

**CITY OF COSTA MESA**

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# **Commission and Committee Member Handbook**

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## **WELCOME MESSAGE FROM THE CITY MANAGER**

Welcome and congratulations on your appointment as a City of Costa Mesa Commissioner or Committee Member. Citizen participation in local government is a time-honored tradition in Costa Mesa. Commissions and Committees serve as conduits for conveying to Councilmembers a sense of the community's sentiments on existing and prospective legislation. Members are uniquely positioned to provide elected officials and City staff with invaluable insight and information for fact-based decision making. As such, members perform an invaluable public service by broadening the forum for community input and enhancing the processes of a representative democracy.

This handbook has been designed to assist members of all commissions and committees in understanding their general roles and responsibilities. Also, to provide general information for our Commissions and Committees about the City of Costa Mesa, as well as an outline of policies, practices, and procedures.

Thank you for your service and your dedication to the City of Costa Mesa. I hope your experience will be inspiring, enjoyable, and rewarding.

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# CHAPTER 1

## INTRODUCTION

The material in this handbook is written for individuals who have been appointed to a Commission or Committee position in the City of Costa Mesa. This handbook covers key information about nominations, appointments, qualifications, duties, meeting schedules, and policies, among other pertinent details.

Costa Mesa's system of commissions and committees provides mechanism for residents who have specialized experience or interests to participate in the City's decision-making process by advising the City Council on numerous issues. The structure of commissions and committees offers the chance to collaborate creatively with individuals of diverse ages, interests, and backgrounds. Democracy can be realized when citizens are able to come together across diverse neighborhood and economic backgrounds to assist in making the community decisions that will improve the quality of life in Costa Mesa. It is important that members ensure that a wide variety of viewpoints from the community are considered when making recommendations to the City Council. Members should treat widely varying viewpoints of other members and members of the public with respect so that all citizens are encouraged to participate in government processes.

Understanding the nature and structure of the City's activities is essential to comprehending and successfully carrying out the duties of a commissioner or committee member.

### **GENERAL LAW CITY**

California law recognizes two types of cities: General Law cities and Charter cities. The City of Costa Mesa, incorporated in 1953, is a General Law city. Costa Mesa's Council structure, planning procedures, and many other aspects of local government are established by state law. The City's Municipal Code sets forth local laws and refines state law.

## **COUNCIL/MANAGER FORM OF GOVERNMENT**

The City of Costa Mesa operates under a council/manager form of government. The City Council is the governing body of the City, elected directly by the citizens, and vested with all the regulatory power of the City. As elected representatives, Council Members provide a direct link with the citizens, and ensure the responsiveness of local government. The City Council consists of six council members elected by district, and a mayor elected at large. Council Members serve four-year terms for no more than two successive terms. The Mayor is elected at-large, for the term of two-years, and for no more than three successive terms. As a member of the City Council, the Mayor retains the right to vote, can make and second motions, and participate in policy deliberations. The Mayor has the additional responsibility of maintaining order during council meetings and providing general leadership. The Mayor does not have veto powers.

## **CITY COUNCIL GOALS AND OBJECTIVES**

The City Council conducts Strategic Planning sessions. Based on these sessions, the City Council has adopted 3-Year Goals and Six-Month Objectives, as well as the City's Mission Statement and Core Values.

### ***Mission Statement***

The City of Costa Mesa serves our residents, businesses, and visitors while promoting a safe, inclusive and vibrant community.

### ***Core Values***

- Integrity
- Sustainability
- Compassion
- Innovation
- Inclusion
- Collaboration

### ***3-Year Goals (2021 – 2024)***

- Recruit and Retain High Quality Staff
- Achieve Long-Term Fiscal Sustainability
- Strengthen the Public's Safety and Improve the Quality of Life
- Diversify, Stabilize, and Increase Housing to Reflect Community Needs
- Maintain and Enhance the City's Facilities, Technology, and Equipment
- Advance Environmental Sustainability and Climate Resiliency

## **CITY DEPARTMENTS**

The City of Costa Mesa has seven departments that report to the City Manager in addition to the City Attorney. City Department Directors work with and under the direction of the City Manager in carrying out the policies of the City Council. Department directors and/or their designee(s) are assigned to work with City Commissions/Committees as staff liaisons.

## **CITY MANAGER**

The City Manager is appointed by the City Council as the City's Chief Administrative Officer. The City Manager implements policy and coordinates day-to-day operations. The City Manager is responsible to the Council for coordination of all City departments, ensuring their efficient and effective performance.

The City Council and its members shall address the administrative services of the city only through the City Manager, except for the purpose of inquiry, and neither the City Council nor any member thereof shall direct activities to any subordinates of the City Manager.

The City Manager shall be an ex officio member of all boards and commissions appointed by the Mayor or the City Council pursuant to law, with a right to participate in all deliberations or actions but without vote. (Code 1960, § 2323)

The City Manager's Office coordinates and directs the City's functions within the framework of policy established by the City Council. The duties of the City Manager's Office include legislative support, policy implementation, budget development and strategic planning, assist with developing City Council's goals and objectives, keeping the City Council apprised of important community issues, and representing the City's interests at the local, state, and federal level. The following Divisions are in the City Manager's Office: City Clerk, Communications and Marketing, Human Resources, and Network for Homeless Solutions.

## **CITY ATTORNEY**

The City Attorney is appointed by the City Council, and provides legal counsel and advice during official meetings and study sessions of the City Council and various City Commissions; serves as a legal advisor to City staff; prepares and reviews City ordinances, resolutions, contracts and legal documents; represents the City in civil and criminal litigations; oversees the work of outside private counsel when hired to assist in litigation; and coordinates/reviews claims filed against or for the City with Risk Management. The City contracts with the firm of Jones and Mayer for legal services.

## **ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT**

The Economic and Development Services Department is divided into five divisions: Administration and Economic Development, Planning, Building Safety, Community Improvement, and Housing and Community Development.

The Economic Development program focuses on attraction and retention of key businesses in Costa Mesa and works closely with the Costa Mesa Chamber of Commerce, and Travel Costa Mesa Conference and Visitor Bureau to promote the City.

