

COUNCIL POLICY

CITY OF BURLINGAME

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CATEGORY: Council

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SUBJECT: Council Conduct

"Conduct is three-fourths of our life and its largest concern." -- Matthew Arnold

The Three Rs of Burlingame Government Leadership:
Roles, Responsibilities and Respect

This Code of Conduct is designed to describe the manner in which Councilmembers should treat one another, city staff, constituents, and others they come into contact with in representing the City of Burlingame.

The contents of this Code of Conduct include:

- Overview of Roles & Responsibilities (Pages 1-3)
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The constant and consistent theme through all of the conduct guidelines is "respect." Councilmembers experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers to do the right thing in even the most difficult situations.

I. OVERVIEW OF ROLES & RESPONSIBILITIES

"Leadership is an action, not a word." -- Richard Cooley

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in the Leadership Guide for Mayors and Councilmembers published by the League of California Cities.

A. MAYOR

1. Serves at the pleasure of the Council
2. Acts as the official head of the City for all ceremonial purposes
3. Chairs Council meetings
4. Calls for special meetings
5. Recognized as spokesperson for the City on matters that the Council has taken a position on.
6. Selects substitute for City representation when Mayor cannot attend
7. Makes judgment calls on issuance of proclamations
8. Appoints subcommittees and makes council assignments
9. Serves as the liaison between the Council and the City Manager and City Attorney in regards to employee relations involving those two Council-appointed positions.
9. Leads the Council as an effective, cohesive working team
10. Signs documents on behalf of the City
11. Serves as official delegate of the City to events and conferences
12. Determines Council meeting agendas in concert with the City Manager and City Clerk.

B. VICE MAYOR

1. Serves at the pleasure of the Council
2. Performs the duties of the Mayor if the Mayor is absent or disabled
3. Chairs Council meetings at the request of the Mayor
4. Represents the City at ceremonial functions at the request of the Mayor

C. ALL COUNCILMEMBERS

All members of the City Council, including those serving as Mayor and Vice Mayor, have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect.

All Councilmembers should:

1. Fully participate in City Council meetings and other public forums while demonstrating respect, consideration, and courtesy to others
2. Prepare in advance of Council meetings and be familiar with issues on the agenda
3. Represent the City at ceremonial functions at the request of the Mayor
4. Be respectful of other people's time. Stay focused and act efficiently during public meetings.
5. Serve as a model of leadership and civility to the community
6. Inspire public confidence in Burlingame government
7. At the discretion of each Councilmember provide contact information to the Manager's Executive Assistant in case an emergency or urgent situation arises while the Councilmember is out of town
8. Demonstrate honesty and integrity in actions and statements

9. Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct
10. Respond to phone calls or e-mails from staff on requests for scheduling meetings in a timely fashion (ideally within 48 hours).
11. Communicate suggested items for future Council meeting agendas during the new business portion of the Council meeting or directly to the Mayor.

D. MEETING CHAIR

The Mayor will chair official meetings of the City Council, unless the Vice Mayor or another Councilmember is designated as Chair of a specific meeting.

1. Uses parliamentary procedure for meeting management
2. Maintains order, decorum, and the fair and equitable treatment of all speakers
3. Keeps discussion and questions focused on specific agenda item under consideration
4. Makes rulings with advice, if requested, from the City Attorney. Chair rulings may be overturned if a Councilmember makes a motion as an individual and the majority of the Council votes to overrule the Chair.

II. GENERAL POLICIES & PROTOCOL

"Wherever there is a human being, there is an opportunity for kindness." -- Seneca

A. CEREMONIAL EVENTS

Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Councilmember should be asked to serve as a substitute.

Invitations received at City Hall are presumed to be for official City representation. Invitations addressed to Councilmembers at their homes are presumed to be for unofficial, personal consideration.

B. CORRESPONDENCE SIGNATURES

Councilmembers do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the appropriate staff person unless the Mayor requests that they be signed by the Mayor or another Councilmember.

Correspondence with members of the community on operational matters will be sent out under the signature of the appropriate staff person or the City Manager.

