, the City of Rocklin will not tolerate any such harassment of its employees and will take affirmative steps to stop it.

B. Harassment includes, but is not limited to:

1. Verbal harassment, such as epithets, derogatory comments or slurs.

2. Physical harassment such as assault, impeding or blocking movements or any physical interference with normal work or movement directed at an individual.

3. Visual forms of harassment such as derogatory posters, cartoons or drawings.

4. Sexual harassment which includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where either (1) submission to such conduct is made an explicit or implicit term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

C. Any employee who believes he or she has been harassed by a co-worker, supervisor, City official, or non-employee should promptly report the facts of the incident or incidents and the names of the individuals involved to his or her supervisor or, in the alternative, to the Personnel Officer. Supervisors should immediately report any incidents of harassment to the Personnel Officer.

D. The City of Rocklin will immediately investigate any such report and will take whatever corrective action is deemed necessary, including disciplining or discharging any individual who is found to have violated this prohibition against harassment. **The City of Rocklin does not tolerate harassment of any kind and will take appropriate disciplinary action whenever such harassment is demonstrated.** Any person who engages in such conduct may be personally liable in any legal action brought against him or her.

E. No employee will be disciplined or otherwise retaliated against for filing a complaint about such harassment.

SUMMARY: The City of Rocklin will not tolerate any harassment to or by any City employee. Any such unwarranted activities should be reported immediately as outlined above. Any employee filing such a report may expect a prompt and discreet investigation of such allegations. Disciplinary actions up to and including discharge will be taken when warranted.

Any questions concerning this policy should be directed to the Personnel Officer.

Appendix A-4 – Code of Ethics Policy

RESOLUTION NO. 2007-279

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ROCKLIN
ADOPTING A CODE OF ETHICS POLICY

The City Council of the City of Rocklin does resolve as follows:

Section 1. The City Council of the City of Rocklin hereby approves and adopts a Code of Ethics in the format attached hereto as Exhibit A.

PASSED AND ADOPTED this 11th day of September, 2007, by the following roll call vote:

AYES:	Councilmembers:	Yuill, Hill, Magnuson, Lund
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Storey
ABSTAIN:	Councilmembers:	None

Kathy Lund

Kathy Lund, Mayor

ATTEST:

Barbara Ivanusich

Barbara Ivanusich, City Clerk

t:/clerk/reso/09-1107 AS RESO Code of Ethics.doc/jlp 9/12/2007

EXHIBIT A

CITY OF ROCKLIN
CODE OF ETHICS

Preamble

The residents and businesses in the City of Rocklin are entitled to have a fair, ethical and accountable local government that has earned the public's full confidence for integrity. The proper operation of democratic government requires that public officials be independent, impartial and responsible in their judgment and actions to the people.

City employees are also in a position of public trust and have an obligation, even higher than the private sector, to do their jobs well in the spirit of public service. As such, City officials and employees shall conduct themselves in an ethical manner, both on and off the job, and in a manner that does not present the appearance of a conflict of interest.

In recognition of these goals, the City Council has adopted the following Code of Ethics. For ease of reference, "City" shall refer to the City of Rocklin; "officials" herein shall refer to any and all members of the City Council or any member of a City board or commission; and "employees" shall refer to all City employees.

The Code of Ethics

1. **Act in the Public Interest**
   Recognizing that stewardship of the public interest must be their primary concern, officials and employees will work for the common good of the people of the City of Rocklin and not for any private or personal financial business interest. Officials and employees will assure fair and equal treatment of all persons, claims and transactions.

2. **Comply with the Law**
   Officials and employees shall comply with the laws of the United States of America, the State of California and the City of Rocklin in the performance of their public duties. These laws include, but are not limited to: the United States and California Constitutions; the City of Rocklin Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government, as well as other City resolutions and policies.

3. **Conduct**
   The professional and personal conduct of officials and employees must avoid the appearance of impropriety. Officials and employees shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other officials, employees or the public.

   Officials and employees should conduct their official and private affairs so as not to give a reasonable basis for the impression that any such fellow official or employee can be improperly influenced in the performance of his/her duties. Officials and employees should not be a source of embarrassment to the City and should avoid even the appearance of conflict between their public duties and

private interests. Officials and employees will make impartial decisions, free of unlawful gifts, narrow political interests and be truthful in what they say and do.

4. **Use of Public Resources**

Officials and employees shall not use public resources not available to the public in general, for private gain or campaign purposes.

Officials and employees shall use City or departmental letterhead for official City business-related purposes only.

Officials and employees will use their title(s) only when conducting official City business, for information purposes, or an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority.

Public resources should only be used when authorized by the City Manager and/or his/her designee and when there is a benefit to the City for the use of such resources in a community event or activity.

5. **Conflict of Interest**

To assure their independence and impartiality on behalf of the common good, officials shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. Employees must avoid conflicts of private interests with public duties and responsibilities and shall not do indirectly what may not be done directly.

Officials and employees shall also comply with the City's Conflicts of Interest Code which is on file with the City Clerk's Office.

6. **Gifts**

State law limits the amount of gifts that can be received by officials, candidates, and designated employees, and contains requirements for reporting such gifts. Officials and employees shall comply with these state laws, and shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general.

7. **Confidentiality**

Officials and employees shall respect the confidentially of information and shall refrain from disclosing confidential information concerning litigation, personnel, property, or other affairs of the City, without proper legal authority, nor use such information to advance their financial or other private interests.

Confidential information means all information, whether transmitted verbally or in writing, which is of a nature that it is not, at that time, a matter of public record or public knowledge, including those items described in the California Public Records Act (Government Code § 6254 et seq.), items from closed sessions under the Brown Act (Government Code § 54950 et seq.) and items subject to the attorney-client privilege.

8. **Outside Employment**

The City recognizes the rights of employees to engage in activities outside of their City employment that are of a private nature and unrelated to City work. However, employees are prohibited from engaging in outside employment that creates a conflict of interest for the employee. Employees must receive written authorization from the City Manager before engaging in outside employment and must also comply with any applicable department policy.

9. **Cost Control**

To effectively conserve City resources, officials and employees will attempt to use the most reasonable, economical, direct and efficient cost of goods and services when conducting City business for which the City may reimburse them.

10. **Conduct of Public Meetings**

Officials and employees shall prepare themselves for public issues, listen courteously and attentively to all public discussions before them, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business before them or otherwise interfering with the orderly conduct of meetings. Officials shall also base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

11. **Representation of Public Interests**

In keeping with their role as stewards of the public interest, officials shall not appear on behalf of the private interests of third parties before the Council of any board, commission or proceeding of the City. Officials shall also represent the official policies and positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, officials shall explicitly state they do not represent their body or the City, nor will they allow inference that they do.

12. **Compliance and Enforcement**

Officials and employees have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. This Code of Ethics becomes most effective when officials and employees are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientation for newly elected and appointed officials, board members and commissioners, as well as for all City employees.

The Mayor and chairs of boards and commissions have the additional responsibility to intervene when actions of fellow officials appear to be in violation of the Code of Ethics and are brought to their attention. The City Manager or his/her designee shall investigate alleged violations of the Code of Ethics when they involve City employees.

Appendix A-5 - Use of Electronic Communications Policy

Administrative Policy
Use of Electronic Communications

1. Purpose of Policy.

The purpose of this Administrative Policy ("Policy") for the Use of Electronic Communications is to provide guidance to City officers and employees ("Employees") regarding the proper and authorized use of the City's Electronic Communication Systems (including the E-Mail System) in accordance with the requirements of the "Public Records Act", as well as the requirements of the City's "Records Retention Policies."

If an Employee has any questions regarding the implementation of this Policy, contact either: the City Attorney's office (for legal questions, such as an interpretation under the Public Records Act); the City Clerk's office (regarding the Records Retention Policy); or the Information Systems division (regarding any technical issues related to the use of the Electronic Communications System).

2. Definitions.

As used in this Policy:

"Electronic Communication" means any communication or writing created by, retrieved by, sent to, or stored by any Employee using any Electronic Communication System, including all information, data, and attachments to the communication.

"Electronic Communication System" means the system of devices (including hardware, software, and other equipment) used by the City for the purpose of facilitating the transmission and storage of electronic information (including the E-Mail System, telephones, pagers, radios, computers, and all peripheral devices such as hard drives, disks, tapes, film, CDs, PDA's and handheld devices).

"E-Mail" means any Electronic Communication to or from any Employee using the E-Mail System, including all information, data, and attachments to the communication.

