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PROTOCOL AMENDMENTS

Resolution 198-06 (CM) on September 12, 2006, Protocols were re-adopted and reaffirmed.

Resolution No. 161-09 (CM) on August 11, 2009, Protocols were re-adopted and reaffirmed to amend the section pertaining to City-Issued Cell Phones, Cell Phone and Dedicated Landline Reimbursement Allocations and the section pertaining to Training, Conference and Meeting Reimbursements of Part III -Use of City Resources and Staff.

Resolution No. 192-10 (CM) on December 14, 2010, amending the section pertaining to City-Issued Cell Phones, Cell Phone and Dedicated Landline Reimbursement Allocations of Part III -Use of City Resources and Staff.

Resolution No. 39-13 (CM) on March 26, 2013, amending the section for Use of Car for Meetings to allow for mileage reimbursement for Council Members for travel outside of City limits while on City business of Part III -Use of City Resources and Staff.

Resolution No. 143-14 (CM) on October 14, 2014, amending the section pertaining to City Council Operational Matters: Contents of City Council Agenda explaining how members of the Council may place items on the Agenda.

INTRODUCTION

City Council Members are dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of elected officials, other officials and staff, and the public.

To those ends, the Watsonville City Council has prepared its own Council Protocols to document accepted practices and clarify expectations of how the Council will operate as a team and in accordance with City policies. Through the agreement of the City Council to be bound by these practices, the administration of City Council affairs is greatly enhanced and made more efficient.

PART I - ROLES OF CITY COUNCIL AND STAFF

Mayor Proclamations

The Mayor is a member of the Council who, as part of their ceremonial duties, is charged with the administration and presentation of proclamations on behalf of the City. In the event that the Mayor is unable to present the proclamation, the Mayor may ask the Mayor Pro Tempore, another member of the Council, or a City employee to present.

Any City Council member, staff, resident of Watsonville, or organization primarily serving Watsonville residents may contact the Mayor, with a copy to the City Clerk, to request that the Mayor issue a proclamation. Though the Mayor receives a large number of worthy requests, not all requests will result in the issuance of a proclamation.

Ceremonial proclamations are intended to recognize a day, week, or month in honor of a cause, individual, or occasion significant to the City of Watsonville and its residents.

Reasons to request a proclamation include:

- A significant date or anniversary relating to the City of Watsonville;
- Significant historical commemorations;
- To highlight an issue that has citywide public interest;
- Recognizing a national or state non-profit event that coincides with a local event (for example, Breast Cancer Awareness month); or
- Recognizing a person or group of persons who have had a significant positive impact on the City of Watsonville.

Requests for proclamations should include:

- Desired day, week, or month of the requested proclamation;
- Proposed text for the proclamation, including at least 5 “whereas” clauses explaining and supporting the reason for the proclamation;
- Contact information for the person or group of persons honored by the proclamation (if applicable); and
- Contact information for the person or organization requesting the proclamation.

In order to provide sufficient lead time to create a proclamation, requests for proclamations should be submitted to the Mayor and City Clerk at least two weeks prior to the date on which the proclamation is requested to be awarded. Award of proclamations requested after the submission deadline will be at the Mayor’s discretion.

Certificates

The Mayor may issue a certificate to individuals whose meritorious achievements and/or service warrants recognition. A Council Member may request, of the Mayor or full Council, that a certificate be issued.

In order to provide sufficient lead time to create such certificates, requests for certificates should be submitted to the City Clerk’s office two weeks prior to the date on which the certificate is requested to be awarded. The request shall include names, titles, achievements/accomplishments, and any other data necessary to create the requested certificate.

City Council Majority Sets Policy

The City Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor and Mayor Pro Tempore have some additional ceremonial and administrative responsibilities, in the establishment of policies, voting, and in other significant areas, all members are equal.

Policy is established by at least a majority vote of the City Council. While individual members may disagree with the decisions of the majority, a decision of the majority binds the City Council to a course of action.

