

**J. Update City Council Policy Manual**

Recommendation: Approve updates to the City Council Policy Manual.



# Cathedral City

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## **CITY COUNCIL POLICY MANUAL**

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**TITLE 1 ADMINISTRATIVE**

**TITLE 2 LEGISLATIVE**

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# **MISSION STATEMENT**

## **VISION STATEMENT**

## **VALUE STATEMENT**

MISSION, VISION AND VALUE STATEMENTS

## OUR MISSION

***Moving Cathedral City Forward with Commitment, Pride, and Excellence***

Creating a safe, inclusive, and progressive community  
Providing quality service  
Valuing fairness, balance, and trust  
Building partnerships  
Honoring our similarities and differences  
Celebrating our independent spirit

## VISION

Cathedral City is a safe, family-oriented community that values, respects, and supports human differences and diverse perspectives. We strive to be a vibrant, progressive, enterprising, and visually attractive community. Our diverse housing options and vibrant businesses attract residents and visitors who choose Cathedral City for its culture, arts, special events, and natural resources.

## VALUES



SAFETY



COMMUNITY  
PRIDE



INCLUSIVENESS



DIVERSITY



COMMUNITY  
INVESTMENT



CULTURE  
OF SERVICE



INNOVATION  
BEYOND  
TECHNOLOGY



# **TITLE 1**

## **ADMINISTRATIVE**

## **TITLE 1 ADMINISTRATIVE**

Chapters:

- |      |   |
|------|---|
| 1.01 | Policy Manual Purpose   |
| 1.02 | Form of Government  |
| 1.03 | Function of Council and City Manager  |
| 1.04 | Use of City Personnel, Equipment or Resources   |
| 1.05 | Code of Ethics for all City Officials & Employees, Consultants and Contracted Personnel |
| 1.06 | Council Financial Matters   |
| 1.07 | Council Communication   |
| 1.08 | Press Relations   |
| 1.09 | Civility Guidelines   |

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### **CHAPTER 1.01 POLICY MANUAL PURPOSE**

Sections:

- |          |                                     |
|----------|-------------------------------------|
| 1.01.010 | Purpose.                            |
| 1.01.020 | Interpretation of Policy.           |
| 1.01.030 | Orientation of New Council Members. |
| 1.01.040 | Overview of City Documents.         |
| 1.01.050 | Other Agencies                      |

**1.01.010 PURPOSE.**

This City Council Policy Manual ("Manual") duly adopted by resolution at the City Council details the rules of order, policies and procedures by which the Council, City Manager, City Attorney, Commissions, and Committees shall conduct City business and activities. The policies and procedures, contained herein, are established so that expectations and practices can be clearly articulated by the City Council to guide Councilmembers in their actions. All elected officials and appointed officials are obligated to follow the policies and procedures contained in this Manual.

No item in this Manual is to be construed as more important or having priority over another item based on its location or placement in this Manual. All items have equal importance and authority in implementation and enforcement.

In the event of any conflict between the policies and procedures in the Manual and any Federal or State Law, Rules, or Regulations or any City Charter, ordinances, resolutions, agreements or contracts, the latter shall prevail.

(a) Amending and Updating the Manual.

The Council shall periodically review the policies and procedures in the Manual and may amend them from time to time and/or adopt new ones by resolution.

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(b) Corrections Not Requiring a Resolution.

The City Clerk's office shall update the Table of Contents and information sections, nouns or personal pronouns and typographic or language errors, not changing the substantive matters, on an as needed basis, and shall not require a resolution or action of the Council and shall be considered an administrative act.

**1.01.020 INTERPRETATION OF POLICY.**

This policy shall be liberally construed to effectuate its purpose and no ordinances, resolutions, proceedings, or other actions of the Council shall be invalidated or the legality thereof otherwise affected by any failure or omission of the Council to comply with, observe, or follow the rules and procedures stated in this Manual.

**1.01.030 ORIENTATION OF NEWLY ELECTED AND APPOINTED OFFICIALS.**

It is important for newly Elected and Appointed Officials to gain an understanding of the full range of services and programs provided by the City. As new members join the Council, the following will be provided in a timely manner.

- (a) The City Manager will host an orientation program to distribute materials outlining City policy and protocol, Federal, State and County and Special District's jurisdictions, and intergovernmental relations.
- (b) The City Manager will facilitate a meeting with the City Attorney for conflict-of-interest training, review of current legal matters, review of parliamentary procedures, and other legal matters.
- (c) The City Manager will arrange meetings with key Department Heads for the new council member to be briefed on current projects within each department and to tour City facilities.
- (d) The City Manager's Administrative Assistant to the City Manager and Council will arrange a meeting for a briefing on various aspects of City Hall, including, but not limited to, travel procedures, e-mail, electronic media, etc.
- (e) The City Manager will provide information for attendance of the League of California Cities' New Mayors and Council Members Academy. The City Manager will also arrange the mandatory training in ethics, sexual harassment and emergency preparedness and other required training programs.

A publication that provides additional useful information is the *Mayors and Council Members Resource Guide* published by the League of California Cities. The Guide contains general information on the role and responsibilities of councilmembers and on the specific requirements and laws that govern Council actions.

**1.01.040 OVERVIEW OF CITY DOCUMENTS**

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

(a) City Charter.

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The people of the City of Cathedral City declared their intent at their Election of November 8, 2016, effective January 1, 2017, to restore the community to the historic principles of self-governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will promote the health, safety and welfare of all citizens of this City.

Under the Charter, the City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws, and regulations and to take all actions relating to municipal affairs, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California. Without limiting in any manner the foregoing power and authority, each of the powers, rights, and responsibilities described in the Charter.

Article Six of the City Charter outlines the following related to Elective Officials:

- Enumeration
- Election of Council Members
- Eligibility for Office
- Mayor and Mayor Pro Tem
- Mayor's Powers and Duties
- City Council Salaries
- City Council Salary Decrease
- City Council Vacancies

(b) Municipal Code.

The Municipal Code contains local laws and regulations adopted by ordinance. The administrative chapter of the code addresses the role of the Council, Mayor and Mayor Pro Tem. The Code also describes the organization of City Council Meetings and responsibilities, as well as, the appointment of certain resident committees and advisory commissions. In addition to these administrative matters, the Code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, building standards, and revenue and finance issues. The Municipal Code is available on the City's website [www.cathedralcity.gov](http://www.cathedralcity.gov)

(c) California Government Code.

The State Government Code contains many requirements for the operation of city government. Many of these requirements are also replicated within the municipal code to ensure there is broad awareness of such requirements.

(d) Council Goals and Objectives.

The Council sets both long-term goals and short-term objectives for the City. The goal-setting process includes a review of the previous year's goals and objectives including progress toward completion and updating. The budget is then written with the objective or working toward completion of those goals and objectives.

(e) Annual Budget.

The annual budget is set by State Law for the fiscal year, beginning July 1 and ending June 30, and is the primary tool and road map for accomplishing the goals and objectives of the City. By adopting the annual budget, the Council makes policy decisions, sets priorities, allocates resources, and provides framework for government operations. The budget also provides a description of city services and the resources used to

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provide those services, and contains both a broad overview, as well as, descriptions of programs and services organized for convenience by lead department.

(f) General Plan.

The State-mandated General Plan addresses the City's long-range planning needs relative to Land Use, Circulation, Housing, Parks & Recreation, Community Image & Community Design, Economic & Fiscal, Biological Resources, Archeological & Historic, Water Resources, Air Quality, Open Space & Conservation, Energy & Mineral Resources, Geotechnical, Flooding & Hydrology, Noise, Hazardous & Toxic Materials, Water, Sewer & Utilities, Fire & Police Protection, Schools & Libraries, Health Services, Emergency Preparedness, Public Buildings & Facilities, Arts and Culture. The Council may add other Elements that it feels are in the best interest of the public.

(g) Five Year Capital Improvement Plan.

The five-year Capital Improvement Plan serves as a guide for determining priorities, planning, financing and construction of capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of city services.

(h) Annual Financial Audit.

The annual financial audit includes the financial statements of the City for a fiscal year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial audit also includes statements for the various groups of funds and a consolidated group of statements for the City as a whole. The Council had the responsibility of hiring an independent auditor, and for reviewing and approving the audit.