"E-Mail System" means the system of devices (including hardware, software, and other equipment) used by the City for the purpose of facilitating the electronic transmission of information, including Internet communications, and the City's Outlook Exchange system (including E-Mail, Calendar, and Tasks).

"Public Record" means, as defined by California Government Code section 6252(d), any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the City regardless of physical form or characteristics.

"Public Records Act" means California Government Code sections 6200, *et seq.*

"Records Retention Policy" means the City's Records Retention and Disposition Policy as adopted in Resolution 92-019 and including any amendments.

"Writing" means, as defined by California Government Code section 6252(e), any handwriting, typewriting, printing, photostatting, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

3. Policy.

3(a). Information on the Electronic Communication System is not private. The Electronic Communication System and all Electronic Communications are the property of the City. The City has the right, but not a duty, to inspect or audit any and all Electronic Communications, at any time, without notice to any Employee. Accordingly, no Employee shall have any expectation of privacy regarding the content of any Electronic Communications.

3(b). The Electronic Communications System shall be used in a professional manner. Employees shall prepare Electronic Communications in a lawful, ethical, professional, and businesslike manner. Employee's shall not use the E-Mail system for inappropriate communications such as, but not limited to: jokes, classified ads, editorials, discriminatory comments, profanity, pornography, etc. The use of the Electronic Communication System is a privilege, which may be revoked by the City at any time.

3(c)(1). Employees shall protect the security of the Electronic Communications System. Employees shall take all reasonable and necessary efforts to: protect the confidentiality of information which is placed in their control or care, minimize the likelihood of inadvertent transmission of confidential information to unintended recipients, prevent unauthorized intruders from accessing the Electronic Communications System, and prevent the introduction or spread of computer viruses. For the communication of sensitive and confidential information, Employees shall minimize the use of E-Mail and maximize the use of alternative communication media (such as face-to-face conversations, telephone, hard copy memos, and fax).

3(c)(2). Network Passwords. Each employee that has been granted access to the City's network shall be required to create a unique password. All passwords shall contain a minimum of eight characters, not be a word found in the dictionary and should contain non-letter characters such as numbers or symbols. Simple passwords are able to be "cracked" and divulged by simple internet hacking programs. If any employee suspects that their password has been compromised, they are to notify the Information Systems Division immediately. Employees shall protect their network password and not divulge them to anyone.

3(d). The Email System shall be used for transmission not storage. The E-Mail System is provided by the City to Employees as a convenient and efficient method of rapidly communicating transitory information in an electronic format. The E-Mail System is specifically intended and designed to be a tool for transmission of information, and not a tool for storage of information. The E-Mail System shall be automatically purged by the City pursuant to the schedule set forth in section 5(a) of this Policy.

3(e). If information from E-Mail is required to be retained, transfer the information from E-Mail to a records storage system. Since information on the E-Mail system is automatically purged, the City shall consider every E-Mail to be a preliminary draft (not retained in the ordinary course of business). However, if any information on the E-Mail System is required to be retained for the discharge of an Employee's duties (as described in section 5 of this Policy), the information shall be transferred from the E-Mail System to an appropriate records storage medium.

4. Protect Confidential Information.

Whenever an Employee possesses "confidential" information, the Employee has an obligation to take all reasonable and necessary steps to protect the confidentiality of the information, and minimize the likelihood of inadvertent transmission of the confidential information to unintended recipients. If an Employee has any question regarding the implementation of this section, contact the City Attorney's office.

4(a). Determine if the information is "confidential". Employees shall treat all information as "confidential" if there is any possibility that the information could be considered personal (such as personnel or medical records), or private (such as proprietary or financial information received from a third party), or if it could potentially expose the City to liability, or if it falls within one of the categories identified in section 6(d) of this Policy.

4(b). Identify the people who are authorized to receive the confidential information. Employees with the care and custody of confidential information shall be responsible for determining which other Employees (or possibly private attorneys or consultants hired to represent the City) are authorized recipients of the information. Generally, only people with a "need to know" the confidential information are authorized recipients. Employees with any questions as to who is an authorized recipient for confidential information shall contact the City Attorney's office. Do not communicate confidential information to any person other than an authorized recipient. **Do not forward a confidential E-Mail to any unauthorized recipient.**

4(c). Consider the availability of alternate means of communication. When it is necessary to communicate confidential information, Employees shall consider the risks and benefits of all available means of communication (including: face-to-face communications, telephone, E-Mail, fax, or hard copy memo), and Employees shall use a means of communication which minimizes the risk that the confidential communications will be received by an unintended recipient (that is, a person who does not "need to know" the confidential information). For confidential information which is particularly sensitive (for example, highly personal medical information, or information which could expose the City to significant liability), Employees shall exercise a heightened sense of care in protecting the confidentiality of the information.

4(d). Minimize the use of E-Mail for confidential communications. For the communication of confidential information, Employees shall minimize the use of E-Mail and maximize the use of alternative communication media. In determining whether or not confidential information should be communicated via E-Mail versus some other form of communication, each Employee shall weigh the benefits of communicating via the E-

Mail System (including, speed of communicating in writing over great distances, and the efficiency of electronic editing of documents by one or more people) against the risk that the confidential information may be inadvertently sent or forwarded to an unintended recipient.

4(e). Clearly identify all confidential writings. All confidential information which is contained in an Electronic Communication shall be clearly marked **CONFIDENTIAL**. If confidential information is required to be retained (as described below), it shall be clearly designated as CONFIDENTIAL in the appropriate storage or filing system.

5. Do Not Store Information on the E-Mail System.

The E-Mail System shall be used for the transmission of information, and shall not be used for the storage of information. If information on the E-Mail System is required to be retained for the discharge of an Employee's duties, the information shall be transferred to an appropriate records storage medium.

5(a). The E-Mail System will be automatically purged. All information on the E-Mail System shall be subject to automatic purging (that is, deletion) by the City, without any notice to Employees, in accordance with the schedule set forth below. However, unopened E-Mail messages will not be purged for 60 days.

5(a)(1). The purge cycle for calendar, tasks, and notes shall be a rolling 365 day cycle. Each day, data that has been in the system for 366 days will be deleted.

5(a)(2). Effective September 1, 2003, the purge cycle for "Received" E-Mail messages shall be 30 calendar days, the purge cycle for "Sent" messages shall be 30 calendar days, and the purge cycle for "Deleted" messages shall be 5 calendar days.

5(b). Determine if information on the E-Mail System is required to be retained. For each E-Mail sent or received, Employees shall determine whether or not there is information on the E-Mail which is required to be retained for the discharge of the Employee's official duties for the City. This determination shall be made using the same criteria which is applied to information sent or received by the Employee using any other means of communication. Employees with any question (as to whether a particular category of information is required to be retained) shall consult with their supervisor, and supervisors shall consult with the City Attorney's office. Categories of information which are typically retained by the City include: (1) required by law to be retained; (2) documentation of notice to a member of the public of an action or position taken, or an action or position to be taken, on behalf of the City; (3) documentation of a City policy, City regulation, or official decision made on behalf of the City; or (4) documentation of the transaction of business between the City and another party.

5(c). Transfer required information from the E-Mail System to a records storage system. If an E-Mail contains information which is "required to be retained," as described above, the Employee shall: (1) transfer the required information from the E-Mail to an appropriate public record storage system (such as printing the E-Mail on paper) before it is deleted or purged from the E-Mail System, and (2) maintain the public record in accordance with the City's Records Retention Policy.

5(d). Do not bypass the automatic purge cycle. The "Archive" feature of the E-Mail System is not available for use as a record storage system. Employees shall not manipulate settings in the E-Mail System in an attempt to use the "Archive" feature or in an attempt to bypass the automatic purge cycle set by the City.

5(e). Delete all E-Mails. Since all E-Mails are preliminary drafts, every Employee (sending or receiving any E-Mail) shall delete the E-Mail as soon as the information is no longer required or convenient for the discharge of the Employee's duties, and the E-Mail shall be automatically purged by the City in accordance with the schedule set forth in this Policy.

6. <u>Are E-Mails exempt from disclosure under the Public Records Act</u>?