Requests for Information and Staff Assistance by City Council Members

Requests for information and staff assistance by City Council Members must comply with Section 407 of the City Charter, which provides:

Neither the Council nor any of its members shall interfere with the execution by the City Manager of their powers and duties, or order or request, directly or indirectly, the

appointment by the City Manager, or by any of their subordinates, of any person to any office or employment, or their removal therefrom. Except for the purpose of obtaining information, the Council and its members shall deal with the administrative branch of the City government solely through the City Manager, or their designated deputy, and neither the Council nor any member thereof.

Staff request: Requests for information may be made either to the City Manager or directly to a Department Head. If the request will take more than two hours to fulfill, the request will be made to the City Manager. Council Members will include the City Manager in all correspondence with staff.

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

City Attorney Request: Councilmembers may request information or research from the City Attorney on a given topic when it is anticipated that the request can be completed by the City Attorney in less than an hour. Councilmember requests for research or information that are anticipated to take more than one hour to complete should be directed to the Council for consideration during a council meeting. Requests for new information or policy direction should be brought to the full Council for consideration.

Access to Information

In some limited circumstances, staff may not be able to provide the requested information. Draft documents (e.g. staff reports in progress, administrative draft EIRs, etc.) that are under review are not available for release until complete and after review by the City Manager and/ or City Attorney.

In addition, there are legal restrictions on the City's ability to release certain personnel information, even to members of the City Council. Certain aspects of Police Department affairs (e.g. access to restricted or confidential information related to crimes) may not be available to members of the City Council. The City Manager and City Attorney will review any requests for information that would be exempt from disclosure under the Public Records Act to determine if the disclosure is appropriate.

Council Responsibility

In accordance with the City Charter, City Council members may not intervene in staff decision-making, the development of staff recommendations, the scheduling of work, and the execution of any department's priorities. This is necessary to protect staff from undue

influence and pressure from individual City Council Members, and to allow staff to execute priorities given by management and policies set by the City Council as a whole.

The full City Council retains the power to set departmental priorities in the performance of City business, consistent with the policy set by the City Council.

Requests by City Council Members for staff assistance (e.g. code enforcement, research, etc.) should be directed to the City Manager.

City Manager Code of Ethics

The City Manager is subject to a professional Code of Ethics from the International City Management Association (ICMA). This Code binds the City Manager to certain practices which are designed to ensure the City Manager's actions are in support of a City's best interests.

Tenet 7 of the ICMA Code of Ethics states that a City Manager shall refrain from all political activities which undermine public confidence in professional administrators. It further states that a City Manager shall refrain from participation in the election of the members of the employing legislative body. Violations of such standards can result in censure by the professional association.

Restriction on Political Involvement by Staff

Local governments are non-partisan entities. Consistent with the Council-Manager form of government, the City Manager is the principal professional staff that formulates recommendations in compliance with City Council policy.

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

Staff members may not participate in campaign activities while on the job or while in a City uniform. No City resources may be used by staff in support of any campaign. For example, staff may not pose for a promotional photograph for a candidate while in uniform.

A City Council member should not ask staff to sign petitions or similar support can create an awkward situation for the staff member. While there are laws that preserve the rights of staff to be involved in the political process, City Council Members, as well as staff, should be aware of the awkwardness of work relations that might occur in later City Council-Staff work relations.

PART II - CITY COUNCIL OPERATIONAL MATTERS

Contents of City Council Agenda

Consistent with the Ralph M. Brown Act (“Brown Act”), the agenda for each Council meeting shall set forth a brief description of each item of business to be transacted or discussed at the meeting, together with the time and location of the meeting. The agenda will be posted in compliance with Brown Act.

The order of agenda is guided by Watsonville Municipal Code (“WMC”) 2-1.110, as amended from time to time, unless the City Manager and City Clerk determine that a particular meeting agenda requires a different order of business or the order of business is changed pursuant to Section 2-1.113(b)(1).

