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# B - ADVISORY BODY HANDBOOK – LEGISLATIVE DRAFT 2021.DOCX

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Prepared by the Office of the City Clerk  
Adopted by Resolution No. ~~XXXXX~~ (21 Series)  
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## Introduction

### City Council Vision Statement:

The City of San Luis Obispo is a dynamic community embracing its future while respecting its past with core values of civility, sustainability, diversity, inclusivity, regionalism, partnership, and resiliency.

Welcome to San Luis Obispo City Government!

The City Council and staff hope that this Advisory Body Handbook will answer many of your questions and provide you with fundamental information related to the responsibilities of the City's various advisory bodies.

Serving on one of the City Council's commissions, committees, or boards can be a fascinating and rewarding experience. These advisory bodies are charged with formulating new ideas, information gathering, receiving public testimony and comments, analyzing complex issues, and making recommendations on specific projects and broad policy - all toward helping the City Council make better-informed decisions.

As you may realize, it isn't always easy. Issues are often more complex than anticipated, public opinion can be sharply divided, questions may overlap, and sometimes the province of one body may also be the territory of another.

Much of the information in this Handbook comes from a variety of City policy documents, such as the City's Charter, Municipal Code, Financial Plan (or budget) and Council Policies and Procedures. In addition, State Law governs certain responsibilities of advisory body members. The material presented is intended to: 1) give interested persons an understanding of why the City's advisory bodies have been established and how they function within the overall governmental framework; and, 2) summarize the roles, relationships and responsibilities of each advisory body member. The Handbook is divided into six sections:

- Section 1: Advisory Body Basics
- Section 2: How City Government Works
- Section 3: How Advisory Bodies Work
- Section 4: The Brown Act
- Section 5: Tips for Being an Effective Member and Chair of an Advisory Body
- Section 6: Advisory Body Bylaws

Thank you for your interest in serving on one of our citizen advisory bodies and volunteering your time and skills to enhance our community.

## Section 1. Advisory Body Basics

### A. Background

San Luis Obispo has a long history of involving its citizens in the business of their City government. Advisory committees and commissions provide an opportunity for interested residents to participate in the governing of their community under guidelines and procedures established by the Council. Advisory bodies can improve the quality of City government by providing the Council with resources to make better-informed decisions. Because of the nature of various advisory bodies, they can serve as the “eyes and ears” of the Council for issues and matters that otherwise might not receive the attention they deserve. Other benefits of advisory bodies include improvement in the lines of communication between the public and the Council, greater opportunities for discussion of public issues, and more citizen involvement in City government.

There is considerable variety in the purpose, purview, or charge of these bodies. Some are required by State law or the Charter and are directed to guide certain City activities such as community planning or personnel affairs. Others have been created by the City Council to serve San Luis Obispo’s unique needs. Some bodies considered “technical” or “special purpose” have been formed to address defined subjects and frequently require members with specific areas of expertise.

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The authority of an advisory body will depend upon its specific (purview). Some have been delegated specific authority to approve or deny projects. Decisions made by an advisory body may be appealed to the Council. The Council may not always accept the recommendation of an advisory body because of additional information available or a need to balance the recommendation with policy or community priorities.

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Generally, advisory bodies are empowered only to make recommendations to the Council or to the City staff, unless specifically authorized by law or Council to do otherwise. Lastly, there should be two-way communication so that commissions are aware of the long-term goals Council has adopted, and the advisory body is able to present new ideas to the Council. Commission members are encouraged to attend Council meetings.

### B. Opportunities for Service

Interested individuals may apply for appointment to any of the following City bodies:

(T/SP) – denotes “technical or special-purpose”

(A) – denotes “advisory”

- Active Transportation Committee (T/SP)
- Administrative Review Board (T/SP)
- Architectural Review Commission (A)
- Citizens’ Revenue Enhancement Oversight Commission (T/SP)
- Construction Board of Appeals (T/SP)
- Cultural Heritage Committee (A)
- Housing Authority of San Luis Obispo (T/SP)
- Human Relations Commission (A)
- Jack House Committee (T/SP)
- Mass Transportation Committee (T/SP)

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- Parks & Recreation Commission (A)
- Personnel Board (A)
- Planning Commission (A)
- Promotional Coordinating Committee (A)
- Tourism Business Improvement District Board (T/SP)
- Tree Committee (T/SP)

There are opportunities for San Luis Obispo residents to serve on the following *City committee and regional bodies*:

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- Investment Oversight Committee (*City committee*)
- Central Coast Commission for Senior Citizens, Area Agency on Aging (*Regional body*)
- Citizens Transportation Advisory Committee (*Regional body*)
- Zone 9 Advisory Committee (*Regional body*)

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**Deleted:** , as set forth in the Investment Management Plan, this committee is responsible for reviewing the City's portfolio on an ongoing basis to determine compliance with the City's investment policies and for making recommendations to the City Treasurer (Finance Director regarding investment management practices.)

**Deleted:** In addition, there are opportunities for San Luis Obispo residents to serve on the following *regional bodies*: ¶

**Deleted:** (AAA), a non-profit organization responsible for allocating federal and state dollars to local agencies to insure that supportive, nutrition and health promotion services are available to older adults in San Luis Obispo and Santa Barbara Counties. ¶

**Deleted:** (CTAC), which provides citizen review and recommendations on agenda items to staff and COG Board. - provides citizen review and recommendations on matters considered by the County Council of Governments.

**Deleted:** San Luis Obispo County Flood Control and Water Conservation District ...

**Deleted:** , which was formed to assist the San Luis Obispo County Board of Supervisors on policy decisions relating to Zone 9. The Advisory Committee assists in determining the needs, desires, and financial capabilities of property owners in Zone 9. The Advisory Committee also recommends specific programs to alleviate and control flood damage, with recognition of the ecological and aesthetic values of the programs.

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### C. Membership Qualifications & Appointment Process

The City of San Luis Obispo encourages participation of a wide variety of its citizens through service on an advisory body. Unless specified, there are no special education, training or background requirements for appointment.

With the following exceptions, only residents who are registered voters within the City limits are eligible to apply to an advisory body. Exceptions include the Cultural Heritage Committee (CHC), Tourism Business Improvement District (TBID) Board, one representative from the TBID Board serving on the Promotional Coordinating Committee, the Cal Poly employee and student representatives serving on the Mass Transportation Committee, and members of the Housing Authority. In addition, part- or full-time City officials and management employees are not eligible to apply.

Note: Former members of the City Council may not be appointed to serve on an advisory body until one year after the expiration of their term of office. (Charter §409)

Basic elements of the City Council appointment process are as follows (*note that there are a few position appointments made by outside entities or from within an appointed body to serve on an additional body*):

1. How to Apply: Each person seeking appointment or reappointment to an advisory body shall obtain and file an application via the application program (NeoGov) administered by the Office of the City Clerk. Applications may be made for a vacancy that currently exists. Persons interested in positions without current vacancies are encouraged to file a "Job Interest Card" (select "Miscellaneous") in the NeoGov application program located under "Job Opportunities" on the City's website.
2. Interview prerequisite: Applicants shall read and become familiar with the contents of this handbook and are encouraged to attend at least one full meeting of the Advisory Body they are applying for.

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3. **Interview Process and Appointment Recommendation:** Applicants shall be interviewed by a Council Liaison Subcommittee (CLS) consisting of two Council Members. At the discretion of the CLS, interviews may be waived for those applicants designated by another agency or for applicants who have been interviewed previously for a vacancy on the same advisory body to which they've applied within the past year. The Chair or the Vice Chair of the advisory body is invited to participate in the interviews. The CLS will independently make the final nominee selection. If the Chair or the Vice Chair is unable to participate or is being considered for reappointment, another member who is available may attend. The CLS shall submit recommendations for appointment to the entire Council. If a unanimous decision by the Subcommittee for recommendation to the full Council cannot be reached, the Council shall take a separate motion for each candidate proposed by each member of the CLS.
4. **Application Disposition:** Applicants not appointed will be so advised and their applications held for no less than one year for consideration in the event of a future vacancy.
5. **Limitations:** As a general policy, an applicant shall not be appointed to serve on more than one advisory body except that a member may also serve on one technical or special-purpose committee at the same time. Unless excepted as previously stated, if an applicant is appointed to another advisory body, they must immediately resign from one body upon being appointed to another.
6. **Council Liaison:** Council liaisons to advisory bodies (i.e., the CLS) are selected annually by the full Council, usually in December or early January. The Mayor and Vice Mayor shall submit recommendations to the full Council and rotate nominations for Council Liaison Subcommittees to provide an opportunity for each member to serve as a liaison at least once on each advisory body when possible. When terms of office do not allow each member to serve once, members with greatest seniority shall have first right of selection. Automatic rotation for the technical and regional committees is not always followed, allowing Council Members to develop a higher level of expertise for some of the more complex committees, as well as continuity where appropriate.

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#### D. Oath of Office

Following appointment and usually at the next meeting of the advisory body, the City Clerk, or designee, will administer the Oath of Office pursuant to the City Charter. The Oath may also be administered in the Office of the City Clerk. During declared emergencies, Oaths may be administered in a manner consistent with other group communication accepted during the emergency, such as teleconference or videoconference. The Oath of office need not be done for consecutive appointments to the same advisory body.

#### E. Orientation

After the appointments are made by the Council, new appointees will be given a resource manual to be provided by their staff liaison which will include a variety of introductory references to assist them in becoming more fully knowledgeable about City government. The department serving as staff support to a particular advisory body will coordinate and conduct an orientation with new appointees. Before or during that orientation, support staff will provide relevant documentation and background information about the specific advisory body upon which the new appointee shall serve.

## F. Training

The City Clerk's Office and the City Attorney's Office conducts a training every two years to review Conflict of Interest laws, Brown Act regulations, and best practices for meeting management. Newly-appointed members are encouraged to view archived recordings of the training available on the City's website and to communicate any questions they may have to the City or City Attorney.

## G. Term of Office – Advisory Body Members

Unless otherwise noted in the Advisory Body Bylaws, the full term of office will be four years unless dictated otherwise by an alternate authority as reflected in the specific body bylaws. The length of a term is dictated by the principle that no more than two terms on any committee will expire each year. This rule ensures continuity for all committees. Annual appointments commence on April 1<sup>st</sup> for all bodies except the Area Agency on Aging, the Citizens' Revenue Enhancement Oversight Commission, and the ASI representative for the Mass Transportation Committee (see specific body bylaws for details). Appointments to unexpired terms begin the day following the appointment confirmation date by City Council action. No appointee shall serve on the same advisory body for more than two consecutive full terms, but may subsequently serve on another advisory body unless noted otherwise. Exceptions to the consecutive terms rule include the Construction Board of Appeals, Citizen Transportation Committee, Housing Authority Board, Jack House Committee, and Zone 9. The Council may also determine that a subsequent consecutive term may be held if no additional qualified candidates are found.

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A mid-term appointment to a vacant seat on an advisory body shall not preclude the appointee from serving two additional consecutive full terms, provided that the initial, partial term served is less than half of a full term. Appointments made with less than one-year left in the term may be considered for re-appointment without a new application and interview, at the discretion of the City Council sub-committee members assigned to the advisory body.

## H. Officer Election and Officer Terms *(Note for reviewers to be deleted for final version - This had been called "Functional Review" and was in Section 3: How Advisory Bodys Work, in the last version of the handbook.)*

1. Election: Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.

2. Terms of Office: The term of office of a chairperson or vice chairperson shall be two years, commencing upon election. No person shall serve as chairperson or vice chairperson for consecutive terms except if noted below. They may serve consecutive terms in different offices (e.g. Vice Chair, then Chair)

Completion of a partial term of office as chairperson or vice chairperson shall not preclude an advisory body member from serving an additional consecutive full term, provided that the partial term served is less than one year, one half of the allowed term.



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**I. Removal from Office**

Members of advisory bodies serve at the pleasure of the Council and may be removed without cause by Council action in an open public meeting.

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**J. Vacancies**

Seats become vacant in two ways; they either expire at the end of the term or an “unscheduled” vacancy occurs when a member resigns during a term. The City Clerk’s Office will advertise in accordance with statutory requirements and a subsequent appointment shall be made consistent with the provisions set forth in Section C, above.

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**K. Conflict of Interest and Ethics**

1. The duties of an advisory body member shall be performed in good faith and in a manner which the member believes to be in the best interest of the City.
2. It is improper for any member of an advisory body to utilize, for personal pecuniary gain or in an otherwise self-dealing manner, any information which is received by reason of said membership and is not a matter of public record.
3. No member of an advisory body shall have a material financial interest in any contract or other transaction involving that advisory body. The member shall promptly disclose such interest in any proposed activity of the advisory body and shall not participate in any related deliberations or actions of that body, nor vote on the matter.
4. Potential conflicts of interest may arise when an advisory body member serves on another board within the community and there is a clash of duties between the two positions, e.g. when one board exercises supervisory, auditory, or removal powers over the other.
5. **Statement of Economic Interest:** The Political Reform Act of 1974, as amended (Government Code sections 81000-91014) and the City’s Conflict of Interest Code; (Resolution No. **11163** **(2020 Series)** **require certain elected and appointed officials and designated employees to disclose certain personal financial holdings.** Most of the City’s advisory bodies are **solely** advisory, meaning that final decisions are made by the City Council, and therefore are not required to file Statements of Economic Interest (Form 700).

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The following committees/commissions have limited decision-making authority therefore, they are required to file Statements of Economic Interest (Form 700) with the Office of the City Clerk.

- Administrative Review Board
- Architectural Review Commission
- Construction Board of Appeals
- Cultural Heritage Committee
- Housing Authority of San Luis Obispo
- Human Relations Committee
- Investment Oversight Committee
- Planning Commission
- Promotional Coordinating Committee

Filing dates for Statement of Economic Interest (Form 700) are mandated by State law and are as follows:

- Assuming Office Statement – Must be filed within 30 days of taking office.
- Annual Statements – Must be filed by April 1st of each year.
- Leaving Office Statement – Must be filed within 30 days of leaving office.

Please Note: The City Council has adopted a late fine policy pursuant to State law (December 13, 2016). A late fee of \$10.00 per day may be assessed for filing late. In addition, failure to file timely or not at all may be grounds for removal, so it is important to comply with the filing requirements and associated deadlines. Prior to removal, the City Clerk may suspend a member from an Advisory Body for failure to file; when they are at least 60 days delinquent and have been adequately notified of the delinquency. The City Clerk shall notify the City Council sub-committee for the Advisory Body of this action. If no action to file is taken by the Advisory Body member, the City Clerk shall recommend to the City Council that the member to removed. If and when the member completes the required filing, the suspension will be immediately lifted.

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6. Ethics Training: The following advisory body members and Staff Liaisons are required to complete two hours of ethics training pursuant to State Law within one year of assuming office, and further to renew this training at least once every two years thereafter. The original proof of participation certificate, awarded after completion of the training, must be provided to the City Clerk via electronic filing.

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- Architectural Review Commission
- Housing Authority
- Planning Commission
- Tourism Business Improvement District
- Primary Staff Liaisons to the Above

Failure to timely complete the required training or not at all may be grounds for removal, so it is important to comply with the training requirements and associated deadlines. Prior to removal, the City Clerk may suspend a member from an Advisory Body for failure to complete the training; when they are at least 60 days delinquent and have been adequately notified of the delinquency. The City Clerk shall notify the City Council sub-committee for the Advisory Body of this action. If no action to file is taken by the Advisory Body member, the City Clerk shall recommend to the City Council that the member to removed. If and when the member completes the required training, the suspension will be immediately lifted.