(i) Disaster Preparedness Plan.

The City, in accordance with Federal and State Law maintains a disaster preparedness plan that outlines actions to be taken during times of extreme emergency. The Mayor is called upon to declare an emergency, and then the City Manager directs all disaster response activities. The Council may be called upon during an emergency to establish policies related to a specific incident. The chain of command is as follows: 1) the City Manager is the Director of Emergency Services and 2) the City Manager may appoint an Assistant Director of Emergency Services.

(j) Administrative Policies and practices.

The City Manager has the authority to establish administrative policies consistent with the Council Policies to implement the Council's Policies and for the orderly administration of the city.

### **1.01.050 OTHER AGENCIES.**

The Policy and Procedure Manual shall also apply to all other agencies administered by the City. The term "City" shall be considered interchangeable with these other agencies on which the Council acts as a legislative body or the legislative body is appointed solely by the City Council.

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## CHAPTER 1.02 FORM OF GOVERNMENT

### Sections:

- 1.02.010 Overview.
- 1.02.020 California Charter City
- 1.02.030 Council/Manager Plan
- 1.02.040 City Representation.
- 1.02.050 Council Non-Participation in Administration.

### **1.02.010 OVERVIEW.**

The powers of a City Council in a Charter City in the State of California to establish policy are quite broad. Essentially, councils may undertake any action related to city affairs other than those forbidden or preempted by State or Federal law.

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

It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with the decisions of the majority, a decision of the majority does bind the Council to a course of action.

At official activities, every member of the Council has the duty to represent the City's position even if it was not their personal position on the issue. If individual councilmembers state opposing positions subsequent to the Council majority action, the individual must state that they are representing their personal position and not that of the City.

The Council has and may occasionally debate whether it should take positions of a broader nature or limit itself to purely municipal actions.

### **1.02.020 CALIFORNIA CITY CHARTER.**

Through the adoption of the City Charter by the vote of the people in the November 8, 2016 Election, the City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws, and regulations and to take all actions relating to municipal affairs, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California. Without limiting in any manner the foregoing power and authority, each of the powers, rights, and responsibilities described in the Charter.

### **1.02.030 COUNCIL/MANAGER PLAN.**

The City of Cathedral City uses the Council/Manager form of local government. The plan establishes a representative government system in which the entire Council determines the policies and services of the community, and the City Manager effectively and efficiently implements the policies and delivery of these services. The City Manager administers all city employees and is responsible for their hiring, firing and evaluation.

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**1.02.040 CITY REPRESENTATION.**

Councilmembers are viewed as representatives of the City at all times. The conduct of councilmembers and Commissioners is a direct reflection on the City and all should conduct themselves accordingly. Except where specifically authorized by Council action or for purely ceremonial purposes, no councilmember should make any statement or appearance or indicate in any way that he or she is representing the official position of the City Council or Commission, on any matter.

**1.02.050 COUNCIL NON-PARTICIPATION IN ADMINISTRATION.**

In order to uphold the integrity of the Council and the Council/Manager form of government and to provide proper checks and balances, members of the Council are not to become directly involved in the administrative affairs of the City, unless directed by a majority of the Council to participate in a specific policy or project, or to interfere with the City personnel matters.

Individual or committees of the council members shall not intervene in staff decision-making, the development of staff recommendations, scheduling of work, or executing department priorities without the prior knowledge and approval of the Council as a whole. This is necessary to protect staff from undue influence and pressure from individual council members, and to allow staff to execute the priorities given by management and the Council as a whole without conflicting direction or fear of reprisal. The Council should work through the City Manager and department heads and their designees and not line staff for requests and inquires to assure a proper and comprehensive response. The Council and Council members are not to give direction to staff except at a council meeting pursuant to the Brown Act.

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## CHAPTER 1.03 FUNCTIONS OF COUNCIL AND CITY MANAGER

### Sections:

- 1.03.010 Council's Functions.
- 1.03.020 Duties of Council.
- 1.03.030 City Manager's Functions.
- 1.03.040 Council/Manager Relationship.
- 1.03.050 Council/City Attorney Relationship.
- 1.03.060 Distribution of Information.
- 1.03.070 Roles and Information Flow.
- 1.03.080 Disclosure of Material Facts and Communications Received.

### **1.03.010 COUNCIL'S FUNCTIONS.**

The Council is the legislative body; its members are the community's decision makers. Authority is centralized in the elected Council collectively and not in individual members of the Council. The Council approves the budget and determines the public services to be provided and the taxes and fees to pay for these public services. It focuses on the community's goals, major projects and such long-term considerations as community growth, General Plan and land use, development standards, capital improvements, financing and strategic planning, rather than the administrative details. The Council hires a professional City Manager to carry out the administrative responsibilities and supervises the City Manager's performance.

### **1.03.020 DUTIES OF COUNCIL.**

The Council is the legislative authority that creates and enacts the policies and ordinances under which the City operates. The Council acts on all legislative matters of the City, considering, approving or adopting all ordinances, resolutions, contracts and matters requiring policy decisions. Ultimately, the Council provides leadership through policy development and establishes the current practices and future direction of the City. The Council also sets priorities for the City, and determines the type and level of programs and services provided by the City.

The Council plays the primary role in defining the forces of change that are shaping the community; this direction is set through policies expressed in the adopted plans for the community, such as the General Plan, through ordinances, like Zoning and Subdivision codes, as well as, through approvals of the budget, the five-year capital improvements program and the staff's annual work program.

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 operation 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/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.

The Council has the following duties and responsibilities:

- (a) Appointment of City Manager and City Attorney.



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The Council shall appoint the City Manager and City Attorney. The City Manager shall administer and make all other staff appointments and the City Attorney shall administer all legal staff and contracts for legal services.

**(b) Annual Evaluation of Appointed Officials.**

The Council shall perform an annual performance review of the City Manager and City Attorney.

**(c) Establishment of and Appointments to Advisory Bodies.**

The Council may establish Commissions, Committees and Boards, and by majority vote make appointments of the members of all Commissions, Committees and Boards. It is important to note that appointed resident advisory bodies are usually subject to the open meeting laws commonly known as the Brown Act. The Council can solicit opinions directly from the public or through its Commissions, Committees and/or Boards. Request for opinions from any Council appointed body must occur by direction of the Council and not by individual councilmembers. The City Manager may also separately request opinions from Commissions, Committees and Boards. Direction from the Council to a Commission, Committee or Board may either be in writing from the Council or direction to the staff to inform the Commission, Committee or Board on behalf of the Council.

In addition, the Council may form Ad-Hoc Committees or Task Forces to address a specific issue of interest or task. The ad hoc committee may perform only single tasks for a specified and limited duration. An Ad-Hoc Committee ceases to exist as soon as its task is completed.

The Council may form Council Standing Committees of two councilmembers to review and recommend on specific subject matters on a regular and ongoing basis. Standing Committees are subject to the Brown Act notice and agenda requirements and must allow attendance and comments. The Council shall appoint Standing Committees and specify the role of each standing committee. The title and purpose and resources including staff time for each Standing Committee shall be included in the Manual.

The Council may form Ad-Hoc Committees of two councilmembers to prepare specific policy alternatives and implications or address specific issues of interest for Council deliberation. The Council shall provide the title and purpose of each ad-hoc committee and will define the resources including staff time the Council will provide to the Ad-Hoc Committee. Unless otherwise stated, an Ad-Hoc Committee ceases to exist as soon as its task is complete or by action of the Council.

Standing and Ad-Hoc Committee activities and meetings shall not overlap on any issue so as to preclude any violations of the Brown Act by having a majority of the Council involved in the deliberation process.