6(a). Are E-Mails Public Records? As indicated in the Definitions section, above, each and every E-Mail on the E-Mail System is a "Writing." Further, every "Writing" is a "Public Record" if it: (a) contains information relating to the conduct of the public's business, and (b) is prepared, owned, used, or retained by the City.[5] Since the primary purpose of the E-Mail System is to assist Employees in the conduct of City business (with the sole exception of occasional and limited "personal" use, described below), all such E-Mails are Public Records as long as they are retained by the City. Thus, although the City is authorized to delete "preliminary draft" E-Mails, until an E-Mail is actually deleted, the E-Mail is a Public Record if it contains information relating to the public's business.[6]

6(b). Are Public Records subject to disclosure to the public? Generally, all Public Records are open to inspection and copying by any person who makes a request in accordance with the requirements of the Public Records Act.

However, a Public Record may be exempt from disclosure if it falls within one of the categories of exemptions outlined below.

If an Employee receives a Public Records Act request for a document, which is potentially confidential or otherwise exempt from disclosure, the Employee shall contact the City Attorney's office.

6(c). Public records exempt as "preliminary drafts." A public record is exempt from disclosure under the Public Records Act if: (1) the writing is a preliminary draft, note, or memoranda, and (2) it is not retained by the City in the ordinary course of business, and (3) the public interest in withholding the record clearly outweighs the public interest in disclosure.[7]

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[5] Government Code section 6254(a).

[6] See the Public Records Act, the City's Records Retention and Disposition Policy and <u>Braun v. City of Taft (Polston)</u> (1984) 154 Cal.App.3d 332, 201 Cal.Rptr. 654.

[7] Government Code section 6254(a).

6(c)(1). Definition of "preliminary drafts." The City shall consider all E-Mails to be a preliminary draft, note, or memoranda, unless the information is required to be retained (as described in section 5(b) of this Policy).[8]

6(c)(2). Not retained in ordinary course of business. No E-Mail shall be considered by the City to be retained in the ordinary course of business. As identified in this Policy, the E-Mail System shall be a tool for information transmittal, and it shall not be a tool for information storage. All information transmitted on the E-Mail System shall be subject to automatic purging in accordance with the schedule identified in section 5(a) of this Policy.

6(c)(3). Public Interest. If an Employee receives a request from any person to inspect an E-Mail in accordance with the Public Records Act before the E-Mail is deleted, the Employee shall: (a) immediately notify the City Attorney, (b) segregate and temporarily preserve the requested E-Mail, and (c) maintain the confidentiality of the E-Mail until a determination is made by the City Attorney regarding the balancing of the competing public interests to withhold or disclose the E-Mail.

6(d). Public records exempt based upon confidentiality. There are many sources of legal authority to exempt a "confidential" public record from disclosure under the Public Records Act. It would be impractical to list all definitions of "confidential" records in this Policy; however, a list of the more commonly encountered confidential records is provided below. If there is any question as to whether or not a particular record is "confidential", contact the City Attorney.

6(d)(1). Personnel Records.[9] This category of exemptions includes any "personnel, medical or similar files, the disclosure of which would cause an unwarranted invasion of personal privacy." However, employment contracts are not exempt.[10]

6(d)(2). Pending claims or litigation.[11] After a Government Code claim, or a lawsuit, has been filed against the City, the records "pertaining to" the claim or litigation become exempt until the claim or litigation is finally adjudicated or settled.

6(d)(3). Attorney/client privilege, and attorney work product.[12] As a general rule, it should be presumed that all communications from the City Attorney's office to a City employee are subject to the attorney/client privilege, and the communications should be protected accordingly.

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[8] See the Public Records Act, the City's Records Retention and Disposition Policy and Braun v. City of Taft (Polston) (1984) 154 Cal.App.3d 332, 201 Cal.Rptr. 654.

[9] Government Code section 6254(c) and (g); and Evidence Code sections 990-1007, 1010-1028, and 1035-1036.2

[10] Government Code section 6254.8.

[11] Government Code section 6254(b).

[12] Government Code section 6254(k) and Evidence Code sections 951-962

6(d)(4). Police records and investigative reports.[13] This category of exemption includes a wide variety of issues including: portions of investigation reports, confidential informants, and firearm licenses.

6(d)(5). Feasibility studies for property acquisition or public contracts.[14] Unless required to disclose by eminent domain law, feasibility studies "relative to the acquisition of property, or to prospective public supply and construction contracts" are exempt "until all of the property has been acquired or all of the contract agreement obtained."

6(d)(6). Information obtained by the City in confidence.[15] Generally, proprietary information may be exempt from disclosure if: (a) the third party providing the information submits the information with the expressed intention to maintain the confidence, (b) the information has not previously been disclosed to others, and (c) the third party has a reasonable expectation that the information will be maintained in confidence based upon the manner by which the City obtained the information. Examples include financial information submitted as a condition of a license, certificate, or permit.

6(d)7. Public interest balancing test.[16] If a writing does not fit a specific category of exemption, the writing may still be exempt if: "on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record." Typically, the public interest cited as justification for withholding records under this balancing test is the "interest in fostering robust agency debate" during the deliberative process.[17]

6(e). "Personal" Writings MAY not be Public Records. Occasional and limited "personal" use of the Electronic Communications System is allowed when the use does not: (1) interfere with the Employee's work performance, (2) interfere with the work performance of any other user, (3) have undue impact on the operation of the Electronic Communications System, or (4) violate any other provisions of this Policy, any other City policy, or legal requirement. Any such "personal" use of the Electronic Communications System may not be a public record, as long as it does not contain information relating to the conduct of the public's business. However, any such "personal" use is subject to inspection or audit by the City at any time, for any lawful purpose, without notice to any Employee. Accordingly, no Employee shall have any expectation of privacy regarding the content of any Electronic Communications. Additionally, the personal use of the Electronic Communications System is a privilege which may be revoked by the City at any time.

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[13] Government Code section 6254(f), (k), and (u); and Evidence Code sections 1041, and 1043-1045.
[14] Government Code section 6254(h).
[15] Government Code sections 6254(e), (i), (k), (n), and 6254.6, 6254.7, 6254.9, 6254.15; Evidence Code sections 1040 and 1060-1063
[16] Government Code section 6255
[17] Citizens For A Better Environment v. California Dept. of Food and Agriculture (1985) 171 Cal.App.3d 704, 217 Cal.Rptr. 504.

7. **General Use of E-Mail System.**

7(a). "All Employee" E-Mails. The E-Mail System is capable of simultaneously transmitting a message to All Employees on the E-Mail System, or all E-Mail users in a division or department. Full discretion must be exercised in determining when an All Employee or all department or division message is to be sent. If there is any question as to the appropriateness of an All Employee message, the approval of the sender's division manager must be obtained.

7(b). Do not attempt to disguise the origin of an E-Mail. No Employee shall attempt to disguise the origin of any E-Mail, unless authorized by the Chief of Police for a criminal investigation.

7(c). Do Not Access Other Employee's E-Mail. No employee shall access another Employee's E-Mail unless authorized by: (1) the other Employee, or (2) the other Employee's Department Head, or (3) as may be authorized in the conduct of an investigation for disciplinary and/or criminal actions.

7(d). Violations of this Policy. Violation of the Policy is subject to discipline up to and including termination.

7(e). Reporting criminal activity. Any Employee who discovers potential criminal activity involving the use of any Electronic Communication shall immediately report the activity to the Employee's Manager. The Manager shall immediately report the activity to the Police Chief and the Human Resource Manager.

Appendix A-6 – Travel Policy

RESOLUTION NO. 2014-190

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ROCKLIN
ESTABLISHING THE TRAVEL POLICY
FOR CITY OFFICIALS AND EMPLOYEES
AND SUPERSEDING RESOLUTION NO. 2001-240

The City Council of the City of Rocklin does resolve as follows:

Section 1. Resolution No. 2001-240 is hereby superseded.

Section 2. The travel policy is hereby approved as attached hereto as Exhibit A.

PASSED AND ADOPTED this 9th day of September, 2014, by the following vote:

AYES:	Councilmembers:	Ruslin, Butler, Janda, Yuill
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Magnuson
ABSTAIN:	Councilmembers:	None

Scott Yuill, Mayor

ATTEST:

Barbara Ivanusich, City Clerk

CITY OF ROCKLIN

FINANCIAL POLICY
TRAVEL POLICY

PURPOSE

The City of Rocklin will provide reasonable travel and expense funds for authorized travel to attend business or professional conferences, training seminars, meetings, or other authorized City business travel.

APPLICATION

The travel policy applies to all City Employees, including part-time and temporary (seasonal) employees, City Council Members, Board and Committee Members, and Volunteers here in after "Traveler."

