

GUIDE FOR ADVISORY BODIES



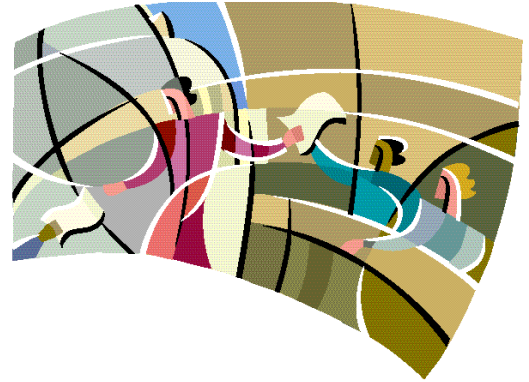
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CITY OF SHASTA LAKE GUIDE FOR ADVISORY BODIES

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Welcome

The City of Shasta Lake City Council, City Manager and City staff are pleased that you are interested in serving your community as a member of one of the City's advisory bodies.

Hereinafter, all boards, committees, and commissions will be referred to as commissions or advisory bodies for the purposes of this Guide.

As an appointed citizen of a City-established advisory body, you are considered a public official serving in an advisory capacity to the City Council performing a valuable service by addressing community issues and needs. City Council members look forward to your contribution as we all work together to provide efficient municipal service that is responsive to local needs and expectations.

The City Council appreciates your willingness to work in this capacity and hopes your experience will be stimulating, enjoyable and satisfying.

The Mayor annually appoints representatives to serve on many outside boards, committees and commissions. While this guide was prepared as a tool for the Parks and Recreation Advisory Commission and the Planning Commission, it can also be a useful guide for any individual interested in representing the City on an outside board, committee or commission.



General Information

The City of Shasta Lake is a general law city governed by a five-member city council elected at large to serve a four-year term. The Mayor and Vice Mayor are selected by majority vote of the Council and each serve in these positions for one year. Shasta Lake has a Council-Manager form of government and under this form of government, the City Council, as the legislative body, is responsible for setting policies and providing overall direction for the City operation.

A Council-manager government combines the strong political leadership of elected officials with the strong managerial experience of an appointed manager. All power and authority to set policy rests with the elected governing body, the City Council. The City Council in turn hires a nonpartisan manager who has full authority to run the organization.

As elected representatives, Council members provide a direct link with residents and consequently ensure the responsiveness of municipal activities. In order to gain a greater awareness of the sentiments of residents, the Council also appoints advisory groups composed of local residents familiar with the community and its needs. These groups further expand the opportunity for resident participation in City government.

Advisory bodies provide greater community participation and input into local government and facilitate informed decisions by the City Council. This Guide is designed as an informational tool presenting a statement of purpose, policies, and guidelines that outline the role, operation and responsibilities of the advisory bodies.

City of Shasta Lake Advisory Bodies

The City of Shasta Lake currently has two advisory bodies which are the Parks and Recreation Commission and the Planning Commission.

General Purpose

Advisory bodies play an important role in City Government by assisting and advising the City Council in formulating and implementing policy. Advisory bodies also develop recommendations and present supporting information to the City Council. The Planning Commission has the authority to make final decisions that if desired, can be appealed to Council. Both of these commissions are governed by the Brown Act.

The City of Shasta Lake advisory bodies have been established by Ordinance and are a part of the Shasta Lake Municipal Code.

Parks and Recreation Advisory Commission

City of Shasta Lake Municipal Code excerpt:

2.18.020 – Rules of Order

All parks and recreation advisory commission meetings shall be governed by the Ralph M. Brown Act, Roberts Rules of Order, and by other procedures as may be adopted by the parks and recreation advisory commission. (Ord. No. 09-199, § 1, 3-17-2009)

2.18.030 – Members – Appointments – Terms – Vacancies.