### **1.03.030 CITY MANAGER'S FUNCTIONS.**

The City Manager is hired to serve the Council and the community, and to bring the benefits of education, training and experience in administering the City's projects, programs, and public services on behalf of the Council. The City Manager prepares a recommended budget for the Council's consideration; recruits, hires, and supervises the City's personnel, contractors and consultants; serves as the Council's chief advisor; and implements the Council's policies and programs and public services in an effective and efficient manner. The City Manager provides or supervises the delivery of complete and objective information, provides options and alternatives and analyzes long and short-term consequences on various City policies and on public services, finances, growth and land uses, development standards, and other community programs and needs. The City Manager provides professional advice on policy matters, intergovernmental affairs and economic development. The City Manager negotiates or supervises the negotiation of all City contracts and agreements

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and, except for changes made by or at the request of the Council, is ultimately responsible for the content of such contracts and agreements. The City Manager may from time to time adopt Administrative Directives for the Staff defining and clarifying how city operations and business is to be conducted.

The City Manager follows the direction of the entire Council and not individual members of the Council, or Commissions, Committees or Boards or the general public, and serves at the sole discretion of the Council.

### **1.03.040 COUNCIL/MANAGER RELATIONSHIP.**

The employment relationship between the Council and the City Manager reflects the fact that the City Manager is the Chief Executive Officer of the City. The City Manager has an employment agreement with the Council. Regular communication between the Council and City Manager is important in maintaining effective interpersonal relations. All dealings with the City Manager, whether in public or private, should be consistent with the authority of the City Manager in administrative and personnel matters. All employees, except the City Treasurer and City Attorney, are under the supervision of the City Manager. Councilmembers are to avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more council members. Further, council members should avoid involving themselves in matters regarding individual City employees or related affairs.

### **1.03.050 COUNCIL/CITY ATTORNEY RELATIONSHIP.**

The City Attorney is the legal advisor for the Council, City Manager and departments. 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 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) keep 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 council members or staff, but the City's interest as a whole. Accordingly, with the exception of conflict of interest inquiries, in questions involving pending or upcoming matters, or protocol and procedure, the City Attorney's services are engaged and directed through the majority of the Council.

### **1.03.060 DISTRIBUTION OF INFORMATION.**

It is essential that every council member have the same information from which to form decisions and actions. Any information disseminated to one council member shall also be distributed to all council members in digital or hardcopy as appropriate. Voluminous documents may be referenced and made available upon request. This includes written conflict of interest advice and opinions prepared by the City Attorney for Councilmembers.

### **1.03.070 ROLES AND INFORMATION FLOW.**

It is the intent of staff to ensure all council members have free and easy access to information from the City and to ensure that such information is communicated completely, with candor and without bias.

Individual council members, as well as, the Council as a whole shall receive the full cooperation and candor of staff in being provided with any requested information. The City Manager or appropriate staff will inform the Council when a critical or unusual event occurs about which the public would be concerned. Information

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requests from the City Council requiring significant staff time shall first be authorized by the City Manager who may take the request to the full Council.

To ensure proper responsiveness, council members are obligated to "cc" both the department head and the City Manager on all correspondence with staff. There are limited restrictions when information cannot be provided. Draft documents (e.g., staff reports in progress, administrative draft EIRs) under review are not available for release until complete and after review by city management. In addition, there are legal restrictions on the City's ability to release certain personnel information even to members of the Council. Certain aspects of police affairs (access to restricted or confidential information related to crimes) may not be available to council members. Release of this information even to members of the Council could expose the city to substantial liability.

Council members have a responsibility in this information flow as well. It is critical that they make use of staff reports and commission and/or committee minutes. Council members should come to meetings well prepared – having read staff reports and attachments, and requesting in advance any necessary and available information from staff. If a council member has questions on any agenda item, that member should preferably contact staff prior to the meeting in order to allow staff time to research a response for the meeting. If a member of the Council learns of or is told by an employee of any matter relating to personnel matters or employee wrongdoing, they must report the information and source to the City Manager. Under various State and Federal Laws every employee has strict confidentiality rights related to their personnel information and the City has a duty to act affirmatively to all complaints of wrong doing or breaches of confidentiality.

### **1.03.080 DISCLOSURE OF MATERIAL FACTS AND COMMUNICATIONS RECEIVED.**

It is the duty of each council member to publicly disclose "material facts" and "communications" that are relevant to a matter under consideration by the Council which have been received from a source outside of the public decision-making process. "Material fact" means a fact that is relevant for a council member to make an informed and knowledgeable decision and which would likely influence the decision of the council member. A fact is also material if the failure to disclose the fact will substantially mislead any council member from making an informed and knowledgeable decision. "Communications" includes but is not limited to, text message, e-mail, telephone call or conversation with a resident or any person that is relevant to the matter under consideration.

### **1.03.090 COUNCILMEMBER ABSENCES**

Section 36513(b) of the California Government Code provides that: "If a city councilmember is absent without permission from all regular city council meeting for 60 days consecutively from the last regular meeting he or she attended, his or her office becomes vacant and shall be filled as any other vacancy." Due to potentially severe impact of this statutory rule, Councilmembers are encouraged to promptly notify the City Clerk and/or the City Manager of any anticipated absence from any regular City Council meeting, provide a short explanation for the absence, and request that the City Council excuse the absence. Prompt notice shall be considered to be any notice received by the City Clerk or City Manager within 48 hours of the meeting's posted starting time up to 10 minutes prior to the meeting's starting time. Notification may be by email or text or other form of writing, by telephone call or voicemail, or delivered in person. A satisfactory explanation may include, but is not limited to, illness, caregiving, traveling, vacation, traffic, accident, attending to other City business, or other circumstances warranting excuse from the meeting. If the City Clerk or City Manager has received prompt notice of the absence, they shall report such to the City Council when roll is called at the Council meeting together with the Councilmember's explanation and request that the absence be excused. The Mayor shall ask the Councilmember's present whether the absence will be deemed excused, and the City Clerk shall enter the resulting direction in the official minutes of the meeting. A Councilmember's absence which is excused by the City Council in accordance with this

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Section, shall be deemed a permitted absence within the meaning of Government Code section 36513(b) and shall not count toward the sixty-day period referenced in that Section.

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## CHAPTER 1.04 USE OF CITY PERSONNEL, EQUIPMENT OR RESOURCES

### Sections:

- 1.04.010 Overview.
- 1.04.020 Use of City Resources.
- 1.04.030 City Manager Authorization.

### **1.04.010 OVERVIEW.**

The City has a great many complex services, programs and projects being carried out at the direction of the Council. The orderly management and control of these programs and projects are essential to the effective and efficient accomplishments of these efforts. The Council's role is to provide policy direction and the role of the City Manager is to organize and carry out the policies. Effective management and control require the Council and professional staff to maintain their needed roles. The following rules and procedures are designed to help assure the clear direction and efficiency of City operations.

### **1.04.020 USE OF CITY RESOURCES.**

State law prohibits the use of City personnel or other public resources for any personal use or personal business or other non-city activity by any elected or appointed official of which said use is not directly related to City business. Any individual use of city personnel or other resources by individual elected or appointed officials for any purpose shall be first authorized by the City Council.

### **1.04.030 CITY MANAGER AUTHORIZATION.**

The use of City personnel or other resources for outside activities which are directly related to City business, such as JPA's or recognized community groups, requested by an individual council member shall be considered by the City Manager and approved at the City Manager's discretion or by the Council. Prior to volunteering or encouraging the use of staff for an issue of a Council committee, ad hoc committee, neighborhood meeting, regional board, or the board of another jurisdiction, a council member will confer with the City Manager, the latter of whom shall determine if it conforms to Council policy or if it is necessary to present the request for staff use to the Council at a City Council meeting. The City Manager shall keep the Council informed of all special use of City staff and his/her determination vis-à-vis the requested use of staff or other resources.

Council members shall make their requests for services or information to the City Manager and not directly to individual member of the staff, except for department heads. The use of City staff to respond to an individual council member's request of any purpose that exceeds more than two hours of total staff time by every staff member involved in the request must be approved by the majority vote of the Council. The individual council member may make their request orally or in writing to the City Manager. The City Manager shall provide an estimate of the cost and how the request affects the Council's goals and projects. This request will then be considered by the Council at a City Council meeting. Irrespective of the amount of staff time required to respond to each council member's request, individual council members should be mindful of limited staff and city resources and limit requests to not more than 3 requests per week.