ACCOUNTABILITY

A. Travelers are required to use fiscal prudence in the conduct of City business. The location and cost of the travel, and any available alternatives, should be reviewed to ensure the best use of City funds.

B. Each traveler is responsible for receiving authorization prior to making any travel arrangements, obtaining all necessary travel documents, completing Travel Expense Reimbursement Request forms and providing these forms and documents to the Finance Division within established timelines.

C. Personal business should not be mixed with official City business if it will result in any cost to the City, result in lost work time, or cause harm to the City's reputation or interest.

GENERAL

A. Non-local travel should be on an as-needed basis. City Travelers shall work with their supervisors to determine if a local venue or webinar will have the same or similar event within a reasonable time frame before scheduling non-local travel.

B. All travel costs including registration, airfare, hotel, and rental car should be made, whenever possible, by City purchase card. The City purchase card should not be used for items which will be covered by per diem or mileage reimbursement (see City of Rocklin Purchase Card Program Policy and Procedures).

C. For all travel related expenses, City Travelers shall obtain a receipt and if necessary additional documentation.

D. The Traveler must complete a Travel Expense Reimbursement Request, when there have been expenses that require reimbursement or have been advanced, have it signed by their manager and/or Department Head, and submit it to the Finance Division **within ten (10) working days** of their return. A Travel Expense Reimbursement Request is not required when approved charges associated with the event have been paid by City purchase card.

E. Travel Expense Reimbursement Requests shall include a copy of the registration, flight itinerary (when applicable), location, dates and purpose of the travel, and the original itemized receipts for expenses (except those that will be covered by per diem or mileage reimbursement). For a receipt that covers more than one Traveler, the names of all Travelers should be included on the receipt.

F. An individual may not authorize or approve reimbursement for his/her own travel. Travel Expense Reimbursement Requests and City purchase card statements must be approved by the Traveler's manager and/or Department Head. The City Manager will approve travel expenses for the Chief Finance Officer and City Council Members. The Chief Finance Officer will approve travel expenses for the City Manager, City Attorney and Department Directors.

TRANSPORTATION

A. The most economical and reasonable form of transportation, based on distance, time and total cost to the City, shall be utilized.

B. The Traveler should use a City vehicle rather than a personal vehicle whenever practical.

C. Personal Vehicle:
   - When a Traveler must use their personal vehicle for transportation, accurate mileage records must be kept by the Traveler, and the most direct route that is practical must be used.
   - Mileage reimbursement rate is established by the City, based on the IRS rate.
   - Mileage will be computed either from City offices or from the Traveler's home, whichever is less.
   - Mileage must be verified by MapQuest or similar means, showing the starting location and destination. Documentation regarding the purpose of the trip must accompany the Mileage Reimbursement Form.
   - Mileage reimbursement shall not exceed the cost of the most economical combination of airfare, shuttle and parking, relative to the destination for non-local travel. Travelers shall be reimbursed at the lesser amount of the actual mileage reimbursement or combination of airfare, shuttle and parking cost.

- Any additional lodging and meal expense resulting from the Traveler's selection to drive shall be paid by the Traveler.
- To use a personal vehicle, the Traveler must:
  a) Possess a valid California driver's license;
  b) Have proof of insurance on file with the City; and
  c) Understand that any services or repairs to their personal vehicle and any automobile or other insurance claims that result from travel on authorized City business shall be the Traveler's responsibility.

D. The City will pay all expenses, such as bridge tolls and parking fees, incurred as the result of a Traveler's authorized use of a City or personal vehicle while traveling on City business. It is the Traveler's responsibility to request receipts for these expenses. Transportation expenses, such as bridge tolls and parking fees, can be reimbursed through petty cash if under $50 or included on a Travel Expense Reimbursement Request.

E. If the Traveler receives a monthly auto allowance mileage reimbursement will not be paid for travel within a thirty-five mile radius of Rocklin. Mileage reimbursement will not be paid for travel in City vehicles.

F. The use of a rental vehicle is allowed only when no other means of transportation is available, or when alternate transportation would be more expensive or impractical. Transportation within the destination city shall be accomplished by courtesy buses, local shuttle services or taxi service if available and reasonable.
   - When a rental vehicle is used, the least expensive vehicle that is appropriate based on travel needs shall be selected.
   - Rental vehicles shall not be authorized for personal use.
   - Travelers on City business shall not purchase optional insurance when offered by the rental agency as City of Rocklin insurance covers rentals.

G. When transportation by air is the most appropriate form of travel, a copy of the flight itinerary must accompany the Travel Expense Reimbursement Request form or City purchase card statement.
   - Parking at the airport is reimbursable at the most economical lot rate with the original receipt
   - Mileage to and from the Sacramento International Airport will be reimbursed at the current mileage rate set annually by the City. Mileage to and from the airport will be computed either from City offices, (29 miles each way), or from the Traveler's home, whichever is less. Mileage must be verified by MapQuest or similar means.

LODGING

A. The City will pay reasonable lodging expenses, including applicable taxes and mandatory resort fees when business travel requires overnight stays.

B. Hotel receipts must be itemized, and the original, itemized receipt must be turned in to the City along with related Travel Expense Reimbursement Requests and/or City purchase card statements.

C. The Traveler shall request a standard single room at the conference or government rate, whichever is lower. Lodging costs shall not exceed the group rate published by the event sponsor, unless group rate rooms are sold out.

D. The City will pay for lodging for the evening preceding and/or subsequent to a business related event when the Traveler would have to travel unreasonably early or late in order to reach the destination.

E. Conference/meeting time is for the actual business related event and not for optional tours, sporting or social events.

F. Lodging expenses will not normally be reimbursed for local travel except in the following conditions:
   - The length of the conference is more than one day and the distance is more than 100 miles from the Traveler's residence; or
   - The Traveler will be required to be away for more than twelve (12) hours; or
   - The Traveler's presence is required for activities before or after the regular conference hours; or
   - In special circumstances documented and approved by the City Manager or designee.

G. The City will pay for business telephone calls and internet service if needed for work during travel on official City business. The City shall not pay for personal telephone calls or other optional hotel services that are not required for work.

PER DIEM

A. Per IRS regulations (Publication 463, Travel, Entertainment, Gift and Car Expenses), per diem shall only be given when the trip includes an overnight stay.

B. The City provides a per diem allowance of up to $60 per day for a Traveler's meals and incidental expenses during an overnight trip:
   - Incidentals include baggage handling and gratuities.
   - Receipts for per diem meals and incidentals are not required.

- If the Traveler spends an amount in excess of the per diem amount, the excess expense is not eligible for reimbursement.

MEAL REIMBURSEMENT

A. The City will reimburse up to $30 for the cost of one meal, when an employee is required to travel outside of the local 30 mile radius for greater than 8 hours but less than an amount of time and distance that would require an overnight stay.

UNAUTHORIZED EXPENSES

A. The following are examples of unauthorized expenses:
   - Alcoholic beverages
   - In-room movies
   - Spa/gym services
   - Tours
   - Laundry
   - Dry cleaning
   - Supplemental insurance on rental cars
   - Personal entertainment and other personal expenses
   - Sports events or other activities offered through the conference or other business related event as an additional cost to registration
   - Costs applicable to spouses or guests who accompany the Traveler during travel on City business

B. Unauthorized expenses are solely at the discretion of the Traveler. They will be considered a personal expense and shall be paid by the Traveler.

C. If a Traveler elects to travel in advance or stay longer on personal business or vacation, the City shall pay only the expenses for the authorized event. Any additional expenses shall be considered a personal expense and shall be paid by the Traveler.

Appendix B – City Manager/Executive Director Authority – Resolution No. 2012-49

RESOLUTION NO. 2012-49

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ROCKLIN
DEFINING THE DUTIES, RESPONSIBILITIES, AND
LIMITS OF AUTHORITY OF THE CITY MANAGER
AND REPEALING RESOLUTION NO. 2009-8

WHEREAS, the City Council of the City of Rocklin desires to clarify and define the City Manager's list of duties, responsibilities, and limits of authority.

NOW THEREFORE, the City Council of the City of Rocklin does resolve as follows:

Section 1. The City Manager shall have the duties, responsibilities, and limits of authority stated below:

A. DUTIES AND RESPONSIBILITIES.

The City Manager shall have the following duties and responsibilities subject to the provisions of the California Government Code and City ordinances, policies, rules and regulations. The City Manager may delegate to members of the City staff portions of these responsibilities together with commensurate authority for their accomplishment, but may not delegate or relinquish over-all responsibility and accountability for results.