The Planning Division is responsible for implementing the Zoning Code and the goals, policies, and objectives of the City's General Plan. The Planning Division provides staff support to the Planning Commission, a seven-member advisory board to the City Council on land use and community development issues and applications.

The Building Division provides local enforcement of mandatory State building standards codes and the Costa Mesa Municipal Code related to the construction, modification, use, and occupancy of private and public buildings and properties.

The Community Improvement Division works in partnership with the public to promote and maintain a safe and desirable living and working environment by applying the division's resources to respond to City Council priorities or to complaints generated by the public.

The Housing and Community Development Division (HCD) solicits public service sub-recipient grant applicants for HUD-qualified activities, and reviews, recommends, and presents preliminary applications to the Housing and Public Service Grants Committee for recommendation to the City Council. Public service grants are awarded to nonprofit agencies that provide services such as homelessness prevention; homeless services; youth, senior and disabled services; and other eligible uses through the City's annual CDBG funding allocation.

**The Economic and Development Services Department serves the following Commission and Committees:**

***Planning Commission*** - This Commission consists of seven (7) Council appointed positions. Members must be residents of Costa Mesa. The Commission meets twice a month. The Commission derives its power from the provisions of the California Government Code and functions as an advisory body to the City Council on issues related to the long-term growth and development of the community, on requests for general plan amendments, rezones, specific plans, environmental impact reports and amendments to the City's Zoning Ordinance. The Planning Commission, has authority to take final action on a variety of planning applications, including conditional use permits, variances, planned development projects, and tentative tract and parcel maps. Appeals of the Planning Commission's decisions are considered by the City Council.

***Access, Building, Fire & Housing Board of Appeal*** – The Committee meets on an as needed basis, and consists of five (5) regular member positions who live or work in Costa Mesa who are qualified by experience and training to advise on matters pertaining to building construction and who are not employees of the jurisdiction. The Board will also hear appeals from determinations and orders by the building official and/or the fire marshal. Members serve for a four-year term.

***Housing and Public Service Grants Committee*** - The Committee meets twice a year; March and September and consists of seven (7) regular member positions. The committee helps to promote understanding of the community development process and activities funded by the U.S. Housing and Urban Development Department (HUD), and Community Development Block Grants (CDBG). Additionally, the committee rates and ranks applications for CDBG public service grants, ultimately developing funding recommendations for City Council recommendations. Members serve for a two-year term.

***Mobile Home Park Advisory Committee*** – The Committee meets quarterly and is comprised of nine (9) members: Three (3) Costa Mesa mobile home park owners (or their representative); four (4) mobile home park residents; and two (2) independent citizens at-large with no affiliation or relationship with mobile home parks. The goal of the Mobile Home Park Advisory Committee is to help improve the quality of life in mobile home parks and to review matters concerning mobile home parks in the City of Costa Mesa through healthy communication with park owners, mobile home owners, and the City Council. Members serve for a four-year term.

## **FINANCE DEPARTMENT**

The Finance Department is a General Government Support function. It is comprised of two divisions: Finance Administration and Financial Operations.

Finance Administration provides the Department's overall administrative direction and policy implementation; advises the City Manager, City Council, Finance and Pension Advisory Committee, and the Deferred Compensation Committee; and provides the overall coordination of the Department, including budgeting, accounting, payroll, purchasing, and treasury functions.

Financial Operations provides financial, accounting, payroll, treasury, procurement and budgetary services for all departments of the City.

### **The Finance Department serves the following Committee:**

***Finance and Pension Advisory Committee (FiPAC)*** - The Committee meets monthly and is comprised of seven (7) regular member positions. The scope and purpose of the Finance and Pension Advisory Committee ("FiPAC") shall be to advise the City Council in advance of significant votes, on issues related to significant financial matters. The FiPAC shall advise the City Council annually on the adoption of the City's budget (both the operating budget and the Capital Improvement Program), the allocation of any budget surpluses, the City's investment performance and policies, multi-year forecasts presented by City staff to the City Council, and adjustments under consideration at the time of the mid-year budget report.

At the request of City staff or the City Council, FiPAC shall advise the City Council prior to a vote on material financial decisions, including, for example, review of fees to be charged by the City, incentive programs and development agreements. FiPAC's meetings will coincide with the City Council meetings for which FiPAC will be advising the City Council and will be scheduled sufficiently in advance of the City Council meeting for FiPAC to provide thoughtful and meaningful advice in writing. FiPAC will provide a memorandum in advance of the City Council meeting as to their recommendation. A majority of the committee must agree on the recommendation. Members serve for a four-year term.

## **PARKS AND COMMUNITY SERVICES DEPARTMENT**

The Parks and Community Services Department provides the citizens of Costa Mesa with a diverse variety of high-quality recreation facilities, programs, and services. The department operates the Norma Hertzog Community Center, the Downtown Aquatics Center, and the Costa Mesa Senior Center and also allocates and monitors athletic field use, provides youth, teen, and adult recreation classes and manages the operating agreements for the Costa Mesa Golf and Country Club, the Costa Mesa Tennis Center, the Balearic Community Center, and Childs Pace.

### **The Parks and Community Services Department serves the following Commissions and Committees:**

***Arts Commission*** - The Commission meets monthly and consists of seven (7) Council appointed positions. Four (4) members must be residents of Costa Mesa and up to three (3) non-residents that are affiliated with the Arts. This commission represents the Council's desire for an ongoing policy focus, along with vigilant oversight of City investments in the arts. With a motto of "City of the Arts", the City holds in highest regard the vital role of the arts in the community. The general objectives of the arts commission shall be to ensure that the City of Costa Mesa is a place where creativity and creative people can flourish; imagination, inspiration and innovation are held in high regard, arts education is essential to all and that arts and culture promotes civic pride and enriches the daily lives of Costa Mesa residents. Commissioners serve four-year terms.

***Parks and Community Services Commission*** - The Commission meets monthly and consists of seven (7) Council appointed positions. Members must be residents of Costa Mesa. The Commission assists the City Council and various City departments with issues relating to parks, parkways, recreation programs and community services. Commissioners serve four-year terms.