7. Individual advisory body members should avoid making public comments on Council actions or public policies that might appear to represent the official position of their advisory body. Advisory body actions, with the voting of each member, are conveyed to the Council in the form of official minutes or by resolution. The chairperson of an advisory body is the spokesperson for the advisory body.
8. Questions regarding possible ethical issues or conflicts of interest should be reviewed with the chairperson, City Attorney, or City Clerk, as appropriate under the circumstances, in advance of the subject meeting or discussion.

### **L. Awards and Recognition**

The City Council values and appreciates each citizen who volunteers his/her time and energy to serving the City on an advisory body. An annual appreciation event hosted by the City Council is one way in which appreciation is expressed for all advisory body members. When a member terminates service on an advisory body, the Council will recognize that member's contribution to the City through an appropriate expression of appreciation. If that advisory body wishes to make its own presentation to an outgoing member, the chairperson shall communicate with the City Clerk in order to avoid duplication of awards.

## Section 2. How City Government Works

### A. City Charter

San Luis Obispo is a "charter" City as contrasted to a "general law" City. Under California law, the authority of a general law City is derived only from the powers granted to it by the general laws adopted by the State Legislature pertaining to the organization and operation of a municipality, and from the police power granted to it by the State Constitution. On the other hand, a charter City's power is not defined or limited by the State's general laws. Instead, with respect to municipal affairs, a charter City's powers are defined by the City's own charter, subject only to the limitations of the State Constitution. As a result, charter cities usually have more operational latitude than do the more prevalent general law cities. A charter serves as the City's "constitution" and may only be amended by a vote of the people.

San Luis Obispo's Charter was first adopted on May 1, 1876, and has been amended by popular vote on several subsequent occasions. In 1955, the Charter was amended to approve a Council-Mayor-City Manager form of government. The City's organizational structure is outlined in the chart on the following page.

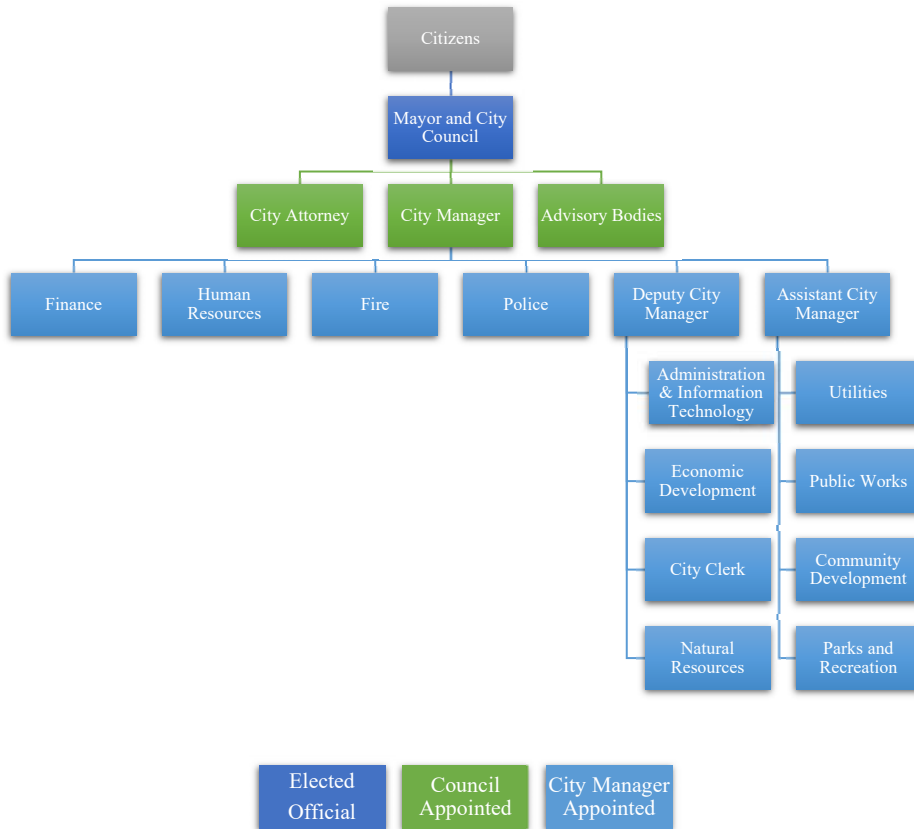
### B. City Council

The City Charter provides for an elected, five-member City Council as the governing body of the City. Four Council Members serve staggered four-year terms (two are elected every two years). The fifth member is the Mayor who is elected for a two-year term. City Council elections are held in November of even numbered years. Regular Council meetings are held on the first and third Tuesdays of each month in the Council Chamber at City Hall. In addition, special meetings and study sessions are held from time to time as the need arises. The Mayor is the official spokesperson for the Council.

The Council has the power to make and enforce all laws and regulations relating to municipal affairs, subject to the limitations of the City Charter, the United States and California Constitutions, and certain state statutes.

Final decisions on City taxes and fees, budgets, City policies including the General Plan and land use issues, and other matters are made by the City Council.

## C. City Organization



As shown on the Organizational Chart, the City Council is directly responsible to the citizens for the operation and well-being of the City. To carry out these responsibilities, the Council relies on:

1. The administrative skills of a City Manager
2. The legal advice of a City Attorney
3. The citizen advice rendered by advisory commissions, committees, and boards.

#### D. Council-Appointed Officers

**City Manager:** The City Charter requires the Council to appoint an executive to run the City's day-to-day operations. The City Manager is appointed by and directly responsible to the Council for all City activities. The nine operational departments, through their directors or chiefs, are responsible to the City Manager.

**City Attorney:** The City Attorney provides legal services and advice to the Council, the City Manager, departmental staff, advisory bodies and other City agencies or officials. The City Attorney represents the City in court, prepares ordinances and other legal documents, and prosecutes cases involving violations of City laws. The City Attorney is appointed by, and is directly responsible to, the Council.

#### E. City Departments

The following departments are directly responsible to the City Manager.

**Administration:** The Administration Department is responsible for providing information and recommendations to the Council, implementing Council policies, and guiding the day-to-day operations of the City. In addition, the City Clerk, Economic Development, Natural Resources and Cultural Activities programs are carried out by staff in the Administration Department, under the supervision of the Assistant City Manager. The City Clerk provides a full range of services for the City Council, including preparation of the minutes, codifying ordinances, and conducting elections. The City Clerk also administers the advisory body appointment process. Economic Development provides staff support for two City advisory bodies, including the Promotional Coordinating Committee and the Tourism Business Improvement Board. The Natural Resources Program frequently makes presentations and seeks concurrence and recommendations from the Parks and Recreation Commission and the Planning Commission regarding conservation plans for City-owned open space areas.

**Community Development:** The Community Development Department has four divisions, all under the direction of the Community Development Director who is appointed by, and is responsible to, the City Manager. The Long Range Planning Division is responsible for the preparation, maintenance, and implementation of the City's General Plan and its various elements. The Development Review Division assists the community with land use issues, evaluates all types of development applications, and maintains the City's development regulations. The Building and Safety Division administers state and local building codes and is responsible for ensuring safe and sound public and private construction. The Division is responsible for the enforcement of municipal, zoning and property maintenance requirements, State Housing and Building Codes, and State and Federal regulations pertaining to disabled accessibility. The Division issues building permits, reviews and approves building plans, and performs inspections of construction projects to insure code conformity. The Administration Division provides management and support for the three other divisions and is responsible for database and records management, organization development, human resource management, budgeting and resource allocation, contract and securities management, citywide addressing, committee and commission support, public Information and support services.

**Finance:** The Finance Department is responsible for billing and collecting all monies owed to the city which includes water and wastewater charges, business license fees and transient occupancy taxes. The department also processes payroll bi-weekly for all city employees and processes weekly payments to its vendors. The department also manages the City's investments, provides centralized accounting, prepares all financial reports and develops the city's short and long-term financial plans. Under the Charter provision that allows for combining positions, it is the City's longstanding policy that whomever the City Manager appoints as the Director of Finance also serves as City Treasurer. The Department's goals are: developing and implementing efficient and effective financial policies, plans and reporting systems that help the operating departments achieve their objectives and assure the City's long-term fiscal health; customer service and public access to City information; and providing quality service to all of the department's customers-both external and internal to the organization.

**Fire:** The San Luis Obispo City Fire Department is a progressive all-hazards, community-focused organization. Operating from four fire stations located throughout the City to decrease response times, highly trained fire companies respond rapidly and with compassion to help citizens, visitors, and business owners in need. While running in to burning buildings to save lives and property is a vital part of our tradition that lives on today, San Luis Obispo City responders are cross trained as paramedic to provide advanced life support; as hazardous materials technicians to mitigate dangerous leaks and spills; as urban search and rescue technicians to rescue people from trails, peaks, waterways, and industrial accidents; and as wild land firefighting experts to protect our community and preserve our beautiful coastal environment. These same responders partner with the department's Fire Prevention staff to ensure buildings are constructed and maintained with citizen safety in mind and that fires are investigated to determine cause and prevent further loss. Fire Department members are also active in the community in an education role, regularly interacting with business owners and managers, children, and at-risk populations.

**Human Resources:** The Human Resources Department conducts a comprehensive personnel management program to attract and retain competent City employees. The Director is responsible for recruiting, testing, classifying, evaluating and training employees, evaluating employee salaries, administering the City's Personnel Rules and Regulations and Work Force Diversity Program, and directing the City's Risk Management Program. The Director of Human Resources is appointed by, and is responsible to, the City Manager.

**Information Technology:** Information Technology is responsible for managing information technology operations such as the City's fiber optic network, data file servers, fixed and mobile computer workstations, fixed and mobile telephones along with multiple radio systems. An extensive Geographic Information System (GIS), a utility services supervisory control and data acquisition (SCADA) system, and highly functional data base systems are also provided and maintained by the Department as services to other departments and the public. The Department's goals are: protecting the City's technology assets from unauthorized use; effectively using the City's information technology resources in improving productivity, customer service and public access to City information; and partnering to provide excellent service to our community by connecting people to information and technology solutions.

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**Parks & Recreation:** The Parks & Recreation Department programs recreational activities in City parks, facilities and open space. It consists of the following divisions: Administration, Facilities/Aquatics; the Laguna Lake Golf Course; Ranger Services; Recreational Sports; Community Services and Events and Youth Services. The Department serves all ages and abilities from young children to teens to boomers and seniors. Recreational activities range from after school childcare at local schools to the use of the Damon Garcia Sports fields to a range of activities at the Senior Center. The department facilitates contract classes, special events, the City's Public Art and Community Garden programs and the Santa Rosa Skate Park for local residents use and enjoyment. The department mission is to enhance and promote personal well-being and a sense of community. With the assistance of the Parks and Recreation Commission the Department evaluates the City's policies for open space, parks and recreational facilities and actively seeks state and federal grants to help pay for projects consistent with the Parks and Recreation Element of the General Plan.

**Police:** The Police Department has primary jurisdiction for the enforcement of state law within City of San Luis Obispo as well as certain ordinances included in the City's municipal code. Additionally, the Police Department implements and manages programs designed to reduce crime, and partners with other City departments, government entities, stakeholder groups, and individual citizens to protect the quality of life in San Luis Obispo. This department is under the direction of the Chief of Police who is appointed by, and is responsible to, the City Manager.

**Public Works:** The Public Works Department is responsible for two primary areas, Managing the Transportation Network and Building and Maintaining Public Infrastructure. Managing the Transportation Network, the Department is responsible for several elements which include: traffic signals and signage, traffic safety, traffic studies, traffic calming, street construction and maintenance, sidewalk maintenance, transportation and bike planning, bike facility development, bike parking, parking meters on-street, in public surface lots, and in three current structures, neighborhood parking districts, SLO Transit system, including buses, shelters and other transit facilities and bridges. Building and Maintaining Public Infrastructure includes; parks, street lights, urban forest, landscaped areas, storm water and flood control facilities, private development review and inspection, City buildings and facilities and City fleet. Several programs carry out the work of the Department, and the department is managed by the Public Works Director, who is appointed by, and is responsible to, the City Manager.

**Utilities:** The Utilities Department provides essential services that support the community's health, well-being, and quality of life. With an ethic of being efficient stewards of the community's resources and environment, the department treats and distributes the community's potable water and then collects, treats, and recycles the wastewater for beneficial uses. It believes in a culture of employee development, empowerment, innovation, and creativity. Its goal is to be a valued partner in ensuring the public health and safety of our community. The Utilities Department also manages the solid waste service franchise provided by San Luis Garbage Company.



## Section 3. How Advisory Bodies Work

### A. Council Liaison Members

Each year the Council selects two of its members to be “Liaison Members” to each advisory body. The primary responsibility of these subcommittees is to review applications of citizens who would like to serve on a particular advisory body and thereafter hold interview sessions and make recommendations to the full Council for final appointment.

These Council Liaison members can be called upon to facilitate the flow of information between the Council and that advisory body. From time to time they may attend advisory body meetings.

### B. Bylaws and Procedures

1. **Bylaws:** Each advisory body has approved bylaws that set forth procedures, purpose, and purview, specific functions, meetings, officers, budget, etc. (Charter, Article XII, Section 1204). By May 1st of each odd-numbered year, the bylaws of each advisory body shall be reviewed by that body. Any proposed changes shall be submitted to the Council through the City Clerk for approval. If no changes are proposed, a report of the review shall be submitted.
2. **Code of Ethics:** Each body shall be governed by the City’s adopted Code of Ethics (established by Resolution No. 8313 [1994 Series], with training requirements set forth by Resolution No. 10432 [2013 Series] to comply with AB 1234).
3. **Parliamentary Procedures:** All advisory body meetings shall be conducted in accordance with City practices and policies. Robert’s Rules of Order, Newly Revised, shall also be used as a guide in conducting meetings. Questions should be directed to the appropriate City staff. A quorum is the majority (more than half) of the total number of established members of the committee.
4. **Meetings:** All regular meetings shall be held at the established time and place set for that body, unless a change is approved by Council. Unless otherwise noted in a specific Advisory Body’s bylaws, meetings shall be completed no later than 11:00 p.m. unless a majority of the body elects to continue past the adjournment hour. If the body has not concluded its business, they will review the balance of the agenda and determine whether to extend the meeting beyond the hour of 11:00 p.m., continue any remaining items, or adjourn the meeting to another date and time.
5. **Events:** Council may hold an event from time to time to recognize advisory body members. (See also Section 1 K). Special meetings may be held pursuant to State Law (see Section 4, The Brown Act).
6. **Meetings are recorded:** Planning Commission meetings are video-recorded. All other advisory body meetings shall be at minimum audio-recorded. Recordings shall be retained in accordance with the City’s approved Records Retention Schedule.
7. **Action Minutes:** The recording secretary for each advisory body shall record the official actions taken. Minutes shall be prepared and retained permanently in an “action minutes” format in accordance with Council policy (Resolution No. 5304 (1984 Series)).