Request from the public to staff or through the Council or its members for information shall be treated as a public records request and handled in accordance with the city's policies and State Law regarding public records request including any requirements for costs reimbursement. Request by Boards, Commission and Committees of the City and other public agencies and applicants that have submitted formal applications for

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city permits, entitlements or other formal city approvals are not considered Public Records request and will conform to the city's policies regarding these types of information request.

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**CHAPTER 1.05  
CODE OF ETHICS FOR ALL CITY OFFICIALS, EMPLOYEES,  
CONSULTANTS AND CONTRACTED PERSONNEL**

Sections:

- 1.05.010 Public Ethics.
- 1.05.020 Ethics Policy, AB 1234 Ethics Training.
- 1.05.030 Reporting of Improper Activities.
- 1.05.040 Administration.

**1.05.010 PUBLIC ETHICS**

City officials and employees are required to maintain the highest standards of integrity and honesty, and they are expected to treat all members of the public and fellow City employees with civility, courtesy, concern and responsiveness. The conduct of City officials and employees in both their official and private affairs should be above reproach to assure that their City position is not used for personal gain.

Elected and appointed officials and employees of the City of Cathedral City at all levels are guardians of the public trust. City officials and employees are required to be impartial and responsible in the fulfillment of their duties. The citizens and customers of Cathedral City expect and must receive the highest standard of ethics from all those in public services, regardless of personal consideration.

**1.05.020 ETHICS POLICY, AB 1234 ETHICS TRAINING.**

State law (California Government Code / 53235, *et seq.*) requires public officials to complete two (2) hours of training in ethics principles and laws every two years. In addition to council members, the City requires the training of its Commissioners, Committee members and Board members, its City Manager, its department heads, its mid-managers when they staff a commission or committee, and all resident committee members who serve on various city committees. The City provides yearly training sessions that satisfy the requirement. Alternatively, the League of California Cities offers AB 1234 training, often in conjunction with League conferences or other training workshops, and on-line training is offered through the Institute for Local Government and the Fair Political Practices Commission. Certificates of course completion are kept on file by the City Clerk's office. In addition to the Ethics Training, all elected and appointed officials will take the appropriate Harassment and NIMS (National Incident Management System) training.

The City Manager is also subject to a professional code of ethics of the International City/County Management Association (ICMA) (See Appendix C). 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 and treats all Council member equally.

It is important to note that 1) State law (AB1234) requires the council members to announce their travel for an City business that occurred at city expense, even if the city is subsequently reimbursed by other parties, at the first Council meeting following their return, and reimbursement will not be provided until such an announcement is made; 2) any expense must be related to City business; 3) public property and funds may not be used for any private or personal purpose. Courts have ruled that this prohibition includes personal political purposes.

**1.05.030 REPORTING OF IMPROPER ACTIVITIES.**

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The City Council shall enforce the Code of Ethics and discipline related to other members of the City Council and elected and appointed officials.

City employees and persons in City service are encouraged to promptly raise questions and concerns regarding possible violations of City policy or local, State or Federal law with their immediate supervisor or another management employee within the employee's department. It is the policy of the City to prohibit the taking of any adverse employment action against those who in good faith report or participate in investigations into complaints of alleged violations of City policy or local, State or Federal law in retaliation for that reporting or participation.

No officer or employee of the City shall directly or indirectly use or attempt to use the authority or influence of such officer or employee for the purpose of intimidating, threatening, coercing, directing or influencing any person with the intent of interfering with that person's duty to disclose alleged violations of City policy or local, State or Federal law.

**1.05.040 ADMINISTRATION.**

The Council and the City Attorney shall administer this Code of Ethics for all elected and appointed officials.



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**CHAPTER 1.06**  
**COUNCIL FINANCIAL MATTERS**

Sections:

1.06.010 Expenditure Allowance.

1.06.020 Expenditure Guidelines.

**1.06.010 EXPENDITURE ALLOWANCE.**

The annual city budget includes funding for council members to undertake any official City business. The City budgets funds for certain activities and reimburses for other activities. Eligible expenses include travel for attendance at conferences or educational seminars, and the purchase of publications and annual subscriptions.

**1.06.020 EXPENDITURE GUIDELINES.**

City budgetary practices and accounting controls apply to expenditures within the Council budget, and are detailed in the City's adopted Fiscal Procedures Manual. Reimbursement requests, including all associated receipts, should be made through the City Manager's office. Expenditure records are public information. Any questions arising as to the proper application or interpretation of the adopted fiscal procedures policy will result in the City Manager conferring with the Mayor and Mayor Pro-Tem or the Council.

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## CHAPTER 1.07 COUNCIL COMMUNICATION

### Sections:

- 1.07.010 Overview.
- 1.07.020 General Correspondence.
- 1.07.030 Correspondence from Council Members.
- 1.07.040 Use of City Stationery/City Logo/City Seal.
- 1.07.050 Proclamations.
- 1.07.060 E-mail.
- 1.07.070 Social Media.

### **1.07.010 OVERVIEW.**

When council members are expressing personal views and not those of the Council, the public should be so advised. City letterhead and staff support cannot be utilized for personal or political purposes.

All letters, memoranda, and interactive computer e-mail communications involving council members and members of commissions, committees and boards, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records. As such, the public or media can request disclosure of such communications by filing a records request with the City Clerk's office.

### **1.07.020 GENERAL CORRESPONDENCE.**

The City Manager shall respond to or request staff to respond to correspondence from the public to council members, and provide copies of the original correspondence and staff response to each council member. A council member may elect to respond to a specific correspondence in lieu of staff, on their own behalf rather than the City's. Correspondence addressed to specific council members will be copied to all council members, unless it is personal in nature.

With respect to invitations to events, the council members may coordinate reservation or responses through the City Manager's office.

### **1.07.030 CORRESPONDENCE FROM COUNCIL MEMBERS.**

Council members may occasionally be called upon to write letters to citizens, businesses or other public agencies. Typically, staff will draft the letter that transmits the City's position, with review by the City Manager. Correspondence sent on behalf of the Council is placed on official City letterhead and is signed by the Mayor or the City Manager.

### **1.07.040 USE OF CITY STATIONERY/CITY LOGO/CITY SEAL.**

Council members responding on their own behalf will use their personal stationery, which may not include the use of the City Logo. City stationery may be used by council members for official City correspondence only which represents the City's position. The use of the City Stationary, City Logo or City Seal will require City Council approval.

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**1.07.050 PROCLAMATIONS.**

Ceremonial Proclamations of the City are often requested of the City in recognition of an event or individual. Proclamations are on behalf of the Council and not individual members. Any member of the Council may request a City Proclamation be prepared through the City Manager's office. Proclamations must meet the values and protocols currently or previously recognized by the Council or receive the approval of the Council. Individual council members do not issue proclamations. Proclamations generally will be mailed to the receiving party or presented at an event for the purpose of recognition.

**1.07.060 E-MAIL.**

- The Brown Act prohibits council members from using "technological devices" to develop a concurrence by a majority regarding an action to be taken by the Council. "Technological devices" as defined under the Brown Act include phones, faxes, computer email, public access cable TV and video.
- Any communications received by a council member during a Council meeting related to any matter before the Council or likely to be before the Council is considered a third-party contact which must be announced at the meeting when and if it occurs. All electronic devices will be set to silent mode if not turned off during a Council meeting.
- Be aware that e-mails sent by or to council members most probably are public records under the Public Records Act. Even though this does not create a paper document, sending an e-mail is more similar to mailing a letter than placing a telephone call. The information in the e-mail is stored on the computer network until deleted, and may continue to exist on the City's network back-up system 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 and the Public Records Act.
- Finally, be aware of the prohibition of using the City's computer or e-mail system for any political reasons not directly related to the interest of the City as directed by the Council.

**1.07.070 SOCIAL MEDIA**

Councilmembers should refrain from engaging with the public regarding city-related topics on social media pages or sites other than official City of Cathedral City sites or pages. Instead questions from the public that a Councilmember wants to have addressed should be forwarded to the City Manager and staff will prepare an answer and post it to the appropriate City page or site.

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**CHAPTER 1.08  
PRESS RELATIONS**

Sections:

- 1.08.010 Official Position of the City.
- 1.08.020 Press Releases.
- 1.08.030 Dealing with the Media.
- 1.08.040 Council Members Speaking on Their Own Behalf.
- 1.08.070 Closed Session Issues.