***Fairview Park Steering Committee*** - The Committee meets every other month and consists of seven (7) regular member positions and includes the Orange County Model Engineers as an ex-officio/non-voting member. The committee evaluates the Fairview Park Master Plan, evaluates park enhancement opportunities that are compliant with Measure AA, makes recommendations to the Parks and Community Services Commission and the City Council. Members serve for a four-year term.

## **PUBLIC WORKS DEPARTMENT**

The Public Works Department provides services related to engineering design, construction management, transportation, street, park and city facilities maintenance, water quality, waste management and recycling, street sweeping, and fleet management. The Department is organized in four divisions: Public Services Administration, Engineering, Transportation Services, and Maintenance Services.

### **The Public Works Department serves the following Committees:**

***Active Transportation Committee*** – The Committee meets monthly and consists of nine (9) regular member positions one appointment by each Council Member, and two at-large members, the two at-large members should ensure broad representation of different mobility options and experiences (e.g. walk, bike, bus, and age ability), and Newport Mesa Unified School District as one ex officio/non-voting member. The Committee will help plan and implement an Active Transportation network for the City by improving bicycle and pedestrian connectivity throughout the City. Members serve for a two-year term.

The mission of this committee is to:

- Support implementation of the City's Active Transportation Program.
- Evaluate the bikeability and walkability of our City in order to make recommendations for improvement to the City Council.

***Traffic Impact Fee Ad Hoc Committee*** - This Committee meets on an as needed basis and consists of five (5) appointed positions with one representing the Chamber of Commerce, one representing major developers, one representing small developers and two at-large positions. City Council and Planning Commission liaisons are appointed by the Mayor and Planning Commission Chair, respectively. The purpose of the traffic impact fee is to fund the necessary transportation/circulation improvements, which are related directly to the incremental traffic impacts imposed on the City's transportation system by the development of new and/or changing commercial, industrial, and residential uses as permitted by the General Plan. The traffic impact fee committee assists staff on all aspects related to the updating and revision of traffic impact fees. Members serve for a four-year term.

## **INFORMATION TECHNOLOGY DEPARTMENT**

The Information Technology Department is responsible for network administration; software development and installation; maintenance of hardware and software, including upgrade and replacement; database management; and the support and oversight of all technology-related products and services for all City departments. Its daily activities include, but are not limited to, maintenance of all computer systems; ensuring that virus protection software are up-to-date and functioning properly; maintenance of a help desk to help troubleshoot computer-related issues; and ensuring that employees are connected and the City websites are working properly and safely. This department is further responsible for operation, maintenance, deployment, and utilization of all City computers. The department has two divisions: Systems & Programming and Computer Operations and Networking.

## **FIRE AND RESCUE DEPARTMENT**

The Fire & Rescue Department is a public safety function that protects life, property and the environment through its mitigation, prevention, preparedness, response, and recovery services. It is comprised of three divisions: Fire Administration, Fire/Rescue/Emergency Medical Services, and Fire Prevention/Community Risk Reduction.

The Administration Division is responsible for the delivery of all staff and support services, working towards the most effective and efficient operations of the department. Among these services, the division provides direction for strategic, operational, and emergency planning; establishes department policies and procedures; coordinates internal functions of all divisions, programs, and external functions with other City departments and community organizations; develops and manages the budget; provides oversight and coordination for department training and education; represents the department on countywide fire/rescue/emergency medical services committees; coordinates ordering and purchasing; manages the department's human resources; manages the department's records and reports; performs additional functions and duties as needed by the City Manager.

The Operations Division manages Fire, Rescue and Emergency Medical Services and maintains constant readiness to answer calls for assistance from the citizens and visitors of the community. The Division is also tasked with rapid response to life, health, fire, rescue, and environmental emergencies, as well as the protection of property, fire cause and origin determination, and life safety inspections and education. The Emergency Medical Services Division manages, supervises, and provides the functions required to support these services including; emergency planning, communications, training and education, equipment maintenance and repair, supplies, records, and quality control. Pre-hospital advanced life support (ALS) and basic life support (BLS) is provided by a combination of Paramedic Engine Companies, Truck Companies and Rescue Ambulances, including an innovative ambulance transportation program.

The Community Risk Reduction Division develops and enforces local fire, life safety, property, and environmental protection standards; enforces state adopted fire and life safety codes; reviews building construction plans; conducts building construction and business inspections; investigates citizen complaints; serves on city-wide committees related to development review, group homes, homeless outreach, and marijuana business; provides training to department personnel in regard to fire and life safety codes; assists professional trades with technical fire code requirements and department community education efforts. Develops, provides, and coordinates community preparedness activities including, volunteer, outreach, education, training, and response program including; Business Preparedness Academies and Community Emergency Response Team Academies and embracing an overall strategy of community risk reduction.

## **POLICE DEPARTMENT**

The Police Department is tasked with protecting life and property while preserving the peace.

The Administration division conducts the department's overall direction and planning of the department. The division provides advice to the City Manager and City Council on public safety issues, provides internal investigations through the Professional Standards Unit, performs public affairs services, and manages the department's budget and grant administration.

The Training Division provides and coordinates training programs, and the recruitment and selection of candidates for vacant positions within the department, adhering to the guidelines established by state-mandated Peace Officer Standard and Training requirements for worn and civilian personnel.

The Emergency Services office is responsible for the City's disaster preparedness, acts as liaison to other government agencies, conducts disaster planning meetings, training and exercise, and administers the Emergency Operations Center.

Field Operations provides public safety services through patrol-related policing activity, coordinates community-oriented policing services, supervises the Police Reserve Program, and supervises the Park Ranger Program.

Traffic Safety enforces State and City traffic laws, provides follow-up investigation and prosecution of traffic-related criminal cases, and coordinates personnel to respond to and investigate traffic collisions.

Contract and Special Events provides special event public safety and traffic management services requested by the community on a contract-for-pay basis.

Animal Services impounds strays or unlicensed animals and enforces laws applying to animals within the City.

The Selective Traffic Enforcement Program is designed to fund traffic safety related enforcement and education efforts to reduce alcohol related traffic collisions, and addresses aggressive driving practices, particularly speed and red light/stop sign violations.