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8. Correspondence from the Public: Written correspondence received from members of the public regarding any agenda item are retained as part of the official record of the meeting. Consistent with City Council practice, citizens are encouraged to present written comments (including emails) at least one day prior to the meeting. This provides advisory bodies with a greater opportunity to review and consider issues and/or concerns expressed in written communications prior to a meeting. (See Section 5 I. “Public Records Act and Public Records Retention” on page 29 for more information about records, including emails).
9. Public Comments on Agenda Items: Consistent with City Council practice for receiving public testimony on agenda items (with the exception of certain types of public hearings), advisory bodies are encouraged to limit public comments to three (3) minutes per speaker to ensure that everyone who wishes to be heard has the opportunity to do so. Additionally, consistent with Council Policies and Procedures, applications or appeals being heard by an appropriate advisory body shall be given ten (10) minutes total speaking time (applicant may wish to hold time for rebuttal arguments). The Chair, with the consensus of the advisory body, may allow additional brief testimony from speakers who have already commented on the same agenda item; however, speakers shall not be allowed to yield their time to another speaker.

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### C. Continuity of Work and New Ideas

1. Continuity: There exists a pattern of continuing work for every advisory body in order that the needs of the community are served in a thoughtful yet expeditious manner. Advisory body chairpersons and the assigned professional staff are the responsible parties for establishing an even flow of work. New members to advisory bodies are expected to familiarize themselves with the workload. Normally, it will take new members a bit of time to develop a full understanding of their new work and confidence in their decision-making abilities. Staff members can be helpful with questions.
2. New Ideas: Advisory body members should view themselves as an extension of the abilities of the Council and staff to see and hear matters of importance in our community. Sometimes old policies and established ways of doing things need to be changed. Sometimes fresh ideas need to be given a trial. How does the process of developing a new “idea” work?
  - a. Test the idea on friends; are reactions favorable?
  - b. Bring the idea to your advisory body under the portion of your agenda where individual member comments on items not on the agenda are entertained. If fellow members react favorably; the idea should be formalized in written form.
  - c. At this point, the “cost” of the idea in terms of staff time and dollars must be evaluated. If staff sees the cost to be minor and the impact on City operations to be negligible, the idea can be agendized, discussed publicly and a final decision can be made for a recommendation to the City Council.
  - d. Should the “cost” in staff time and money be deemed high, then the Council should be properly informed and budgeting and staff time approved before further action is taken by the advisory body.

A good time for advancing new ideas is during the Financial Plan and City Goal Setting process, when advisory bodies are actively encouraged to offer such suggestions to the Council, as most of the resource decisions are made at that time.

#### D. Communications

1. Written Reports: Advisory bodies are occasionally requested to make special reports or recommendations to the Council on specific subjects. The Council may make this request in writing, with specific direction as to the approach, scope, and schedule for the study desired. These recommendations often play a major role in assisting the Council to reach a final decision on important issues.
  - a. Any recommendation or report from an advisory body is required to be in written form. If the matter is to appear on the Council agenda, the report must be submitted to the City Clerk no later than two weeks prior to the Council meeting at which the report is to be considered. This report becomes part of the record and is forwarded to each Council Member for review in advance of public consideration.
  - b. Some advisory bodies may receive study or action requests from citizens or groups. These requests should also be presented in writing to the advisory body, which will then determine if the committee wishes to pursue that particular issue. The committee shall advise the Council of the request and the body's determination for action.
2. Goals/Budget: Each advisory body shall prepare proposed major City Goals and Objectives in a manner established by the City Manager. The advisory body chairperson will be responsible for speaking to this proposal when the Council conducts its goal setting in study session. The City Manager will notify the chairperson of time and place of such Council review. More detailed budget proposals will be made through advisory body staff, consistent with the budget schedule and process.
3. Statements: An advisory body does not have authority to speak for the City. If the body wishes to recommend that a statement be made, such as a letter written to state a position, it shall be submitted to and receive approval of the Council.
4. Public Forums and Surveys: An advisory body shall not sponsor or co-sponsor a public forum, meeting or survey without the prior approval of the Council.
5. Personal Testimony: If a member of an advisory body appears before the Council (or another advisory body) in a capacity other than as representative of his/her body, it should be explained in advance that any statements made are not to be construed as representing the opinions or recommendations of the advisory body.
6. Changes: Changes in a member's address or telephone number, and the names of new officers, shall be submitted to the City Clerk and advisory body staff liaison as soon as possible.
7. Quarterly Meetings: The Mayor shall meet quarterly with the chairpersons of all advisory bodies. The purpose shall be for informational updates and to encourage communication. Quarterly written reports shall be submitted at this meeting and are shared with all Council Members. The chairperson shall report back to the full committee at the next regular meeting.
8. Annual Report: Each advisory body is required by the Charter to submit to the Council by May 1st an annual report describing its activities and evaluating its progress for the year (Charter, Article XII, Section 1205). To provide more timely information to the Council, most

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Committees submit reports at the Mayor/Advisory Body Chairs Quarterly Meetings throughout the year, thereby fulfilling the Charter requirement.

#### E. Role of City Staff Persons and Advisory Body Members

Staff support and assistance is provided, but advisory bodies do not have supervisory authority over City employees. While they may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and ultimately to the City Manager and Council. The advisory body members are responsible for the functions of the advisory body and the chairperson is responsible for committee compliance with the policies outlined in this handbook.

Staff support includes preparation of a summary agenda subject to approval by the chairperson, and preparation of agenda reports providing a brief background of the issue, a list of alternatives, recommendations and appropriate backup material, as necessary. Staff will assist advisory bodies in the conduct of public meetings and ensure that the business listed on the agenda is addressed. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues involved. Best practices dictate that when an advisory body member has significant questions (i.e. insufficient information has been provided to reach a decision), that they reach out to staff in advance of the meeting so that any clarification provided by staff may be shared with all advisory body members and the public in advance of the meeting.

The recording secretary for each advisory body insures that ~~the meeting~~ is electronically recorded ~~(audio or video)~~ and action minutes are taken as needed.

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It is important that recommendations the advisory bodies wish to communicate to the City Council are made through adopted or approved Council agenda procedures. Staff members shall assist the advisory body chair to insure appropriate legal review or City and state legislation is complied with.

#### F. Absences, Leaves of Absence, and Resignations

1. Attendance: If an advisory body member fails, for any reason, to attend three consecutive regular meetings or a total of six regular meetings within any twelve-month period, that member shall automatically be considered for replacement. The chairperson of the advisory body shall inform the Council, through the City Clerk, of such a situation, explaining any extenuating circumstances resulting in the absences.
2. Absences: There shall be no “excused” absences. Because of quorum requirements, when an absence is anticipated, the individual advisory body member is responsible for notifying the chairperson or the secretary in advance and the absence shall be counted in that member’s attendance record.
3. Leaves of Absence: Leaves of absence are not granted to advisory body members except under very unusual circumstances and when authorized in advance by the Council. To request a Leave of Absence the advisory body member shall submit a letter directed to the Council through the City Clerk stating the reason for the request along with the effective date range of the request, with a copy forwarded to the chairperson of the advisory body. The City Clerk will agendize the request for Council action at the soonest possible City Council meeting.

4. Resignation: In the event a member finds it necessary to resign from an advisory body, a letter of resignation stating the effective date of the resignation shall be immediately directed to the Council through the City Clerk, with a copy forwarded to the chairperson of the advisory body.

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**Election:** When possible, in April, each advisory body, at its regular meeting, shall elect a chairperson and a vice chairperson.¶

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**Terms of Office:** The term of office of a chairperson or vice chairperson shall be one year, commencing upon election. No person shall serve as chairperson or vice chairperson for more than two consecutive terms except if noted elsewhere under specific boards and commissions.¶

¶

Completion of a partial term of office as chairperson or vice chairperson shall not preclude an advisory body member from serving two additional consecutive full terms, provided that the partial term served is less than one year.¶

## Section 4. The Brown Act

### A. Overview

The State Legislature has declared that the actions of public bodies be taken openly and that their deliberations be conducted openly. California's Ralph M. Brown Act (found in the Government Code Section 54950 through 54961), also known as the "open meeting law," applies to all advisory bodies, and requires that they:

1. Meet within the jurisdictional limits of the City.
2. Post the agenda at least 72 hours before a regular meeting containing a brief general description of each item of business to be transacted or discussed.
3. Hold open and public meetings.
4. Give notice of the meetings to any requesting party at least 24 hours prior to the meeting.
5. Provide in bylaws or rules for time and place of regular meetings, if regular meetings are to be held.

A meeting is defined as a gathering of a majority (quorum) of the advisory body for the purpose of discussing items before the body or conducting other business of the body. It is important to understand that the Brown Act generally prohibits any action or discussion of items not on the posted agenda. There are special posting requirements for advisory body agendas:

- Regular Meetings – 72 hours in advance
- Special Meetings – 24 hours in advance
- Adjourned Meetings – a regular or special meeting may be adjourned to a specific time and place (usually to continue a public hearing or other business). A special notice is required and should be posted within 24 hours of adjournment.

### B. Brown Act Provides for Public Comments

The Brown Act mandates that regular meeting agendas allow for two types of public comment periods. The first is a general audience comment period, where the public can comment on any item of interest that is within subject matter jurisdiction of the local agency and that is not listed on the posted agenda. This general audience comment period may come at any time during a meeting (§54954.3).

The second type of public comment period is the specific comment period pertaining to items on the advisory body's agenda. The Brown Act requires that the advisory body allow these specific comment periods on agenda items to occur prior to or during the advisory body's consideration of that item (§54954.3), including consent calendar items.

**Public Comments at Special Meetings:** The Brown Act requires that agendas for special meetings provide an opportunity for members of the public to speak about any item listed on the agenda prior to the advisory body's consideration of that item (§54954.3). Therefore, for special meetings, advisory bodies must allow public comments for items on the agenda, however (unlike regular meetings), a public comment period for items not on the agenda is not required.



Limitations on Length and Content of Public's Comments: The Brown Act allows a legislative body to adopt reasonable regulations limiting total amount of time allocated for public testimony. In San Luis Obispo, the typical time limit for speakers is three (3) minutes.

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It is not permissible to prohibit public criticism of policies, procedures, programs, or services of the City or acts or omissions of the City (§54954.3(c)). This does not mean that a member of the public may speak on "anything." If the topic is not within the subject matter jurisdiction of the advisory body, the Chair should remind the speaker to direct his/her comments to only those subjects within the advisory body's purview.

### C. Common Questions about the Brown Act

The following is intended to give advisory body members a broad understanding of the Brown Act. Please consult with the staff liaison, the City Clerk, or the City Attorney for more specifics.

#### 1. What are serial meetings?

A serial meeting is any direct communication amongst a majority of the members, outside of a meeting, to develop a collective concurrence as to action to be taken on an item by the members. Serial meetings are strictly prohibited by the Brown Act.

Even though a majority of members never gather in a room at the same time, a Brown Act violation may occur if ideas are exchanged among the majority by going through any person acting as an intermediary (including staff), and/or through the use of a technological devices, e.g. telephone answering machine, computer email, or voice mail.

#### 2. What are some examples of serial meetings?

The most common example of a serial meeting is when "Member A" calls "Member B" and then "Member B" calls "Member C," and so on to share ideas among a majority of the advisory body.

Another example: A member of a five-member advisory body receives a letter regarding City business and writes a note on that letter that says "I agree," and then provides a copy of the letter to two other members.

Email can also be troublesome. Here's an example of how easy it can be to unintentionally conduct a serial meeting: A staff member sends out via email a document in draft form for review by the advisory body prior to a meeting. "Member A" recommends to staff a revision and copies fellow advisory body members. "Member B" disagrees with the proposed change and others begin to "weigh in" on the subject.

#### 3. This seems restrictive... aren't there any exceptions?

Of course, prohibition against serial meetings does not prohibit all communication between individuals regarding City business. The Brown Act only prohibits use of serial meetings for the purpose of "developing a collective concurrence" concerning an issue. This does not prohibit a staff person from "briefing" members provided that the briefing is limited to

furnishing information, and the staff person does not solicit opinions concerning an appropriate course of action for City and then share them among the members.

#### 4. What's a Quorum?

A quorum is the majority (more than half) of the total number of established members of the committee. A quorum must be present for any business discussion or action to take place. A quorum must be present for the duration of a meeting. If a member leaves during the meeting, resulting in the lack of a quorum, no further business may be conducted and the meeting must be adjourned.

If vacancies exist on the advisory body, those vacant positions still count towards the quorum. For example, if one seat is vacant on a five-member body, and two members are absent there is not a quorum.

#### 5. What are some exceptions to the Brown Act?

Advisory body members may attend and/or participate in the following as long as a majority of the members do not discuss amongst themselves matters that are within the subject jurisdiction of the advisory body:

- Informational or educational workshops or conferences
- Community meetings, such as town hall meetings, workshops, forums, etc. not sponsored by the advisory body
- A meeting of another body of the local agency
- Social or ceremonial events.

#### 6. Can an advisory body conduct a retreat?

“Team building” or “goal setting” retreats may be held, but they must be held within the City, be properly noticed, and be open to the public.

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## Section 5. Tips for Being an Effective Advisory Body Member

### A. Understanding Your Role and Scope of Responsibility

After appointment by the Council, the City staff member designated to serve in support of your advisory body will schedule an orientation appointment with you and provide materials maintained by the City Clerk, including this handbook, which are useful or the roll of an advisory body member. This is your chance to learn more about City government and the scope of responsibility (purview) of the advisory body to which you have been appointed. In addition to reading this Handbook (which will answer many of your questions), start preparing for your new role by:

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1. Reviewing the City's Mission Statement, Organizational Values, and your advisory body by-laws.
2. Reading the other information provided to you in your orientation about the City and your specific advisory body.
3. Getting to know fellow advisory body members and staff. Learn the history and "language" of your advisory body. Ask about upcoming issues.
4. Considering meeting with the Chair of your advisory body and/or a Council Liaison to learn more about your role and to understand expectations. This will help you focus in on the "big picture" and how you fit in.
5. Becoming familiar with basic meeting management and diplomatic decision-making procedures.
6. Attending training programs and workshops offered to you by the City.

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### B. Prepare Ahead for Meetings

Most citizens understand when they apply to serve on an advisory body that they will be making a commitment of time to attend meetings, but many are often surprised by the amount of time it takes to prepare properly for a meeting. Being prepared is key to making good decisions and will strengthen the value of your advisory body's recommendations.

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1. Do your homework! This involves setting enough time aside to review thoroughly and consider the entire agenda packet.
2. When you receive your agenda packet, read it carefully. Be prepared to discuss fully, evaluate, and act on all matters scheduled for consideration. Think about:
  - a. The number of items.
  - b. Those items that may be controversial.
  - c. Difficult procedural items.
  - d. Issues you know little about.

3. Visit any sites or facilities that will help you understand the issues.
4. Start a list of questions for staff.
5. Call or meet with staff before the meeting to learn more, if need be. Getting more information ahead of time may make your decision-making easier and help move the meeting. Your questions may also alert staff to issues that others may also be pondering. Advance knowledge assists staff with preparing oral reports and adequately addressing the issues during the meeting.
6. Show up on time and be ready to work. (It's also helpful to be well rested!)

### C. Develop Positive Relationships

Being selected by the City Council to serve on an advisory body is a high honor and provides a unique opportunity for genuine public service. Open, honest and supportive relationships with the City Council, with City staff and fellow members of your advisory body will ensure your success and effectiveness.