The parks and recreation advisory commission shall consist of five regular members that are residents of the city. The regular members shall serve two year terms. The city council may appoint a youth member, who is a resident of the city to serve as a non-voting member for a one year term. Commissioners shall serve at the pleasure of the city council and may be removed from office by the council at any time. A vacancy by other than expiration of the term shall be filled for the remainder of the unexpired term in the same manner as original appointments are made. Except in cases of removal from office and notwithstanding the above, a commissioner shall serve until the appointment of a successor. (Ord. No. 09-199, § 1, 3-17-2009)

2.18.010 – Members – Compensation.

All members of the parks and recreation advisory commission shall serve as members without compensation. (Ord. No. 09-199, § 1, 3-17-2009)

2.18.050 – Officers.

There shall be two officers in the parks and recreation advisory commission, a chair and a vice-chair. The public works director or his or her duly designated subordinate shall be secretary to the parks and recreation advisory commission. The commission shall elect its officers at the first regular meeting of the commission in January of each year, and they shall hold office for a term of one year, and any vacancy in any of the offices shall be filled by the commission at the first regular meeting of the commission after the vacancy occurs, and shall be filled for the unexpired portion of the term of office to be filled. The chair shall preside at all meetings of the commission, and in his or her absence the vice-chair shall preside. The secretary shall make and keep a record of all the resolutions, transactions, findings and determinations of the commission, and shall record and keep the minutes of the commission meetings. The secretary shall communicate and send copies of the minutes to the city clerk. The chair shall report activities of the parks and recreation advisory commission to the city council twice a year. (Ord. No. 09-199, § 1, 3-17-2009)

2.18.060 – Powers and duties.

The parks and recreation advisory commission shall perform the duties and shall have all the rights, powers and privileges specified and provided for in this code or by state law and shall serve as an advisory board to the city council on all matters related to parks and recreation. The decisions of the parks and recreation advisory commission are subject to appeal to the city council and the council has the final say in all city matters. (Ord. No. 09-199, § 1, 3-17-2009)

2.18.070 – Meetings – Time – Notice.

The parks and recreation advisory commission shall be held on the fourth Wednesday in January, March, May, July, September and November, at 7:00 p.m., except when that day falls on a legal holiday, in which case the meeting shall be held on the following Wednesday. Notice of all regular parks and recreation meetings shall be given in accordance with the provisions of the State of California. (Ord. No. 09-199, § 1, 3-17-2009)

2.18.080 – Meetings – Place – Quorum.

Regular meetings shall be held in the city council chambers. Adjourned regular meetings may be held elsewhere within the city, provided notice of the time and place of the meetings and of the agenda of special meetings is given to all members of the parks and recreation advisory commission and to all newspapers, radio stations, and television stations which have filed a request for notice in writing with the city clerk or with the secretary of the commission. The notice shall be given at least twenty-four (24) hours prior to the special meetings, and as to an adjourned regular meeting, shall be given at the regular meeting prior to adjournment. A majority of the members of the commission shall constitute a quorum for the transaction of business at any regular or special meeting of the commission. (Ord. No. 09-199, § 1, 3-17-2009)

2.18.090 – Vacancies.

In the event that any member of the commission shall be absent from the regular meetings for two consecutive meeting following the last regular meeting attended by the commissioner, unless by permission of the chair or in the absence of the chair, the vice-chair, expressed in its official

minutes, constitutes the voluntary resignation of the member and the position shall be declared vacant. (Ord. No. 09-199, § 1, 3-17-2009)

2.18.100 – Goals.

The purpose of the parks and recreation advisory commission shall be to make recommendations to the city council regarding all parks and recreation activities in an advisory capacity as follows:

- (1) To insure a sound program of parks and recreation development and maintenance;
- (2) To promote understanding and financial support from public and private sources;
- (3) To recommend to the city council the establishment of general policies with respect to the parks and recreation;
- (4) To prepare and recommend to the city council studies and uses of facilities pursuant to the guidelines established by the city council;
- (5) To use funds to the best benefit of the largest number of residents;
- (6) To provide a broad-based parks and recreation program for youth and adults;
- (7) To promote traditional programs of organized sports and fitness education;
- (8) To promote joint use and development;
- (9) To promote strong self-esteem programs;
- (10) To maintain and improve existing programs and facilities;
- (11) To promote tourism.