The Crime Investigation Unit investigates criminal activities including homicide, rape, robbery, assault, larcenies, and burglaries.

The Special Investigations Unit investigates illegal narcotics activity with emphasis on traffickers, vice and prostitution.

The Youth Crime Intervention provides services to local school, criminal street gang suppression and investigation, and coordinates outreach intervention opportunities through the Gang Investigations Unit.

The Telecommunications Operations provides a centralized, computer-aided Communications Dispatch Center that receives citizen requests for emergency fire, paramedics and police services.

**The Police Department serves the following Committee:**

***Animal Services Committee*** (ASC) – The Committee meets monthly except for August and December and consists of seven (7) regular members. The purpose of the Animal Services Committee (ASC) is to provide advice and recommendations to the City Council on animal services issues and to promote pet licensing, assist with planning and execution of animal-related events (e.g., Barktober). In addition, the purpose of the Animal Services Committee is to maintain, educate, enrich, and promote animal services programs and resources throughout the City, and to monitor the animal care and control function of the City (e.g., live release rates, adoption, veterinary care, fostering, pet licensing) and advise the City Council of any issues that should be addressed. Members serve for a two-year term.

The Committee shall:

- Make recommendations to the City Council to improve animal services throughout the City, including pet licensing, animal shelter and adoption services, and responsible pet ownership.
- Support animal related community events, such as pet adoptions, vaccination clinics, micro-chipping, etc.
- Advise the City Council in advance of significant votes on issues related to the animal care and control functions of the City.

# CHAPTER 2

## COMMISSION AND COMMITTEE ROLES AND RELATIONSHIPS

### *Scope of Authority*

The following section outlines commission/committee members' scope of authority with respect to the City Council, City departments and employees, the public, and outside agencies. All committees act in an advisory capacity to the City Council. The Commissions act in a quasi-judicial capacity as they hold the authority to make decisions, such as the right to approve or deny permits. The commissions/committees do not receive, disburse, or in any way possess money or any other valuable commodity, nor enter into any contract as an agent of the City without prior authorization of the City Council. In addition, commission/committees are not involved in the hiring, promotion, dismissal, or suspension of City employees.

### *Council-Commission/Committee Relationship*

The primary purpose of all advisory bodies is to provide thoughtful advice to the City Council. This improves the quality of City government by providing the Council with resources to make better-informed decisions. Members serve as the "eyes and ears" of the Council for issues and matters that otherwise might not receive the attention they deserve. The role of a commission/committee improves the lines of communication between the public and the council by providing more opportunities for discussion of public issues. All action and business of commissions/committees are to be conducted by the appointed members as a whole.

### ***Departmental Staff Liaisons:***

The relationship between the staff liaison and advisory body is key. One or more staff liaisons are assigned to each commission/committee by the City Manager or his/her designee. Important staff responsibilities include:

- Providing background and professional perspective to the commission/committee on important issues.
- Providing administrative support, including agenda and report preparation and preparation of the minutes.
- Assisting the commission/committee to move through meeting agenda items to ensure business is advanced.
- Interpreting relevant City, State, and Federal laws and practices.
- Alerting commission/committee members of concerns related to business within their purview.
- Presenting commission/committee recommendations to the City Council.
- Conducting themselves professionally and remaining impartial.
- Supporting a positive and constructive work place environment for members, citizens, and businesses volunteering or working with the City.

The following are important guidelines for commission/committee members to follow:

- Recognize that stewardship of the public interest must be your primary concern, members will work for the common good of the people of Costa Mesa and not for private or personal interest.
- Members shall comply with the laws of the United States, the State of California, and the City of Costa Mesa in the performance of their duties. These laws include, but are not limited to, The United States and California constitutions; laws pertaining to conflict of interest, elections/campaigns, financial disclosures, open processes of government (Brown Act); and City ordinances and policies.
- Members shall conduct themselves professionally and support a positive and constructive environment.

- Members shall recognize their special role in dealings with City employees. Members have no supervisory authority over staff members, shall refrain from directing staff, and treat staff with decorum.
- Contact should first be made directly with the staff member assigned to the commission/committee.
- Contacts with staff members should be clearly within the framework of the commission/committee role and assignments.
- Members shall refrain from requesting individual reports, favors, or special consideration. A special request from a member requiring more than (4) hours of staff time requires prior City Council approval.
- Citizen complaints heard by members should be referred directly to the staff liaison assigned to the commission/committee.

### ***Relations with the Public and Outside Agencies***

It is important to recognize that a commission/committee member's actions and comments can be interpreted as that of the entire advisory body, City Council, or City as a whole. For this reason, the following guidelines should be followed:

- There should be no promises made to the public that are binding on the commission/committee, City Council, or City staff.
- Comments to the public should be factual, and delivered with professionalism.
- Technical questions which cannot be answered by commission/committee members should be referred to the staff liaison for a response.
- Commission/committee members have an obligation to listen to input from the staff and public in a courteous and appropriate manner.
- Individual comments of commission/committee members should always be distinguished from full commission/committee positions. Special care should be taken when talking to distinguish individual viewpoints from official commission/committee positions.
- Serving on a commission/committee does not preclude individual members from engaging in political campaigns or partisan activity. All members shall make it clear when engaging in political campaigns or partisan activity they are not representing the City or a commission or committee. Commissions or committees are nonpartisan, and cannot take action to sponsor political candidates or measures.

## ***Role of the Chair***

The Chair is a position of confidence and needs to be informed and prepared. The Chair leads and facilitates the discussion and decision-making process in a way where the pros and cons are voiced, the majority prevails, and the minority opinion feels heard.

The Chair's role is to provide the commission/committee 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. It is a challenge to manage the agenda, utilize parliamentary procedure where appropriate, guide the discussion and process, summarize key decisions and actions, and bring the meeting to an efficient close. The following are helpful tips:

- Correct procedure should always be a Chair's goal. Explanation of the public participation process to the audience is key. (For example: "The chair will hear first from staff who will present the staff report. Member's 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 group for deliberation and action.")
- The Chair must restate the motions or amendments as precisely as possible and to have an item repeated if correct wording requires clarification.
- Discussion is not in order until the motion has been stated by the Chair and seconded.
- The Chair should refrain from voicing a strong opinion at the beginning of a discussion.
- When calling for the question, the Chair should also call for the negative vote, saying, "Those opposed, say 'no'."
- The adoption of a substitute motion does not mean adoption of the main motion. The Chair should remember to state the main motion as amended.
- It is better to say: "The motion is out of order" than to indicate an individual is out of order.