1. The proper channel to contact City staff on items of consideration is through the designated City staff person providing support to your advisory body.
2. Demonstrate respect to your fellow advisory body members by being a good listener, by communicating honestly, and by being dependable.
3. Adopt a positive attitude and become a problem-solver.
4. If you have a new idea, propose it to the group as a whole. (See also Section 3.C.2, Continuity of Work and New Ideas.)
5. If friction develops, individuals should make every attempt to clarify differences and make certain that clear communication is taking place. The public meeting should not be used to express anger or disagreement.
6. If differences cannot be resolved, consider consulting with the appropriate individual/s next in line in the "chain of command": 1) Staff Liaison or Chair, 2) the Department Head, 3) City Manager or Council Liaison.

#### D. Encourage and Honor Public Participation

Some advisory body meetings are well attended by the public and others are not. Nevertheless, it's important to remember that everyone is entitled to his or her own opinions.

Some members of the public are quite used to speaking before a public body, but most are not. Individuals may address the advisory body to either present an issue or concern, or to speak for or against an item. This may be the first time they have ever done this, and they may find the experience intimidating. Anxiety can be expressed in a variety of ways, including aggressiveness or forgetfulness, so be patient and remember to:

1. Be fair and consistent.
2. Pay attention to all speakers and actively listen to what they are saying.
3. Ask questions for clarification, but avoid debate or "cross-examining."
4. Be sure that your body language is not sending mixed or negative messages.
5. See also this section H: Special Tips for the chairperson.

#### E. Respect Individual Viewpoints

Although it may seem like this tip could simply go unsaid, it is important to remember it (especially when you feel very strongly about a matter): Treat fellow members of your advisory body, staff, and the public with respect and courtesy at all times.

1. Allow others time to present their views fully.
2. Actively listen and seek to understand.
3. Avoid interrupting others.
4. Be open to new ideas.
5. Explore alternatives.
6. When necessary, agree to disagree.

## F. Communicate Effectively

Advisory body members serve as a communications link between the community, staff, and City Council. You provide a channel for citizen expression. Not only is it important for you to listen carefully to others, but you also need to be able to communicate effectively what you are hearing and thinking.

1. Take notes to remind yourself of questions you want to ask or important comments you wish to make.
2. Be direct, open, and forthright.
3. Provide rationale for opinions or recommendations.
4. Stay on topic.
5. Take your charge seriously, but maintain composure and keep your sense of humor.
6. When speaking to the public and/or press, be sure you are representing the majority views of your individual advisory body. Personal opinions should be clearly identified as such.
7. Speak clearly and be sure people can hear you.
8. If you wish to communicate using electronic mail (email), use the tool wisely. It is easy to unintentionally violate the Brown Act, so certain caution must be exercised when using email. (See Section 4 C, Common Questions about the Brown Act.)

## G. Special Tips for the Chairperson

The chairperson's main role is to provide the advisory body with group direction and to set the tone for meetings. The Chair must balance being strong enough to move the meeting along and democratic enough to involve all members in the meeting. The effective chairperson:

Remembers to explain the public participation process to the audience. (For example: "The commission will hear first from staff who will present the staff report. Commission questions to staff will follow and then the floor will be open to the public, who may comment on the matter. Following public comment, the matter will come back to the commission for our deliberation and action.")

1. Announces each item before discussion begins.
2. Is even-handed and fair to all participants.
3. Observes specified time limits.
4. Protects commissioners and staff from verbal attacks.
5. Solicits opinions, feelings, and positions from all members.
6. Encourages the generation of alternative solutions.

7. Protects new thoughts from being rejected prior to fair evaluation.
8. Discourages finger pointing and blame-orientated statements or questions.
9. Keeps the discussion focused on the issue.
10. Delays evaluation and analysis of alternatives until all are on the table.
11. Guides the process of screening alternatives and selecting the solution.
12. Attempts to obtain consensus.
13. Moves the meeting along and does not let the advisory body drift off the subject at hand.

#### H. Managing Difficult Meetings

Here are some additional tips for managing any meeting, but particularly the difficult ones:

1. Encourage the designation of a spokesperson for any groups.
2. Ask staff to make sure there are plenty of extra agendas and staff reports.
3. Establish and announce rules before the meeting begins.
4. Introduce each item and possible actions.
5. Try not to waste time on routine items.
6. Encourage speakers to address the advisory body and not the audience.
7. Discourage clapping and shouting.
8. Use recesses to help diffuse hostility.
9. Adhere to speaker time limits.
10. If you don't already, use speaker slips/cards.
11. Make sure that all advisory body members are addressing each other, through you, and not the audience.
12. Consider continuing an item for further discussion if it appears consensus may not be reached.

## I. Public Records Act and Public Records Retention

The state's Public Records Act (Government Code Sections 6250 et seq.) generally authorizes any person to request and receive copies of public records maintained by any state or local agency, unless the records sought are exempt from disclosure. The definition of "public record" is quite extensive and incorporates almost every conceivable sort of electronic or hard copy image, document or communication that relates in a substantive way to the conduct of City business, that is in the possession of a public employee or official. Public records are required to be retained by public agencies under a different set of statutes for varying periods of time. Public records stored on either City or personal devices and accounts must comply with the Public Records Act and retention statutes. See the City's Records Retention Policy, Electronic Communications Policy, Mobile Phone Policy, and the City Council Social Media Policy for what constitutes a public record that must be retained.

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Advisory board members that receive records substantively relating to City business, either hard copy or electronic, at home or work should forward them to appropriate City staff for storage and retention on the City's system.

No advisory board member has a City managed email account. Each board member is required to forward email records pertaining to their conduct of City business, received directly or through private accounts or devices, to the advisory body mailbox. The staff member assigned to the respective board can advise the members as to how to forward records to the advisory body mailbox.

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## Section 6. Advisory Body Bylaws

Permanent advisory bodies are established by the City Council by either ordinance or resolution. Membership is defined in the enabling legislation and all members are appointed by the Council. Members are selected:

- On the basis of interest, experience and knowledge in the field pertinent to the committee.
- To represent a particular segment of the community (student, elderly, disabled).
- From a broad representation of community interest and expertise.

Most advisory bodies meet regularly at established times. Technical or special-purpose bodies may meet regularly or only when projects or proposals require their attention.

## A. Active Transportation Committee Bylaws (T/SP)

### ARTICLE 1. PURPOSE

The purpose of the Active Transportation Committee (ATC) is to provide oversight and policy direction on matters related to bicycle and pedestrian transportation in San Luis Obispo and its relationship to bicycling and walking outside the City.

### ARTICLE 2. COMMITTEE MEMBERSHIP AND TERMS OF OFFICE

The Active Transportation Committee shall have seven members appointed by the City Council to staggered terms of four years. Members must be residents and registered voters of the City. Committee members will serve at the pleasure of the City Council. Any Committee member may be reappointed, provided no appointee serves more than two consecutive four-year terms. A member who has served two consecutive four-year terms can be reappointed after a one year absence from the Committee.

### ARTICLE 3. OFFICERS

1. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms). Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.
2. The Chairperson will preside over all meetings of the Committee and perform such duties as directed by the Committee. The Vice-Chairperson will serve in the absence or incapacity of the Chairperson.

**Deleted:** The officers will consist of a Chairperson and Vice-Chairperson who will be elected annually at a regular Committee meeting in each calendar year

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### ARTICLE 4. MEETINGS

1. The Committee will hold a regular meeting at least quarterly. The meetings are generally held the third Thursday of every other month (January, March, May, July, September and November) at 6:00 p.m. in the Council Hearing Room, City Hall, 990 Palm Street, San Luis Obispo, California. All meetings will be open to the public.
2. The Chairperson or any four members of the Committee may call a special meeting, provided that a week's prior notice is given in writing to each member.
3. A quorum is the majority of the total number of established members of the committee.
4. All actions of the Committee will be decided by a majority vote or consensus and will be directed through the Chairperson.
5. All members present must vote, except when abstaining due to a declared conflict of interest.

**Deleted:** A quorum will consist of a majority of established Committee members.

A failure or refusal to vote when present (except for a declared conflict of interest) will be construed as an affirmative vote.

6. Any member with a declared conflict of interest will not vote or participate in any discussion of any item or in any manner attempt to influence the decision on that item.

#### ARTICLE 5. SUBCOMMITTEES

Subcommittees consisting of less than a quorum of the Committee can be appointed as needed by the Chairperson.

#### ARTICLE 6. ADVISORY BODY POLICIES

The Committee adopts and incorporates by reference all policies as stated in the City of San Luis Obispo Advisory Body Handbook that are not in conflict with these bylaws.

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## B. Administrative Review Board Bylaws (T/SP)

### MEMBERSHIP

The Administrative Review Board (ARB) consists of three members appointed for three year terms. Beginning 2022, appointments will be made in a manner to stagger the terms such that only one member will expire in a given year.

Members must be residents and registered voters of the City pursuant to the City of San Luis Obispo City Council Policies & Procedures Manual, and qualified by experience, training or education in the conduct of administrative hearings.

### PURPOSE

The purpose of the Board is described in Article 1. Functions.

### ARTICLE 1. FUNCTIONS

The Administrative Review Board is established to provide the following functions:

1. To conduct and decide, as final decision maker for the City, administrative appeal hearings relating to administrative citations issued for certain contested San Luis Obispo Municipal Code enforcement matters that require a more detailed administrative record. This Board will not hear appeals of citations issued for violations of Title 15 (Building and Construction), which appeals are heard by the Construction Board of Appeals, or appeals of most zoning or subdivision appeals, which are heard by the Planning Commission.
2. To issue written decisions based on findings of fact supported by evidence introduced at the hearing in a format sufficient to enable an appellant to challenge the decision by petition for writ to the Superior Court.

### ARTICLE 2. MEETINGS

1. The Board shall meet at least once annually to elect its officers, consider adoption of any policies or procedures, and make any recommendations to the Council.
2. Meetings shall be held as needed, in accordance with Municipal Code section 1.24.110 B, unless otherwise agreed in writing by the Appellant and the Department Head of the department that issued the citation that is the subject of the appeal. The agenda for any such meeting shall be publicly posted at least three days in advance of the meeting in a form and manner acceptable to the City Clerk.
3. Meetings shall be held in the Council Hearing Room, City Hall, 990 Palm Street, San Luis Obispo, California, or at a location otherwise noticed.
4. In the event the Board desires to hold all or any portion of a meeting at a place other than the City Hall, then the place of such meeting shall be posted on the bulletin board located

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at the entrance to City Hall prior to the time herein designated for such meetings in accordance with law.

### ARTICLE 3. OFFICERS

1. Officers of the Board shall be a Chairperson and a Vice Chairperson.
2. Officers shall be filled from appointed members by voice vote of the voting membership.
3. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms). Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.
4. The City Clerk shall designate a staff person to serve as Secretary to the Board.

**Deleted:** Election of officers shall be held annually at the first meeting held after April 1.

### ARTICLE 4. DUTIES OF THE CHAIRPERSON

The Chairperson shall preside at all meetings of the Board. The Chairperson shall preserve order and decorum at all meetings, shall vote on all questions and announce the Board's decisions on all subjects.

### ARTICLE 5. DUTIES OF VICE CHAIRPERSON

The Vice Chairperson shall act as Chairperson during the temporary absence or incapacitation of the Chairperson.

### ARTICLE 6. DUTIES OF THE SECRETARY

1. It shall be the duty of the Secretary to keep full, true and correct records of the action of the Board and provide each member of the Board with minutes of each meeting. The Secretary shall also audio record the meeting.
2. After final action by the Board on an appeal, the Secretary shall transmit copies of the decision to the appellant, Board and City department initiating the administrative citation.
3. Minutes will be submitted to the Board for approval at the next meeting.
4. The Secretary shall prepare an agenda for each meeting.

**ARTICLE 7. CONDUCT OF MEETINGS**

1. Board members should address questions through the Chairperson.
2. Members of the audience should address Board members or other persons present through the Chairperson.
3. After roll call, the Chairperson shall publicly announce the procedures to be followed to consider the hearing item(s) and then proceed as follows:
  - a. Members of the public wishing to speak in favor of, or in opposition to, the appeal shall be invited to comment.
  - b. The Chairperson shall introduce the appeal and ask for oral staff reports.
  - c. The staff report and any administrative citation issued and submitted to the Board shall be placed into the record with all communications received regarding the appeal. Staff reports shall be submitted for all appeal hearings in a form acceptable to the Board.
  - d. The administrative citation and any documents, photos or other written information provided to the appellant at time of, or prior to, issuance of the administrative citation shall be admitted as prima facie evidence under Government Code Section 53069.4.
  - e. The appellant or the attorney for the appellant shall be invited to make a presentation on the appeal and to address the staff presentation, public comments or Board questions.
4. The City shall have an opportunity to respond to the appellant's presentation, answer any questions from the Board and may briefly summarize its position.
5. The appellant shall have the opportunity to address any final comments, answer any questions from the Board and may briefly summarize its position.
6. Thereafter, discussion shall be confined to members of the Board; provided that the Board may at any time prior to a decision on an item, ask questions of City staff, the appellant or any person present as it deems necessary and appropriate to its resolution of the appeal.
7. The Board, upon formal motion, shall take action on the appeal. A board member shall not vote unless he or she was present during the entire hearing, unless he or she listens to the tape of the hearing or reads the written hearing record (if any) prior to voting.
8. The Board shall issue a written decision, which shall contain, at a minimum, the information required by Municipal Code Section 1.24.130. If the action is other than the staff recommendation, the Board shall direct staff to prepare a proposed decision for Board consideration at the next meeting reflecting the deliberation and conclusion of the Board, which shall be distributed to the Board and appellant at least 72 hours prior to the next

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meeting. The decision shall include information concerning the appellant's right of petition for writ and/or right of appeal for a trial de novo to the Superior Court

#### ARTICLE 8. QUORUM

A quorum is the majority of the total number of established members of the board.

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#### ARTICLE 9. VOTING

1. The vote on all motions deciding the appeal may be, but is not required to be, by resolution and a roll call vote shall be taken for the ayes and noes prior to the consideration of the next order of business. All other motions may be by voice vote.
2. Failure of any motion resolution or other action to receive two affirmative votes shall result in failure or denial of the motion, resolution or other action.

#### ARTICLE 10. AGENDA

In order for items and materials to be included on an agenda or to be acted upon by the Board, they must be submitted to the Secretary of the Board at least 3 days prior to the date on which said request will be considered by the Board, unless a longer period is specified in Chapter 1.24 of the Municipal Code. Such request must be made in writing.

#### C. Architectural Review Commission (A)

##### MEMBERSHIP

The Architectural Review Commission (ARC) has seven members. Members must be residents and registered voters of the City. The only special qualifications for membership are a proven interest in the City's physical environment and the ability to make positive and fair aesthetic evaluations.

##### PURPOSE

The ARC shall review and approve plans for all structures and physical improvements, and for any relocation, addition, extension, or exterior change to existing buildings, structures and physical improvements, with purview limitations as set forth in Section 2.48.050 of the San Luis Obispo Municipal Code. Approval by the ARC must be obtained before a building permit or other city permit may be issued authorizing construction, alteration, relocation, addition, or extension.

#### ARTICLE 1. MEETINGS

1. Regular meetings shall be held at 5:00 p.m. on the first and third Monday of each month.
2. Agenda items shall be completed by 9:00 p.m. unless a majority of Commissioners agree to extend the meeting.