(Ord. No. 09-199, § 1, 3-17-2009)

2.18.110 – Special events.

All special events promoted and/or suggested by the parks and recreation advisory commission shall require a special event permit. The application for the permit shall be obtained at the administrative office in city hall. (Ord. No. 09-199, § 1, 3-17-2009)

Planning Commission

2.16.020 - Members—Appointment—Terms—Vacancies.

The planning commission shall consist of five members who shall be either residents or business owners within the city. All members shall be appointed by a majority of the city council.

The term of office of all members so appointed shall be for four years. Commissioners shall serve at the pleasure of the city council and may be removed from office by the council at any time. A vacancy by other than expiration of the term shall be filled for the remainder of the unexpired term in the same manner as original appointments are made. Except in cases of removal from office and notwithstanding the above, a commissioner shall serve until the appointment of a successor.

No commissioner shall be an officer or employee of the city. No commissioner shall hold any other public office if the duties and responsibilities of that office may be incompatible with the duties and responsibilities of a planning commissioner. (Ord. 93-12 § 2) (Ord. No. 08-198, § 1, 12-16-2008)

2.16.030 - Members—Compensation.

All members of the planning commission shall serve as members without compensation unless City Council authorizes a stipend by Resolution.

(Ord. 93-12 § 3)

2.16.040 - Officers.

There shall be two officers in the planning commission, a chairman and a vice-chairman. The planning director or his or her duly designated subordinate shall be secretary to the planning commission. The commission shall elect its officers at the first regular meeting of the commission in January of each year, and they shall hold office for a term of one year, and any vacancy in any of the offices shall be filled by the commission at the first regular meeting of the commission after the vacancy occurs, and shall be filled for the unexpired portion of the term of office to be filled. The chairman shall preside at all meetings of the commission, and in his or her absence the vice-chairman shall preside. The secretary shall make and keep a record of all the resolutions, transactions, findings and determinations of the commission, and shall record and keep the minutes of the commission meetings. **(Ord. 93-12 § 4)**

2.16.050 - Powers and duties.

The planning commission shall perform the duties and shall have all the rights, powers and privileges specified and provided for in this code or by state law and shall serve as an advisory board to the city council on all matters related to planning and development. The decisions of the planning commission are subject to appeal to the city council and the council has the final say in all city matters.

(Ord. 93-12 § 5)

2.16.060 - Meetings—Time—Notice.

Regular meetings of the planning commission of the city of Shasta Lake shall be held, without further notice, at such location as specified by resolution of the city council establishing the day, time, or location for meetings of the Planning Commission. The planning commission may adjourn any regular meeting of the planning commission from time-to-time, or place-to-place, so long as the adjournment shall not extend to a point in time beyond the day of the next regular meeting of the planning commission. Notice of all regular planning commission meetings shall be given in accordance with Sections 65090 through 65096 of the planning, zoning, and development laws of the state of California.

(Ord. 93-12 § 6) (Ord. No. 10-207, § 1, 1-5-2010)

2.16.070 - Meetings—Special.

Special meetings may be called by the chairman or a majority of the members by providing a written notice of said meeting time, place and agenda with the secretary of the planning commission at least twenty-four (24) hours prior to said meeting. The signed written notice shall also be served personally or by certified mail upon all members of the planning commission who did not sign the notice of the special meeting. Twenty-four (24) hours' notice in writing shall also be given to all newspapers, radio stations, and television stations which have filed a request for notice in writing with the city clerk or the secretary of the planning commission. The presence of all members at the special meeting, or the waiver of notice in writing by any absent member, shall constitute a waiver of the requirement of notice

as it relates to members. This notice does not replace the notice requirements of Sections 65090 through 65096 of the Planning, Zoning and Development Laws of the state of California. **(Ord. 93-12 § 7)**

2.16.080 - Meetings—Place—Quorum.