Placing Items on the Agenda

A. City Council:

- a. Councilmembers may make a request during “Requests and Scheduling Future Agenda Items” to add an item to a subsequent agenda. To assist in preparing the item requested by the Council, Council Members are encouraged to use the Request for New Agenda Item form attached to these protocols. Any discussion will be limited to a determination of whether the item will be placed on an upcoming agenda. If a majority of Council Members concur, the item will be placed on an upcoming agenda for discussion.
- b. If the item requested to be agendized is, in the City Manager’s determination, such that no staff report is required, all or a majority of Council Members are familiar with the item, or a staff report can be prepared in under an hour, the City Manager may place the item on a subsequent agenda.
- c. Otherwise, at a subsequent meeting, the item will be agendized for discussion designed to allow the Council to provide direction to staff to prepare a staff report, including discussion of the details of the Council’s request; staff time and other resources required to research the matter and prepare the staff report; other priorities; and timeline of when the item would be placed on the agenda. No staff report will be prepared for this discussion.
- d. If directed by the Council, the item will be discussed again, and a staff report presented, at a subsequent meeting.

B. Members of the Public: A member of the public may request an item be placed on a future agenda during public comment or through other communication with City Council members. Any Council Member may present this request to the Council pursuant to the procedure outlined above.

C. Emergency and Non-Agendized items: Emergency and non-agendized items may be added to an agenda upon a determination by a super majority vote of the legislative body that an emergency as defined in California Government Code section 54956.5 exists. Emergencies are only those matters related to work stoppages, crippling activity, an activity that severely impairs public health, or safety, crippling disasters, mass destruction, terrorist acts, or threatened terrorist activity that poses immediate and significant peril, as determined by a majority of the full Council.

D. Agenda Preparation and Review Process: The City Clerk will prepare the agenda consistent with Council and City Manager direction. The agenda will be posted in compliance with the Brown Act. Once posted, the City Manager will review the agenda with the Mayor before any City Council meeting.

Closed Session Confidentiality

California Government Code Section 54963(a) provides that it is against the law for a person to disclose confidential information that has been acquired by being present in most closed sessions authorized under the Brown Act unless the legislative body authorizes disclosure of the confidential information.

In addition, City Council Members have a fiduciary duty to the City of Watsonville and its residents. The disclosure of confidential closed-session information violates the fiduciary duty when information is released that potentially places the City at a disadvantage in matters such as insurance, property negotiations and labor relations issues.

City Council Members recognize that the chief function of local government at all times is to serve the best interests of all the people. Maintaining confidentiality of closed session information aids in ensuring that all the people are served by placing the City in the best possible strategic position in respect to items discussed in closed session, including potential or pending litigation, real estate negotiations, and contract matters.

City Council Members will comply with closed session confidentiality rules not only for legal and fiduciary reasons, but also to be a model of honor and integrity. City Council Members are dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the Member may merit the respect and confidence of their colleagues, other officials and staff, and the public.

Written Correspondence from Mayor and City Council Members

Copies of all City Council Members' correspondence bearing City letterhead shall be placed by the City Clerk on a clipboard placed in the office provided for the City Council. Any correspondence sent using City resources such as City letterhead, staff support, and/or

postage become part of the official record and therefore may be accessed by any member of the public upon request to the City Clerk's Office.

Council should refrain from utilizing City letterhead for personal correspondence that is not a matter of City business. Council Members should carefully distinguish, within the body of the letter, the Member's personal views on a matter from views that are held by the full Council.

Social Media Accounts and Content Retention

All content and posts on City-maintained social media sites are subject to the California Public Records Act. Any content maintained in a social media format that is related to City business, including a list of subscribers and posted communication (with certain exceptions), is a public record. The City Clerk's Office is responsible for responding completely and accurately to any public records request. Content related to City business shall be maintained in an accessible format so that it can be produced in response to a request (see the City's Twitter, Facebook, and Video Posting standards).