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3. Regular meetings shall be held in the Council Hearing Room, City Hall, 990 Palm Street, San Luis Obispo, California.
4. In the event that the Architectural Review Commission desires to hold all or any portion of a regular meeting at a place other than the Council Hearing Room, then the place of such meeting shall be posted on the doors of the Council Hearing Room prior to the time designated for the meeting in accordance with law.

## ARTICLE 2. ELECTION OF OFFICERS

1. ~~The Commission shall select a Chairperson and Vice-Chairperson from among its members.~~
2. ~~Election of officers is governed by section 1.G (Advisory Body Basics / Officer Election and Officer Terms). Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.~~
2. Commissioners shall serve as Chairperson or Vice-Chairperson at the discretion of the Commission.
3. The Chairperson shall preside at all meetings of the Commission. The Vice-Chairperson is Chairperson in the absence of the Chairperson or in case of inability of the Chairperson to act.

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**ARTICLE 3. CONDUCT OF MEETINGS**

1. Commissioners should address questions through the Chairperson.
2. Members of the audience should address Commissioners or other persons present through the Chairperson.
3. Procedure for reviewing public hearing items:

After roll call the Chairperson shall announce to the public the procedures to be followed to consider the public hearing items and then proceed as follows:

- a. The Chairperson shall introduce the items and ask for oral staff reports.
- b. The staff report previously submitted to the Architectural Review Commission shall be placed into the record with all communications received regarding the proposal. Staff reports shall be submitted for all public hearing items in a form acceptable to the Commission.
- c. The applicant or applicant's representative shall be invited to make a 10-minute presentation on behalf of the request.
- d. Members of the public wishing to speak in favor or in opposition of the application shall be invited to make a presentation.
- e. The public hearing shall be closed to the public and discussion confined to members of the Commission; provided that the Commission may reopen the public hearing at any time prior to a decision on an item on an affirmative vote of the majority of those members present.
- f. The Commission, upon formal motion, shall take action on the proposal. The Chairperson shall inform the applicant and public of the right of appeal and procedures for filing such an appeal.

**ARTICLE 4. QUORUM**

1. A quorum is the majority of the total number of established members of the commission.
2. No approval or other action of the Commission shall become effective without receiving the affirmative vote of a majority of the members present.

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**ARTICLE 5. VOTING**

1. Except as otherwise provided in the San Luis Obispo Municipal Code and state law, no motion or any other action shall be passed or become effective without receiving the affirmative vote of at least a majority of members present.

2. Failure to receive such an affirmative vote shall result in failure or denial, as appropriate, of the motion or other action.
3. Except as allowed under the Political Reform Action of 1974, any member abstaining due to a declared conflict of interest shall not participate in the discussion of the items or otherwise influence or attempt to influence in any manner the decision on the item.
4. All members, when present, must vote except when refraining from participating due to a potential conflict of interest.
5. Commissioners not supporting a motion for project approval shall summarize the reason for their vote.

#### ARTICLE 6. PUBLIC RECORDS

1. Records of all public hearings shall be made available to the public in the office of the Community Development Department.
2. Secretary Duties: The secretary shall keep minutes of each meeting and shall record the official action taken. The records of all proceedings and the basis for all findings shall be available to the Council and to the public.

#### ARTICLE 7. ATTENDANCE

1. Any member of the Architectural Review Commission who fails, for any reason, to attend three consecutive regular, adjourned regular, or specially-scheduled (excluding Commission site visits) meetings, or a total of six such Commission meetings within any 12 month period, shall be reviewed by the Chairperson for possible referral to the City Council.

#### ARTICLE 8. FILLING VACANCIES AND REMOVAL OF MEMBERS

1. Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Commissioner as provided in the City Charter.

#### ARTICLE 9. RULES, REGULATIONS AND PROCEDURES

1. The Commission may adopt rules, regulations and procedures as required for the transaction of its business. These rules shall become effective upon approval of the Council.

#### COMPENSATION

The City Council has approved a stipend of \$70 per meeting (not to exceed \$280 monthly) for each member of the ARC (Resolution No. 10887 [2018 Series]).

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## D. Citizens' Revenue Enhancement Oversight Commission Bylaws (T/SP)

### MEMBERSHIP

The Citizens' Revenue Enhancement Oversight Commission (REOC) has five members. Members must be residents and registered voters of the City. When recruiting members, the City seeks members that have experience with finance, budgeting, or municipal accounting, though this is not a requirement of membership.

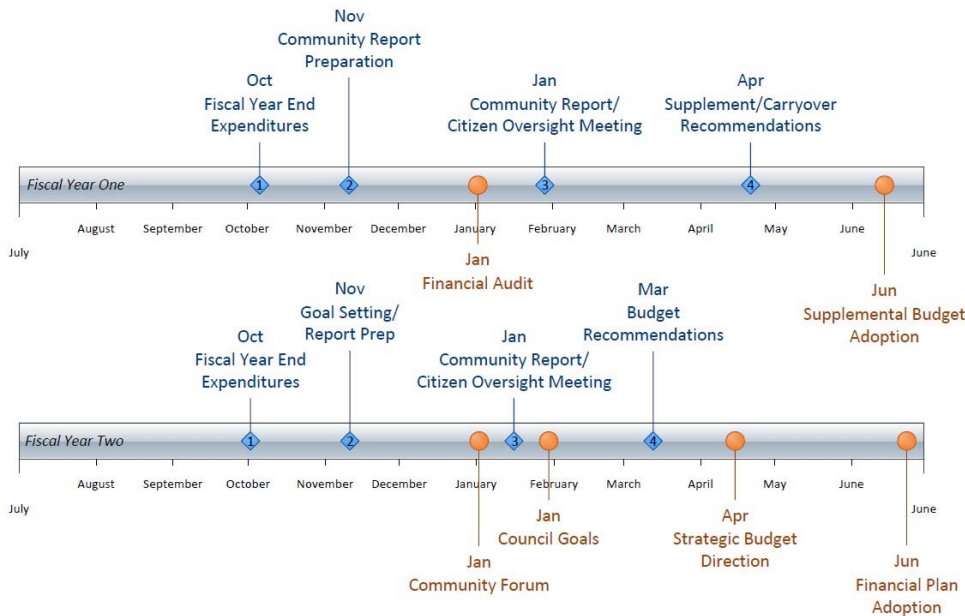
### PURPOSE

REOC was established to provide transparency and maximize city accountability, as part of the passage of a ballot measure approving a general use tax to protect and maintain essential services and facilities—such as open space preservation; bike lanes, sidewalks and other traffic congestion relief projects; public safety; neighborhood street paving and code enforcement; flood protection; senior citizen programs including services and facilities; and other vital general purpose services and capital improvement projects. REOC is responsible for reviewing and making budget recommendations directly to the City Council regarding expenditures from the essential services transactions (sales) and use tax, and reporting annually to the community on the City's use of these tax revenues. (San Luis Obispo Municipal Code §3.15.020)

### ARTICLE 1. MEETINGS

1. The REOC shall meet a minimum of four times per year to conduct its business.
2. REOC regular meetings will follow the diagram on the next page and be integrated into the City's budget processes for the two-year financial plan, fiscal year-end, and financial plan supplement. Meeting dates may change from year to year according to the actual budget schedule.

## REOC Standard Schedule with Financial Plan Milestones



Key: REOC (diamond) Council (circle)

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3. Agenda items shall be completed by 9:00 p.m. unless a majority of Commissioners agree to extend the meeting.
4. Regular meetings shall be held in the Council Hearing Room, City Hall, 990 Palm Street, San Luis Obispo, California.
5. Special meetings may be called by a majority of the REOC, or by City staff in consultation with the Chairperson, if additional meetings are necessary to accomplish the purpose and duties of the Commission.
6. In the event that the REOC desires to hold all or any portion of a regular meeting at a place other than the Council Hearing Room, then the place of such meeting shall be posted on at the doors of the Council Hearing Room prior to the time designated for the meeting in accordance with law.

**ARTICLE 2. ELECTION OF OFFICERS**

1. The Commission shall select a Chairperson and Vice-Chairperson from among its members to serve for a one-year term beginning with the first meeting following the start of each fiscal year (July 1).
2. Commissioners shall serve as Chairperson or Vice-Chairperson at the discretion of the Commission.
3. The Chairperson shall preside at all meetings of the Commission. The Vice-Chairperson is Chairperson in the absence of the Chairperson or in case of inability of the Chairperson to act.

**ARTICLE 3. CONDUCT OF MEETINGS**

1. Commissioners should address questions through the Chairperson.
2. Members of the audience should address Commissioners or other persons present through the Chairperson.
3. Procedure for reviewing public hearing items:

After roll call the Chairperson shall announce to the public the procedures to be followed to consider the items listed on the agenda and then proceed as follows:

- a. The Chairperson shall introduce the items and ask for oral staff reports, as appropriate.
- b. The staff report previously submitted to the REOC shall be placed into the record with all communications received regarding the item. Staff reports shall be submitted for all public hearing items in a form acceptable to the Commission.
- c. Members of the public wishing to speak on the topic of the agenda item shall be invited to make a presentation. Public comment shall be accepted for agenda items that are listed as presentations, business items, or public hearings.
- d. Following public testimony on an agenda item, the public hearing or public testimony portion of the meeting shall be closed to the public and discussion confined to members of the Commission; provided that the Commission may reopen the public hearing or invite additional testimony at any time prior to a decision on an item on an affirmative vote of the majority of those members present.
- e. The Commission, upon formal motion, shall take action on the item or recommendation.

**ARTICLE 4. QUORUM**

1. ~~A quorum is the majority of the total number of established members of the commission.~~
2. No action of the Commission shall become effective without receiving the affirmative vote of a majority of the members present.

**Deleted:** Three members of the Commission constitutes a quorum for the transaction of business

**ARTICLE 5. VOTING**

1. Except as otherwise provided in the San Luis Obispo Municipal Code and state law, no motion or any other action shall be passed or become effective without receiving the affirmative vote of at least a majority of members present.
2. Failure to receive such an affirmative vote shall result in failure or denial, as appropriate, of the motion or other action.
3. Except as allowed under the Political Reform Action of 1974, any member abstaining due to a declared conflict of interest shall not participate in the discussion of the items or otherwise influence or attempt to influence in any manner the decision on the item.
4. All members, when present, must vote except when refraining from participating due to actual or potential conflict of interest.
5. Commissioners not supporting a motion for action shall summarize the reason for their vote.

**ARTICLE 6. PUBLIC RECORDS**

1. Records of all public hearings shall be made available to the public in the office of the City Clerk.
2. Secretary Duties: The secretary shall be a representative of the City Clerk's Office, and shall keep minutes of each meeting and shall record the official actions taken. The records of all proceedings shall be available to the Council and to the public.

**ARTICLE 7. ATTENDANCE**

1. Any member of the REOC who fails, for any reason, to attend three regular, adjourned regular, or specially-scheduled meetings, within any 12 month period, shall be reviewed by the Chairperson for possible referral to the City Council.

**ARTICLE 8. ~~TERM LIMITS,~~ FILLING VACANCIES AND REMOVAL OF MEMBERS**

1. ~~Terms are for three years.~~
2. Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Commissioner as provided in the City Charter.

## ARTICLE 9. RULES, REGULATIONS AND PROCEDURES

1. The Commission may adopt rules, regulations and procedures as required for the transaction of its business. These rules shall become effective upon approval of the Council.

## E. Construction Board of Appeals Bylaws (T/SP)

### **MEMBERSHIP and TERMS**

The Construction Board of Appeals (CBOA) consists of seven members. Members must be residents and registered voters of the City pursuant to the City of San Luis Obispo City Council Policies & Procedures Manual. Five of the seven members shall be qualified by experience and training to pass on matters pertaining to building construction and building service equipment, hazards of fire, explosions, hazardous conditions or fire protection and who are not employees of the City. Two members of the Board shall be physically disabled persons, as defined in the adopted California Building Code. Board members may serve simultaneously on other non-technical City advisory bodies pursuant to the City of San Luis Obispo City Council Policies & Procedures Manual.

Each term of office will be for four years. There is no limitation to the number of consecutive terms of appointment.

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### **PURPOSE**

The purpose of the Board is described in Article 1. Functions.

### **ARTICLE 1. FUNCTIONS**

The Construction Board of Appeals is established to provide the following functions:

1. To determine the suitability of alternate materials, methods of construction, and other specifications set out in the City's adopted Uniform Codes.
2. To interpret the provisions of the City's adopted Uniform Codes and to hear and decide appeals of orders, decisions or determinations made by the Chief Building Official, Code Official or Fire Marshall relative to the application and interpretations of the adopted Codes of Title 15.
3. To conduct hearings and provide the second level of administrative review for contested Administrative Citations issued pursuant to the adopted codes of Title 15 or otherwise issued by the Chief Building Official. To serve as the acting Housing Appeals Board required under California Health & Safety Code section 17920.6, and to also serve as the appeals body for any other adopted codes found within Title 15 of the San Luis Obispo Municipal Code, including disability access requirements imposed by the California Building Standards Code and the California Health & Safety Code.

### **ARTICLE 2. MEETINGS**

1. Meetings shall be on call of the Chief Building Official on at least three days public notice given in a form acceptable to the City Clerk.
2. Meetings shall be held in the Council Chamber, City Hall, 990 Palm Street, San Luis Obispo, California, or at a location otherwise noticed.



3. In the event the Board desires to hold all or any portion of a meeting at a place other than the City Hall, then the place of such meeting shall be posted on the bulletin board located at the entrance to City Hall prior to the time herein designated for such meetings in accordance with law.

### ARTICLE 3. OFFICERS

1. Officers of the Board shall be a Chairperson and a Vice Chairperson elected from the board membership.
2. The Commission shall select a Chairperson and Vice-Chairperson from among its members.
3. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms); Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.

**Deleted:** Offices shall be filled from appointed members by written ballot of the voting membership

**Deleted:** Election of officers shall be held annually at the first meeting held after April 1

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### ARTICLE 4. DUTIES OF THE CHAIRPERSON

The Chairperson shall preside at all meetings of the Board. The Chairperson shall preserve order and decorum at all meetings, shall vote on all questions and announce the Board's decisions on all subjects.

### ARTICLE 5. DUTIES OF VICE CHAIRPERSON

The Vice Chairperson shall act as Chairperson during the temporary absence or incapacitation of the Chairperson.

### ARTICLE 6. DUTIES OF THE SECRETARY

1. In the event the Chairperson and Vice Chairperson are absent, the Secretary shall call the meeting to order and the Board shall elect one of its members to act as Chairperson pro tempore.
2. It shall be the duty of the Secretary to keep full, true and correct records of the action of the Board and provide each member of the Board with minutes of each meeting.
3. The Secretary shall transmit copies of decisions and written findings to the City Council.
4. Minutes will be submitted to the Board for approval at the next meeting.
5. The Secretary shall prepare an agenda for each meeting.

### ARTICLE 7. CONDUCT OF MEETINGS

1. Board members should address questions through the Chairperson.

2. Members of the audience should address Board members or other persons present through the Chairperson.

## ARTICLE 8. QUORUM

A quorum is the majority of the total number of established members of the board.

Deleted: A majority of the number of established Board members shall constitute a quorum for the transaction of business

## ARTICLE 9. VOTING

1. The vote on all motions making recommendation to the City Council shall be by resolution, and a roll call vote shall be taken for the ayes and noes prior to the consideration of the next order of business. All other motions may be by voice vote.
2. Failure of any motion resolution or other action to receive three affirmative votes shall result in failure or denial of the motion, resolution or other action.