Regular meetings shall be held in the city council chambers. Adjourned regular meetings and special meetings may be held elsewhere within the city, provided notice of the time and place of the meetings and of the agenda of special meetings is given to all members of the planning commission and to all newspapers, radio stations, and television stations which have filed a request for notice in writing with the city clerk or with the secretary of the commission. The notice shall be given at least twenty-four (24) hours prior to the special meetings, and as to an adjourned regular meeting, shall be given at the regular meeting prior to adjournment. A majority of the members of the commission shall constitute a quorum for the transaction of business at any regular or special meeting of the commission. **(Ord. 93-12 § 8)**

2.16.090 - Rules of order.

All planning commission meetings shall be governed by Roberts Rules of Order and by other procedures as may be adopted by the planning commission. **(Ord. 93-12 § 9)**

Appointments

Appointments to serve on the City of Shasta Lake Commissions are made at a regular or adjourned regular meeting of the City Council and are for the length of term specified. Appointees serve at the pleasure of the City Council and can be removed at any time by a majority vote of the Council.

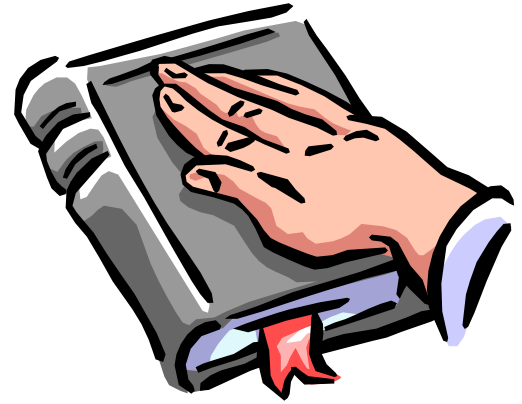


Vacancies

If an unscheduled vacancy occurs whether due to resignation, death, termination, or other cause, a special vacancy notice shall be posted pursuant to Government Code Section §54974. An appointment to fill an unexpired term shall be for the period remaining on the unexpired term. Resignations should be addressed to the attention of the City Council and forwarded to the City Clerk for distribution.

Ethics Training - Assembly Bill 1234

Implemented in January 2007, AB 1234 requires that all local agencies must provide ethics training to local agency officials every two years. The term “legislative body” includes not only the governing body of a local agency, but also a commission, committee, board, or other body of a local agency, whether permanent or temporary, decision-making or advisory.



The City Attorney provides an ethics training session to all internal staff members and members of advisory bodies every two years. If unable to attend this session, other options are available including an on-line training program that allows local officials to satisfy the requirements of AB 1234 on a cost-free basis. The training may be accessed at <http://localethics.fppc.ca.gov> and at the end of the training a **certification of completion must be printed and forwarded to the City Clerk for tracking. Failure to meet this requirement could lead to removal from your appointed position.**

Officers

A chair and a vice chair are selected annually by the members of the commission. The chair serves as the presiding officer of all commission meetings. In the chair’s absence, the vice-chair serves as the presiding officer.

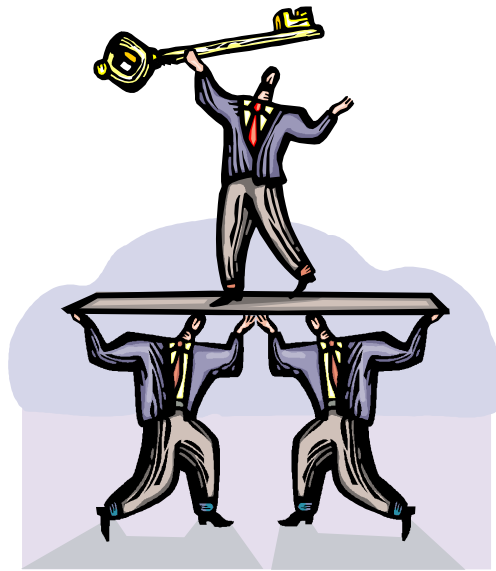
In the event of both being absent, the staff liaison will call the meeting to order and the commissioners select a temporary chair to serve until adjournment or the arrival of the chair or vice chair.