Personal social media accounts of Council Members are subject to records requests if those accounts are used for City business. Likewise, if Council Members use personal accounts to conduct City business, including informing the public of City events or issues, etc., the accounts are subject to the City's Records Management Guidelines and Retention Schedule.

City Council Members should work with the City Clerk to incorporate their social media accounts within the City's social media archiving system solution. The records retained will allow the City Clerk to respond to public records requests in a timely manner.

City Council Ethics Training

All City Council Members shall receive at least two hours of training in the general ethical principles and laws relevant to public service within one year of election and at least once every two years thereafter, pursuant to Government Code Section 53234 through 53235.2.

This training requirement shall also apply to all staff members that the City Council Members designates and to members of all commissions, committees, and other bodies that are subject to the Brown Act.

All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission. Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online. City Council Members shall obtain proof of participation after completing the ethics training.

City staff shall maintain records indicating both the dates that City Council Members completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after City Council Members receive the training, and are public records subject to disclosure under the California Public Records Act.

City staff shall provide the City Council with information on available training that meets the requirements of this policy at least once every year.

City Council Member Participation in Committees, Task Forces, and Forums

The City Council shall decide in January of each year who will represent the City on committees, task forces, and forums in which the City participates. Participation shall be limited to those committees, task forces or forums where the City has a direct interest or is a member agency. At any time, the City Council discretion may decide to limit its participation in such activities. City Council members may participate in additional boards/committees of their choice, in their individual capacities.

The Mayor shall nominate City Council members to serve on all such committees, task forces, and forums; each nomination must be ratified by the City Council.

Conflicts of Interest

A conflict of interest arises when a member any decision-making body, including the City Council and Planning Commission, has a financial interest or other conflict of interest in a matter coming before their respective legislative body. In these situations, the official must act according to the regulations detailed in the Political Reform Act and Government Code Section 1090, et. seq. If the official has a conflict of interest that requires recusal, that official will not participate in any aspect of the matter, including discussions with staff, fellow members of the legislative body, or members of a subordinate legislative body, and decisions and/or votes related to the matter.

If recusal is required, the official will state the nature of the disqualification at the public meeting(s) at which the matter is agendized. The Council Member will leave the Council Chamber before any discussion on the matter begins, and will remain outside of the Council Chamber until the matter is concluded. If the matter is on the Consent Calendar, the Council Member will pull the item, announce their conflict, and not participate in any discussion of the item, but the Council Member is not required to leave the Council Chamber. A Council Member stating such disqualification will not be counted as part of a quorum as to that item, and will be considered absent for the purpose of determining the outcome of any vote on such matter.

Strategic Plan Process

At the time of preparing the biannual budget, the City Manager's Office shall facilitate a strategic planning process involving the City Council. This process shall provide the City Council with the opportunity to provide policy direction to the City staff regarding the direction of the City and the programs to which the City will devote its resources.

Staff will then develop a priority list/work plan based on the desires of the City Council, which will be brought back for formal approval at a subsequent Council meeting. This work plan shall serve as a guide by which staff will allocate funding and resources.

PART III - USE OF CITY RESOURCES AND STAFF

Business Equipment and Supplies

The City provides a modest amount of supplies to City Council members for the exclusive purpose of conducting the business of the City. Required equipment to perform Council duties is provided to all Council Members.

Requests for supplies shall be made to the City Manager. If the item is not approved, the request for the item may be placed on the City Council agenda for discussion, using the procedure in Section IIA.

All equipment shall be returned to the City at the end of the City Council member's term of office.

Training, Conference and Meeting Reimbursement

The City supports attendance at training workshops, conferences and meetings that enhance the knowledge and skill level of City Council Members in their official duties.

During the biannual budget process, the Council will set an annual amount to be allocated to each Council Member for training, conference and meeting expenses that meet the guidelines of this policy and the City Administrative Policy.