1. Municipal Activities

a. Plans, directs, coordinates, and reviews the services rendered by the various departments of the City.

b. Monitors public services provided through contract or franchise by private corporations or individuals and enforces contract provisions.

c. Develops and recommends to the City Council an annual schedule of programs, projects and activities; reviews and recommends revisions as needed.

d. Submits to the City Council periodic and annual progress report.

e. Ensures that all ordinances of the City and laws of the State of California are enforced.

f. Attends meetings of the City Council, and meetings of its committees as required.

g. Advises the City Council on City needs and issues that arise and recommends to the City Council measures or actions deemed necessary.

h. Investigates all complaints filed with the City concerning the administration of the City government and its services, taking appropriate action or recommending action to the Council.

i. Secures the services of specialized consultants to determine the solution of problems when City staff are unable to perform the task.

2. Organization

a. Develops and recommends to the City Council for approval a City organization plan, including organizational charts, and recommends revisions to this plan as needed.

b. Develops and recommends to the City Council for approval a staffing plan and maintains manpower consistent with the plan. Recommends revisions to the staffing plan as needed.

c. Directs the preparation of administrative policies defining the function, responsibilities, authority and relationships of City officials and employees, to ensure understanding of such positions and to facilitate effective administration.

3. Personnel

a. Develops and administers a personnel program for the recruitment, selection, placement, evaluation, training, promotion, retention and release of City employees.

b. Develops and recommends to the City Council for approval, a salary schedule for employees, and when appropriate, individual employment contracts.

c. Appoints and removes employees subject to such terms and conditions as are contained within the Personnel Rules, applicable MOUs, any applicable employment contracts, and budgetary limitations. Terms and conditions may include, but are not limited to, payment of moving expenses, car and telephone allowances and accrued leave.

d. Determines initial salaries of City employees and salary increases for promotion or merit within the limits of approved salary schedules, applicable employment contracts, and the policies of the Council.

4. Finances

a. Prepares and recommends to the City Council an annual fiscal year budget showing current financial status, anticipated revenue, and estimated operating and capital expenditures, and proposes amendments as necessary.

b. Develops proposals regarding methods for financing City development and improvements.

c. Directs City purchasing activities in conformance with City ordinances, policies, rules, and regulations. Establishes and administers procedures to ensure acceptable standards of quality and performance are maintained.

d. Establishes and administers effective internal controls to safeguard City assets against loss through dishonesty or negligence.

B. LIMITS OF AUTHORITY

Subject to City ordinances, policies, rules and regulations the following limits of authority apply to the City Manager:

1. Capital Expenditures: Authorizes, executes and amends contracts on behalf of the City for capital expenditures as follows:

a. In amounts of $10,000 or less;

b. Capital expenditures identified and authorized in the current budget in amounts of $25,000 or less; or

c. Amendments and change orders to public works construction contracts in amounts not to exceed 10% of the project cost or $30,000 whichever is less in the aggregate per project, unless a different change order limit is approved by the City Council on a project specific basis, in which case the project specific limit takes precedent and shall be the controlling amount. In addition, the City Manager shall have change order authority for up to $150,000 for instances where unexpected conditions are encountered and

seeking Council approval would cause work to stop. In such instances, the City Manager shall report to the City Council in the next regularly scheduled City Council meeting of his actions and the reasons thereof.

2. Operating and Maintenance Expenditures: Authorizes and executes contracts on behalf of the City for operating and maintenance expenditures, including supplies, materials and equipment, funded in the current budget of $75,000 or less, or as more specifically set forth in the City Of Rocklin Purchasing Ordinance codified at Chapter 3.04 of the Rocklin Municipal Code.

3. Consultant Services Expenditures: Authorizes and executes contracts on behalf of the City for consultant services to be rendered to the City funded in the current budget of $25,000 or less; provided, however, that the City Manager may approve an unbudgeted expenditure for consulting services in matters related to confidential investigations, legal matters, or consulting services pertaining to confidential personnel matters up to $25,000.

4. Public Relations and Advertising: Authorizes expenditures for public relations and advertising funded in the current budget of $25,000 or less.

5. Purchase and Sale of Real Property: Authorizes and executes contracts on behalf of the City for the purchase of real property funded in the current budget of $25,000 or less, and the acquisition or disposition of easements and licenses necessary for the construction of public works projects or valued at $25,000 or less. The Council hereby directs and authorizes the City Manager to execute Certificates of Acceptance on behalf of the City Of Rocklin for all authorized acquisitions of interests in real property. Recommends the sale of City owned real property to the City Council.

6. Sale of Surplus Materials and Equipment: Authorizes the sale of materials and equipment determined to be surplus as set forth in the City Of Rocklin Purchasing Ordinance at Section 3.04.200 of the Rocklin Municipal Code.

7. Leasing of City Equipment: Authorizes and executes short-term (less than one year) agreements to lease City equipment to third parties.

8. Damage Claims: Authorizes, with concurrence of the City Attorney, settlement of damage claims against the City in amounts not exceeding $25,000 per claim. Recommends settlement of claims in excess of $25,000 to the City Council.

9. Bad Debt Losses: Authorizes write-off of items of $2,000 or less and not in excess of $10,000 in the aggregate in any fiscal year.

10. Expense Reports: Approves expense reports of all City officials and Department Heads.

11. Grant Funds: Authorizes applications and all necessary paperwork to apply for grant funds on behalf of the City.

C. RELATIONSHIPS

1. City Council

Reports to, receives policy direction from and is accountable to the City Council.

Advises, consults with, and informs the City Council on policy matters affecting the City, making regular or special reports to the Council as required, or as he deems necessary.

2. Other Governmental Agencies

Maintains liaison with other City officials, and with other municipal, county, state, and federal governmental agencies to ensure proper coordination of activities.

3. General Public

Meets with private citizens and business, civic, charitable, fraternal, and labor organizations seeking information or making suggestions or complaints.

Meets with representatives of news organizations; prepares news releases and other informative materials for publication.

4. Other Organizations

Maintains membership in, or appropriate relationships with professional, civic, and governmental associations and organizations.

Section 2. Resolution No. 2009-8 is hereby repealed.

PASSED AND ADOPTED this 13th day of March, 2012, by the following vote:

AYES:	Councilmembers:	Magnuson, Yuill, Hill, Ruslin, Storey
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

Brett Storey, Mayor

ATTEST:

Barbara Ivanusich, City Clerk

Appendix C – Rules of Procedure Resolution No. 2009-7

RESOLUTION NO. 2009-7

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ROCKLIN
ADOPTING AMENDED CITY COUNCIL
RULES OF PROCEDURE AND REPEALING
RESOLUTION NOS. 94-97, 97-16, 2006-348, AND 2007-325

WHEREAS, the City Council of the City of Rocklin desires to amend the City Council Rules of Procedure to change the requirement that persons speaking at the meeting give their home street address for the record.

The City Council of the City of Rocklin does resolve as follows:

Section 1. The City Council hereby adopts the Rules of Procedure attached hereto as Exhibit A, incorporated herein by this reference.

Section 2. Resolution No. 94-97, Resolution No. 97-16, Resolution No. 2006-348, and Resolution No. 2007-325 are hereby repealed.

PASSED AND ADOPTED this 13th day of January, 2009, by the following roll call vote:

AYES:	Councilmembers:	Storey, Yuill, Magnuson, Hill
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lund
ABSTAIN:	Councilmembers:	None

Peter Hill, Mayor

ATTEST:

Barbara Ivanusich, City Clerk

t:/clerk/reso/(Reso Amending CC Rules of Procedure)/(CVH)2/24/2000

EXHIBIT A

I. AUTHORITY

These rules of procedure are adopted pursuant to Section 2.08.010 of the Rocklin Municipal Code.

II. MEETINGS

A. Regular Meetings

The Council shall hold its regular meetings on the second and fourth Tuesday of each month at the hour of 6:00 p.m.

If the regular meeting date falls on a holiday, the meeting shall be held on the next business day or another day agreed upon by the Council, or cancel the meeting altogether.

B. Meeting Place

The Council shall meet in the City Administration Building located at 3970 Rocklin Road, Rocklin, or at such other place to which the meeting may be adjourned and as provided in Government Code §54954. In the case of an emergency or other condition rendering the Council chambers unsafe or unsuitable for the meeting, the meeting may be held for the duration of such condition at such other place as may be designated by the presiding officer in a notice to the local media who have requested such notices in writing. The notice shall be given by the most rapid means of communication available at the time.