Establish Good Working Relationships

On many occasions the success or failure of the efforts of an advisory body member is largely dependent upon the degree of cooperation evident among the individual members of the body. In order to build a consensus around common goals and objectives, members will often have to first reconcile contradictory viewpoints and show a willingness to objectively consider the real and/or basic issues.

Another way of developing this cooperation is for each member to ensure that meetings proceed in an orderly manner. The chairperson is primarily responsible for seeing that consideration of agenda items move along expeditiously, but with reasonable time allocated to each item. Each member can assist the chairperson by becoming familiar with the basic rules of parliamentary procedure and by adequately preparing any presentation to be made to the commission.

Other important points which each commission member should consider in the relationship with other members are as follows:



- ◆ **Always show respect for each individual's viewpoint.**
- ◆ **Allow other members adequate time to present their views fully before making comments.**
- ◆ **Be open and honest at all times.**
- ◆ **Recognize new members and see that they are made welcome and receive assistance in becoming acquainted with their new duties.**

Responsibilities

The primary role of the advisory body is to provide judicious advice to the City Council, the elected policy-making body of the City. The advisory body's role can include hearing public testimony on the Council's behalf, building community consensus for proposals or projects, reviewing written material, facilitating study of issues, guiding implementation of new or regulating established programs, assessing the alternatives regarding issues of community concern and ultimately forwarding recommendations to the Council for its consideration. There may be times when the advisory body's recommendations will not be sustained or will be modified by the City Council. It is important for the advisory body members to recognize that this is not a rejection of the integrity of the recommendation but as an inevitable part of the process of community decision-making.

Be Prepared to Vote

It is the responsibility of commission members to make adequate preparations for each meeting. Asking questions of staff prior to the meeting is very beneficial to the process. Being prepared will greatly assist you when it comes time to vote on an issue. If members do not participate when they do not have a genuine conflict of interest, they are not carrying out the primary job for which they were appointed.



Scope of Authority

Advisory bodies are not involved in the administration or operation of City departments. Advisory body members may not direct administrative staff to initiate programs and may not conduct major studies or establish policy without the approval of the City Council. City staff members are available to provide general staff assistance to the advisory body.

Role and Responsibilities of the Chair

The Chair is the Presiding Officer and shall preserve order and decorum at all meetings of the advisory body. The Chair is responsible for ensuring the effectiveness of the group process. A good Chair will facilitate the involvement of all members of the advisory body. In the absence of the Chair, the Vice-Chair shall act as the Presiding Officer.

In addition, it should be noted that the Chair shall limit members in debate to the question under discussion and ensure that he or she, as well as the balance of the Commission refrains from commenting or entering into conversation with speakers during public comments or during public hearings, until all speakers have been heard.

Staff Responsibilities

Important staff responsibilities include:

- ◆ Being informed about the latest developments in their field.
- ◆ Providing background and expressing views to the Advisory Bodies on important issues.
- ◆ Providing administrative support, including agenda preparation and taking of minutes at meetings.
- ◆ Maintaining a professional position on all topics.
- ◆ Assisting the advisory bodies to stay on track and focused.
- ◆ Interpreting City Council, City department, and relevant state, federal, and international actions and policies.
- ◆ Developing a rapport with the Chair and advisory body members.
- ◆ Alerting members of possible detrimental actions.
- ◆ Ensuring that the public is given an opportunity to participate.
- ◆ Presenting advisory body recommendations to the City Council.

Code of Conduct

A Code of Conduct governs the actions and deliberations of the City commissions so that public deliberations and actions can be conducted in an atmosphere free from personal animosity and hostility and that all actions serve to increase public confidence in the City of Shasta Lake's government.