Travel and Business Expense Reimbursement Guidelines:

A. Use of Funds. Funds authorized pursuant to this section may be used for travel expenses for attendance at the following events:

- (1) Cal Cities meetings and trainings, and those of its committees or departments;
- (2) Committee meetings or other bodies to which the City Council has appointed the Council Member;

(3) Educational conferences or seminars that will assist the City Council Member in carrying out their duties as a member of the City Council;

(4) Local civic meetings or seminars that benefit the City (i.e. a Chamber of Commerce meeting); and

(5) Meetings, when requested by the Mayor or City Manager, to officially represent the City before a federal, State, local or other governmental body;

Expenses for any activity not listed above must be approved by the City Council, in a public meeting, before the expense is incurred.

The following events and costs are not authorized, and expenses related to these events are not eligible for reimbursement:

(1) Political events, including but not limited to political fund-raising events & partisan political events or meetings;

(2) Meals or other expenses related to private meetings or other private events;

(3) Neighborhood or constituent meetings;

(4) Recreational events;

(5) Charitable donations;

(6) Personal expenses incurred as part of an event, such as expenses for family members, entertainment expenses (theater, movies, sporting), non-mileage automobile expenses (repairs, traffic citations, insurance), and individual portions of a trip or event;

(7) Fees for memberships in recreational or sports clubs; and

(8) Any other event which is not a reimbursable expense under the City's Administrative Rules and Regulations.

B. Tickets for civic events such as Chambers of Commerce Annual Awards Dinners, Excellence in Business Luncheons, Annual Agricultural History Dinner are charged against the City Council Member's annual allocation limit.

C. Requests for Reimbursement. All reimbursements will be administered in accordance with the City's Administrative Rules and Regulations.

D. Reporting Requirements. After attendance at any event that will be reimbursed by the City, the Council Member will provide a brief report on the event at the next regularly scheduled Council Meeting.

E. No Carry-Over. Balances remaining from the annual allocation at the end of the fiscal year will not carry-over to the next fiscal year.

F. Cancellations. If a City Council Member signs up for a conference or other event, thereby causing the City to expend and commit funds, that member is obligated to attend such event. Should the City Council Member fail to attend the event, that City Council Member shall reimburse the City for all non-refundable costs from their own personal resources. Exceptions to this rule are for emergencies, such as illness or medical emergencies for the Council Member or family member, urgent City business, or a natural disaster.

Use of Car for Meetings

Mileage reimbursement shall be provided for City Council members driving a personal vehicle to conduct official City business outside of City limits. The use of a personal vehicle for any official City business within City limits will not be eligible for mileage reimbursement.

Mileage will be reimbursed at the current IRS Rate and is paid out of the Council Member's travel reimbursement funds. It is the responsibility of the City Council member utilizing his/her privately owned vehicle to maintain accurate records of the purpose and extent of his/her travel, and to submit a claim for reimbursement per the City's reimbursement policy.

City Council members using their personal vehicles for City business should have a current and valid California Driver's License and personal auto insurance. Council members are also advised to review their insurance policy for coverage of such use.

The City is not liable for any damage to a privately-owned vehicle. It is the responsibility of the City Council Member operating the vehicle to notify the Department of Motor Vehicles, and their insurance company in the case of any accident.

The City Manager may authorize use of a City vehicle for Council Member travel for official City business. Prior to using any City vehicle, a Council Member must submit a Vehicle Release Form.

Staff Support

The City Manager's Office will coordinate the preparation of correspondence requested by individual City Council members, at the City Manager's discretion. Generally, one week's advance notice shall be provided prior to the need for such staff support.

Assistance with travel arrangements or booking meetings for City business and other routine support will be coordinated by the City Manager staff.

In the event the request for staff support involves significant staff time and effort, the City Manager will determine whether providing such staff support is appropriate given existing workload, and will communicate and discuss with the requesting Council Member.

Tickets to City Sponsored Events

One ticket for each City Council Member will be made available for events sponsored by the City. Departments hosting City events will coordinate the distribution of tickets to City Council members with the City Manager's Office.

The availability of tickets for events hosted by other organizations which the City sponsors will be at the discretion of the organizing agency. Council Members may purchase tickets to such events using their individual budget allocation.