As long as members feel confident handling the aforementioned duties of the position, the Chair position should be rotated annually. The Chair may occasionally serve two terms in a row.

### ***Outside Agency Liaison/ Ex-Officio Members***

An Outside Agency Liaison to a committee are members appointed to serve in a position because the committee needs their expertise or influence pertaining to certain issues that substantially benefits the City. They represent the entity/organization that they work/volunteer for as part of a collaboration on particular issues. Members may partake in discussions pertaining to their organization and/or area of expertise, however shall not vote. Ex-Officio members shall not be included in the count when determining if a quorum is present.

# CHAPTER 3

## MEMBERSHIP APPLICATION AND PROCEDURES

In conformance with California Government Code the City Clerk annually publishes an appointment list of all regular and ongoing commissions/committees, for which the City Council has appointing power. The list is available to the general public. The City of Costa Mesa issues press releases announcing vacancies and application deadlines, encouraging Costa Mesa residents to submit applications for consideration at the time of the vacancies. The Mayor and City Council members review the submitted applications when considering appointments.

### ***Commission Recruitment – Approximate Deadlines***

- DECEMBER – The City Clerk’s office will send out a press release on commission board vacancies. Staff liaisons shall notify those existing members whose terms are expiring, that they must submit a completed Application form if they wish to continue to serve. The application form must be received by the deadline established in the press release.
- DECEMBER/JANUARY – City Clerk’s office accepts and compiles Application forms from prospective candidates for inclusion in the City Council staff report. City Clerk’s office prepares the staff report.
- JANUARY/FEBRUARY – City Council appoints/reappoints Commissioners.

### ***Committee Recruitment – Approximate Deadlines***

- FEBRUARY – The City Clerk’s office will send out a press release on committee board vacancies. Staff liaisons shall notify those existing members whose terms are expiring, that they must submit a completed Application form if they wish to continue to serve. The application form must be received by the deadline established in the press release.
- MARCH – City Clerk’s office accepts and compiles Application forms from prospective candidates for inclusion in the City Council staff report. City Clerk’s office prepares the staff report.
- MARCH/APRIL – City Council appoints/reappoints members.

## ***Appointment Process***

The City Council appoints members to various City commissions/committees. The members serve staggered terms.

The Mayor may appoint a chairperson of a committee to assist when organizing the committee. Thereafter the commissions/committees appoint their own chairs. The Mayor designates at least one member of the City Council to serve as a non-voting liaison to each committee.

All commission/committee members serve at the pleasure of the City Council for designated terms. The terms of commission members will serve staggered four-year terms and coincide with the concurrent term of the respective appointing Council Member. Committee members serve for two years, unless otherwise specified by the City Council.

If a member wishes to be reappointed, an application form must be completed during the recruitment period. Commission/committee members may step down or resign by submitting a letter to the City Clerk or the staff liaison. In addition, the City Council may request resignations or terminate members at any time for any commission and committees.

The Mayor's office will send letters to appointed Commissioners and Committee Members, applicants not appointed, and members who have resigned and/or not reappointed.

## ***Enrollment Process – Commission Members***

Once appointed Commission members must complete an Oath of Allegiance, administered by the City Clerk or their designee.

### **Conflict of Interest**

Conflict of Interest rules exist to reinforce public confidence that City officials, employees and members are acting in the best interests of the public, and not in furtherance of their own self-interests. As a general rule, members should avoid situations where their official actions may affect or appear to affect their private interests, financial or otherwise.

Public Disclosure Requirement: If disqualification on a meeting agenda item is required, the member must publicly disclose the interest that is the subject of the potential conflict as well as the fact that they are disqualifying themselves from any participation in the decision. The disclosure may be made orally at the public meeting and/or in writing to the secretary and must be made a part of the agency's official records (e.g., the minutes of the meeting.).

## Form 700 – Statement of Economic Interest Form (For Commissioners)

The Political Reform Act (California Government Code §§ 81000-91014) requires Commissioners to publicly disclose their personal assets and income. The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the law's provisions. All members are required to fill out the Form 700. The City Clerk's office is responsible for the submittal of the Form 700 of all members. Copy of the Form 700 is attached in Appendix A, or you may retrieve it from the FPPC's website at: <http://www.fppc.ca.gov/Form700.html>

## Commissioners and Committee Members

Upon taking office, new members are given a copy of the handbook on commissions and committees. Both commission/committee members are required to complete the mandatory training on Ethics (AB 1234), "Harassment" and the Brown Act. This will be scheduled through the City Clerk's office.

## Ethics Training (Assembly Bill 1234)

Ethics Training is required for all commission/committee members. Ethics requires all members to:

- To uphold all laws, regulations and policies.
- To take no action for the purpose of benefiting the official personally.
- To make every effort to avoid a conflict of interest.
- To avoid disclosure of confidential information obtained in the performance of his or her duties or in his or her official capacity.
- To exercise prudence and good judgment at all times.
- To be fair, impartial, and unbiased in the decision-making process.
- To treat each other and the public with respect.

Failure to complete the training may result in removal from the commission/committee. The training certificate must be submitted to the Office of the City Clerk. The training will be provided by the City Attorney's office.

To ensure effective meetings and decisions, commission/committee members are expected to attend all meetings and should make every effort to do so. Unless for an excused absence (vacation, illness, etc.), absence from three consecutive meetings or more than four unexcused absences out of twelve meetings a year, may constitute a basis for dismissal by the City Council. For those commissions/committees or boards meeting less than twelve times a year, unexcused absences that exceed 33 1/3% of the total number of meetings a year would also establish a basis for dismissal by City Council. In the event of an excused absence, a member should notify the Chair in advance of the meeting.