C. Special Meetings

1. A special meeting may be called by the mayor, by the presiding officer in the absence of the mayor, or by a majority of the Council.

2. A special meeting shall be held at the place specified in the notice and as provided in Government Code §54954.

3. Business at a special meeting shall be limited to the items specified in the special meeting notice.

4. This rule shall not be construed to affect the right of the Council to call and conduct an emergency meeting authorized under §54956.5 of the Government Code.

D. Adjourned Meetings

The Council may adjourn any regular, special, adjourned regular, or adjourned special meeting to a time and place specified in the order of adjournment. A copy of the order of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within twenty-four (24) hours after the time of the adjournment.

E. Quorum

1. Except where otherwise provided by law, three (3) Councilmembers, present and qualified to act, shall be a quorum for the transaction of business at Council meetings.

2. In the absence of a quorum, a lesser number may adjourn the meeting or postpone any business to a later time, provided that 30 minutes shall have elapsed after the hour set for such meeting.

3. In the absence of any Councilmember present and qualified to act, the Clerk shall adjourn the meeting to a stated day and hour and personally serve each Councilmember with a notice of the time of such adjourned meeting at least three (3) hours prior thereto.

F. Meetings Open to Public

1. All regular and special meetings of the Council shall be public; provided that the Council may hold a closed session as provided by law during any regular, special, adjourned regular or adjourned special meeting, from which the public shall be excluded.

2. No member of the Council, employee of the City, or any other person present during a closed session shall disclose to any person the content or substance of any discussion which took place during the closed session unless disclosure is authorized by a majority vote of the Council.

G. Attendance at Meetings

If any Councilmember cannot attend a meeting, he or she shall notify the Clerk as soon as possible, but in no event later than noon on the meeting day.

III. NOTICES OF SPECIAL MEETINGS

A. Mail and Posting

1. Notice of a special meeting shall be given by the clerk at least twenty-four hours before the time of the meeting by delivering written notice either personally or by mail to each member of the Council at his or her usual place of residence and to each local newspaper of general circulation, radio, and television station requesting special meeting notice in writing.

2. The notice shall be posted at least twenty-four hours before the meeting at the locations specified by resolution of the City Council.

B. Contents of Notice

The notice shall specify the time and place of the special meeting and the business to be transacted. The notice shall also state that members of the public will have an opportunity to directly address the City Council concerning any item on the agenda before or during consideration of that item.

IV. THE AGENDA

A. Agenda and Background Information

1. For all regular and special meetings, the Manager shall cause to be prepared an agenda setting forth the time and place of the meeting and a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session as provided in section IX.B. of these Rules. Items to be included must be submitted to the Manager no later than the date established by the Manager.

2. The Manager shall cause to be prepared a memorandum giving pertinent facts and background information on each item which requires Council action.

3. The agenda for every regular meeting shall include an opportunity for members of the public to directly address the City Council on any item of interest to the public, before or during the Council's consideration of the item, that is within the subject matter jurisdiction of the Council. No action shall be taken on any item not appearing on the agenda, unless the item is added to the agenda as provided by section VII.I.2. Discussion of items not on the agenda shall be limited as described in section VII.I.1.

4. The agenda for every special meeting shall include an opportunity for members of the public to directly address the City Council on any item on the agenda before or during consideration of that item. No items may be added to the agenda. No action shall be taken and no discussion shall be had on any item not on the agenda.

B. Posting

At least 72 hours before each regular meeting, the Clerk shall post the agenda at the locations specified by resolution of the Council.

V. THE PRESIDING OFFICER

A. During a regular scheduled meeting between November 15 and January 15 of each year, the Council shall elect from its membership the mayor and vice mayor.

B. **Duties of the Mayor**

1. The mayor shall preside and preserve order at all regular and special meetings of the Council.

2. The mayor shall decide all questions of order without debate, subject, however, to advice from the Council.

3. The mayor shall appoint Councilmembers to committees or other bodies, subject to confirmation by a majority of the Council.

C. **Presiding Officer--Succession**

In the absence of the mayor, the vice mayor shall preside. In the absence of both, the senior Councilmember shall preside.

D. **Presiding Officer--Rights**

The mayor or other presiding officer may move or second from the chair, shall have the right to debate subject only to such limitations of debate as are imposed on all members, and shall be deprived of none of the rights or privileges of a Councilmember by reason of his or her occupying the chair.

VI. ORDER OF BUSINESS

A. **Regular Meetings**

The order of business of all regular meetings of the Council shall be as follows:

1. Call to order at 6:00 p.m.;
2. Pledge of allegiance;
3. Roll call;
4. Agenda review;
5. Approval of minutes;
6. Consent calendar;
7. Citizens addressing the Council;
8. Hearings;
9. Ordinances and resolutions;
10. Bid openings and actions on bids;
11. Reports from city officials;
12. Reports from city committees or commissions;
13. Miscellaneous;
14. Councilmember announcements and activity reports;
15. Future agenda items;
16. Closed sessions;

17. Adjournment.

B. Same - Change

The order of business herein prescribed may be changed any time by a majority vote of the Council.

C. Consent Calendar

Any non-hearing item may be placed on a consent calendar and enacted by one motion. There will be no separate discussion of these items unless a member of the Council or a citizen so requests. If such a request is made, the item shall be removed from the consent calendar and considered in the normal sequence on the agenda.

VII. CONDUCT OF BUSINESS

A. Session

The mayor or other presiding officer shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order.

B. Roll Call

Before proceeding with the business of the Council, the roll of the members shall be called by the Clerk, and the names of those present shall be entered in the minutes.

C. Minutes--Preparation--Distribution

1. The minutes of the Council shall be kept by the Clerk and shall be neatly typewritten in a book kept for that purpose and shall contain the following:
   a. A record of each particular type of business as was actually passed upon by a vote of the Council, set off in paragraphs;

   b. Upon request of a Councilmember, remarks of councilmembers or of any other person; and

   c. A record shall be made of the names and cities of residence of persons addressing the council, the title of the subject matter to which their remarks related and whether they spoke in support of or in opposition to such matter.

2. As soon as possible after every Council meeting, the Clerk shall cause a copy of the minutes thereof to be given to each member of the Council, the manager and department heads.

D. Minutes--Approval--Reading

1. Unless the reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the Clerk has previously furnished each member with a copy thereof.

2. The minutes shall be approved by the Council under the consent calendar.

E. Standards of Decorum

1. Councilmembers

   While the Council is in session, the members shall preserve order and decorum, and no member shall, either by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council or disturb any member while speaking, or refuse to obey the orders of the Council or its presiding officer. Councilmembers shall be courteous at all times in their dealings with the public, staff and each other.

2. Other Persons

   Any person making personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Council or who disrupts the meeting of the Council, may be barred by the presiding officer from further audience before the Council during that meeting, unless permission to continue be granted by majority vote of the Council.

F. Manner of Addressing Council

1. The Mayor or presiding officer shall request that each person addressing the Council give his name and city of residence in an audible tone of voice for the record before making comments, although a person is not required to identify himself before addressing the Council. All remarks shall be addressed to the Council as a body and not to any member thereof, or to staff, or to the public. No person, other than a member of the Council, the City Manager or the City Attorney and the person having the floor, shall be permitted to enter into any discussion without the permission of the presiding officer.

2. For items not on the agenda, and for non-hearing items on the agenda the person addressing the Council shall be limited to five minutes, unless the time is extended by the presiding officer.

3. For hearing items on the agenda, the presiding officer may impose reasonable time limits on any citizen addressing the Council, including applicants, proponents and opponents, when the presiding officer determines the limits are necessary for the orderly conduct of the hearing, and the limits are fairly applied.

4. Whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the presiding officer to request that a spokesman be chosen by the group to address the Council and, in case additional matters are to be presented at the time by any member of the group, to limit the number of persons so addressing the Council, so as to avoid unnecessary repetition.

G. <u>Procedure for Public Hearing</u>

The order of conducting a public hearing by the Council shall be as follows:

a. Presiding officer announces the item and opens the public hearing;

b. Staff report;

c. Questions of staff for clarification by Councilmembers;

d. Statement by proponents;

e. Questions of proponents or staff by Councilmembers;

f. Public comments;

g. As necessary, questions of public or staff by Councilmembers;

h. Response by proponent;

i. Response by staff;

j. Final questions by Councilmembers to staff, proponent or public;

k. Presiding officer closes public hearing;

l. Council discussion;

m. Council action on item.