Letters or any other mailings with a Councilmember's signature (or the names or likenesses of one or more Councilmembers in the mailing) that are to be sent out to

more than 199 people at City expense will be reviewed by the City Attorney to ensure they do not violate legal limitations.

C. E-MAILS

Each councilmember is provided with a City e-mail address. This e-mail address should be used by Councilmembers for sending and receiving e-mail regarding official City business. If a Councilmember receives an e-mail regarding official City business at private e-mail address, the Councilmember should forward the e-mail to the City Clerk for record purposes. Of course, the City e-mail address should not be used for sending or receiving e-mails regarding a Councilmember's campaign or other political activities.

D. ENDORSEMENT OF CANDIDATES

Councilmembers have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to publicize endorsements during Council meetings or other official City meetings.

E. INTERGOVERNMENTAL RELATIONS

During the Council Report portion of the meeting agenda, Councilmembers should report on specific assignments and committees that they have attended on behalf of the council. Examples are the League of Cities, Council of Mayors, Airport Roundtable, SamTrans, Chamber of Commerce, C/CAG, etc. In addition the Mayor will acknowledge any of the community events that the Council or Mayor was invited to attend and who attended them, (include any other Councilmembers who were in attendance with the Mayor or who had attended at the Mayor's request). Under State law, Councilmembers are required to report on any meetings that they attended and for which the City paid any costs for attendance.

F. PUBLIC MEETING HEARING PROTOCOL

The applicant shall have the right to speak first. The appellant, if the applicant is not the appellant, will speak second. The Chair will determine the length of time allowed for these presentations. The Chair will then allow members of the public to comment on the matter presented. The Chair will determine how much time will be allowed for each speaker, with 3 to 5 minutes the standard time granted. Speakers will not be permitted to give their time to others so as to allow other speakers to have more than the standard time granted; if a speaker wishes to read a letter or other document from the speaker or any other person, the time reading the letter counts in the speaker's total allowed time. The applicant will be allowed to make closing comments. If the appellant is not the applicant, then the Chair may allow the appellant to make closing comments before the applicant makes closing comments. The Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting

run smoothly. Councilmembers may only ask relevant questions for clarification of stated facts and they will not express opinions during the public hearing portion of the meeting except to ask pertinent or focused questions of the speaker or staff. Questions should be directed through the Chair to affirm the respect due the Chair by both Councilmembers, speakers, and the audience. "I think" and "I feel" comments by Councilmembers are not generally appropriate until after the close of the public hearing. Councilmembers should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

G. TRAVEL EXPENSES

The policies and procedures related to the reimbursement of travel expenses for official City business by Councilmembers are outlined in the City Purchasing Manual.

H. AWARDS

Other than proclamations which the Mayor is authorized to issue, awards to members of the public, community organizations or to businesses shall be authorized only by an action of the majority of the City Council. Such authorization may include empowering a council appointed committee to make such awards. This does not preclude awards of heroism or bravery by department heads or awards by the City Manager or their designees for employee performance.

I. COMMITTEE FORMATION

Request by Councilmembers to create a city sanctioned committee or task force to undertake projects, do research, or develop recommendations shall require a council majority vote.

J. IDENTIFICATION.

The City provides each Councilmember with a City identification card and business cards to be used for any official site visits. While identification in the form of badges used to be issued to Councilmembers, the California Attorney General has determined that use of these types of badges may contravene State law, so badges will no longer be issued or used.

K. SETTING COUNCIL MEETING AGENDAS

The Mayor determines Council meeting agendas in concert with the City Manager and City Clerk. Councilmembers should communicate suggested items for future Council meeting agendas during the new business portion of the Council meeting or directly to the Mayor, who will decide if and when such an item will be placed on

an agenda. However, whenever two or more Councilmembers request an item be placed on a future agenda, the Mayor will do so within a reasonable period of time. A Council vote can be taken to place an item on a specific meeting date.

