

Commission & Committee Guide

A Reference Guide for Members of Commissions, Boards, and Committees

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INTRODUCTION

The Commission and Committee Guide assists members of all City commissions, committees, and boards in carrying out responsibilities in accordance with the policies and guidelines established by the City Council.

City advisory bodies serve as a vehicle to facilitate public input and citizen participation in the determination of City policies. This is accomplished by a majority of the commission coordinating with the commission staff liaison to formulate recommended courses of action to the City Council with whom final determination rests. The Planning Commission is not only advisory, but a regulatory body, having authority to make final determinations in applicable circumstances.

This guide offers examples of the types of issues that each body will address and will be a useful tool as the duties and responsibilities are carried out.

The City Council appreciates the commitment and willingness of citizens who serve our community. We sincerely hope you will find it to be an interesting and rewarding experience.

BUENA PARK CITY COUNCIL

COUNCIL'S ROLE IS TO . . .

- make policy;
- direct City Manager to carry out policy; and
- solicit input from Commissions on issues in their various functional areas unless there are legal or time constraints.

COMMISSION'S ROLE IS TO . . .

- advise City Council on policies that assist the City Council in carrying out their responsibilities; and
- provide citizen input by being positive representatives of the City Council and the community.

STAFF'S ROLE IS TO . . .

- research and investigate issues, prepare alternatives and recommendations for Commission and City Council review, and to implement City Council policy decisions; and
- provide staff liaison and clerical support to the Commission under the guidance of the Department Head (and ultimately, the City Manager).

GENERAL POLICIES & PROCEDURES

Responsibilities

All action and business of commissions and committees shall be coordinated with the commission staff liaison. The commission and committee must act as a whole, and no member(s) shall act independently of the majority unless authorized by a majority vote or the quorum. (Revised for Clarity 2/2016)

Via the staff liaison, commissions and committees shall keep the City Council fully informed of their activities at all times, and shall request the opinion and advice of the City Council if a question arises as to duties, responsibility, or authority.

Commissions and committees shall expeditiously act on all project assignments made by the City Council and, via the staff liaison, submit reports and recommendations to the City Council on these assignments.

It shall be the responsibility of commissions and committees to be represented at the meetings of the City Council or at meetings of other committees or commissions when matters of joint concern are to be discussed.

It shall be the responsibility of commissions and committees to inform, via the staff liaison, other bodies of the City when it will consider matters of concern to such other commissions or committees.

Ethics & Core Values

Commissions shall adopt the City's core values:

Excellence

Always striving to do better and excelling beyond expectations for the community.

Communication

Exchanging thoughts, opinions, and information well; relaying messages to the best of our ability with clarity.

Teamwork

Working well together; combining individual talents and strengths, supporting each other, and then working cooperatively to achieve mutual objectives.

Commitment

Pledging or engaging ourselves to the people we serve; dedicating our time and energy to that which we believe.

Respect

Treating others justly, fairly, and with dignity; showing high regard for others and treating them as we would like to be treated.

Integrity

Always exhibiting sound moral principles, virtues, and good character; demonstrating honesty and trustworthiness in the community.

Commissions and committees shall not knowingly work to the advantage of any citizen or group, or show preference to any other citizen or group.

Commissions and committees shall be subject to the same purchasing ethics and standards established by the City Council as outlined in Administrative Memorandum No. 300-14 which calls for exercising a strict rule of personal conduct to ensure that no transaction should become compromised or have the appearance of being compromised. The City's reputation for dealing in a fair manner must always be upheld and promoted by treatment of salespersons in which competition is always kept open. Commissioners shall have no interest in any contract recommended by them in their official capacity, or by any body or board of which they are a member.

Business & Financial Policies

All action and business of commissions and committees shall be coordinated with the commission staff liaison. The commission and committee must act as a whole, and no member(s) shall act independent of the majority unless authorized by a majority vote or the quorum. (Revised for Clarity 2/2016)

Donations and solicitations exceeding \$500 shall be referenced in the commission minutes, and all funds received shall be deposited with the City in accordance with the Commission Enterprise Policy. (Council Action 9/2/2008)

Commissions and committees shall not be authorized to enter into any contract.

Commissioners and committee members are prohibited from making, participating in making, or attempting to influence decisions in which they have a reason to know they have a financial interest. (Added for Clarity 2/16)

Commissions and committees shall not receive, disburse, or in any way possess money or any other valuable commodity as an agent of the City without the prior authorization of the City Council, except as provided for in the Commission Enterprise Funds Policy. (Revised for Clarity 2/2013)

Commission Enterprise Funds Policy: Commissions may establish a fund for monies received from fundraising events and donations to be deposited with the City. The monies deposited to the Commission Enterprise Fund shall be used by the Commission to supplement funds budgeted for Commission-related events.