### Annual Report Requirement

Committees are requested to prepare a status report on the work plan by the end of February of each year. The establishment of a work plan allows the City Council to evaluate the work of the committee.

This report should include:

1. Evaluation of the previous year's work, activities and recommendations.
2. Delineation of the upcoming year's program goals and objectives.
3. Funding requests to facilitate work of the Committee (i.e. Community Outreach Events or Materials).

The Chair or their designee of each committee shall provide an annual presentation to the City Council. The City Council will review the role and progress of the committee to determine their effectiveness. In doing so, the City Council reserves the right to revise the status of any committee based upon their need and benefit to the community.

### Stipend

Commission members receive a stipend. Planning Commissioners receive a \$400 monthly stipend. Parks, and Community Services Commissioners and Arts Commissioners receive a \$100 monthly stipend. Commission/committee members may be reimbursed for necessary expenses related to the performance of their duties, if approved in advance, and in writing, by the City Manager. No commission or committee member shall incur expenses, without prior approval. Please consult with your staff liaison.

# CHAPTER 4

## MEETINGS

### ***Robert's Rules of Order – Parliamentary Procedures and Effective Meetings***

Parliamentary Procedures are accepted methods for conducting meetings, and are outlined in Robert's Rules of Order, Revised, which commissioners/committee members should review. The following are tips for running effective meetings:

#### General Principles of Parliamentary Procedure

- Practice justice and courtesy for all.
- Do only one thing at a time: one subject at a time; one speaker at a time.
- Remain focused on the business that needs to be conducted.
- Facilitate action, not obstruct it.
- All members are equal.
- The majority decides.
- The rights of a minority must be protected.
- Silence gives consent.
- A question once settled may not be reintroduced.
- Everybody's feelings must be respected.

The Chair directs the meeting, and his/her rulings must be followed unless overruled by the body. When a member wishes to propose an action on a particular item on the agenda, 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?"*
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.
7. After the vote, the Chair announces the vote, i.e. by unanimous consent matter approved or by a 5-2 with member xxx and yyy dissenting, etc.

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.

## ***Brown Act***

The City of Costa Mesa's commissions/committees must conduct business based upon provisions of the Brown Act, which deals with the conduct of public meetings. The Act requires that meetings of all commissions/committees, be open to the public and held in an accessible location. To abide by this provision, an agenda must be posted in a location freely accessible to the public at least 72 hours before the scheduled meeting. Each agenda must contain sufficient information to briefly describe each item to be transacted or discussed at the meeting. A commission/committee is prohibited from taking action on any item not on the posted agenda. All documents presented to a commission/committee are considered public record unless otherwise determined by the City Attorney.

The Brown Act prohibits the use of technological devices such as telephones, email, etc., by a majority of a legislative body, including a commission/committee to develop a collective concurrence as to action to be taken on an item by the members of that body. Based on the Brown Act, commission/committee members are cautioned not to telephone or email back and forth on items on an agenda, which creates a "serial" meeting.

Members of a Commission/Committee can have discussions outside of the formal meetings, however they should not include any information that would be potentially discussed on an agenda or under the purview of that Commission/Committee. All members should be aware of public perception, should they be gathering in an unofficial way. Any allegations, potential or real, would be subject to a potential Brown Act Review.

## ***E-Mail Communication***

E-mail communication may lead to the exchange of information which may create collective concurrence among a quorum of commission/committee members. Consequently, e-mail communication between members relative to business, **should be avoided.** For example, while three members of a seven-member body, may appropriately communicate with one another by way of e-mail, the "forwarding" of such an e-mail message on to a fourth or subsequent member would result in a Brown Act violation. **Please note that communication (including communication on personal devices) pertaining to Commission/Committee business is subject to the Public Records Act and will need to be disclosed upon request.**

All communication from the public should be sent through the City e-mail system. Comments on agenda items or within subject jurisdiction of any advisory body should be e-mailed to the Commission Secretary or Committee Liaison to assure all comments are captured and entered into the record.

## **Public Meetings**

Any individual has the right to address a commission/committee regarding any item on the agenda or under the purview of the body. Information on addressing the body will be provided on the agenda.

## **Meeting Times, Quorums, and Attendance**

The time and place for regularly scheduled meetings are set either by ordinance, commission bylaws/committee action, or the City Manager. The City Manager has the discretion to adjust the committee meeting schedules, as needed, to allow maximum flexibility with staffing schedules and resources. If the regular meeting date falls on a holiday, the commission/committee should establish another date for the meeting or cancel the meeting. A special meeting may be requested by the staff liaison, Chair or majority vote of the membership when an issue is urgent and action is required before a regular meeting takes place, or when an in-depth discussion of an issue is needed. This request **must** be approved by the City Manager or his/her designee. Notice of a special meeting is required 24 hours before the time of the meeting. The notice should specify time, place, and business to be transacted.

In order for a commission/committee to conduct business, a quorum must be present. A majority of the members constitutes a quorum. In cases in which the membership of a commission/committee is reduced to less than a majority of the members due to vacancies, the quorum shall be a majority of the remaining members of such body until the vacancies are filled by City Council. However, under no circumstances shall the quorum be lowered to less than three (3) commission/committee members. (For example, a committee formed by City Council, which has seven members would need four members to be present for the committee to take formal action on a matter on the agenda for the meeting. If vacancies occur due to resignations of the members, the quorum is adjusted to require a minimum of three members. Once the vacancies are filled, the quorum returns to four members).

## **Minutes**

Minutes are required for every standing commission/committee meeting pursuant to the California Government Code. The staff liaison or their designee is responsible for the preparation of the minutes. The primary purpose of minutes is to memorialize decisions made by the *legislative body*. Only action minutes will be produced and should contain the following: the members of the commission/committee; the time the meeting convenes and adjourns; a description of the items discussed; public speakers and their topics; all motions made and the votes taken; and any stated reason for abstentions and “no” votes.

For individuals speaking under public comments, the minutes shall list the public member’s name (if provided); and include the overall topic and stance/position. Such as Mr. Jones spoke in opposition to the Project. Being mindful that the minutes are

recordings of the legislative body's proceedings, it is not appropriate to include details of individual comments. There is exception for public testimony provided during public hearings. The minutes of all meetings must be reviewed and approved by the commission/committee. To aid in the adoption of the minutes, commission and committee members are **legally** allowed to approve minutes of meetings that took place before they were appointed, or on meetings they did not attend.