L. GIFTS AND FAVORS

Councilmembers shall not take any special advantage of services or opportunities for personal gain, by virtue of their public offices that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

M. CONFIDENTIAL INFORMATION

Councilmembers shall respect the confidentiality of information concerning the property, personnel or affairs of the City, whether disclosed in closed session or otherwise. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

N. LEGISLATIVE MATTERS

Legislative action by the State and Federal legislative bodies can often result in situations where the need to send correspondence regarding a proposed bill arises with less than adequate time to place an item on the agenda for Council formal action. The City Manager is authorized to prepare correspondence on legislative matters as long as the position being taken is consistent with the position taken by the League of California Cities and/or the CCAG (City and County Association of Governments). In those cases where no position has been taken by either of those bodies, then correspondence shall be approved by the Mayor, or Vice Mayor in the Mayor's absence, prior to being sent. In all cases, all Councilmembers should receive copies of the correspondence sent out and shown under "Acknowledgements" at the next Council meeting. Should a Councilmember have questions or concerns with the position being taken, the Councilmember should raise it for discussion under "Acknowledgements" at the meeting.

III. COUNCIL CONDUCT WITH ONE ANOTHER

"In life, courtesy and self-possession, and in the arts, style, are the sensible impressions of the free mind, for both arise out of a deliberate shaping of all things and from never being swept away, whatever the emotion, into confusion or dullness." -- William Butler Yeats

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to

disagree" on contentious issues.

A. IN PUBLIC MEETINGS

1. Use formal titles - Councilmembers should refer to one another formally during public meetings as Mayor, Vice Mayor or Councilmember followed by the individual's last name.
2. Practice civility and decorum in discussions and debate - Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Councilmembers to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.
3. Honor the role of the Chair in maintaining order - It is the responsibility of the Chair to keep the comments of Councilmembers on track during public meetings. Councilmembers should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
4. Demonstrate effective problem-solving approaches - Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.
5. When bringing an idea to the "council of the whole," Councilmember(s) should avoid presenting the matter as accomplished fact or done deal but rather as request for support.
6. Whenever possible, a Councilmember should try to give staff a heads up regarding questions that he/she has on an item that is on the Council's agenda. Questions will often come to mind when Councilmembers are reviewing the staff reports, and Councilmembers are encouraged to leave voice mail or e-mail messages regarding the matter with the appropriate staff member and if using e-mail, it is helpful to leave a copy for the City Manager so the Manager is aware of the desired information. This policy is designed to ensure that staff can be prepared to answer the question in a complete fashion that will provide adequate information to facilitate the Council's decision or direction on the matter. Failure to do so may result in staff not having the necessary information available to the discussion and thus delay action on the item. Understandably discussion of an item by the public and other fellow Councilmembers may lead to an unanticipated question by one or more Councilmembers.

B. IN PRIVATE ENCOUNTERS

Councilmembers should:

1. Continue respectful behavior in private. The same level of respect and consideration of differing points of view that are deemed appropriate for public discussions should be maintained in private conversations.

2. Be aware of the insecurity of written notes, voicemail messages, and e-mail. Technology allows words written or said without much forethought to be distributed wide and far. Questions to consider are: "Would you feel comfortable to have this note faxed to others?" "How would you feel if this voicemail message was played on a speaker phone in a full office?" "What would happen if this e-mail message was forwarded to others?" Written notes, voicemail messages and e-mail should be treated as potentially "public" communication and records.
3. Even private conversations can have a public presence - Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.
4. The Council is a legislative body and as such makes decisions by majority. Once decided, it is a decision of the Council as a whole. Councilmembers who are on the minority side of a vote are expected, like staff members, to support the decision of the majority and although they understandably may be asked to explain their perspective and why they did not vote to support the motion, they should refrain from criticizing the Council majority and staff as they work forward to implement the Council's direction.

IV. COUNCIL CONDUCT WITH CITY STAFF

"Never let a problem become an excuse." -- Robert Schuller

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Councilmembers should:

1. Treat all staff as professionals
Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
2. Limit contact to specific City staff.
Questions of City staff and/or requests for developing additional background information should be directed only to the City Manager, City Attorney, or Department Heads. The Office of the City Manager should be copied on any Councilmember requests, except those to the City Attorney or when forwarding citizen questions or complaints. Requests for follow-up or directions to staff should be made only through the City Manager, or the City Attorney when appropriate. When in doubt about what staff contact is appropriate, Councilmembers should ask the City Manager for direction. Materials supplied to a Councilmember in response to a request will usually be made available to all members of the Council so that all have equal access to information.

