



## CITY OF CARSON

## POLICY/PROCEDURE

NUMBER: 1.56

## SUBJECT

ORIGINAL ISSUE:

December 20, 2005

EFFECTIVE:

December 20, 2005

COUNCIL COMMUNICATIONS  
(FLYERS, HANDOUTS,  
CEREMONIAL LETTERS FOR  
DISTRIBUTION AND OTHER  
PRINTED MATERIALS)

CURRENT ISSUE:

August 7, 2013

EFFECTIVE:

August 7, 2013

## CATEGORY

CITY COUNCIL POLICY

SUPERSEDES

Prior version of SMP 1.56

## I. PURPOSE AND SCOPE

- A. To establish a policy regarding the use of City staff and other City resources for the preparation and dissemination of flyers, handouts, invitations, and other printed communications (collectively referred to herein as "flyers"), regardless of whether the flyers are mailed out, distributed door-to-door, or left in public places to be picked up.
- B. To appropriately address individual councilmember's requests to prepare and disseminate any Communication that reflects his or her personal opinion or position.
- C. To appropriately address ceremonial letters prepared using City staff and other City resources intended for distribution.

## II. PROCEDURE/POLICY

- A. City Approval Required for Flyers. No flyer shall be prepared, composed, copied, or distributed by city staff during work hours, or using City resources (e.g., computers or printers), unless express approval for the flyer has been given in advance by the City Manager, or by official action of the City Council at a public meeting in compliance with all notice and agenda requirements of the Brown Act.

1. No Business/Political Purpose. Under no circumstances shall any flyer described herein be used for business purposes or for any political campaign purposes. This includes, but is not limited to, any flyer that advocates a position in connection with any upcoming candidate or ballot measure election.

2. FPPC Compliance. Flyers prepared, mailed or otherwise distributed by the City may not violate any FPPC regulations or Council policies. In general, 200 or more flyers featuring the name, photo or signature of one or more elected official should not be mailed or distributed by the City. The names of all elected officials in a "roster" where each name is the same size and font type may be appropriate. See FPPC Reg. 18901 for details or contact the City Attorney's Office to review before distribution of the flyer.

3. City Manager Authority. Nothing in this SMP limits the ability of the City Manager, or Public Information Manager, to prepare, compose, or copy a flyer, handout or other communication to publicize a City event, disseminate City news, promote City success stories, etc. The City Council authorizes the City Manager to exercise his best professional

discretion as to the final wording and content of any official city flyer; provided, however, that the foregoing shall not prohibit any Councilmember from offering suggestions as to the wording or content of any official city flyer.

- B. Ceremonial Letters and Similar Communications Distributed by Others. Occasionally, a City-produced letter or other writing, such as a ceremonial letter intended to appear in a dinner program, event brochure, event pamphlet or other ceremonial booklet, may be created with City resources where it is reasonably foreseeable that 200 or more copies will then be distributed or mailed by another group or person to residents or businesses in the community. On such occasion, the FPPC imposes the certain mass mailing regulations on such communications. When City staff or other City resources are used to create such ceremonial letters or other writings the same are deemed an official communication from the City. **In that event, all such ceremonial letters or other writings shall come from, and be signed by, the Mayor as the City Council's presiding officer and include a photograph of the Mayor and a photograph of each Councilmember.** With respect to event programs, brochures, or pamphlets created for use in connection with any City-sponsored events, it shall be the policy of the City Council to sell space for advertising or other writings in such programs, brochures, or pamphlets for outside business and organizations for a means of receiving additional funds to help offset the costs of the event.
- C. In order to comply with FPPC mass mailing rules and effectuate the Council's desired policy, the following rules shall apply to such ceremonial letters or writings:
1. Whenever City staff time or other City resources are utilized to create, compose, copy, distribute, or mail such ceremonial letter or other writing, provided that the total value of such City staff time or other City resources does not exceed \$50, then only the Mayor's name and signature shall appear on the letter, subject to the following limitations: (a) there is a City purpose for such ceremonial letter or other writing, (b) no mention of, or reference to, any specific elected officials are included in the letter, except the name of the Mayor may be mentioned once plus the signature of the Mayor may be included once, and (c) such ceremonial letter or other writing expresses clearly that it is issued on behalf of the City and the entire City Council.
  2. For all other letters not included in B(1), above, where (a) City staff or other City resources to create, compose, copy, distribute or mail such ceremonial letter or other writing, and (b) where it is reasonably foreseeable that more than 200 copies of the same or substantially similar such ceremonial letter or other writing will be distributed or mailed to **the homes or business residents of the community**, then all mass mailing rules shall apply. Such rules include, among other requirements, that no names, photos, signatures, or references to or of elected officials be included except as authorized in applicable regulations. See FPPC Reg. 18901 attached hereto for details or contact the City Attorney's Office to review before City resources, including staff time for production of ceremonial letters or similar documents.
  3. Nothing in this policy, however, shall prevent any individual member of the Council from sending a letter composed, printed, and distributed entirely at his or her expense regardless of the number the same or substantially similar pieces distributed or mailed.

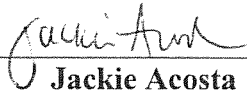
- D. Flyers by Councilmembers at Their Own Expense. Flyers which are not approved by the City Manager or by official action of the City Council, as described above, may be prepared by the individual councilmember, ***at his or her own expense***. No City resources may be used in connection with such flyers, which includes no assistance with distribution, copying, postage, handling of media inquiries, or receiving or processing RSVPs. The City Seal and/or City letterhead may not be used, however, the flyer may include the sender's title, such as "Councilmember \_\_\_\_\_" or "Mayor \_\_\_\_\_." The flyer must not imply that it is an official statement from the City.

### III. EXCEPTIONS

There shall be no exceptions to this policy, except through direct instructions of the City Council, at a public meeting in compliance with all notice and agenda requirements of the Brown Act.

### IV. AUTHORITY

City Council Agenda Item No. 40, dated August 6, 2013.  
Adopted on August 7, 2013 at 1:40 a.m.

  
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**Jackie Acosta**  
**Acting City Manager**

8-8-13

**Date**