### ***Meeting Types***

Commissions/committees may hold two types of meetings: regular and special meetings. The staff liaison to the body is responsible in preparing and posting the agenda prior to the 72-hour posting deadline for regular meetings and 24-hours prior for a special meeting. The staff liaison is also responsible for noticing the members of meeting cancellations, adjournments, and/or change of locations.

### ***Ad Hoc Committees***

Ad Hoc Committees shall only be formed upon approval of the City Council Liaison, and the City Attorney. The Ad Hoc Committee shall be set for a limited duration of time. There shall be no other standing committees, subcommittees or working groups. Ad hoc Committees, once formed, must be less than a quorum of the Committee. There must be a singular or limited focus for the Committee. The Ad Hoc meetings do not need to be noticed, or have posted agendas, however it is encouraged that the Ad Hoc Committee have an agenda to stay on point. There also has to be an established period of time for the Ad Hoc Committee to meet. For example, "beginning in January and ending in March, reporting to the full Committee in April". It is not required that staff be present, however it is encouraged, if possible, depending on staffing schedules and resources. You may speak with the Staff Liaison regarding the formation of an Ad Hoc Committee or you may speak to it under Member comments.

### ***Types of Procedures***

- Formal - This procedure does not permit discussion of a subject until it is offered as a motion, then seconded and restated by the Chair.
- Informal - The members are permitted to discuss the subject prior to the presentation of motions. The informal procedure may form better motions by permitting the group to arrive at a general opinion before the making of a motion.

### ***Conduct of Meeting***

- Addressing the Chair - Whether formal or informal procedure is used, all discussion is controlled by the Chair. Members address the Chair as Mr. or Madam Chair.
- Recognizing Members - The Chair must recognize members in the order in which they raise their hand.

## ***Agenda/Order of Business***

The agenda is prepared by the staff liaison and reviewed and approved by the City Manager or his/her designee (staff liaison) in consultation with the Chair.

- The agenda shall contain a brief general description of each item to be considered. Except as otherwise provided by law, no action shall be taken or discussed on any item not appearing on the agenda.
- The order of business provides a logical sequence for group considerations as well as the procedures by which the Chair advances from one matter to another. The following is a suggested sequence of items on an agenda:
  - **Quorum** - Simple majority of the commission/committee. At any meeting, a majority of total members shall constitute a quorum for purposes of conducting business. Thus, if a body has seven members, but only six seats filled it requires four present and four votes to approve items. If after fifteen (15) minutes a quorum is not present, the Chair or staff liaison announces, "As there is no quorum, the meeting is cancelled. The staff liaison is responsible for posting a cancellation notice at the entrance door when no quorum exists.
  - **Call to order** - The Chair presides at the meetings. In the Chair's absence, the Vice Chair presides. 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.
  - **Open the meeting** - To open the meeting, a roll call is taken. If a quorum is present, the Chair will call the meeting to order by announcing, "The meeting of the commission/committee will come to order." Note: Committee meetings are limited to two hours.
  - **Commission Public Comment** – Pursuant to the Brown Act this time period is scheduled for public comment. This is the time for members of the public to provide comments for items not on the agenda but under the purview of the Commission. Each member of the public will be given a total of three (3) minutes to speak. Additional public comment is allowed for each Public Hearing, Old Business, and New Business items, up to three (3) minutes each.

- **Committee Public Comment** – Pursuant to the Brown Act a fifteen (15) minute time period is scheduled for public comment. This is the time for members of the public to provide comments on items both on the agenda and not on the agenda but under the purview of the Committee. Each member of the public will be given a total of two (2) minutes to speak. An additional time period may be allotted for public comments on a specific item of significant subject matter at staff's discretion in consultation with the Chair.
- **Members comments** - Brief comments by members shall be pertaining to the specific work of the Commission/Committee.
- **Minutes of previous meeting** - Minutes are the official record of the actions of the commission/committee.
- **Public Hearing (Commissions Only)** – This is the time for Noticed Public Hearings.
- **Old Business** - This item concerns matters still under study or discussion, as well as matters postponed from a previous meeting.
- **New Business** - Any proposal or issues not previously considered by the group are dealt with during New Business. Items are introduced in the form of a motion. In addition to the individual members, the Chair is privileged to hold informal discussions on a topic before a formal motion is made. The Chair states, “A motion is now in order, what is your pleasure?”
- **Adjournment** - There are two types of adjournment motions: To adjourn until the next regular meeting or to adjourn to a specific time and place.

### ***Adding Items to the Agenda***

The Agenda is set and approved by the commission/committee liaison, the Department Director and/or the City Manager in consultation with the Chair. A commission or committee member may request that an item be added to a subsequent Agenda during Member Comments or via email to the staff liaison. Members of the public do not have the authority to add items to the Agenda.

### **CONCLUSION**

The information contained in this handbook will better assist all commission/committee members in understanding the City, their role, and responsibilities. Additionally, using the handbook as a tool will ensure consistency in procedures and practices involving all commissions/committees.

## **ACCOMMODATIONS**

All members who have disabilities are entitled to receive reasonable accommodations upon request in order to fully participate in meetings and events.

## **DISCLAIMER**

The material in this handbook is intended to provide general information. The reader is advised that the various provisions relating to City Commissions and Committees are subject to change by the City Council, the City Manager or their designee.

For questions please call the City Clerk's Office at (714) 754-5225.