3. Forward citizen complaints or questions via Citizen Connect or directly to the appropriate staff members for follow-up, with copies to the City Manager. The City Clerk receives e-mails addressed to "GRP-Council" and will automatically forward them to the appropriate staff person to follow up. Staff receiving that complaint/question is expected to respond or at least acknowledge receipt of the complaint/question with some sense of the timing of the anticipated follow up.
4. Make suggestions on how to implement a council policy or approaches to operational duties/services through the City Manager and/or the City Council.
5. Request and obtain Council approval before making any request for help with a project that would involve more than two (2) hours of staff time.
6. Not disrupt City staff from their jobs. Councilmembers should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.
7. Never publicly criticize an individual employee. Council should never express concerns about the performance of a specific City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation. Comments about staff in the office of the City Attorney should be made directly to the City Attorney.
8. Not get involved in administrative functions. Councilmembers must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits. Municipal Code Section 3.04.050 prohibits Council interference in administrative functions.
9. Not attend meetings with City staff unless requested by staff. Even if the Councilmember does not say anything, the Councilmember's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.
10. Limit requests for staff support. Routine secretarial support will be provided to all Councilmembers. All mail except when marked "personal" or "confidential" for Councilmembers is opened by the City Clerk staff, or City Manager's Executive Assistant, unless other arrangements are requested by a Councilmember. Mail addressed to the Mayor is reviewed first by the City Clerk or Deputy City Clerk or City Manager's Executive Assistant who notes suggested action and/or follow-up items.
11. Make requests for additional staff support – even in high priority or emergency situations -- to the City Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.
12. Not solicit political support from staff. Councilmembers are barred from soliciting any type of political support (financial contributions, display of posters or lawn signs, name on support list, use of city employees pictures on campaign material etc.) from City staff (Burlingame Municipal Code Section 3.52.100). City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

V. COUNCIL CONDUCT WITH THE PUBLIC

"If a man be gracious and courteous to strangers, it shows he is a citizen of the world, and that his heart is no island cut off from other lands, but a continent that joins to them."

-- Francis Bacon

A. IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Councilmembers toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

1. Be welcoming to speakers and treat them with care and gentleness. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.
2. Be fair and equitable in allocating public hearing time to individual speakers. The Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker, except the applicant and sometimes the appellant, may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Chair re-opens the public hearing for a limited and specific purpose.
3. Practice active listening. It is disconcerting to speakers to have Councilmembers not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be misinterpreted as "smirking," disbelief, anger or boredom.
4. Ask for clarification, but avoid debate and argument with the public. Only the Chair – not individual Councilmembers -- can interrupt a speaker during a presentation. However, a Councilmember can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Councilmember finds disturbing. If speakers become flustered or defensive by Council questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Councilmembers to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Councilmembers' personal opinions or

inclinations about upcoming votes should not be revealed until after the public hearing is closed. If a speaker becomes disorderly or refuses to leave the podium after appropriate requests, the Chair should call a recess.

5. Make no personal attacks of any kind, under any circumstance. Councilmembers should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive. However, speakers have the right to make personal attacks, although the Chair can attempt to keep a speaker on point.
6. Follow parliamentary procedure in conducting public meetings. The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Chair, subject to appeal by a Councilmember to the full Council.

B. IN UNOFFICIAL SETTINGS

1. Make no promises on behalf of the Council or City. Councilmembers will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council or City action, or to promise City staff will do something specific (fix a pothole, Censor a library book, plant new flowers in the median, etc.).
2. Make no personal comments about other Councilmembers. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Councilmembers, their opinions and actions.
3. Remember that despite its nearly 30,000 population figure, Burlingame is a small town at heart. Councilmembers are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Burlingame. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Councilmembers, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

VI. COUNCIL CONDUCT WITH OTHER PUBLIC AGENCIES

"Always do right. This will gratify some people and astonish the rest." -- Mark Twain

1. Be clear about whether a Councilmember is representing the City or personal interests. It is important to realize that, many people, including other government officials, may perceive public statements or positions of a Councilmember as either the official government position of the member or of the City. If a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Councilmember must clearly state: 1) whether his or her statement reflects personal opinion or is the official stance of the City; 2) if a position as an elected official, whether this is the majority or minority opinion of the Council. If the Councilmember is representing the City, the

- Councilmember must support and advocate the official City position on an issue, not a personal viewpoint.
2. Correspondence also should be equally clear about representation. City letterhead may be used when the Councilmember is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk to be filed in the Council Office as part of the permanent public record. City letterhead should not be used for correspondence of Councilmembers representing a personal point of view, or a dissenting point of view from an official Council position.