Requests for expenditure must be submitted to the Commission for a majority vote approval. Once approved, disbursements of all funds shall comply with the City's current policies and procedures.

Any requests over \$1,000 must also be presented to and approved by the City Council prior to disbursement.

A written report of all transactions and bank statements will be presented each month at the Commission meeting to be reviewed by all Commissioners and City Council, if requested. Commissions are asked to reference transactions and balances in the commission minutes.

Commissions must receive City Council authority for new programs and fundraising activities.. (Council Action 9/22/2015)

Commissions must receive City Council authority, via the staff liaison, for new programs and new fundraising activities.

All commissions, boards, and committees that anticipate the need during the upcoming fiscal year for financial expenditures shall submit, through their staff liaison, an annual proposed budget to the City Manager and City Council. The budget request will be incorporated into the City's annual budget for Council review. All requests for budgeted expenditures shall be processed according to City purchasing procedures.

Commissions and committees shall be subject to the same travel and business expense policy established by the City Council as outlined in Administrative Memorandum No. 100-18 (available through the staff liaison).

Meetings & Agenda

All commissions and committees and their sub-committees shall conduct business in the same manner as the City Council, through published agendas, public notices and minutes, and shall comply with the Brown Act and the ordinances of the City of Buena Park. (Revised for clarity 10/12)

All meetings of commissions and committees and their sub-committees shall be open to the public and comply with Brown Act provisions governing public meetings. Special meetings may be called when needed. (Revised for clarity 10/12)

Commissions may establish sub-committees to serve as advisory bodies to the full commission. Proposed recommendations of sub-committees are presented to the full commission for ratification, and sub-committees do not have final decision-making authority. Sub-committee appointments are made by the commission chair with approval by a majority of the commission. The commission shall not appoint non-commission members to sub-committees unless authorized by the City Council. (Revised 2/16)

Unless otherwise specified by State law or City regulations, conduct of all meetings shall generally follow Rosenberg's Rules of Order.

A majority of the seated commission or committee members shall constitute a quorum, and a quorum must be present before official action is taken. (Revised for clarity 10/12)

All meetings will be held in the Council Chamber, or other assigned areas, on assigned days and times unless otherwise noticed. Conflicts between meetings of commissions and committees shall be resolved by mutual consent of the departments involved with assistance from the City Manager if necessary.

The chair of each commission or committee shall preside at all meetings and the vice chair shall assume the duties of chair when the chair is absent from any meetings. Officers shall hold office for a one-year term or until their successors are elected via a nomination process from the floor. Any commission or committee member may nominate any commission or committee member for the position of chair (or vice chair), and the nomination does not need to be seconded. When there are no further nominations, nominations are closed. Should there be only one member nominated for chair (or vice chair), that individual will be named chair (or vice chair) without the need for a vote. The same chair and/or vice chair may be re-elected for multiple consecutive years. (Revised for Clarity 2/16)

The commission staff secretary shall prepare minutes of all meetings. The original minutes shall be filed with the City Clerk and posted on the City's website for expediency, a draft form of the minutes shall be posted as soon as available and later replaced with the final version. All commission minutes are in summary form and shall reflect the final action of the board.

Appointments/Reappointments/Vacancies

All commission and committee members serve at the pleasure of the City Council for designated terms. Following the original appointment, if a member wishes to be reappointed, a letter requesting reappointment must be submitted to the Mayor prior to expiration of the term. Commissioners seeking reappointment for more than two consecutive terms shall participate in the screening and application process outlined for new appointments. No person may serve on more than one commission or committee at a time. (Council Action 10/23/07)

Prior to taking office, all commission and committee members must complete an Oath of Allegiance required by Article XX, § 3, of the Constitution of the State of California. All oaths are administered by the Office of the City Clerk.

If any member of a commission or committee is absent from three regular meetings in a row or absent for more than fifty percent of the regular meetings in any one year period, the secretary shall immediately inform the Mayor and City Council, and the City Council may deem the commission seat vacant and the term of such member terminated. Excused absences may be granted by the chair if the absences do not exceed the fifty percent limit.

A leave of absence may be considered by the City Council on an individual basis if the request is submitted in writing by the commission or committee member and the chair.

Whenever a vacancy occurs by reason of the resignation, death, disability, or failure of a member to attend meetings, the Mayor, with approval of the City Council, shall make an appointment to fill the vacancy for the remainder of the term.

Vacancies on any commission or committee are posted by the City Clerk in accordance with requirements of the Government Code.