**1.08.010 OFFICIAL POSITION OF THE CITY.**

In responding to inquiries from the media, the Council and staff shall represent the official position of the City and shall limit their comments to stating the facts and circumstances, without personal opinions or conclusions.

**1.08.020 PRESS RELEASES.**

All press releases pertaining to the City or the Council shall be issued on City letterhead on behalf of the entire Council. The City Manager, or designee, is authorized to make press releases pertaining to City activities and events of public importance as he determines necessary and appropriate to keep the public informed. When the City issues a press release, the Mayor and Council Members are informed and agree to any individual councilmember quotes or references. All press releases shall immediately be distributed to the Council.

**1.08.030 DEALING WITH THE MEDIA.**

When dealing with members of the media, it is usually the Mayor who represents the position and interest of the Council. When the City Manager or department heads are contacted, they will express the position of the Council.

Council Members, the City Manager and department heads are authorized to respond to the media. Staff shall refer the media to the public information officer.

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**1.08.040 COUNCIL MEMBERS SPEAKING ON THEIR OWN BEHALF.**

The Council maintains open lines of communication with the media providing any council member the ability to speak with the media on issues. When speaking to the media, the council member will clarify whether they are speaking on behalf of the Council or themselves. No member shall hold themselves out as representing or speaking on behalf of the Council on any matter unless, prior thereto, the Council by majority vote taken during a duly noticed Council meeting, has authorized said member to act and/or speak on behalf of the entire Council. If a council member does not feel knowledgeable about an issue when questioned by the media, they should direct the member of the media to the City Manager. A council member needs to advise the City Manager when media contact occurs on any City related matter.

**1.08.050 CLOSED SESSION ISSUES.**

State law prohibits the discussion of any items that are discussed at or the subject of a closed session to any member of the public, including the media, unless the Council approves the disclosure of the matter by a majority vote of the Council or is otherwise prohibited by State law.

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## CHAPTER 1.09 CIVILITY GUIDELINES

### Sections:

1.09.010 Commitment to Civil Behavior.

1.09.020 Pledge of Civility.

### **1.09.010 COMMITMENT TO CIVIL BEHAVIOR.**

The Council commits to civil behavior by maintaining a cohesive, productive working environment by:

- 1) Supporting the City's mission.
- 2) Bringing City related concerns, issues and conflicts to the whole Council for discussion.
- 3) Offering alternative solution(s) when addressing a problem or issue.
- 4) Showing respect to each other as elected officials.
- 5) Promoting civility during Council meetings.
- 6) Maintaining the confidentiality of material discussed during closed session. Similarly, not disclosing the content or substance of confidential or privileged communications relating to City business.
- 7) Limiting the length of comments during Council meetings and not repeating points that have been already stated by other council members.

### **1.09.020 PLEDGE OF CIVILITY.**

The manner in which we govern ourselves is often as important as the positions we take.

The city's collective decisions will be better – and truer to our mission – when differing views have had the opportunity to be fully vetted and considered.

All those who appear before the Council or any commission, committee or board have the right to be treated with civility, courtesy and openness. The City values all input.

Accordingly, we commit to conduct ourselves at all times with civility and courtesy, to both those with whom the City interacts and to each other. We also pledge to endeavor to correct ourselves, should our conduct fall below this standard. Any person addressing the City Council shall also be expected to maintain civility in their comments and actions.

# **TITLE 2**

# **LEGISLATIVE**

## **TITLE 2 LEGISLATIVE**

Chapters:

2.01	Meeting Agendas
2.02	Conduct of Meetings
2.03	Rules of Decorum for Members of the Public at Meetings
2.04	Rotation and Duties of the Mayor and Mayor Pro-Tem
2.05	Outside Organizations, Regional Authorities and City Committees
2.06	Council Standing and Ad Hoc Committees
2.07	Rules of Conduct for Council Members

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### **CHAPTER 2.01 MEETING AGENDAS**

Sections:

2.01.010	Meeting Schedule.
2.01.020	Purpose of the Agenda.
2.01.030	Criteria for Matters Covered.
2.01.040	Placing Items on the Agenda.
2.01.050	Removal of Items on the Agenda.
2.01.060	Continuing of Agenda Items.
2.01.070	Communications Received After Agenda Distribution.

#### **2.01.010 MEETING SCHEDULE.**

Regular meetings are held in the City Council Chambers, 68-700 Avenida Lalo Guerrero on the second and fourth Wednesday of every month. A Study Session Meeting begins at 3:30 p.m. and the Regular Meeting begins at 5:30 p.m. The purpose of study sessions is to give the Council a less formal and more interactive forum to discuss issues in advance of any official action to be taken. Staff often presents policy alternatives and is more directly engaged in the dialogue. Regular Council and study session meetings are open to the public and are videotaped when held in the Council Chambers. While general direction may be given to staff or the proponent behind the topic of discussion, no formal action by the Council is taken in a study session.

#### **2.01.020 PURPOSE OF THE AGENDA.**

The purpose of an agenda is to provide a framework within which an open, public meeting can be conducted and to comply with all legal requirements for actions of the Council.

#### **2.01.030 CRITERIA FOR MATTERS COVERED.**

The Council shall consider only matters which affect the conduct of the business of the City or its corporate powers or duties as a municipal corporation. Council may consider resolutions supporting or disapproving any



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legislation or action pending in the Legislature of the State of California, the Congress of the United States or before any officer or agency of said State or nation when such proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers and duties of the City.

### **2.01.040 PLACING ITEMS ON AGENDA.**

The agenda for each regular city council meeting shall have a section identified as "Future Agenda Items." This section should be placed at the end of the agenda as the last item prior to adjournment or at such other place as the city council may, from time to time, determine. Under this section, any councilmember may propose that one or more items of city business be considered by the city council for addition to the agenda of a future regular or special council meeting. The addition of such item(s) to a future agenda item shall require a motion, second, and the affirmative vote of at least three councilmembers. Consistent with the Brown Act, council will limit its discussion of such proposed item(s) to a description of the item sufficient for the future agenda, the propriety of the item(s), and the relative priority of the item(s) given adopted council goals and anticipated council workload. In order to comply with the Brown Act, the merits and substance of the item(s) should not be discussed under this.

This policy shall not:

- Be utilized to propose reconsideration of an item previously discussed and voted upon by the City Council;
- Prohibit individual councilmembers from discussing potential items of city business with the City Manager;
- Prohibit the City Manager from placing any items of city business they determine to be necessary and proper for the operation and functions of the city; or
- Prohibit the Council from adding emergency items or items of subsequent need to an existing agenda when done in compliance with the Brown Act.

The City Manager shall be responsible for managing the Agenda and placing items on the Agenda. The City Clerk will be responsible for compiling the Agenda, posting and advertising the Agenda, distribution of the Agenda and the minutes of the meetings.

### **2.01.050 REMOVAL OF ITEMS ON THE AGENDA.**

The council member who requested an item be placed on the agenda can remove the item from the agenda 1) any time prior to the posting of the agenda or 2) at the City Council meeting during the approval of the final agenda. The requesting council member may also request the item be "continued" and considered at a future City Council meeting. The Council may remove or continue any item on the Agenda unless otherwise restricted by law.

### **2.01.060 CONTINUING OF AGENDA ITEMS.**

The majority of the Council can continue an item on the agenda due to applicant scheduling issues, staff requiring additional time to research an issue, or when insufficient time is available to address the matter thoroughly.

### **2.01.070 COMMUNICATIONS RECEIVED AFTER AGENDA DISTRIBUTION.**

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The purpose of this Section is to establish the following standardized procedure for the handling of written public comments received via email, letter, or other form of communication after the distribution of the Council agenda packet and prior to the Council meeting:

1. Written Comment Submission
  - Staff will accept written public comments until 2:00 p.m. on the day of the relevant meeting.
  - Written comments may be submitted via email, letter, or other forms of written communication.
  - Instructions for the submission of written comments will be provided on each agenda.
2. Distribution of Written Comments
  - Hard copies of written comments will be provided to Council
  - Copies of written comments will be made available for the general public to review
3. Record Keeping
  - All written comments received by the submission deadline will be made part of the official record.
  - The meeting minutes will include the name of the individual submitting the comment and a brief statement summarizing the content of the comment.
4. Written comments will not be read into the record during the meeting.