## ARTICLE 10. AGENDA

In order for items and materials to be included on an agenda or to be acted upon by the committee, they must be submitted to the Secretary of the Board at least ten days prior to the date on which said request will be considered by the Board. Such request must be made in writing setting forth the following:

1. The applicable Code provision.
2. The nature of the requested change or interpretation.
3. The reasons for the change or interpretation.

## ARTICLE 11. REFERRAL TO CITY COUNCIL

After the conclusion of the hearing on the request, all decisions and findings shall be made in writing to the City Council with a duplicate copy to the appellant. The Board may recommend such new legislation as may be necessary.

## F. Cultural Heritage Committee Bylaws (A)

### ARTICLE 1. PURPOSE

The Cultural Heritage Committee (CHC) promotes the preservation of architectural, archaeological, historical and cultural resources in San Luis Obispo, As a City Council established advisory body and a historic preservation commission of a Certified Local Government, in partnership with State of California Office of Historic Preservation and National Park Service, its roles are mandated by the City ordinance and guidelines and Certified Local Government Requirements for Certification.

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### ARTICLE 2. COMPLIANCE WITH OTHER REQUIREMENTS

The functioning of the Cultural Heritage Committee and all of its actions and decisions shall be in compliance with the provisions of the Advisory Body Handbook and as established by Council Resolution.

### ARTICLE 3. MEMBERSHIP

1. The CHC will have seven members appointed by the City Council. Members shall be residents and registered voters of the City. However, the Council may make appointments of up to two persons with desired professional expertise in cultural resources who are residents and registered voters of the county. All members must have a demonstrated interest, competence, or knowledge in historic preservation. At least two CHC members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. CHC membership may also include lay members.

**Deleted:** 1. Helping the public pursue cultural resource preservation projects.¶

¶  
2. Sponsoring educational programs and research which improves our understanding of the community's history and archaeology.¶

¶  
3. On request, commenting on the effects of public and private actions on community cultural resources.¶

¶  
4. Helping with the administration of City-sponsored benefit programs.¶

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**Deleted:** If possible, membership of the Committee should include a person knowledgeable in local history, a person with training or experience in structural rehabilitation, a person knowledgeable in local archaeology, and a person with knowledge of architecture.

1. 2. Each CHC member is required to attend at least one informational or educational meeting, seminar, workshop, or conference per year that pertains directly to the work and functions of the commission and would be approvable by the state. Commission members will arrange this in collaboration with and with the approval of the Commission's staff liaison and Community Development Department and will not be required to underwrite the expense themselves.

**Deleted:** If possible, the Committee should include one resident from each of the five Historical Preservation Districts created but the Council is not limited to this district residency requirement when making appointments.

### ARTICLE 4. TERMS OF APPOINTMENT

Members shall be appointed by the City Council for an initial term of a maximum of four years and may be reappointed for additional terms, not exceeding a total of two consecutive four-year terms.

### ARTICLE 5. OFFICERS

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1. ~~Officers shall consist of a Chairperson and Vice-Chairperson. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms). Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.~~

**Deleted:** A**Deleted:** shall be elected by the Committee at its first meeting in April for one-year terms. No person may serve in the office of Chairperson or Vice-Chairperson for more than two consecutive terms...

2. The Chairperson shall preside over all Committee meetings, vote on all matters, call special meetings, and submit an annual report to the Committee for approval and presentation to the City Council. ~~The Chairperson shall submit the annual report to the State Office of Historic Preservation.~~

**Deleted:** appoint all subcommittees**Deleted:** and budget

3. The Vice-Chairperson shall serve in the absence or incapacity of the Chairperson and perform such other duties as ~~normally performed by the Chair.~~

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#### ARTICLE 6. MEETINGS

1. The Committee shall hold a regular meeting each month. All meetings shall be open to the public. Regular meetings shall be held at 5:30 p.m. on the fourth Monday of each month in the City Council Hearing Room, City Hall, 990 Palm Street, San Luis Obispo, California.
2. ~~A quorum is the majority of the total number of established members of the committee.~~
3. All action of the Committee shall be decided by a majority vote or consensus of the quorum directed through the Chairperson.
4. Minutes of each meeting shall be forwarded to the City Council and be available as a public record.
5. The Chairperson or a quorum majority of the Committee may call a special meeting, provided that all public notice requirements are met.
6. All Committee meetings shall be conducted according to City practices, customs, and policies.

**Deleted:** A quorum shall consist of a majority of the established members...

Robert's Rules of Order, Newly Revised, may be used as a guideline.

7. All members present must vote, except when a member declares a conflict of interest. Any member declaring a conflict of interest shall not vote or participate in any related deliberations or action of the Committee.

#### ARTICLE 7. ABSENCES AND RESIGNATIONS

1. If a member fails to attend three consecutive regular meetings or a total of six regular meetings within any 12 months, the member shall automatically be considered for replacement. The Chairperson of the Committee shall inform the Council of such a situation and explain any special circumstances.

2. Committee members are responsible for notifying the Chairperson or the Secretary in advance when an absence is anticipated.
3. If a member needs to resign from the Committee, the member shall immediately direct a letter to the City Council with copies forwarded to the Committee Chairperson and City Clerk.

#### ARTICLE 8. SUBCOMMITTEES

Subcommittees shall be appointed, as needed. ~~Subcommittees may include non-Committee members who shall have no voting power.~~

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#### ARTICLE 9. AMENDMENTS

Bylaw amendments shall be submitted for Council approval by an affirmative vote of the members present at a regular meeting of the Committee, provided that such amendments shall have been discussed by the Committee on the agenda of at least two meetings prior to the vote. The members shall receive the proposed amendments at least 10 days prior to the first meeting.



## G. Human Relations Commission Bylaws (A)

### ARTICLE 1. PURPOSE

It is the purpose of the Human Relations Commission (HRC) to advise the Council in its actions to create an environment within the City in which all persons can enjoy equal rights and opportunities regardless of race, religion, sex, sexual orientation, national origin, age, or physical, mental or economic status. The Human Relations Commission shall make recommendations to the City Council or the City Manager on how these social concerns and human needs can best be addressed.

### ARTICLE 2. MEMBERSHIP AND TERMS OF OFFICE

The HRC has seven members. Members must be residents and registered voters of the City. While there are no special qualifications for applicants, the Council usually seeks individuals with experience, or a demonstrated interest in community social issues.

Commissioners shall be appointed by the City Council for terms of four years, commencing on April 1st. Commissioners shall serve at the pleasure of the City Council. Any Commissioner may be reappointed, provided that no appointee shall serve more than two consecutive four-year terms.

### ARTICLE 3. MEETINGS

1. The Commission shall hold a regular meeting at least quarterly.
2. Regular meetings will be held generally on the first Wednesday of the month at a specified time and place.
3. The Commission meetings shall be open to the public and shall be held at City Hall in the Council Hearing Room or other previously announced locations at specific times as required by California law.
4. ~~A quorum is the majority of the total number of established members of the commission.~~
5. All actions of the Commission shall be decided by a majority vote or consensus and shall be directed through the Commission Chair.
6. Minutes of each meeting shall be forwarded to the City Council and be available as a public record.
7. The Chairperson or any three members of the Commission may call a special meeting providing a week's prior notice is given in writing to each member.
8. All Commission meetings shall be conducted according to Robert's Rules of Order.

**Deleted:** A quorum shall consist of a majority of the established Commissioners



9. All members present must vote, except when abstaining due to a declared conflict of interest.
10. Any member with a declared conflict of interest shall not vote on or participate in any discussion of any item or in any manner attempt to influence the decision on that item.

#### ARTICLE 4. SUBCOMMITTEES

Subcommittees consisting of less than a quorum of the Commission shall be appointed, as needed, by the Chairperson. Study committees may include non-commission members who shall have no voting power.

#### ARTICLE 5. OFFICERS

1. The officers shall be a Chairperson and a Vice-Chairperson. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms); Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.
2. The Chairperson shall preside over all meetings of the Commission, assist staff in preparation of meeting agendas and perform such duties as directed by the Commission.
3. The Vice-Chairperson shall serve in the absence or incapacity of the Chairperson.

Deleted: who shall be elected at the Commission meeting in April for one-year terms

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#### ARTICLE 6. AMENDMENTS

Bylaw amendments shall be submitted for Council approval by an affirmative vote of the members present at a regular meeting of the Commission, provided that such amendments shall have been discussed by the Commission on the agenda of at least two meetings prior to the vote. The members shall receive the proposed amendments in writing at least ten (10) days prior to the first reading.

## H. Jack House Committee Bylaws (T/SP)

### ARTICLE 1. PURPOSE

The Jack House and Grounds were deeded to the City of San Luis Obispo on March 10, 1975. In accepting the deed, the City agreed to appoint a committee of seven (7) members to advise the Council on the House and Grounds. The Jack House Committee (JHC) is charged with the responsibility to advise the City Council on matters concerning: Facility use, fees and charges, capital improvements, and any other item affecting the House and Grounds.

### ARTICLE 2. COMMITTEE MEMBERSHIP

The grant deed requires that persons with “special expertise” fill four (4) of the seven (7) seats on the Jack House Committee as follows:

1. A representative of the San Luis Obispo County History Center.
2. One member of the faculty, current or retired, of California Polytechnic State University College of Architecture and Environmental Design, preferably an architectural historian.
3. One member of the faculty, current or retired, of California Polytechnic State University College of Agriculture, preferably a horticulturist.
4. A member of the San Luis Obispo Parks and Recreation Commission.

The City Council has resolved that due to these special conditions and requirements, members with this special expertise may serve terms of undetermined length, the choice being left to individual Committee members.

The remaining three (3) Committee members are required to be residents and registered voters of the City of San Luis Obispo. They shall serve four-year terms, with a maximum of eight years.

The coordinator of the volunteer docent group shall serve as ex-officio (non-voting) Jack House Committee member and shall not count toward a quorum.

### ARTICLE 3. MEETINGS

1. The Committee shall hold a regular meeting each month but not less than ten (10) times a year.
2. Meetings will be held at 5:30 p.m. the second Wednesday of each month.
3. The Committee meetings shall be open to the public and shall be held at the Parks and Recreation Department Office, the Jack House or any other previously announced locations at specific times as required by California law.
4. A quorum is the majority of the total number of established members of the committee.

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Deleted: A quorum shall consist of a majority of the Committee members currently serving

5. All actions of the Committee shall be decided by a majority vote or consensus and shall be directed through the Committee Chair.
6. Minutes of each meeting shall be forwarded to the City Council and be available as a public record.
7. The Chairperson or any three members of the Committee may call a special meeting provided a week's prior notice is given in writing to each member.
8. All Committee meetings shall be conducted according to Robert's Rules of Order.
9. Except for the ex-officio member (who serves as the coordinator of the volunteer docent group), all Committee members shall vote.
10. Any Committee member with a declared conflict of interest shall not vote on or participate in any discussion of any item or in any manner attempt to influence the decision on that item. The member with such conflict shall remove himself/herself from the room until such discussion has concluded.

#### ARTICLE 4. SUBCOMMITTEES

Subcommittees consisting of less than a quorum of the Committee shall be appointed, as needed, by the Chairperson. Subcommittees shall convene for a specific purpose, study or project and shall have a limited term, not-to-exceed 12 consecutive months. Study subcommittees may include non-Committee members who shall have no voting power.

#### ARTICLE 5. OFFICERS

1. The officers shall be a Chairperson and a Vice-Chairperson. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms): Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.
2. The Chairperson shall preside over all meetings of the Committee, assist in preparing all meeting agendas and perform such duties as directed by the Committee.
3. The Vice-Chairperson shall serve in the absence or incapacity of the Chairperson.

Deleted: who shall be elected at the Committee meeting in April for two-year terms.

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#### ARTICLE 6. STAFF

The Director of Parks and Recreation or designee is the staff liaison to the Jack House Committee. The Director may designate such other staff as is necessary to provide support to the Committee.

The Director of Public Works should designate a Public Works staff representative for both the house (building maintenance) and the garden (parks maintenance). The Committee shall receive notification if there are any changes to staff representation.

The Committee shall support volunteer opportunities via a docent program for the historic Jack House and gardens through the use of volunteers serving as tour guides of the historic home, gardens, exhibitions and special tours. The ex-officio (non-voting) Jack House Committee member shall serve as the coordinator of this volunteer group in accordance with best management practices for volunteer guides of historic sites.

#### ARTICLE 7. AMENDMENTS

Prior to May 1, in each odd number year, these by-laws shall be reviewed by the Committee. By-law amendments shall be submitted for Council approval by an affirmative vote of the members present at a regular meeting of the Committee, provided such amendments shall have been discussed by the Committee on the agenda of at least two meetings prior to the vote. The members shall receive the proposed amendments in writing at least ten days (10) prior to the first meeting.

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## I. Mass Transportation Committee Bylaws (T/SP)

### ARTICLE 1. PURPOSE

The purpose of the Mass Transportation Committee (MTC) is to advise City staff and the City Council on all matters related to public transportation in San Luis Obispo (buses, trolley, and taxi).

### ARTICLE 2. COMMITTEE MEMBERSHIP

The Committee has seven voting members, consisting of one Cal Poly employee designated by Cal Poly and one Cal Poly student representative designated by Associated Students, Inc. (ASI), with City Council review for acceptance; one person 62 years of age or older; one person from the business community; one person with technical transportation planning experience; one person with a disability; one member-at-large. In addition, when possible, one alternate member selected from the general public will be appointed. The Cal Poly employee representative, ASI representative, and technical planning representatives are exempt from the residency requirements. All other members must be residents and registered voters of the City.

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### ARTICLE 3. TERMS OF OFFICE

Committee members will be appointed by the City Council to staggered terms of four\* years. Committee members will serve at the pleasure of the City Council. \*ASI appointments will be made in September for a two-year term and should be at least 1 year away from graduation. Any Committee member may be reappointed, providing no appointee serves more than eight consecutive years (two 4-year terms or four 2-year terms). A member who has served eight years can be reappointed after a one year absence from the Committee.

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### ARTICLE 4. MEETINGS

1. The Committee will hold a regular meeting at least quarterly.
2. The Committee will approve an annual regular meeting schedule by June of each year.
3. The Committee meetings will be open to the public and held at the Council Hearing, unless otherwise noticed.
4. A quorum is the majority of the total number of established voting members of the committee.
5. All actions of the Committee will be decided by a majority vote or consensus and will be directed through the Committee Chair.
6. Minutes of each meeting will be available as a public record in the Public Works Department.
7. The Chairperson or any four members of the Committee may call a special meeting, provided that a week's prior notice is given in writing to each member and the meeting is otherwise properly noticed pursuant to the Brown Act.

Deleted: A quorum will consist of a majority of the established Committee members

8. All Committee meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised, may be used as a guideline.
9. All voting\* members present must vote, except when abstaining due to a declared conflict of interest. A failure or refusal to vote when present (except for a declared conflict of interest) will be construed as an affirmative vote. (\*See Article 2. and Article 4.11 concerning the Alternate Member voting rules.)
10. Any member with a declared conflict of interest will not vote or participate in any discussion of any item or in any manner attempt to influence the decision on that item.
11. The Alternate member does not count towards a quorum unless a voting member of the MTC is absent from an MTC meeting. When a voting member is absent, the Alternate member shall take the place of the voting member and then count towards quorum.