One City Council Member shall be assigned annually to each commission to serve as the commission's liaison. The role of the liaison is to attend commission meetings periodically; assist in keeping the City Council informed of commission activities; ensure commission activities align with City Council goals and objectives; and confer with the City Council if questions arise as to duties, responsibility, functionality, or authority. (Council Action 01/10/2010)

All Planning Commissioners are required to complete a Statement of Economic Interest upon assuming and leaving office and an annual Conflict of Interest Statement for filing with the Fair Political Practices Commission (FPPC). All Park and Recreation commissioners are required to complete a Statement of Economic Interest upon assuming office and an annual Conflict of Interest Statement for filing with the City Clerk. All forms are distributed and filed by the City Clerk who is the City's FPPC filing officer.

COMMISSION AND COMMITTEES



Beautification-Environmental Commission
Cultural and Fine Arts Commission
Park and Recreation Commission
Planning Commission
Senior Citizens Commission
Traffic and Transportation Commission
Community Development Citizens Advisory Committee

BEAUTIFICATION-ENVIRONMENTAL COMMISSION

The Beautification-Environmental Commission shall consist of seven members who are either residents of the City, employed, or engaged in business within the City, having an interest in the coordination of all beautification and environmental activities within the City.

General Purpose and Duties

1. To promote civic beautification and environmental awareness, and to educate the citizenry as to the need for community beautification and environmental awareness.
2. To study and investigate means by which the City can conserve and enhance its natural environment and formulate policies for recommendation to the City Council for that purpose.
3. To advise the City Council on public relations matters related to beautification of private property and publicly-owned property.
4. To review and make recommendations concerning landscaping and beautification of City-owned property.
5. To consider, study, and investigate such matters as may be referred to it by the City Council and make such recommendations as may be requested by the City Council.

Meetings

Regular meetings are held on the 4th Thursday of each month at 6:30 p.m. in the Council Chamber.

Terms of Office

Members shall be appointed by the Mayor with approval of the City Council for a term of three years with terms ending on June 6.

Organization

Chairman and Vice-Chairman shall be selected in January of each year by a majority vote of the commissioners and shall serve for one year or until successors are elected.

Authority

Buena Park City Code

Staff Liaison

Public Works Department

CULTURAL AND FINE ARTS COMMISSION

The Cultural and Fine Arts Commission shall consist of a minimum of nine and a maximum of fifteen members, a majority of whom shall be residents of the City, having an interest in the artistic and cultural environment of the City.

General Purpose and Duties

1. Promote, encourage, and endorse cultural activities in the City, such as but not limited to, art festivals, summer band concerts, bus caravans for cultural trips and programs, lecture/artist series, children's art shows, civic theater, children's theater, and concerts.
2. Establish a cultural identity for the City in a cultural environment suitable for its citizens.
3. Coordinate various arts and cultural activities within the City with a view toward proper calendaring and scheduling of such events and making such events known to the public.
4. One member shall be appointed to attend the Orange County Arts Alliance meetings and report to the commission.

Meetings

Meetings are held on the 3rd Wednesday of each month at 7 p.m. in the Council Chamber.

Terms of Office

Members shall be appointed by the Mayor with approval of the City Council for a term of 3 years.

Organization

Chairman and Vice-Chairman shall be selected in June of each year by a majority vote of the commissioners and shall serve for one year or until their successors are elected.

Authority

Buena Park City Code

Staff Liaison

Recreation, Parks and Community Services Department

PARK AND RECREATION COMMISSION

The Park and Recreation Commission shall consist of seven members who are residents of the City, having an interest in the development of park facilities and recreation activities and programs within the City.

General Purpose and Duties

1. Act in an advisory capacity to the City Council in all matters pertaining to parks and recreational programming and to cooperate with other governmental agencies and civic groups in the advancement of sound park and recreation planning.
2. To coordinate the park and recreation activities of the City and provide for establishment of sound recreational programs.
3. To recommend a program of park and playground acquisition, development, and maintenance.
4. Formulate policies on recreation services and recommend same to the City Council; make periodic inventories of recreation services that exist or may be needed and interpret needs of the public to the City Council.
5. Study present and future needs of the City with respect to recreation and park facilities and events and make recommendations to City Council.

Meetings

Regular meetings are held on the 3rd Thursday of each month at 7 p.m. in the Council Chamber.

Terms of Office

Members shall be appointed by the Mayor with approval of the City Council for a term of three years with the term ending on December 31.

Organization

Chairman and Vice-Chairman shall be selected in January of each year by a majority vote of the commissioners and shall serve for one year or until their successors are elected.