This Section is intended to ensure transparency in the written public comment process and intended to provide a standardized approach for the City Council and its subordinate bodies.

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**CHAPTER 2.02  
CONDUCT OF MEETINGS**

Sections:

- 2.02.010 Parliamentary Procedure.
- 2.02.020 Quorum.
- 2.02.030 Teleconference of City Council Meetings.
- 2.02.040 Parliamentarian.
- 2.02.050 Discussion Rules.
- 2.02.060 Motions.
- 2.02.070 Voting Procedures.
- 2.02.080 Dead Lock Vote.
- 2.02.090 Reconsideration of a Council Action.
- 2.02.100 Excusing Councilmember Absence.

**2.02.010 PARLIAMENTARY PROCEDURE.**

Parliamentary procedure is a set of rules that regulate and standardize how the Council and its subordinate bodies, conduct business. It is the policy of the Council that, unless otherwise required by State law or other regulation, all City Council meetings, and meetings of its subordinate bodies, shall be conducted under Rosenberg's Rules of Order: Simple Productions for the 21st Century (revised 2011, or subsequent editions). However, no ordinance, resolution, or other action of the City Council, or those of its subordinate bodies, shall be invalidated, or the legality thereof otherwise affected, by the failure or omission of the Council or its subordinate bodies, to observe or follow such rules. For the purpose of this section, subordinate bodies of the City Council shall include all standing committees of the City Council and all boards, commissions and committees formed by the City Council including, but not limited to, the Parks and Community Events Commission, the Public Arts Commission, the Planning Commission, the Architectural Review Committee, and the Historic Preservation Committee.

**2.02.020 QUORUM.**

Three-fifths of the council members constitute a quorum.

**2.02.030 TELECONFERENCE OF CITY COUNCIL MEETINGS.**

In the event that any member of the Council elects to use teleconferencing as a means of participating in any meeting of the legislative body, he/she may do so provided the requirements of the Brown Act are followed.

**2.02.040 PARLIAMENTARIAN.**

The City Attorney, as the Council's chief legal officer, shall decide all questions of interpretations of these rules and any other questions of a parliamentary nature which may arise at City Council meetings.

**2.02.050 DISCUSSION RULES.**

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To assist the Council in the orderly discussion of items, rules are followed which represent accepted practices for the management of City Council meetings.

(a) Obtaining the Floor.

- (b) A council member or staff shall first address the Mayor and gain recognition. Comments and questions should be directed through the Mayor and limited to the issue before the Council. Cross-exchange between council members and the public should be avoided.

(c) Questions to Staff.

A council member shall, after recognition by the Mayor, address questions to the City Manager, City Attorney, department head or designated staff member. If a council member has questions on an agenda item, that member should preferably contact staff prior to the meeting in order to allow staff time to research a response for the meeting.

(d) Interruptions.

Once recognized, a council member is considered to have the floor, and another council member may not interrupt the speaker except to make a point of order or point of personal privilege. In such circumstance, the council member holding the floor shall cease speaking until the point of order or privilege is resolved.

Upon being recognized by the Mayor, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the Mayor.

(e) Discussion.

A council member should not speak more than once on a particular subject until every other council member has had the opportunity to speak. Council members are encouraged to discuss items during the decision-making process and may ask staff to respond when appropriate. The Mayor normally allows other members to speak first, then will give his/her views and summarize.

(f) Tabling Procedure.

Tabling an item immediately stops discussion and causes a vote to postpone a matter indefinitely or to a time and date certain. A motion to "continue" an agenda item has the same effect, but is generally used when a scheduling problem arises or when insufficient time is available to address the matter thoroughly.

(g) Right of Protest.

A council member is not required to state reasons for dissenting vote.

**2.02.060 MOTIONS.**

The following procedures shall apply to making motions:

(a) Making a Motion.

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Any council member, including the Mayor, may bring a matter of business properly before the Council by making a motion. Any member, including the Mayor, except the member making the motion, may second a motion. Once a motion is seconded, it shall be re-stated by the Mayor and opened for discussion and debate.

(b) Calling for the Question.

The purpose of calling for the question is to disallow further debate and put an issue to an immediate vote, unless otherwise declined by motion and vote. A council member may move to "call for the question" on an item which is being considered. If the motion carries, the item is no longer debatable and the Council must vote on it.

(b)(1) Abstention Votes.

Except in the cases of a described conflict of interest, in the event that one less than the necessary number of "aye" votes has been cast, then an "abstain" vote shall constitute concurrence and the Clerk shall set forth in the minutes that the matter was passed pursuant to this rule.

(b)(2) Declaration of Result.

After every vote the Mayor shall declare the result and on all but consensus votes, shall note, for the record, the number of votes for or against the question.

(c) Related Motions.

Once a main motion is properly brought before the Council and seconded, related motions may be employed in addressing the main motion.

(c)(1) Form and Precedence.

These motions take precedence over the main motion and, if properly made and seconded, must be resolved before the main motion can be acted upon. Examples of these motions are as follows:

Motion to Amend  
Motion for a substitution  
Motion to table  
Motion to continue

If a main motion is pending, no related motion except as stated below, may be made and any such motion may be declared out of order by the Mayor.

(c)(2) Categories of Related Motions.

Related motions fall into two categories: Subsidiary Motions and Motions of Privilege, Order, or Convenience. Despite the pendency of a main motion or a Subsidiary Motion thereto, any member of the Council or the Mayor may make a Motion of Privilege, Order, or Convenience, which once made takes precedence.

**2.02.070 VOTING PROCEDURES**

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When present, all council members are to vote. Failure of a seated member to orally express a vote constitutes an affirmative vote.

Council members may declare general consensus at the discretion of the Mayor, if there are no negative votes or objections.

Upon the request of any council member, a roll call vote will be taken and recorded.

A tie vote is equivalent to a motion that has failed. The Mayor may publicly explain the effect of the tie vote for the audience or may direct a staff member to do so.

**2.02.080 DEAD LOCK VOTE.**

There may be instances where council has been deadlocked (2-2) due to an absence or disqualification based on a conflict of interest. If an item cannot be resolved because of a deadlock in voting, the issue is deemed stayed and is, without further vote required, continued to the next regular Council meeting.

Should a deadlock vote occur with multiple continuances, the Council may then look to the City Attorney regarding "legally required participation" standards.

**2.02.090 RECONSIDERATION OF A COUNCIL ACTION.**

Provided that no intervening right will be prejudiced, a council member who voted with the majority on a question may move the reconsideration of that question at the same meeting in which the decision which is the subject of the motion was made or at the next following meeting on the condition that it's placed on that meeting agenda. After a motion for reconsideration is acted upon, no other similar motion to reconsider may be made on that matter without unanimous consent of the Council.

A reconsideration motion made by a member of the Council voting in the minority shall not be allowed except when made more than one (1) year after the date of the original action.

**2.02.100 EXCUSING COUNCIL ABSENCE**

If the City Clerk or City Manager has, in accordance with Section 1.03.090, received prompt notice of a Councilmember's anticipated absence from a regular Council meeting, they shall report the absence to the City Council when roll is called at the Council meeting together with the Councilmember's explanation and request that the absence be excused. The Mayor shall ask the Councilmember's present whether the absence will be deemed excused and the City Clerk shall enter the resulting direction in the official minutes of the meeting.

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**CHAPTER 2.03  
RULES OF DECORUM FOR MEMBERS OF THE PUBLIC AT MEETINGS**

Sections:

- 2.03.010 Purpose.
- 2.03.020 Public Meeting Decorum.
- 2.03.030 Addressing the Council and Committees.
- 2.03.040 Public Presentations at Meetings.
- 2.03.050 Values of Respect.
- 2.03.060 Enforcement of Order.

**2.03.010 PURPOSE.**

This policy establishes rules of decorum for members of the public attending and/or addressing the Council or committee at a meeting held in the Council Chambers or conference room. The policy is intended to facilitate the conduct of public meetings in an open and orderly manner and in an environment safe for all persons in attendance.