Each member of all the City's commissions has the duty to:

- ◆ Adhere to a high level of ethical conduct in the performance of public duties;
- ◆ Represent and work for the common good of the City;
- ◆ Pursuant to state law, refuse to accept gifts or favors or promises of future benefits which might compromise or tend to impair independent judgment or action;
- ◆ Provide fair and equal treatment for all persons and matters coming before the commission, whether in person, in writing or in an e-mail communication;
- ◆ Faithfully perform all duties of office;
- ◆ Learn and study the background and purpose of important items of business before voting;
- ◆ Be tolerant of all views expressed at public meetings;
- ◆ Refrain from abusive conduct, personal charges or verbal attacks made upon others; and
- ◆ Most importantly, advisory bodies are not to be involved in administration or operation of City departments. Advisory body members may not direct administrative staff to initiate programs; conduct major studies; or develop changes in policy without the direct approval of the City Council. City staff members are available to provide general staff assistance to the advisory body.
- ◆ Most importantly, advisory bodies are not to be involved in administration or operation of City departments. Advisory body members may not direct administrative staff to initiate programs; conduct major studies; or develop changes in policy without the direct approval of the City Council. City staff members are available to provide general staff assistance to the advisory body.

Violations of the Code of Conduct

Any violation or disregard for the Code of Conduct may result in one or more of the following actions being taken:

- A. **Verbal or Written Admonishment** – Least severe form of action and may be directed to one or all members of the commission.
- B. **Written sanction** – Official written reprimand which the City Council directs the Mayor to sign and send.
- C. **Censure** – Severe form of action taken by Council in open session directing the Mayor to send a letter of censure to the member expressing the Council's strong displeasure and/or disappointment of the action(s) taken.
- D. **Removal from Office** – Any appointee to a City of Shasta Lake commission serves at the pleasure of the City Council and may be removed at any time by a majority vote of the City Council.

Conflicts of Interest

All members of City advisory bodies should avoid the appearance of bias in pending City matters at all times. Any commission member who has a doubt as to whether or not there is a financial interest in any decision before the commission should contact the City Attorney's office prior to the time requested to make a decision.

As required by State law and the City's Conflict of Interest Code, most appointees are required to disclose certain financial information on a Statement of Economic Interests form and/or advise the Council of any potential conflict of interest which may arise if he/she is appointed. The City Clerk will provide appointees who are included in the Conflict of Interest Code with forms and instructions following appointment. Appointees must file these forms within 30 days of assuming office.

Attendance Requirements

For advisory bodies to function effectively and accomplish their goals, all members must be active participants. This means all members should be present at all meetings. In the event that an individual cannot attend the meeting they are responsible for contacting the Chair and the staff liaison so that their absence can be explained.

Meetings

City of Shasta Lake advisory bodies are subject to State law governing open meetings and records. The California law governing open meetings is found in the California Government Code, Sections 54950-54962 and is popularly referred to as the “Brown Act.” Generally speaking, the intent of the Act is that meetings of legislative bodies, including advisory bodies, shall be open to the public.

In order to facilitate a timely meeting, members encouraged to call or meet with staff prior to the meeting in order to get clarification on questions. By doing so, more time will be available for public input and for discussion by the advisory body.

Quorum

At any meeting of an advisory body, a majority of those members currently appointed shall constitute a quorum for purposes of conducting business and unless otherwise posted, a majority vote of those present and voting shall be sufficient to adopt motions.



Meeting Types

City advisory bodies may hold three types of meetings: regular, adjourned and special meetings. The staff liaison to the advisory body is responsible for identifying the type of meeting and posting all notices, including the agenda and notice of adjournment.

Regular Meetings

Regular meetings are held at the time and place specified in the resolution or ordinance establishing procedures for advisory bodies. Regular meetings may be “adjourned to” another date and time and are considered “regular adjourned meetings.”