#### ARTICLE 5. SUBCOMMITTEES

Subcommittees consisting of less than a quorum of the Committee can be appointed as needed by the Chairperson.

#### ARTICLE 6. OFFICERS

1. The officers will consist of a Chairperson and Vice-Chairperson. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms).: Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.
2. The Chairperson will preside over all meetings of the Committee, prepare (with the assistance of staff) all meeting agendas and perform such duties as directed by the Committee.
3. The Vice-Chairperson will serve in the absence or incapacity of the Chairperson.

#### ARTICLE 7. NEW MEMBER TRANSIT PASSES

In order to assist new MTC members with their transit advocacy function, new members shall receive an initial 31 Day Transit Pass for their personal use.

#### ARTICLE 8. POLICIES

The Committee adopts policies as stated in the City of San Luis Obispo Advisory Body Handbook, incorporated herein by reference.

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**Deleted:** If only one voting member of the MTC is absent, choice between the two Alternates will be decided by a fair game of chance such as a coin flip or roll of the die performed by the Chairperson of the MTC.¶

**Deleted:** who will be elected at the Committee meeting in May for one-year terms that commence the first meeting of the next fiscal year.

## J. Parks & Recreation Commission Bylaws (A)

### ARTICLE 1. PURPOSE

The Parks & Recreation Commission (PRC) is a body of citizens appointed to advise the City's Parks & Recreation Department and the City Council on the development and operation of recreation programs and parks, and on the implementation of the Parks and Recreation Element of the City's General Plan. It also provides recommendations to the City Council and San Luis Obispo Coastal Unified School District Board of Trustees regarding those facilities which have been mutually designated as joint use facilities; and for the operation of recreational facilities, priority for use of the facilities, and development of new recreation facilities at Sinsheimer Park.

### ARTICLE 2. MEMBERSHIP

1. The Parks and Recreation Commission shall consist of seven members.
2. Members are appointed by the City Council for a term of four years. Members are eligible for reappointment for an additional four-year term. Members are subject to a term limit of eight years, or two consecutive four-year terms.

### ARTICLE 3. MEETINGS

1. Regular meetings of the Parks & Recreation Commission shall be held on the first Wednesday of each month at 5:30 p.m., except during the annual tour of the City's parks and facilities.
2. Meetings will be held in the Council Chamber, City Hall, 990 Palm Street, San Luis Obispo, California. In the event that the Parks & Recreation Commission chooses to hold all or any portion of a regular meeting other than at City Hall, then the place of such meeting shall be posted at least 72 hours in advance at the Parks & Recreation Department office, 1341 Nipomo Street, San Luis Obispo, California and on the bulletin board located at the entrance to the City Hall prior to the established meeting time.

### ARTICLE 4. ELECTION OF OFFICERS

1. ~~Officers shall consist of a Chair and Vice Chair from among the commission membership. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms). Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.~~
2. Commissioners shall serve as Chair or Vice Chair at the discretion of the Commission.
3. The Chair shall preside at all meetings of the Parks & Recreation Commission. The Vice Chair will act as the Chair in the absence of the Chair or in case of the inability of the Chair to act.

**Deleted:** In April of each year, the Parks & Recreation Commission shall select

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4. In the event that the Chair and Vice Chair are unavailable to attend to their duties, the assembled members shall determine a Chair Pro Tempore.

Deleted: 5. No person shall serve as Chair or Vice Chair for more than three consecutive terms.

## ARTICLE 5. CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a guide in the conduct of meetings.

## ARTICLE 6. QUORUM

A quorum is the majority of the total number of established members of the commission.

Deleted: Four members of the Parks & Recreation Commission shall constitute a quorum for the purposes of conducting business

## ARTICLE 7. VOTING

1. Except as otherwise provided in the San Luis Obispo Municipal Code and state law, no resolution, motion or other action shall be passed or become effective without receiving the affirmative vote of at least a majority of the members present.
2. Failure to receive such an affirmative vote shall result in failure or denial, as appropriate, of the motion, resolution or other action.
3. Except as allowed under the Political Reform Act of 1974, as amended, any member abstaining due to a declared conflict of interest shall not participate in the discussion of the items or otherwise influence or attempt to influence in any manner the decision on the item.
4. All members, when present, must vote except when abstaining due to a declared conflict of interest.
5. Failure or refusal to vote when present—except for a declared conflict of interest—shall be counted as an affirmative vote.

## ARTICLE 8. PUBLIC RECORDS

Records of all public hearings shall be made available to the public in the offices of the Parks & Recreation Department.

## ARTICLE 9. ATTENDANCE

Any member of the Parks & Recreation Commission who fails, for any reason, to attend three consecutive regular meetings or a total of six regular meetings within any twelve month period shall be automatically be considered for replacement by the City Council. The Chairperson of the Parks & Recreation Commission shall inform the Council of such a situation, explaining any special circumstances.

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## ARTICLE 10. COMMITTEES



**Deleted:** February 6, 2018

1. A member of the Parks & Recreation Commission shall represent the Commission and sit as a voting member on the Jack House Committee.
2. Additional committee assignments shall be made as deemed necessary by the Chair.
3. Committee assignments will be made in April of each year.

**Deleted:** following City advisory bodies:

**Deleted:** and Tree Committee

#### ARTICLE 11. AMENDMENTS

1. These bylaws may be recommended for amendment by the majority vote of the Commission members present at a regular meeting, provided that a quorum is present. Members shall receive the proposed amendments at least seven days prior to the meeting in which the amendment is proposed.
2. Prior to May 1 in each odd-numbered year, these bylaws shall be reviewed by the Commission. Any proposed changes shall be submitted to the City Council for approval. If no changes are proposed, a report of the review shall be submitted.

## K. Personnel Board Bylaws (A)

### ARTICLE 1. PURPOSE

It is the purpose of the Personnel Board (PB) to hear employee appeals of disciplinary action, to review employee grievances, and to hear issues of Council censure. The Board shall then make advisory recommendations to the City Council. The Personnel Board shall also perform other duties pertaining to personnel management as directed by the City Council.

### ARTICLE 2. MEMBERSHIP AND TERMS OF OFFICE

Five members of the Personnel Board shall be appointed by the City Council and shall serve for terms of four years. Members must be residents and registered voters of the City.

1. Appointments will be made in a staggered every-other-year pattern, such that two members' terms will expire during a given year and the terms of the other three members will expire two years later.
2. Any vacancies on the Personnel Board shall be filled for the unexpired term of the person replaced.
3. Members shall be appointed for no more than two consecutive terms (eight years).

### ARTICLE 3. OFFICERS

1. The officers shall be a Chairperson and a Vice-Chairperson. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms); Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.
2. The Chairperson shall preside over all meetings of the Personnel Board, subpoena witnesses and require the production of books, papers and any other materials pertinent to the investigation or hearing.
3. The Vice-Chairperson shall serve in the absence of the Chairperson.
4. The Director of Human Resources or his or her designee shall serve as recording secretary, keeping record of all meetings, and shall issue all necessary notices, copies of agendas, minutes and copies of necessary documents.

Deleted: who shall be elected at the first meeting of alternate calendar years to serve two-year terms.

**ARTICLE 4. MEETINGS**

1. The Personnel Board shall meet as needed.
2. A quorum is the majority of the total number of established members of the board.  
However, for the purpose of a hearing on appeal of a disciplinary action, no Board member may vote on a decision if absent from part of a hearing, unless such member certifies that he/she listened to a recording of or read the transcript of the missed portion of the hearing.
3. Pursuant to Personnel Exception of the Brown Act (Government Code Section 54957), a meeting may be closed to the public at the request of any appellant when the pending issue deals with a particular employee.
4. The Chairperson or the legal advisor to the Board shall administer oaths to all witnesses appearing before the Board. Any regular officer or employee of the City who fails to take the oath or fails to testify truthfully under oath at a hearing shall be subject to disciplinary action.
5. All grievance and disciplinary appeal hearings shall be recorded.
6. At the request of the appellant, a court reporter shall be used. The cost of the court reporter shall be paid as agreed upon by both sides.
7. All actions of the Board shall be decided by majority vote, and shall be directed through the Board Chairperson.
8. The Board may meet with its legal advisor, as needed and outside the presence of any other persons, to receive opinions and advice.
9. The Board may direct the parties to submit hearing briefs outlining the facts and arguments to be presented prior to any hearing. The Chairperson shall establish a schedule for submission of the hearing briefs.
10. Personnel Board members are expected to serve in an objective manner when reviewing disciplinary appeal matters or matters of Council censure. If a member has a personal relationship that hinders them from remaining objective, therefore presenting due process concerns, they should state the relationship on the record and recuse themselves from the decision. To ensure compliance, the Chair shall ask each member at the beginning of proceedings, if they are able to be objective (whether that was due to a personal relationship, what they had read in the newspaper about the situation, etc.)

**Deleted:** Three members of the Board shall constitute a quorum for the transaction of business

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**ARTICLE 5. AMENDMENTS**

At such time as these bylaws need to be amended, the Director of Human Resources shall meet with the Board and determine an appropriate procedure for making such amendment(s).

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## L. Planning Commission Bylaws (A)

### MEMBERSHIP

The Planning Commission (PC) has seven members who are not necessarily planning professionals. Members must be residents and registered voters of the City. No special training is required for appointment. Members occasionally may be requested to attend seminars and workshops to enhance skills in planning.

### PURPOSE

The Planning Commission's purview is to make recommendations to the City Council for the City's development, as set forth in San Luis Obispo Municipal Code §2.12.040. To carry out this responsibility the commission will:

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1. Prepare and recommend a general plan and appropriate attachments; and
2. Prepare and recommend appropriate specific plans; and
3. Review the City's capital improvement program annually; and
4. Perform authorized duties related to development review; and
5. Perform such other duties required by the Council or by State or City laws.

### ARTICLE 1. MEETINGS

1. Regular meetings shall be held at 6:00 p.m. on the second and fourth Wednesday of each month.
2. No agenda item shall be introduced after 10:00 p.m. without the consent of a majority of Commissioners present.
3. Regular meetings shall be held in the Council Chamber, City Hall, 990 Palm Street, San Luis Obispo, California.
4. In the event the Planning Commission desires to hold all or any portion of a regular meeting at a place other than the City Hall, then the place of such meeting shall be posted on the bulletin board located at the entrance to City Hall prior to the time herein designated for such regular meetings in accordance with law.

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**ARTICLE 2. ELECTION OF OFFICERS**

1. The Commission shall select a Chairperson and Vice-Chairperson from among its members. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms): Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.
2. Commissioners shall serve as Chairperson or Vice-Chairperson at the discretion of the Commission.
3. The Chairperson shall preside at all meetings of the Commission. The Vice-Chairperson is Chairperson in the absence of the Chairperson or in case of inability of the Chairperson to act.

**Deleted:** to serve for a one-year term beginning the first meeting in April of each year.

4. -----

**Deleted:** No person shall serve as Chairperson or Vice-Chairperson for more than two consecutive terms.

**ARTICLE 3. CONDUCT OF MEETINGS**

1. Commissioners should address questions through the Chairperson.
2. Members of the audience should address Commissioners or other persons present through the Chairperson.
3. Procedure for reviewing public hearing items:

After roll call the Chairperson shall announce to the public the procedures to be followed to consider the public hearing items and then proceed as follows:

- a. The Chairperson shall introduce the items and ask for oral staff reports.
- b. The staff report precisely submitted to the Planning Commission shall be placed into the record with all communications received regarding the proposal. Staff reports shall be submitted for all public hearing items in a form acceptable to the commission.
- c. The applicant shall be invited to make a presentation on behalf of the request.
- d. Members of the public wishing to speak in favor or in opposition of the application shall be invited to make a presentation.
- e. The applicant shall have the opportunity at the end of the public hearing to address comments made by the public and address any further commission questions.
- f. The public hearing shall be closed to the public and discussion confined to members of the Commission; provided that the Commission may reopen the public hearing

at any time prior to a decision on an item on an affirmative vote of the majority of those members present.

- g. The Commission, upon formal motion, shall take action to dispose of the proposal. The Chairperson shall announce the vote and thereafter, inform the applicant and public of the right of appeal and procedures for filing such appeal.

#### ARTICLE 4. QUORUM

A quorum is the majority of the total number of established members of the commission.

Deleted: Four members of the Planning Commission constitute a quorum for transacting business

#### ARTICLE 5. VOTING

1. Except as otherwise provided in the San Luis Obispo Municipal Code and state law, no resolution, motion or any other action shall be passed or become effective without receiving the affirmative vote of at least a majority of members present.
2. Failure to receive such an affirmative vote shall result in failure or denial, as appropriate, of the motion, resolution or other action.
3. Except as allowed under the Political Reform Act of 1974, any member abstaining due to a declared conflict of interest shall not participate in the discussion of the items or otherwise influence or attempt to influence in any manner the decision on the item.
4. All members, when present, must vote except when abstaining due to a declared conflict of interest.
5. Failure or refusal to vote when present—except for a declared conflict of interest— shall be counted as an affirmative vote.

#### ARTICLE 6. PUBLIC RECORDS

Records of all public hearings shall be made available to the public in the office of the Community Development Department.

#### ARTICLE 7. ATTENDANCE

Any member of the Planning Commission who fails, for any reason, to attend three consecutive regular, adjourned regular, or specially-scheduled (excluding Commission site visits) meetings, or a total of six such commission meetings within any 12-month period, shall be automatically considered by the City Council for removal from office. The Chairperson shall inform the Council of such situation, explaining any special circumstances.

#### ARTICLE 8. POLICY

All matters of policy not covered by law may be adopted as a “Resolution of Policy” and when so adopted shall be considered the official policy of the Planning Commission subject to ratification of the City Council.

Insert new adoption date.

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Insert new adoption date.

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## COMPENSATION

The City Council has approved a stipend of \$~~70~~ per meeting (not to exceed \$~~280~~ monthly) for each member of the Planning Commission (Resolution No. ~~10887~~ [2018 Series]).

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## M. Promotional Coordinating Committee Bylaws (A)

### ARTICLE 1. PURPOSE

The Promotional Coordinating Committee (PCC) advises the Council in working to improve the quality of life for all City residents and our visitors. The Committee recommends projects to help promote the City as a regional trade, recreation, and tourist center, consistent with community goals.

### ARTICLE 2. MEMBERSHIP

The PCC shall consist of seven members appointed by the Council. Six of the members shall be residents of the City of San Luis Obispo. The seventh member shall be the Chair of the Tourism Business Improvement District (TBID) Board or another member of the TBID board as appointed by the TBID Board. Committee members shall be appointed for a term of four years, commencing on April 1st or other date as directed by the Council. No Committee member shall serve more than two consecutive terms (eight years) on the PCC. Any Committee member who has been appointed to fill a vacant seat in mid-term shall not be precluded from thereafter serving two four-year terms (eight years), so long as the initial, partial term is less than one year. The representative from the TBID Board shall serve a term concurrent with his/her term as the Chairperson of the TBID Board.

### ARTICLE 3. OFFICERS

The officers shall be a Chairperson and a Vice Chairperson. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms).; Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.

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**Deleted:** each of whom shall be elected for a one-year term at the March meeting of the PCC for the term starting in April. No Committee member shall serve more than two consecutive one-year terms as Chairperson or Vice Chairperson. Any Committee member who has been appointed to fill a vacant seat as Chairperson or Vice Chairperson in mid-term shall not be precluded from thereafter serving as Chairperson or Vice Chairperson for two consecutive one-year terms, so long as the initial, partial term is less than six months....