All persons are expected to conduct themselves with civility and courtesy at all times. All persons giving comments shall speak directly to the Council and address issues.

**2.03.020 PUBLIC MEETING DECORUM.**

Persons in the audience shall refrain from behavior that will disrupt the public meeting. Shall not make or receive phone calls while the meeting is in session. All persons using personal data devices including cell phones shall place them in silent mode while meeting is in session. Persons in the audience shall also refrain from making audible talking, loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting; refrain from creating, provoking or participating in any type of disturbance that disrupts the meeting. The Mayor and Council have the authority to rule a person out of order and, if deemed appropriate by the Mayor or Council, ordered to leave the meeting.

Appropriate attire, including shoes and shirts are required in the Council Chambers and City Hall at all times. No food, drink (other than bottled water with a cap), or chewing gum, tobacco, or cannabis will be allowed in the Council Chambers and other meeting rooms, except as otherwise pre-approved by City Staff.

**2.03.030 ADDRESSING THE COUNCIL.**

Persons wishing to speak on an agenda item or during public comments are requested to state the name and town of residence for the record. Speakers should discuss topics related to City business on the agenda, or to matters within the jurisdiction of the City. Speaker's comments should be addressed to the members of the Council and not to persons in the audience. Speakers and any other member of the public will not approach the dais during the meeting without prior consent from the Mayor/Chair. Speakers should return to their seat after their comments and not continue to stand at the podium.

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Any documents used by the speaker shall be given to the City Clerk for distribution to the Council. Public comments are subject to a three (3) minute limit.

Applicants and appellants, at public hearings are given more time to speak in order to present and explain the item being presented for Council action. Whenever any group of persons wishes to address the Council or committee on the same subject matter, it shall be proper for the Mayor/Chair to request that a spokesperson be chosen by the group to address the body and, to limit the number of persons so addressing the body in order to avoid unnecessary repetition.

Speakers are encouraged to submit written public comments to the City Clerk preferably 24 hours prior to the distribution of the agenda packet. The written public comments will be included in the agenda packet, enabling the speaker to summarize his/her written comments within the three (3) minute time limit at the meeting. Any written comments on an agenda item received by the City Clerk prior to the meeting will be distributed to the Council or committee and then included in the official record of the meeting.

### **2.03.040 PUBLIC PRESENTATIONS AT MEETINGS.**

Members of the public who wish to utilize electronic media in the presentations must coordinate in advance with the City Clerk's office. The City Manager may establish reasonable rules on the public's use of electronic media, to minimize the disruption of Council meetings as well as the burden on City staff, including the requirement of advance notice and/or submission of presentation data to ensure all compatibility issues are resolved before the Council meeting.

### **2.03.050 VALUES OF RESPECT.**

The Council has also recognized the importance of approaching the public's business in an environment of personal respect and courtesy, which places emphasis on the consideration of policy and avoids personalization of comments. Some guidelines utilized by the Council include:

- 1) Discussion should focus on matters within the City's jurisdiction.
- 2) Civility and courtesy should be displayed as other members express their views.
- 3) Treat member of the public equally, applying rules in fair and consistent manner.

### **2.03.060 ENFORCEMENT OF ORDER.**

The Police Chief or his designees acts as the Sergeant-At-Arms. Any council member may request the Mayor to enforce the rules of protocol. Upon motion and majority vote, the Mayor shall be required to do so.



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**CHAPTER 2.04  
ROTATION AND DUTIES OF THE MAYOR AND MAYOR PRO TEM**

Sections:

- 2.04.010 Rotation of Mayor and Mayor Pro Tem.
- 2.04.020 Duties and Responsibilities of the Mayor.
- 2.04.030 Staff Time Allocation.
- 2.04.040 Duties and Responsibilities of the Mayor Pro Tem.

**2.04.010 ROTATION OF MAYOR AND MAYOR PRO TEM.**

The City of Cathedral City has a council/manager form of City government. The City Charter provides that the position of Mayor and Mayor Pro Tem shall be an appointed rotating position, appointments shall be made annually at the first meeting in December. The process for appointment of the Mayor and Mayor Pro Tem shall be set by ordinance and is under Section 2.04.180 of the Cathedral City Municipal Code.

**2.04.020 DUTIES AND RESPONSIBILITIES OF THE MAYOR.**

As reflected in the Municipal Code, the Mayor is to preside at all meetings of the Council and perform such other duties consistent with the office as may be imposed by the Council or by the vote of the people. The Mayor does not possess any power of veto. As presiding officer of the City Council, the Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the titular head of the City for all ceremonial purposes.

The Mayor, unless unavailable, shall sign all ordinances, resolutions, and other documents that have been adopted by the Council and require an official signature; except when the City Manager has been authorized by Council action to sign said documents. In the event the Mayor is unavailable, the Mayor Pro Tem's signature may be used.

Traditionally, the Mayor and Mayor Pro Tem have also been assigned by the Council to consult and coordinate with the City Manager in the development of agendas for City Council meetings.

The Mayor also acts as spokesperson for the Council when appropriate media or external organization requests are made and will represent the Council's official position.

The Mayor issues proclamations, makes declarations, and extends official recognition of groups or events.

**2.04.030 STAFF TIME ALLOCATION.**

The Mayor and City Manager will coordinate the use of staff time reasonably required for the following:

- State of the City
- Town Hall meetings
- Welcome speeches at events
- Preparation for media interviews
- Promotional or official Mayoral correspondence
- Advertorials

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- Crisis communications

All other requests of staff time by the Mayor will follow the procedure as outlined in sections 1.04.040 and 2.06.060 of this manual.

**2.04.040 DUTIES AND RESPONSIBILITIES OF THE MAYOR PRO-TEM.**

The Council has designated the Mayor Pro Tem to perform the duties of the Mayor during the Mayor's absence or disability.

The duties and responsibilities of the Mayor Pro Tem are as follows: 1) In the Mayor's absence, acts as the presiding officer at all City Council meetings assuring all meetings are conducted in an orderly manner, and in accordance with legal requirements, 2) acts as the ceremonial head or representative of the City at various civic affairs, 3) acts as spokesperson for the Council, 4) acts as signatory to all documents requiring Council execution, 5) issues proclamations, makes declarations, and extends official recognition of groups or events.

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## CHAPTER 2.05 OUTSIDE ORGANIZATIONS, REGIONAL AUTHORITIES AND CITY COMMITTEES

### Sections:

- 2.05.010 Appointments of Council Members to Outside Organizations, Regional Authorities and City Committees.
- 2.05.020 Procedure for Council Member Assignments.
- 2.05.030 Reporting Responsibilities of Appointees.
- 2.05.040 Representational Responsibilities of Appointees.
- 2.05.050 Current Appointments.
- 2.05.060 Staff Involvement in City Committees and Outside Organizations.

### **2.05.010 APPOINTMENTS OF COUNCIL MEMBERS TO OUTSIDE ORGANIZATIONS, REGIONAL AUTHORITIES AND CITY COMMITTEES.**

The City of Cathedral City has numerous relationships with outside organizations and regional authorities, such as the League of California Cities and the Coachella Valley Association of Governments (CVAG). The City Council assigns councilmembers or staff as appropriate and as needed or required to represent the City at these organizations. Alternates appointed to these outside organizations have the same authority as the primary appointee when the appointee is absent unless otherwise prohibited by the organization. Once a council member has been assigned to participate in an outside organization or regional authority, separate approval is not needed to participate in a subcommittee of that organization or regional authority.

### **2.05.020 PROCEDURE FOR COUNCIL MEMBER ASSIGNMENTS.**

Annually or as vacancies occur, the City Clerk shall present to the Council a list of such outside organizations, regional authorities and City standing committees, and the names of council members currently assigned to them. The Council shall attempt to spread the various council member assignments so that each council member fairly shares the responsibility of representing or conducting business for the City. Council members may decline appointments and others may volunteer for assignments. This could result in an unequal distribution of assignments which is allowable provided the Council approves. The Mayor should be given priority for appointment to the CVAG Executive Committee as the Mayors are traditionally appointed to this position.