Authority

Buena Park City Code

Staff Liaison

Recreation, Parks and Community Services Department

PLANNING COMMISSION

The Planning Commission shall consist of seven members who are residents of the City having an interest in the development of the City.

General Purpose and Duties

1. Consider and provide policy on planning matters.
2. Develop and formulate the General Plan with the help of staff for the orderly development of the City.
3. Initiate zone changes, amendments to the General Plan and the Zoning Ordinance.
4. Recommend to City Council amendments of the Zoning Ordinance, zone changes, amendments to the General Plan, and such other matters as may be referred by the City Council.
5. Approve or deny variances, conditional use permits, site plans, tentative parcel maps, tentative tract maps, and conditions, covenants and restrictions.
6. Conduct necessary research in conjunction with submitted plans.
7. Perform such tasks as shall be necessary to carry out provisions of the City Code and State Planning laws.

Meetings

Meetings are held on the 2nd and 4th Wednesdays of each month at 7 p.m. in the Council Chamber, or as otherwise adopted by the Planning Commission.

Terms of Office

Members shall be appointed by the Mayor with approval of the City Council for a term of three years with the term ending on July 15.

Organization

Chairman and Vice-Chairman are selected at the first meeting in January of each year and serve for one year.

Authority

Buena Park City Code; Buena Park General Plan; State of California Government Code.

Staff Liaison

Community Development Department

SENIOR CITIZENS COMMISSION

The Senior Citizens Commission shall consist of seven members who are residents of the City, preferably age 55 or older, having an interest in the needs and activities of the senior citizens within the community.

General Purpose and Duties

1. Advise City Council as to the needs of senior citizens and any projects and activities within the community which would benefit the senior citizen population.
2. The commission shall act on those matters which are referred to it by the City Council for action, advice, or recommendations.
3. Recommend disbursement of funds raised by the Senior Fund Raising Committee for specific use within the Senior Center.

Meetings

Meetings are held on the 4th Thursday of each month at 9 a.m. in the Council Chamber.

Terms of Office

Members shall be appointed by the Mayor with approval of the City Council for a term of three years with the term ending July 27.

Organization

Chairman and Vice-Chairman shall be selected at the first meeting of each year by a majority vote of the commissioners and shall serve for one year or until their successors are elected.

Authority

Buena Park City Code; Senior Center Policy and Operations Manual

Staff Liaison

Recreation, Parks and Community Services Department

TRAFFIC AND TRANSPORTATION COMMISSION

The Traffic and Transportation Commission shall consist of five members who are residents of the City, having an interest in matters relating to transportation and traffic, and having good working knowledge, through either employment or personal interest, in local and regional transportation and traffic concepts and issues.

General Purpose and Duties

1. To act in an advisory capacity to the City Council in the review and development of systems, facilities, plans, policies and programs concerning rail, bus, truck and automobile transportation within the City and/or affecting the City.
2. To assist all agencies in providing input into the planning and implementation process of transportation systems within the City and/or affecting the City.
3. To receive complaints having to do with traffic matters and to recommend solutions.
4. To recommend ways and means for improving traffic conditions and the administration and enforcement of traffic laws, codes and regulations.

Meetings

Meetings are held quarterly on the first Thursday of February, May, August and November at 6:30 p.m. in the Council Chamber.

Terms of Office

Members shall be appointed by the Mayor with approval of the City Council for a term of three years.

Organization

Chairman and Vice-Chairman shall be selected in January of each year by a majority vote of the commissioners and shall serve for one year.

Authority

Buena Park City Code

Staff Liaison

Public Works Department

COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE

The Community Development Citizens Advisory Committee (CAC) shall consist of seven members who are residents of the City and represent the various demographic characteristics of the areas to be served by the Community Development Block Grant program as required by Federal HUD regulations.

General Purpose and Duties

1. Assist in ongoing planning, programming, and budgeting of Community Development Block Grant funds.
2. Assist in adopting community development programs, evaluating progress on approved and/or completed community development projects and responding to new issues by preparing recommendations to the City Council.
3. The committee is advisory in nature and has no authority to expend funds.

Meetings

Meetings are held as needed. Because the processing of Community Block Grant funds must be done in a timely manner each year, meetings will be periodic, but all members are expected to cooperate by attending all meetings. It will be the policy of the committee that any member who is absent from more than two consecutive meetings will be terminated.

Terms of Office

Members shall be appointed by the Mayor with the approval of the City Council for a term of three years.