The Chairperson shall preside over all meetings of the PCC, prepare all meeting agendas with staff, and otherwise perform such duties as directed by the PCC or Council.

The Vice Chairperson shall serve in the absence or incapacity of the Chairperson.

### ARTICLE 4. MEETINGS

1. The PCC shall hold a regular meeting each month, but no fewer than ten times per year.
2. The meetings are to be held at City Hall, the second Wednesday of each month, unless another location and/or time has been announced as required by California law.
3. The meetings shall be open to the public.
4. A quorum is the majority of the total number of established members of the committee.
5. All actions of the PCC shall be by a majority vote or consensus and shall be directed through the Chairperson.

**Deleted:** A quorum shall consist of a majority of the Committee member currently serving on the PCC

6. Minutes of each meeting shall be taken and forwarded to the Council and shall be -available as a public record.
7. A special meeting may be called at any time by the Chairperson or by a majority of the Committee members currently serving on the PCC, provided each member is given written notice of the special meeting at least 24 hours prior to the meeting, and the time and place of the special meeting is announced as required by California Law.
8. All meetings shall be conducted in general accordance with Robert's Rules of Order, newly revised edition, subject to minor variation by the Chair as appropriate to the needs of the advisory body.
9. All Committee members present at a meeting shall vote on any motion or resolution brought before the PCC, except when abstaining due to a conflict of interest.
10. Any Committee member with a conflict of interest shall not vote on or participate in any discussion of an item or in any way attempt to influence the decision on such item.
11. Any member who fails to attend three regular meetings within any twelve-month period may be automatically considered for replacement at the discretion of the Committee.

#### ARTICLE 5. SUBCOMMITTEES

Subcommittees shall be appointed, as needed, by the Chairperson. ~~The Grants-in-Aid subcommittees is the only standing subcommittee.~~ The subcommittee members will serve for a ~~two~~-year term. After two years they will automatically rotate to the other standing subcommittee.

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#### ARTICLE 6. FUNCTIONS AND DUTIES

The functions and duties of the PCC shall include, but not be limited to, the following:

1. Planning a comprehensive program to promote the City of San Luis Obispo consistent with City goals and objectives.
2. Develop promotional programs and projects for the City of San Luis Obispo.
3. Hear requests for financial aid from cultural and promotional groups seeking grants from the City of San Luis Obispo and make recommendations to the Council thereon.
4. Present an annual assessment report to the City Council regarding the Promotional Coordinating Committee's Grants-in-Aid program and other programs as appropriate.

5. Initiate and support community activities that are meaningful to residents and visitors of the City of San Luis Obispo.
6. Provide a liaison to Grant-In-Aid recipients who work to promote the quality of life for residents and visitors of the City of San Luis Obispo.
7. Perform any other lawful tasks as directed by the Council.

#### ARTICLE 7. AMENDMENTS

These bylaws may be amended by the Council, upon the recommendations of two-thirds of the Committee members currently serving on the PCC, provided that the text of any such proposed amendment shall have first been provided in writing to each Committee member.

## N. Tourism Business Improvement District Board Bylaws (T/SP)

### ARTICLE 1. PURPOSE

The Tourism Business Improvement District Board (TBID Board) advises the Council in the administration and use of the TBID assessment funds. The Board recommends projects to promote tourism to the City of San Luis Obispo to directly benefit the City's lodging industry.

### ARTICLE 2. MEMBERSHIP

The TBID Board shall consist of seven members from the San Luis Obispo City lodging industry as appointed by the Council. Because of the diversity among assessment district members represented by the Board, including local, regional and national lodging industry interests, it is neither practical nor advisable to limit Board membership to City residents. Accordingly, membership on the TBID Board shall be exempt from residency requirements otherwise applicable to City Advisory bodies.

Board members shall be appointed for a term of four years, commencing on April 1st or any other date as directed by the Council. No Board member shall serve more than two consecutive terms (eight years) on the TBID Board. Any Board member who has been appointed to fill a vacant seat in mid-term shall not be precluded from thereafter serving two four-year terms (eight years), so long as the initial, partial term is less than one year.

One member of the TBID Board shall be appointed by the Board to the Promotional Coordinating Committee for a term concurrent with his/her TBID Board term. In the event no member of the Board can serve on both Boards, the responsibility will fall to the Chair.

### ARTICLE 3. OFFICERS

The officers shall be a Chairperson and a Vice Chairperson. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms); Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.

The Chairperson shall preside over all meetings of the TBID Board, prepare all meeting agendas with staff, and otherwise perform such duties as directed by the TBID Board or Council.

The immediate Past Chairperson shall automatically serve as the Vice Chairperson in order to give support to the incoming Chairperson and guarantee continuity and stability for the board proceedings during the absence of the Chairperson. The Vice Chairperson shall serve in the absence or incapacity of the Chairperson.

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**Deleted:** each of whom shall be elected for a one-year term at the March meeting of the TBID Board for a term starting in April. No Board member shall serve more than two consecutive one-year terms as Chairperson or Vice Chairperson. Any Board member who has been appointed to fill a vacant seat as Chairperson or Vice Chairperson in mid-term shall not be precluded from thereafter serving as Chairperson or Vice Chairperson for two consecutive one-year terms, so long as the initial, partial term is less than six months.

**ARTICLE 4. MEETINGS**

1. The TBID Board shall hold a regular meeting each month and no fewer than ten times per year.
2. The meetings are to be held in the Council Hearing Room, City Hall, 990 Palm Street, San Luis Obispo, California the second Wednesday of each month, unless another location and/or time has been announced as required by California law.
3. The meetings shall be open to the public.
4. ~~A quorum is the majority of the total number of established members of the board.~~
5. All actions of the TBID Board shall be by a majority vote or consensus and shall be directed through the Chairperson.
6. Minutes of each meeting shall be taken, shall be available as a public record and forwarded to the Council if requested.
7. A special meeting may be called at any time by the Chairperson or by a majority of the Board members currently serving on the TBID Board, provided each member is given written notice of the special meeting at least 24 hours prior to the meeting, and the time and place of the special meeting is announced as required by California Law.
8. All meetings shall be conducted in general accordance with Robert's Rules of Order, newly revised edition, subject to minor variation by the Chair as appropriate to the needs of the advisory body.
9. All Board members present at a meeting shall vote on any motion or resolution brought before the TBID Board, except when abstaining due to a conflict of interest.
10. Any Board member with a conflict of interest shall not vote on or participate in any discussion of an item or in any way attempt to influence the decision on such item.
11. Any failure to attend three consecutive meetings or a total of six regular meetings within any twelve-month period shall result in that member being automatically considered for replacement.

**Deleted:** A quorum shall consist of a majority of the members currently serving on the TBID Board

**ARTICLE 5. FUNCTIONS AND DUTIES**

The functions and duties of the TBID Board shall include, but not be limited to, the following:

1. Plan a comprehensive program to promote tourism to the City of San Luis Obispo and prepare an annual marketing program consistent with industry goals and objectives.
2. Develop advertising and promotional programs and projects to benefit the lodging industry in San Luis Obispo.
3. Present an annual assessment report to the City Council regarding the implemented promotional programs and projects.
4. Perform any other lawful tasks as directed by the Council.

**ARTICLE 6. AMENDMENTS**

These bylaws may be amended by the Council, upon the recommendations of two-thirds of the members currently serving on the TBID Board, provided that the text of any such proposed amendment shall have first been provided in writing to each Board member.

**ARTICLE 7. FUND RESERVE POLICY**

The purpose of the Fund Reserve policy for the TBID is to ensure stability of the program under economic uncertainties. For the TBID Fund the level of the reserve has been established at \$100,000. Under this policy, it is allowable for total expenditures to exceed revenues in a given year; however, the fund reserve can only be used to fund “one-time,” non-recurring expenditures upon TBID Board approval. In the instance funds are used, the reserve fund would be replenished to the established level in the next fiscal year.

## O. Tree Committee Bylaws (T/SP)

### ARTICLE 1. PURPOSE

The purpose of the Tree Committee (TC) is to advise City staff and the City Council on all matters related to trees in San Luis Obispo.

### ARTICLE 2. COMMITTEE MEMBERSHIP

The Tree Committee shall have seven members and shall consist of one representative from the Architectural Review Commission, and six members from the general public (two of whom shall be a horticultural expert, if possible). Members must be residents and registered voters of the City.

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### ARTICLE 3. TERMS OF OFFICE

Committee members will be appointed by the City Council to staggered terms of four years, commencing April 1. Committee members will serve at the pleasure of the City Council. Any Committee member may be reappointed, provided no appointee serves more than two consecutive terms (eight years).

### ARTICLE 4. MEETINGS

1. The Committee will hold a regular meeting each month.
2. Regular meetings will be held at 5:30 pm the fourth Monday of each month.
3. The Committee meetings will be duly advertised according to the Ralph M. Brown Act, and open to the public and held at the City's Corporation Yard, located at 25 Prado Road in Conference Room A, San Luis Obispo, California or other previously announced locations at specific times as required by California law.
4. A quorum is the majority of the total number of established members of the committee.
5. All actions of the Committee will be decided by a majority vote or consensus and will be directed through the Committee Chair.
6. Minutes of each meeting will be available as a public record in the Public Works Department.
7. The Chairperson or any four members of the Committee may call a special meeting provided that a week's prior notice is given in writing to each member and the meeting is otherwise properly noticed pursuant to the Brown Act.
8. All Committee meetings will be conducted in accordance with City Practices, customs, and policies. Robert's Rules of Order, Newly Revised, shall be utilized as a guide in the conduct of meetings.

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9. All members present must vote, except when ~~recusing~~ due to a declared ~~financial~~ conflict of interest.

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A failure or refusal to vote when present (except for a declared conflict of interest) will be construed as an affirmative vote.

10. Any member with a declared conflict of interest will not vote or participate in any discussion of any item or in any manner attempt to influence the decision on that item.

#### ARTICLE 5. SUBCOMMITTEES

Subcommittees consisting of less than a quorum of the Committee can be appointed as needed by the Chairperson.

#### ARTICLE 6. OFFICERS

1. The officers will consist of a Chairperson and Vice-Chairperson. Election of officers is governed by section 1.H (Advisory Body Basics / Officer Election and Officer Terms). ∴ Regular elections for Advisory Body Chair and Vice Chair shall be held in April of each odd year at a regular meeting. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.
2. The Chairperson will preside over all meetings of the Committee, prepare (with the assistance of staff) all meeting agendas and perform such duties as directed by the Committee.
3. The Vice-Chairperson will serve in the absence or incapacity of the Chairperson.

**Deleted:** who will be elected at the Committee meeting in April for one year terms

#### ARTICLE 7. POLICIES

The Committee adopts policies as stated in the City of San Luis Obispo Advisory Body Handbook, incorporated herein by reference.



## Section 7. Other Service Opportunities

There are several additional opportunities for San Luis Obispo residents to serve on City or Regional bodies with appointment by the City Council. Recruitment for these bodies is conducted concurrently with the City Council Advisory body annual recruitment and follow the same policies and procedures. Bylaws for these bodies are held outside the City or outside this document. Brief descriptions of these opportunities follow:

- Investment Oversight Committee (IOC). This is a *City committee* with one citizen seat appointed by City Council. As set forth in the Investment Management Plan, this committee is responsible for reviewing the City's portfolio on an ongoing basis to determine compliance with the City's investment policies and for making recommendations to the City Treasurer (Finance Director regarding investment management practices.)

The following are opportunities for San Luis Obispo residents to serve on *regional bodies*:

- Central Coast Commission for Senior Citizens, Area Agency on Aging (AAA): This is a non-profit organization responsible for allocating federal and state dollars to local agencies to ensure that supportive, nutrition and health promotion services are available to older adults in San Luis Obispo and Santa Barbara Counties. There are twelve members on the Board, six appointed from each County. The City of San Luis Obispo has one representative seat on the Board. Term lengths are two-years running July 1 through June 30. There are no term number limitations. Additional information may be found on their website: [www.centralcoastseniors.org](http://www.centralcoastseniors.org)
- Citizens Transportation Advisory Committee (CTAC): This committee provides citizen review on existing county transportation related issues and affairs, and develops recommendations on transportation policies and implementation to San Luis Obispo Council of Governments (SLOCOG) staff and Board.k There are fifteen members on the committee with one appointed by the San Luis Obispo City Council. Terms are not limited by the bylaws and therefore the City Council reviews the appointment every four years as is consistent with City Advisory Body bylaws.
- Zone 9: The San Luis Obispo County Flood Control and Water Conservation District (Zone 9) Advisory Committee was formed to assist the San Luis Obispo County Board of Supervisors on policy decisions relating to Zone 9. The Advisory Committee assists in determining the needs, desires, and financial capabilities of property owners in Zone 9. The Advisory Committee also recommends specific programs to alleviate and control flood damage, with recognition of the ecological and aesthetic values of the programs. The City Council appoints one regular citizen member and one alternate member to this board, as well as one City staff and alternate City staff. Terms are for four years with no limitation on the number of consecutive terms. Terms begin January 1 and go through December 31.

## Appendix A. Mission Statement

### SAN LUIS OBISPO STYLE

#### QUALITY WITH VISION

#### WHO ARE WE?

##### *People Serving People*

- A team that puts high value on each citizen it serves.
- Providers of programs that meet basic service needs of each citizen.
- Enhancers of the quality of life for the community as a whole.

#### WHAT DO WE STAND FOR?

##### *Quality in all Endeavors – Pride in Results*

- Service to the community – the best – at all times.
- Respect – for each other and for those we serve.
- Value – ensuring delivery of service with value for cost.
- Community involvement – the opportunity to participate in attaining the goals of the City.

#### WHERE ARE WE GOING?

##### *Into the Future with a Design*

- Planning and managing for levels of service consistent with the needs of the citizens.
- Offering skills development and organizational direction for employees in order to improve the delivery of municipal services.
- Developing sources of funding and establishing a sound financial management program which will result in fiscal independence and flexibility in the delivery of City Services.
- Providing the residents of the City with accurate and timely information on issues which affect them, and encouraging the full utilization of City services.
- Promoting the City as a regional trade, recreational and tourist center and improving the quality of life for residents and visitors.

## Appendix B. Organizational Values

### **Shared Vision, Mission and Goals**

We have a sense of common purpose and direction pursued with passion and translated into concrete actions.

### **Service**

We are dedicated to the best use of resources to fulfill identified community goals and needs.

### **Leadership and Support**

We recognize that the ability to lead can be found at all levels and that to create an environment to succeed requires leading by example.

### **Communication**

We foster open and clear discussion that encourages the willingness to speak up and to listen, within a framework of respect and understanding.

### **Team Players**

We encourage effective working relationships within and between departments and the public to address issues and achieve valuable results.

### **Honesty, Respect and Trust**

We honor commitments, acknowledge legitimate differences of opinion and accept decisions reached with integrity.

### **Initiative and Accountability**

We take personal responsibility to do what needs to be done and report the results in a straightforward manner.

### **Innovation and Flexibility**

We are open to change and willing to try new ways to fulfill the organization's vision, mission, and goals more effectively.

### **Employee Development and Recognition**

We encourage and support each employee to improve relevant job skills and celebrate personal and team accomplishments.

### **Stewardship and Ethics**

We promote public trust by using City resources wisely, and through consistent fulfillment of these values.