VII. COUNCIL CONDUCT WITH BOARDS AND COMMISSIONS

"We rarely find that people have good sense unless they agree with us."
--Francois, Duc de La Rochefoucauld

The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

1. If attending a Board or Commission meeting, be careful to only express personal opinions. Councilmembers may attend any Board or Commission meeting, which are always open to any member of the public. Any public comments by a Councilmember at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council. Be careful not to use the position to intimidate or pressure the Board or Commission.
2. Limit contact with Board and Commission members to questions of clarification. It is inappropriate for a Councilmember to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. It is acceptable for Councilmembers to contact Board or Commission members in order to clarify a position taken by the Board or Commission.
3. Remember that Boards and Commissions serve the Council and the community, not individual Councilmembers - The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. But Board and Commission members do not report to individual Councilmembers, nor do Councilmembers have the power or right to threaten Board and Commission members with removal if they disagree with an individual Councilmember about an issue. Appointment and re-appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."
4. Be respectful of diverse opinions - A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives.

Councilmembers may have a closer working relationship with some individuals serving on Boards and Commissions, but must be fair and respectful of all citizens serving on Boards and Commissions.

5. Keep political support away from public forums - Board and Commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Councilmember.
6. Inappropriate behavior can lead to removal - Inappropriate behavior by a Board or Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council and the individual is subject to removal from the Board or Commission.

VIII. COUNCIL CONDUCT WITH THE MEDIA

"Keep them well fed and never let them know that all you've got is a chair and a whip."
-- Lion Tamer School

Councilmembers are frequently contacted by the media for background and quotes.

1. The best advice for dealing with the media is to never go "off the record" - Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.
2. The Mayor is the official spokesperson for a City position. The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.
3. Choose words carefully and cautiously - Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.
4. Discussion Forums (or Blogs)
For Councilmembers participating in on-line discussion forums (blog), it is suggested that Councilmembers treat questions from a "blog" participant as you would a reporter from other media.

Councilmembers may want to share their logic on any decision that was made as part of a past City Council action, or to share factual information on a subject being discussed on the blog, but Councilmembers should avoid speculating as to how they would vote on a matter that has yet to come before the Council for action. Engaging in an online debate, particularly when more than one other Councilmember is likely to view the comments, may violate the Brown Act.

On-line discussions, as well as letters to the editor, will give Councilmembers valuable perspectives to take into consideration. If pressed for a response and feeling compelled to do so, Councilmembers are encouraged to indicate that the perspectives being expressed are ones that the Councilmembers feel are important to consider when the matter comes before the City Council but Councilmembers should avoid committing themselves to a specific action prior to hearing all the various perspectives that will be presented in a future public meeting.

5. Press Releases

In an effort to avoid any perception of bias, unless authorized by the majority of the City Council, members of the City Council should refrain from writing or drafting individual City press releases.

IX. SANCTIONS

"You cannot have a proud and chivalrous spirit if your conduct is mean and paltry; for whatever a man's actions are, such must be his spirit." -- Demosthenes

1. Public Disruption

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or may be removed from the Council Chambers.

2. Inappropriate Staff Behavior

Councilmembers should refer to the City Manager any City staff members who do not follow proper conduct in their dealings with Councilmembers, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

3. Councilmembers Behavior and Conduct

City Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council or lose committee assignments (both within the City of Burlingame and with inter-government agencies).

Councilmembers should privately point out to the offending Councilmember infractions of these procedures. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Vice Mayor.