Depending on the circumstances, gifts of tickets to events should be declined or reported on Council Members' Form 700s. In accepting any tickets to events, Council Members will comply with the regulations of the Fair Political Practices Commission.

Access to Meeting Rooms

City Council members may have access to City meeting rooms by contacting staff in the City Manager's Office. Such access must be for the purpose of conducting the business of the City.

Use of meeting rooms shall not be for the purpose of conducting campaigns or other political activity. City Council members should contact City Manager staff for meeting room reservations as soon as practicable as such meeting rooms are often reserved by members of the community.

District Meetings

City staff will provide logistical support for each Council Member to hold district meetings.

Any district meeting for which a Council Member requests City resources, including staff attendance or support, or use of a City facility, will be planned in consultation with the City Manager.

City support may include: staff time for preparation and presentations, the provision of City-owned facilities, preparation and circulation of handout and other literature, and other miscellaneous logistical support.

Nothing in this section shall prevent a City Council Member from holding district meetings which do not involve City resources or staff support. City-owned facilities may be used to hold the meeting upon prior request and based on availability, and upon approval of the City Manager or department head managing that facility. It would be beneficial if the City Council Member holding such a meeting provides prior written notice of the meeting to the City Manager and other Council members as a courtesy.

Commission Appointments and Attendance

It is the policy of the City Council to not appoint close relatives of City Council Members (parent, sibling, grandparent, grandparents, spouses and/or domestic partners) to City boards and commissions, and all boards and commissions to which the Council makes appointments.

If a member of a board or commission is absent from two (2) consecutive regular meetings of such board or commission, unless excused by motion at the missed meeting, the board or commission member shall be determined to have vacated their position on the board or commission and Council will take action to declare the seat vacant. Additionally, the City Council may declare by resolution a board or commission office vacant if a board or commission member has two (2) unexcused absences within a one-year period of time.

Council Members should work with the City Clerk's Office to ensure that appointments to commissions are completed within a timely manner to ensure Commissions are able to act on critical decisions on items under their purview.

Cellular Data Plan Reimbursement Allocation

The Data Plan Allocation is for City Council Members who have a need to regularly send and receive time sensitive e-mail communication and documents remotely using a Smart Phone/PDA device that provides access to City e-mail. The Data Plan Stipend is in addition to the Cellular Telephone Stipend and the current reimbursement allocation amount is up to \$45.00 per month in addition to the Cellular Telephone Stipend. In order to receive the cellular data plan reimbursement allocation, it is the responsibility of the City Council Member to submit along with their cell phone reimbursement request a face sheet of a cell phone bill that reflects the cost of the cellular data plan, the cell phone number, account name and billing address. This shall be submitted periodically (at least twice per year) to document continued use of their cellular data account.

Other Expenses

Any expenses that do not adhere to these Protocols must be approved by the City Council in a public meeting prior to the expenses being incurred. Expenses that do not adhere to the

City Council's Protocols, and that do not receive prior approval for the City Council in a public meeting prior to the expense being incurred, shall not be eligible for reimbursement.

Attachment 1: Request for New Agenda Item Form

Rev. 04/05/2023



Watsonville City Council

Request for New Agenda Item

Submittal - Completed by requesting City Council Member(s) and returned to the City Manager on or before the Council Meeting.

Date:	Submitted:
Request Title:	
Purpose - Please be specific, highlight the goal of your request.	
Classification - Implication	Mode of Response
<input type="checkbox"/> Land Use Policy <input type="checkbox"/> Social Policy	<input type="checkbox"/> Council Report <input type="checkbox"/> Presentation
<input type="checkbox"/> Budget Policy	<input type="checkbox"/> Motion <input type="checkbox"/> Resolution
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Ordinance <input type="checkbox"/> Proclamation
	<input type="checkbox"/> Other: _____

Assignment - by the City Manager

Department:	Referral Lead:
Council Meeting Date:	