The Brown Act generally requires advisory bodies to conduct public meetings. A “meeting” is considered to take place any time that a quorum of the advisory body gathers to discuss that body’s business. The Brown Act prohibits a quorum from meeting privately. The Brown Act specifically prohibits “any use of direct communication, personal intermediaries or technological devices...employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on any item by the members of the legislative body.” Therefore, the prohibition extends not only to personal contacts of the advisory body members among themselves outside the public meeting, but it also prohibits “serial” meetings whereby information is ultimately exchanged among a quorum of advisory body members whether or not simultaneously in one another’s presence.

Special Meetings

Special meetings may be held at a different time or place where only those issues as noted on the meeting agenda can be discussed.

Adjournment or Continuance

A legislative body may adjourn or continue any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment or continuance. A copy of the notice shall be conspicuously posted on or near the door where the meeting was held within twenty-four (24) hours after the time of adjournment or continuance. If the matter is continued to a time less than twenty-four (24) hours after the adjournment, a copy of the notice shall be posted immediately following the meeting that was continued.

What is a Meeting?

Meetings of the legislative body must comply with the open meeting requirements of the Brown Act. The term "meeting" is very broadly defined as any congregation of a majority of the members of the legislative body at the same time and place to hear, discuss or deliberate upon any matter which comes under the subject matter jurisdiction of the legislative body. Meetings may occur in a variety of situations.

Meeting Protocol

It is the Chair's role to facilitate meeting protocol. Staff liaisons may assist the Chair in starting the meeting on time, and also provide guidance in meeting protocol. Staff may also facilitate and promote effective communication.

Preparing Motions

Advisory body meetings are usually conducted according to parliamentary procedure. The Chair directs the meeting, and his/her rulings must be followed unless they are overruled by the body.

When a member wishes to propose an action on a particular item on the posted agenda for the advisory body to consider, the member makes a motion. A motion goes through the following steps.

1. The member asks to be recognized by the Chair.
2. After being recognized the member makes the motion: *"I move that we..."*
3. Another member seconds the motion: *"I second the motion."*
4. The Chair restates the motion and asks for discussion on the motion.
5. When the Chair determines that there has been enough discussion, the debate may be closed with: *"Is there any further discussion?"* or, if a member of the Commission *"calls for the question."*
6. If no one asks for permission to speak, the Chair then puts the question to a vote: *"All those in favor say aye."* *"All those opposed say nay."* The Chair should restate the motion prior to the vote to ensure the motion is clearly understood by all. Any member may request a roll call vote on a motion.
7. After the vote, the Chair announces the decision.

Properly phrasing a motion can be difficult and corrections may be necessary before it is acted upon. Until the Chair states the motion, the member making the motion may rephrase or withdraw it.

Meetings to Avoid

Face to Face Meetings



A meeting occurs whenever a majority of the members of the legislative body meets face to face to discuss, decide, or vote on an issue within its subject matter jurisdiction. The legislative body need not take any action for a gathering to be considered a “meeting.” A gathering is a “meeting” if a majority of the members of the body receives information, hears a proposal, discusses their views on an issue, or takes action on any issue under the subject matter jurisdiction of the body.

Informal Gathering



A gathering need not be formally convened to be considered a “meeting,” and may occur in a variety of social situations. For example, if a majority of the members of the body have lunch together and discuss or decide matters within its subject matter jurisdiction, the gathering is a “meeting.” A meeting may arise in other contexts, such as at social gatherings where a majority of the members of the legislative body discuss any matter within the body’s subject matter jurisdiction.

Serial Meetings



A meeting may also take place in situations where a majority of the members of the body do not meet face to face. The Brown Act expressly prohibits the use of devices, such as direct communication, personal intermediaries, or technological devices to develop a collective concurrence as to actions to be taken. For example, a member of the legislative body may not contact a majority of its members by telephone, e-mail, fax, or by a third party to discuss any matter within its subject matter jurisdiction outside of a publicly noticed meeting. Under the Brown Act, such meetings are deemed serial meetings.