It is the responsibility of the Mayor to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting. If violation of these procedures is outside of the behaviors observed by the Mayor or Councilmembers, the alleged violation should be referred to the Mayor. The Mayor should ask the City Manager and/or the City Attorney to have the

allegation investigated and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Council to consider in a public meeting; or forming a Council ad hoc subcommittee to review the allegation, the investigation and its findings, as well as to recommend sanction options for Council consideration.

X. PRINCIPLES OF PROPER CONDUCT

Proper conduct IS ...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT ...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

It all comes down to respect. Respect for one another as individuals, respect for the validity of different opinions, respect for the democratic process and respect for the community that we serve.

XI. CHECKLIST FOR MONITORING CONDUCT

Will my decision/statement/action violate the trust, rights or good will of others?

What are my interior motives and the spirit behind my actions?

If I have to justify my conduct in public tomorrow, will I do so with pride or shame?

How would my conduct be evaluated by people whose integrity and character I respect?

Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?

Is my conduct fair? Just? Morally right?

If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?

Does my conduct give others reason to trust or distrust me?

Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?

Do I exhibit the same conduct in my private life as I do in my public life?

Can I take legitimate pride in the way I conduct myself and the example I set?

Do I listen and strive to understand the views of others?

Do I question and confront different points of view in a constructive manner?

Do I work to resolve differences and come to mutual agreement?

Do I support others and show respect for their ideas?

Will my conduct cause public embarrassment to someone else?

XII. GLOSSARY OF TERMS

Attitude - The manner in which one shows one's dispositions, opinions, and feelings

Behavior - External appearance or action; manner of behaving; carriage of oneself

Civility - Politeness, consideration, courtesy

Conduct - The way one acts; personal behavior

Courtesy - Politeness connected with kindness

Decorum - Suitable; proper; good taste in behavior

Manners - A way of acting; a style, method, or form; the way in which things are done

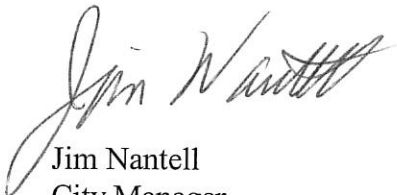
Point of order - An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration

Point of personal privilege - A challenge to a speaker to defend or apologize for comments that a fellow Councilmember considers offensive

Propriety - Conforming to acceptable standards of behavior

Protocol - The courtesies that are established as proper and correct

Respect - The act of noticing with attention; holding in esteem; courteous regard



Jim Nantell
City Manager

RESOLUTION NO. 24-2008
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME
ESTABLISHING CITY COUNCIL POLICIES

RESOLVED, by the City Council of the City of Burlingame:

WHEREAS, after participated in a League of California team building workshop the city council discussed the potential value of Council policies and procedures that could articulate the council's agreed upon way of doing business; and

WHEREAS, the Council appointed a Council subcommittee to work with the City Manager and with the advice of the City Attorney to develop a draft Council policy document; and

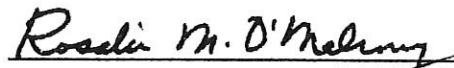
WHEREAS, the Council sub committee presented their draft policies to the full city Council at a series of study session; and

WHEREAS, the City Manager and Attorney have finalized the policies to reflect the direction of the majority of the City Council; and

WHEREAS, the Council continues to believe that the approval of the Council polices will be a valuable vehicle to clearly articulate the agreed upon way of doing business as the elected leadership team of the City of Burlingame.

NOW, THEREFORE, IT IS RESOLVED AND ORDERED:

1. City Council Policies contained in Exhibit A hereto are approved.

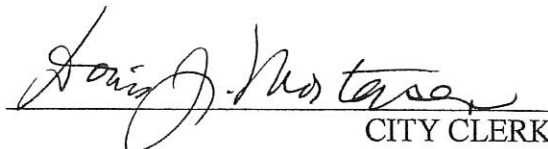

MAYOR

I, DORIS MORTENSEN, City Clerk of the City of Burlingame, do hereby certify that the foregoing resolution was introduced at a regular meeting of the City Council held on the 17th day of March 2008, and was adopted thereafter by the following vote:

AYES: COUNCILMEMBERS: BAYLOCK, DEAL, KEIGHRAN, NAGEL, O'MAHONY

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE


CITY CLERK