H. The making and handling of motions shall be governed by the presiding officer.

I. Non-Agenda Items

1. No action or discussion shall be taken on any item not appearing on the posted agenda, except as provided below:

   a. Councilmembers may briefly respond to statements made or questions posed by members of the public addressing the Council on any item not on the agenda.

   b. Councilmembers may, on their own initiative or in response to questions posed by a member of the public, ask a question for clarification, provide a reference to staff or other resources for factual information, or request that any matter be placed on a future agenda.

   c. The Council may take action to direct staff to report back to the Council at a subsequent meeting on any matter.

2. The Council may add to the posted agenda, and take action on any item of business under the conditions stated below:

   a. Upon a determination by a majority vote of the Council that an emergency situation exists. "Emergency situation" means a crippling disaster, a work stoppage, or other activity which severely impairs public health, safety or both.

   b. Upon a determination by a two-thirds vote of the Council, or, if less than two-thirds of the members are present, by a unanimous vote of those present, that there is a need to take immediate and urgent action and that the need for action came to the attention of the City after the agenda was posted.

   c. The item was on the agenda for a prior meeting of the Council occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

VIII. VOTING

A. Majority Vote

1. Except as provided in 2. and 3. below, and except where otherwise required by law, all motions by the Council shall be carried by a majority vote of all members who are present, qualified to act, and who cast either a "yes" or "no" vote, provided that a quorum is present. Silence shall be deemed to be a "yes" vote.

2. No motion shall be carried by the "yes" vote of less than two (2) members.

3. Resolutions, orders for the payment of money, and all ordinances require the "yes" vote of at least three (3) Councilmembers for passage.

4. In the event of a tie vote, the motion fails.

B. Abstention

An abstention shall be recorded when a member, although qualified to vote on a motion, votes neither "yes" nor "no," and instead states "abstain."

C. Same - Majority Vote

An abstention shall not be considered for purposes of determining a majority vote. For purposes of determining whether a sufficient number of Councilmembers are present to act on an item of business, however, the abstaining member shall be counted as present. For example, where five Councilmembers are present and qualified to vote, a vote on a motion of 2 in favor, 1 opposed, and 2 abstain would be a majority vote. Likewise, where four Councilmembers are present and qualified to vote, a vote on a motion of 2 in favor and 2 abstain would be a majority vote.

D. Conflict of Interest

No Councilmember shall make, participate in making or in any way attempt to use his or her official position to influence a decision on any issue when prohibited from so doing by law.

E. Same - Member Considered Absent

A Councilmember disqualified from participation because of paragraph D, above, shall not be considered present at the meeting for the item(s) of business on which such member is disqualified.

F. Same - Conduct During Consideration of Item

At the time the presiding officer calls an item from which a Councilmember is disqualified from participation under paragraph D, above, the disqualified Councilmember shall announce the fact and the reason he or she is disqualified for the record and shall thereafter refrain from any participation as a Councilmember in the discussion and action on the item. Further, except when the matter is on the consent calendar, the disqualified Councilmember shall leave the Council chambers while the matter is being discussed.

IX. CLOSED SESSIONS

A. Closed Sessions Authorized

The Council may meet in closed session for the following purposes and as authorized by law:

1. License or permit determination pursuant to Government Code §54956.7;

2. Conference with real property negotiators pursuant to Government Code §54956.8;

3. Conference with legal counsel regarding existing or anticipated litigation pursuant to Government Code §54956.9;

4. Liability claims discussion or action pursuant to Government Code §54956.95;

5. Matters involving threat to public services pursuant to Government Code §54957;

6. Matters involving personnel pursuant to Government Code §54957.6;

7. Conference with labor negotiator pursuant to Government Code §54957.6;

8. Matters involving multi-jurisdictional drug law enforcement agency pursuant to Government Code §54957.8.

B. Agenda Requirements

Closed sessions shall be described on the agenda of the meeting for which they are scheduled as specified in Government Code §54954.5.

C. Announcing Closed Sessions

1. Prior to holding a closed session, the Council shall convene in open session and announce the item or items to be discussed and/or acted upon in closed session by referencing the item or items by their number on the agenda. The presiding officer shall allow the public the opportunity to comment upon the closed session matter before the item is discussed in closed session.

2. For closed sessions to confer with real property negotiators under Government Code §54956.8, the announcement shall also identify the real property or properties which the negotiations concern and the person or persons with whom the negotiations will be conducted.

D. Reporting After Closed Session

The Council shall publicly report any action taken in closed session, and the vote or abstention of every member present, as follows and as required by Government Code §54957.1:

1. For closed sessions to confer with real property negotiators, final approval of an agreement concluding the negotiations, and the substance of the agreement, at the same meeting at which the closed session was held. If final approval rests with the other party, this section shall not apply.

2. For closed sessions to confer with legal counsel concerning existing litigation, approval to defend, or to seek or refrain from seeking appellate review or relief, or to enter into litigation as amicus curiae, at the same meeting at which the closed session was held. The report shall identify, if known, the adverse party or parties and the substance of the litigation.

3. For closed sessions to confer with legal counsel on anticipated litigation, approval given to initiate or intervene in an action. The report shall not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in the action has been given and that the action, the defendants, and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the City's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

4. For closed sessions to confer with legal counsel concerning the settlement of existing litigation, acceptance of a final settlement offer signed by the opposing party, identifying the substance of the agreement, at the same meeting at which the closed session was held. If final approval rests with the other party, this section shall not apply.

5. For closed sessions on liability claims, the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

6. For closed sessions on matters involving personnel, action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of an employee, at the same meeting at which the closed session was held. The report shall identify the title of the position and specify any change in compensation. The report shall be deferred in the case of dismissal or non-renewal of an employment contract until the first

public meeting following the exhaustion of administrative remedies, if any.

7. For closed sessions to confer with labor negotiators, final approval of an agreement concluding labor negotiations that has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

Closed session reports may be made orally or in writing. The report may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the report.

X. DISTRIBUTION OF MATERIALS

A. City Council Meetings

1. Council agenda packets shall be made available for public inspection as public records before and during the Council meetings.

2. Writings distributed by staff to a majority of the Councilmembers after the agenda has been distributed, but before the Council meeting, shall be made available for public inspection as required by Government Code section 54957.5.

3. Writings distributed during a Council meeting by staff, a Councilmember, or a member of the public, shall be made available for inspection after the Council meeting.

4. The City Clerk shall keep copies of all writings submitted as part of the record to the Council members before and during a Council meeting with the official record of the Council meeting and shall make a copy available for inspection and copying as required by law.

B. Documents Approved in Closed Session

Copies of contracts, settlement agreements, or other documents that are finally approved or adopted in closed session shall be provided to any person who has submitted a request for such to the Council within twenty-four hours of the posting of the agenda listing the closed session, or to any person who has made a standard request for all documentation as part of a request for notice of meetings, if the requester is present at the time the closed session ends. If the action taken results in substantial revisions to the documents, the documents shall not be released until retyping is completed. Upon request, the presiding officer shall orally summarize the substance of the amendments if requested at the end of the closed session. The closed session documents shall be made available to any person on the next business day following the closed session or, where substantial revisions are necessary, when the necessary revisions are made.

C. Facts and Circumstances Relating to Anticipated Litigation

Claims and records of statements threatening litigation made outside an open and public meeting shall be made available as required by this section and Government Code §54957.5.

XI. VALIDITY OF ACTIONS

No action taken by the Council which is otherwise legally valid shall be voided or nullified by reason of a failure to follow these Rules of Procedure.

Appendix D – Authorization to Post FPPC Forms to Website

AUTHORIZATION TO POST FPPC FORMS TO THE CITY WEBSITE

Government Code Section 6254.21[18] states that written permission shall be obtained from elected officials before posting home addresses/telephone numbers on the Internet. FPPC Forms 460, 470 and 700 include home addresses and telephone numbers.

If you authorize your Form 460 or 470 and Form 700 with address/telephone number to be posted to the City's website, please check the appropriate box. If you wish to have your address/telephone number redacted from the Form 460, 470 or 700 that will be posted to the internet, please check the appropriate box. Please note, the City is not permitted to redact your home address/telephone number on the hard copy of the Form 460 or 470 and Form 700 kept on file in the City Clerk's office.