### **2.05.030 REPORTING RESPONSIBILITIES OF APPOINTEES.**

All council members representing the City on outside organizations, regional authorities and City committees should summarize their activities at Council meetings during Council Members' reports. If the City reimburses a council member his/her actual and necessary expenses incurred in such representation, he/she shall give a report on the meetings he/she attended at the expense of the City at the next regular meeting of the City Council.

### **2.05.040 REPRESENTATIONAL RESPONSIBILITIES OF APPOINTEES.**

Council members assigned to outside organizations or regional authorities represent the City's interest, generally as determined by a majority of the Council. Council members are not to represent or vote their own or individual positions on an issue, but that of the City, as articulated, directed or instructed by a majority

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of the Council. Wherever possible, all significant policy issues shall be brought before the Council for determination and instruction to the assigned council member. The assigned council member shall represent that position until such time as a majority of the Council changes or modifies its position on a policy issue. A designated councilmember that does not represent the policy direction of the Council may be removed from the appointment by the Council.

**2.05.050 CURRENT APPOINTMENTS.**

Current assignments to outside organizations and regional authorities are on file in the Office of the City Clerk and posted on the City's website.

**2.05.060 STAFF INVOLVEMENT IN CITY COMMITTEES AND OUTSIDE ORGANIZATIONS.**

City committees and outside organizations may request information from City Staff but shall not direct staff in the performance of their duties or in their recommendations to the Council. All staff involvement with a committee and outside organizations shall be approved by the City Manager so as not to unduly interfere with day to day operations or priorities established by the Council and needs of the City.

The substantial use of staff for purposes not provided in the Council's Strategic Goals must be approved by the Council.

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**CHAPTER 2.06  
COUNCIL STANDING AND AD HOC COMMITTEES**

Sections:

- 2.06.010 Establishment of Council Standing and Ad Hoc Committees.
- 2.06.020 Procedure for Council Ad Hoc Assignments.
- 2.06.030 Notice of Standing Committee Meetings.
- 2.06.040 Ad Hoc Committee Meetings.
- 2.06.050 Report of Standing and Ad Hoc Committees.
- 2.06.060 Annual Review of Standing and Ad Hoc Committees Necessity.

**2.06.010 ESTABLISHMENT OF COUNCIL STANDING AND AD HOC COMMITTEES.**

The Council may establish and appoint councilmembers to standing or ad hoc committees of the Council for policy review of a specific area or a specific issue.

Ad hoc committees may be established at the time of need. They shall have a specific program of work to perform and shall automatically dissolve once the program of work is completed, and generally should not exist for longer than six months.

Council standing committees are to help the Council do its job by preparing policy alternatives and implications for Council deliberation on specific subject matters. Standing Committees are not established to augment or assess staff work, but to provide policy insights.

**2.06.020 NOTICE OF STANDING COMMITTEE MEETINGS.**

A Standing Committee is subject to the notice and procedural requirements of the Brown Act. An agenda of all Council Standing Committees will be posted seventy-two (72) hours prior to the meeting, as per the Brown Act and the meeting will be open to the public.

Generally speaking, no council members, except those appointed to the committees, may attend said meeting as there are Brown Act implications regarding majority deliberations.

**2.06.030 AD HOC COMMITTEE MEETINGS.**

Generally speaking, no member of the Council who is not a member of an ad hoc Council committee may attend a meeting of that ad hoc committee; however, exceptions can be made.

**2.06.040 REPORT OF STANDING AND AD HOC COMMITTEES.**

Standing and ad hoc committees will report on the work of the committee during Council Member Reports & Comments section of the City Council agenda. Whether or not there is agreement between the two members of the standing or ad hoc committee, the report to the entire Council will reflect the position of both members.

**2.06.050 ANNUAL REVIEW OF STANDING AND AD HOC COMMITTEES NECESSITY.**

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The Council will review annually the relevance of the Council's standing and ad hoc committees to the Council's current Strategic Plan Goals and Objectives, and will eliminate those which are determined by a majority of the Council to be no longer necessary.

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**CHAPTER 2.07  
RULES OF CONDUCT FOR COUNCIL MEMBERS**

Sections:

- 2.07.010 Council Conduct and Relationship to Electors.
- 2.07.020 Housing Complaints.
- 2.07.030 Responding to Public Complaints and Inquiries.
- 2.07.040 Council Calendar.
- 2.07.050 Council Compensation.
- 2.07.060 Expense Reports
- 2.07.070 Council Travel Policy.
- 2.07.080 Council Communication with Staff.
- 2.07.090 Council Budget.
- 2.07.100 Gifts.
- 2.07.110 Public Presentations.
- 2.07.120 Closed Sessions.

**2.07.010 COUNCIL CONDUCT AND RELATIONSHIP TO ELECTORS.**

No council member shall act in such a manner as to call into disrepute the public image of the Council or which is discourteous to or results in the constant interruption of other members of the Council or members of the public. Council members are elected by all of the people to serve as representatives of all of the people.

It is the responsibility of council members to vote and decide issues, regardless of personal interest. There will always be segments of the population dissatisfied with any decision. The purpose of government is to balance legally, fairly, and without favor the costs and burdens that are to be placed upon the individual or several individuals against the good, the benefit, or welfare of or to a majority of the people.

**2.07.020 RESPONDING TO PUBLIC COMPLAINTS AND INQUIRIES.**

Council members receiving complaints or requests for service concerning routine matters, such as a pothole or inoperative street light, shall refer the inquirer to the City Manager or his Administrative Assistant.

When a council member receives a complaint or inquiry from the public the response to which will likely involve a significant amount of staff work and/or a large financial cost, the council member will inform the City Manager of the complaint or inquiry and will not make any promises to the inquirer regarding the likely disposition of the matter.

The City Manager will investigate the complaint or inquiry, and determine if it is appropriate for City staff to respond to the request, and direct City Staff to respond appropriately. The City Manager shall inform the entire Council of the complaint, who presented it to the City Manager, and the action taken by City Staff in response to the complaint or inquiry.

**2.07.030 COUNCIL CALENDAR.**

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The responsibility for managing the calendars of the Council and the council members shall be delegated to the City Manager's office.

**2.07.040 COUNCIL COMPENSATION.**

Council members receive compensation as provided by the City Charter.

**2.07.050 EXPENSE REPORTS.**

City Staff shall assist the Council in a periodic accounting of individual expenditures for travel, phone use, etc. for city business. Councilmembers must keep and turn in receipts within 30 days for which they seek reimbursement. The staff shall provide a periodic report of councilmember expenses to the Council.

**2.07.060 COUNCIL TRAVEL POLICY.**

All trips and meetings by individual council members not funded specifically in the City Budget shall be taken only following approval by a majority of the Council for the trip or meeting. Reimbursement or use of city credit cards for all travel and meeting expenses incurred by council members shall be in accordance with the City's currently adopted Travel and Reimbursement Policy located within the Fiscal Procedures Manual, pursuant to AB1234.

This policy, in relevant parts, is also intended to cover requests for reimbursement from the City's elected officials (Mayor, Mayor Pro Tem, Councilmembers and Treasurer) and to satisfy the requirements of Government Code section 53232.2. The City's elected officials are not, under the law, eligible for certain benefits only provided to City employees under the Travel and Reimbursement Policy; these include the following:

- Job Training
- Compensable Time
- Travel Time
- Travel Advances

Elected officials having questions regarding eligibility for any specific category of reimbursement or benefit should direct their inquiry to the City Manager or City Attorney.

**2.07.070 COUNCIL BUDGET.**

The Council generally has a fixed amount in the City Council Budget. Expenses from other specific budget programs shall be based on individual need and appropriateness.

**2.07.080 PUBLIC PRESENTATIONS.**

The City is often asked to make presentations, speeches, announcements, and receive awards and recognition. The Mayor and Councilmembers shall have the primary responsibility for meeting these public presentation requirements on behalf of the City. Individual council members may represent the City before groups or organizations which have specifically invited them. The council member shall provide a report on the event at the next subsequent Council Meeting.

**2.07.090 CLOSED SESSIONS.**



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All Closed Sessions shall be conducted in accordance with the Brown Act. Matters discussed directly pertaining to the closed session item is confidential and shall not be disclosed except as is required or provided by the Brown Act or other applicable state or federal law.