Gatherings That Are Not Meetings

There are six types of gatherings that are not subject to the Brown Act. If a gathering does not fall within any of the six exceptions, will be participating in a meeting that requires notice, an agenda, and a period for public comment.

The six exceptions are as follows:

Individual Contact Exception



Conversations between a member of the body and any other person, that does not serve to "poll" members of the body does not constitute a meeting for purposes of the Brown Act.

Conference Exception



Attendance of a majority of the members of the body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the body, provided a majority of the members do not discuss among themselves specific business within the body's subject matter jurisdiction.

Other Public Meetings



Attendance of a majority of the members of the body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency.

Meetings of Other Legislative Bodies



Attendance of a majority of the members of the body at an open and noticed meeting of another body of the local agency, provided a majority of the members do not discuss among themselves specific business within the body's subject matter jurisdiction.

Social or Ceremonial Occasions



Attendance of a majority of the members of the body at a purely social or ceremonial occasion, provided a majority of the members do not discuss among themselves specific business within the body's subject matter jurisdiction.

Standing Committee Exception



Attendance by a majority of the members of the body at an open and noticed meeting of a standing committee of that body, provided that the members of the body who are not members of the standing committee attend only as observers.



E-Mail Communications between Advisory Body Members

Because e-mail communication can ultimately lead to the exchange of information intended to, or which may, create collective concurrence among a quorum of advisory body members, e-mail communications between advisory body members relative to advisory body business, should be avoided.

Ex Parte Communications

An ex parte communication is a communication made outside the meeting between a advisory body member and any person in the public concerning a quasi-judicial proceeding to be heard by the body. When a advisory body member has an ex parte communication, the member shall state for the public record: (a) the nature of that communication, (b) with whom the ex parte communication was made, and (c) a brief statement as to the substance of the communication.

Agendas and Minutes

Agendas will be prepared by staff liaisons in accordance with the requirements set forth in the Brown Act.

Agendas

Agendas provide the framework for meetings and are used to notify the public of what actions the commission will be considering and must follow these requirements:

- ✓ The agenda must be posted in an area freely accessible to the public.
- ✓ The agenda for regular meetings must be posted at least 72 hours in advance.
- ✓ The agenda for special meetings must be posted at least 24 hours in advance with the media notified as well.

Non-Agenda Items:

A body cannot discuss or take action on any item not appearing on the agenda.

“Narrow” exceptions to the rule include:

- ✓ Briefly responding to comments made by a private person during the public comment period;
- ✓ Asking staff for clarification; directing staff to place an item on a future agenda; or
- ✓ Making a brief announcement or report regarding the member’s own activities.

Additional exceptions to the non-agenda items rule include the following:

- ✓ Emergency situations that qualify for “emergency meetings”; or
- ✓ When two-thirds of the members of the legislative body decide there’s a need to take immediate action that was brought to their attention **after** the agenda was posted.



Minutes

Minutes are the legal record of actions and proceedings required by Govt. Code Section §36814 and §40801.

Proceedings

- ✓ Start meetings on time. Keep the agenda in mind in order to give each item the appropriate amount of time.
- ✓ Announce at the start of the meeting if the order of agenda items is to be rearranged either for convenience, in response to those attending only for certain items, or for better pacing of the agenda.
- ✓ Let the Chair run the meeting.
- ✓ Be fair, impartial, and respectful of the public, staff and each other. Give your full attention when others speak.
- ✓ Keep in mind that people may be attending a meeting for the first time and may be unfamiliar with the advisory body procedures. In your discussion, either avoid or explain technical terms or verbal shorthand.
- ✓ Listen to audience concerns.
- ✓ Don't engage in side conversations or otherwise be distracted.
- ✓ Don't engage the public in debate.
- ✓ Remember that your advisory body exists to take actions. It is not simply a discussion group or debating society.