☐ I authorize the posting of my Form 460 or 470 and Form 700 which includes my home address/telephone number on the City's website.

☐ I authorize the posting of my Form 460 or 470 and Form 700, but elect to have my address/telephone number redacted from the form.

Dated:_____

Name_____
Please print

Signature _____

[18] §6254.21. Posting home address or phone number of official on Internet without permission; Violation; Relief; Definitions

(a) No state or local agency shall post the home address or telephone number of any elected or appointed official on the Internet without first obtaining the written permission of that individual.

Appendix E – City Manager Code of Ethics Policy

ICMA

Leaders at the Core of Better Communities

ICMA > Ethics > Code of Ethics

ICMA Code of Ethics

ICMA members adhere to the principles of the ICMA Code of Ethics, developed in 1924, as a condition of membership and agree to submit to a peer-to-peer review of their conduct under established enforcement procedures. ICMA's Code of Ethics, most recently amended by the membership in 1998 to reflect changes in the profession, includes Guidelines to assist members in applying the principles outlined in the Code. The Guidelines were adopted by the ICMA Executive Board in 1972 and most recently revised in July 2004. Individuals seeking advice on ethics issues or enforcement are encouraged to contact Martha L. Perego at 202/962-3668 or mperego@icma.org; or Elizabeth Kellar at 202/962-3611 or ekellar@icma.org.

For a version of the Code with guidelines, refer to the Ethics Program in the Member Benefits and Information section of icma.org.

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

Tenet 1

Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant

Tenet 3

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Tenet 4

Recognize that the chief function of local government at all times is to serve the best interests of all people.

Tenet 5

Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6

Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

Tenet 7

Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

Tenet 8

Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9

Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10

Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12

Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

Downloads

ICMA Code of Ethics 2004 (Microsoft Word Document, 47 KB)

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ICMA is the leading organization for information on professional local government management. Its membership includes city managers, county managers, and other chief appointed officials and assistants in local governments throughout the world. ICMA's mission is to create excellence in local government by developing and fostering professional local government management worldwide.

COMMON ACRONYMS

General Acronyms	
ADA	American with Disabilities Act
CFD	Community Facilities District
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
FPPC	Fair Political Practices Commission
FEMA	Federal Emergency Management Act
FTE	Full Time Employee Equivalent
JPA	Joint Powers Agreement
LM1	Lighting Maintenance District No. 1
L&L2	Landscaping and Lighting District No. 2
LAFCO	Local Agency Formation Commission
MOU	Memorandum of Understanding
NCCSIF	Northern California Cities Self Insurance Fund
NIMS	National Incident Management System
PFA	Public Financing Authority
PRA	Public Records Act; Political Reform Act
RDA	Redevelopment Agency
RFP	Request for Proposal
RMC	Rocklin Municipal Code
SEMS	Standardized Emergency Management System
TOT	Transient Occupancy Tax
UBC	Uniform Building Code

Planning Acronyms	
ADT	Average Daily Trips
ANSI	American National Standards Institute
APCO	Air Pollution Control Officer
AQAP	Air Quality Attainment Plan
ARB	California State Air Resources Board
ASTM	American Society for Testing and Materials
BACT	Best available control technology for toxics
CAA	Clean Air Act
CAAQS	California ambient air quality standards
California Geologic Survey	Formerly the California Division of Mines and Geology
CCAA	California Clean Air Act
CCAR	California Climate Action Registry
CEC	California Energy Commission
CFC	Chlorofluorocarbons
CH_4	Methane
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO_2	Carbon dioxide
dB	Decibels

dBA	A-weighted dB
dBA/DD	A-weighted dB per doubling of distance
diesel PM	Particulate matter from diesel-fueled engines
EPA	U.S. Environmental Protection Agency
GHG	Greenhouse gases
GWP	Global Warming Potential
HEPA	High Efficiency Particulate Air
HRA	Health-risk assessment
HVAC	Heating, ventilating and air conditioning
Hz	Hertz
in/sec	Inches per second
L_{50}	Median noise level
lb/day	Pounds/day
LDL	Larson Davis Laboratories
L_{dn}	Day-Night Noise Level
L_{eq}	Equivalent Noise Level
L_{max}	Maximum Noise Level
L_{min}	Minimum Noise Level
LOS	Level of service
MTBE	Methyl tertiary-butyl ether
N_2O	Nitrous oxide
NEV	Neighborhood Electric Vehicles
NO_2	Nitrogen dioxide
NO_X	Nitrogen oxides
NO_X	Oxides of nitrogen
O_3	Ozone
OAP	Ozone Attainment Plan
OEHHA	Office of Environmental Health Hazard Assessment
ONC	State of California Office of Noise Control
OPR	State Governor's Office of Planning and Research
PCAPCD	Placer County Air Pollution Control District
PCFCWCD	Placer County Flood Control and Water Conservation District
PM_{10}	Respirable particulate matter
$PM_{2.5}$	Fine particulate matter
Ppm	Parts per million
PPV	Peak particle velocity
ROG	Reactive organic gases
SEL	Sound Exposure Level
SENL	Single Event [Impulsive] Noise Level
SIP	State Implementation Plan
SO_2	Sulfur dioxide
SVAB	Sacramento Valley Air Basin
TAC	Toxic air contaminants
T-BACT	Best Available Control Technology for toxics
TDS	Total dissolved solids
TPY	Tons per year
TRU	Transportation refrigeration units
VMT	Vehicle miles traveled

VOC	Volatile organic carbon
µg/m^3	Micrograms per cubic meter
µin/sec	Microinch per second

Transportation Acronyms	
APCD	Air Pollution Control District
BLA	Bicycle Lane Account
CCAA	California Clean Air Act
CMA	Congestion Management Agency
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CTC	California Transportation Commission
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
HOV	High Occupancy Vehicle
ISTEA	Intermodal Surface Transportation Efficiency Act
ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
LOS	Level of Service
MPO	Metropolitan Planning Organization
MTP	Metropolitan Transportation Program
MTIP	Metropolitan Transportation Improvement Program
NEPA	National Environmental Protection Act
PCTPA	Placer County Transportation Planning Agency
RSTP	Regional Surface Transportation Program
SACOG	Sacramento Area Council of Governments
SECAT	Sacramento Emergency Clean Air and Transportation Program
SOV	Single Occupancy Vehicle
TCM	Transportation Control Measure
TDA	Transportation Development Act
TDM	Transportation Demand Management
TEA	Transportation Enhancement Activities
TEA 21	Transportation Efficiency Act for the 21st Century
ZEV	Zero Emission Vehicle

Redevelopment Acronyms	
AB	Assembly Bill
ABAG	Association of Bay Area Governments
BOE	Board of Equalization, State of California
BTH	California Business, Transportation and Housing Agency
CalEPA	California Environmental Protection Agency
CC&R	Covenants, Conditions & Restrictions
CDBG	Community Development Block Grant
CDIAC	California Debt and Investment Advisory Commission
CEQA	California Environmental Quality Act
CHFA	California Housing Finance Agency
CRHMFA	California Rural Home Mortgage Financing Authority
CRL	California Redevelopment Law

CSAC	California State Association of Counties
CSCDA	California Statewide Community Development Authority
CTCAC	California Tax Credit Allocation Committee
DDA	Disposition and Development Agreement
DIR	Department of Industrial Relations (re prevailing wages requirements)
DOT	Department of Transportation
DTSC	Department of Toxic Substances Control
EDA	Economic Development Agency
EIR	Environmental Impact Report
EOA	Environmental Oversight Agreement
ERAF	Education Revenue Augmentation Fund
FMV	Fair Market Value
FNMA	Federal National Mortgage Association (Fannie Mae)
FTHB	First-time homebuyers
GC	Government Code
HA	Housing authority
HCD	California Department of Housing and Community Development
HOME	Home Investment Partnerships Program
HTF	Housing Trust Fund
HUD	U.S. Department of Housing and Urban Development
MFH	Multifamily rental housing
NOFA	Notice of Funding Availability
OAP	Ownership Assistance Program
OPA	Owner Participation Agreement
OPR	Owner Participation Rules; Governor's Office of Policy and Research
PAC	Project Area Committee
RDA	Redevelopment agency
RFP	Request for Proposal
RFQ	Request for qualifications
RWQCB	Regional Water Quality Control Board
SB	Senate bill
SCO	State Controller's Office
SFH	Single-family housing
SRO	Single Room Occupancy
TI	Tax Increment
VLF	Vehicle License Fee