Authority

City Council Resolution; HUD Regulations

Staff

Economic Development Department

BROWN ACT AND AGENDA PREPARATION

Instructions for Brown Act (Gov. Code § 54950-54962):

1. The Brown Act applies to City Council, commissions, commission sub-committees, standing committees. It does not apply to social events or educational conferences.
2. The Brown Act considers a “meeting” to be any time a majority of members discuss items within their jurisdiction or use any form of communication (such as e-mails or intermediaries) to discuss items.
3. The Brown Act requires that all meetings must be open and public with a posted agenda (72 hours in advance), all persons permitted to attend, and all persons allowed to speak before the vote is taken on an item.
4. Prohibitions:
 - A majority of commissioners cannot use a telephone, fax machine, email, a chat room, and intermediary or other devices to develop consensus, agreement, or a decision.
 - Commissioners cannot engage in a “serial meeting.” A serial meeting is a series of meetings to develop decision, each of which involves less than a majority of commissioners, but which taken together involve a majority of commissioners.
 - “Polling” of commissioners by another commissioner (personally or through staff or technology) is strictly prohibited.
 - Staff can meet individually with a majority of commissioners if no information regarding other commissioners’ views is provided.
 - A majority of commissioners cannot:
 - Use e-mail to develop a collective consensus, agreement, or decision.
 - Exchange information in e-mail about their views or positions on public business.
5. Meetings & Agendas:
 - Agendas must be posted 72 hours in advance at the meeting location.
 - Commissioners can only discuss items adequately described on the agenda which was posted 72 hours in advance.
 - No items may be added to the agenda unless a 2/3 majority determines that there is immediate need to take action and the need to take action came to

the attention of the body after the agenda was posted. “Forgetting” to put an item on the agenda does not qualify.

- Closed sessions can only be used for specific reasons such as personnel evaluations, labor negotiations, pending litigation, and real estate negotiations.
- Regular meetings must be held at the regular location and time as established by resolution or ordinance. If the meeting is not held at the regular location and/or time, then it must be treated as an “adjourned” meeting or a “special” meeting.
- The only way an “adjourned” meeting may be held is if it is announced at the end of a regular meeting and a notice of adjournment is posted within 24 hours of the end of the regular meeting. There is no other way to hold a meeting at a different location or time other than by calling a “special” meeting.
- A “special” meeting may be held if the agenda is posted 24 hours in advance and specific notice is delivered to all members and the press 24 hours in advance.
- Regular meetings cannot be cancelled. They may be adjourned due to a lack of quorum, and if so, post a notice of adjournment due to lack of quorum. This notice is posted at the meeting place at the time the meeting was scheduled. If it is known in advance that there will not be a quorum, then post a courtesy notice stating that it is anticipated the meeting will be cancelled due to lack of quorum.

MINUTES PREPARATION

- The City of Buena Park prepares “summary” style minutes.
- Minutes should include very brief summaries of the following:
 - (TGIF rule)
 - **T**opic
 - **G**ermane Discussion (only if discussion impacts the outcome)
 - **I**n Conclusion (vote, action, or direction of the majority)
 - **F**ollow Up Direction (if any)
- Only the direction of the majority is recorded, not individual opinions.
- Minutes are not an exact record of discussions and conversations.
- Minutes are not transcriptions and are not verbatim.
- Minutes are signed by the chair and the secretary after approval by the body.

SIMPLE PARLIAMENTARY PROCEDURE

The purpose of the rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings, encourage discussion and facilitate decision making by the body.

Basic Format for an Agenda Item Discussion

First, the chair should clearly announce the agenda item number and should clearly state what the subject is.

Second, following the agenda format, the chair should invite the appropriate people to report on the item.

Third, the chair should ask commissioners if they have any technical questions for clarification.

Fourth, the chair should invite public comments.

Fifth, the chair should invite a motion.

Sixth, the chair should determine if any commissioners wish to second the motion.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

Eighth, the chair should now invite discussion of the motion by the commissioners.

Ninth, the chair takes a vote. Simply asking for “ayes” and then the “nays” is normally sufficient.

Tenth, the chair should announce the result of the vote and should announce what action (if any) the body has taken.

The Three Basic Motions

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”
2. **The motion to amend.** If a commissioner wants to change a basic motion that is under discussion, he or she would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

- 3. The substitute motion.** If a commissioner wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she would “move a substitute motion.” A substitute motion might be: “I move a substitute motion that we cancel the fundraiser this year.”

When Multiple Motions are Before the Governing Body

Up to three motions may be on the floor simultaneously. When two or three motions are on the floor (after motions and seconds) at the same time, the first vote should be the last motion made.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where commissioners and the members of the public can attend to business efficiently, fairly, and with full participation. And at the same time, it is up to the chair and commissioners to maintain common courtesy and decorum. It is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

Prepared by:

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