## **APPENDICES**

- A. List of Commissions and Committees
- B. Local Appointments List
- C. Council Policy 000-2

## APPENDIX A: LIST OF COMMISSIONS AND COMMITTEES

Arts Commission	Meets 1 <sup>st</sup> Thursday at 6:00 p.m., City Hall, Council Chambers & via Zoom	Parks and Community Services Department
Parks and Community Services Commission	Meets 2 <sup>nd</sup> Thursday at 6:00 p.m., City Hall, Council Chambers & via Zoom	Parks and Community Services Department
Planning Commission	Meets 2 <sup>nd</sup> and 4 <sup>th</sup> Monday at 6:00 p.m. City Hall, Council Chambers & via Zoom	Economic and Community Development Department
Access, Building, Fire & Housing Board of Appeal	Meets on as-needed basis	Economic and Community Development Department
Active Transportation Committee	Meets 1 <sup>st</sup> Wednesday at 5:00 p.m.	Public Works Department
Animal Services Committee	Meets 4 <sup>th</sup> Wednesday at 5:30 p.m.	Police Department
Fairview Park Steering Committee	Meets 2 <sup>nd</sup> Wednesday of every other month at 6:00 p.m.	Parks and Community Services Department
Finance and Pension Advisory Committee	Meets 2 <sup>nd</sup> Wednesday at 4:00 p.m.	Finance Department
Housing and Public Service Grants Committee	Meets twice a year	Economic and Community Development Department
Mobile Home Park Advisory Committee	Meetings quarterly	Economic and Community Development
Traffic Impact Fee Ad Hoc Committee	Meets on as-needed basis	Public Works Department

Note: Committee meetings are limited to two hours.

## APPENDIX B: LOCAL APPOINTMENT LIST

[Local Appointment List](#)

CITY OF COSTA MESA, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
CITY COUNCIL APPOINTED ADVISORY COMMITTEES AND BOARDS	000-2	2/1/99  REV: 3/03 REV: 10/18/11 REV: 6/5/12 REV: 9/5/23	1 of 3

**BACKGROUND**

Revisions to this Policy occurred in March, 2003, October, 2011, and June 2012. The City Council has modified the recruitment, criteria, and selection of committee and board members. The City Council also approved the decrease in membership of the committees and boards through attrition and to be reflected in the Commissions/Committees/Boards Handbook. On May 5, 2012, the City Council modified the Policy indicating that the expiration of all committee and board-terms shall be in April. On September 5, 2023, the City Council modified the Policy regarding the membership, Alternate positions, and Ad Hoc Committees.

**PURPOSE**

To provide clear and cohesive policies which assist appointed committee and board members in performing their duties, and procedures for new standing and ad hoc committee formation.

**POLICY**

1. Bring community attitudes and needs into focus by providing valuable communication links between the community and the government of the City.
2. Facilitate recommendations from the community, which aid City Council in making sound decisions concerning policy formulation and resource allocation.
3. Establish and maintain a streamlined mechanism to facilitate committee formation; membership, interaction, work programs, and evaluations.

**PRACTICES AND PROCEDURES**

1. Formation and Membership
  - a. Based upon the need for citizen input on matters of importance to the community, requests to form a committee may be made by individual Council Members. "Committee Formation Application Forms" and "Committee Interest Forms" shall be made available to all interested parties through the City Clerk's Office.
  - b. Upon review of completed Formation Request Forms, City Council may create a new committee by formal action. Such action will establish the purpose of the committee and the number of members.
  - c. Individuals may serve concurrently on more than one committee assuming there is no conflict

## CITY OF COSTA MESA, CALIFORNIA

### COUNCIL POLICY

- d. The City Council will appoint members to various committees and boards with staggered terms. Committees shall be comprised of seven members (except for the Active Transportation Committee, Mobile Home Park Advisory Committee and the Traffic Impact Fee Committee), one appointment by each Council Member. A Council Member may defer his or her nomination to the Council Liaison.
- e. The Mayor shall designate at least one member of City Council to serve as a non-voting liaison to each committee.

#### 2. Membership Terms

- a. Appointed committee members must be Costa Mesa residents, unless otherwise specified by the City Council.
- b. Committee members shall be appointed or reappointed for a term of two (2) years (staggered) unless otherwise specified by City Council.
- c. The expiration of all committee and board-terms shall be in April.
- d. To vacate a position on a committee or board, the person shall file a written resignation with the Staff Liaison..
- e. The City Council, at any time, may request the resignation of or terminate membership of any committee member.
- f. There shall be no Alternate positions.
- g. An Outside Agency liaison/Ex-Officio member to a committee are members appointed to serve in a position because the committee needs their expertise or influence pertaining to certain issues that substantially benefits the City. They represent the entity/organization that they work/volunteer for as part of a collaboration on particular issues. Members may partake in discussions and debate pertaining to their organization and/or area of expertise, however shall not vote. Ex-Officio members shall not be included in the count when determining if a quorum is present.

#### 3. Work Program/Committee Review Process

- a. Each February, all committees shall prepare and submit a Work Program for City Council review. The Work Program shall include:
  - Evaluation of the previous years' progress;
  - Delineation of the upcoming year's program, goals and objectives; and
  - Proposed budget requests.
- b. The City Council shall conduct a Committee Review Process once a year in February to review the role and progress of committees to determine their effectiveness. In doing so, City Council reserves the right to revise the status of various committees based upon their need and benefit to the community.

4. General Information and Procedures

Except as provided in this policy all committees and boards shall be guided by the policies set forth in the Commissions/Committees/Boards Handbook. In case of any inconsistencies between this policy and the Handbook, the provisions in this policy shall govern these committees and boards.

5. Quorum Due to Vacancies

- a. Where there are no vacancies by resignation of members, the quorum for a committee formed by City Council shall be a majority of the members of such body.
- b. Where the membership on a committee is reduced to less than a majority of the members of such a body due to vacancies by resignation of its members, the quorum shall be a majority of the remaining members of such body until the vacancies are filled by City Council; provided, however, that under no circumstances would the quorum be lowered to less than three (3) committee members. (For example, a committee formed by City Council, which has seven members, would need four members to be present for the committee to take formal action on a matter on the agenda for the meeting. If vacancies occur due to resignations of the members, the quorum would be adjusted to require a minimum of three members to be present for the committee to take formal action on a matter on the agenda while the vacancies have not been filled by City Council. Once the vacancies are filled, the quorum would return to the requirement of four members.)

6. Ad Hoc Committees

Ad Hoc Committees shall only be formed upon approval of the City Council Liaison, and the City Attorney. The Ad Hoc Committee shall be set for a limited duration of time. There shall be no other standing committees, subcommittees or working groups.