CITY OF MORRO BAY

ADVISORY BODIES

HANDBOOK

AND

BY-LAWS

Date: April 26, 2022

Approved by Resolution No. 28-18
Revised by Resolution No. 60-18 on August 14, 2018
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Mission Statement

The City of Morro Bay provides essential public services and infrastructure to maintain a clean and healthy place for residents and visitors to live, work and play.

INTRODUCTION

Welcome and thank you for your interest in serving on one of the City's Advisory Bodies. By serving on one of Morro Bay's Advisory Bodies, you can help plan and guide the City's future. It is important that members of the Advisory Bodies understand the functions and responsibilities of being a member. We hope you find serving on the City's advisory body personally satisfying, and in the process gain invaluable knowledge and experience.

The Morro Bay Municipal Code empowers the City Council to form boards and commissions to assist the City Council in legislating and managing the affairs of the City. From time to time citizen advisory committees are appointed to meet a specific topic, project, or need. Their varied roles provide significant opportunities for formulating City policy and for creating public forums for meaningful community participation.

Consistent with the City's Mission Statement, advisory bodies can help the City achieve its mission and purpose, which is to preserve and enhance the citizens of Morro Bay's quality of life. This Handbook shall serve as a guide to assist you in the sometimes-complex, but often rewarding, process of serving on one of the City's Advisory Bodies. These advisory bodies assist the City Council in making better-informed decisions by formulating new ideas, gathering information, receiving public testimony and comments, analyzing complex issues, and making recommendations on specific projects and broad policies.

Advisory Bodies advise the City Council and the City Manager on matters within their area of responsibility and interest; help focus attention on specific issues and problems within their scope of responsibilities, and recommend action and alternatives for Council consideration; act as channels of communication among City government, the general public, and interest groups; and balance community wants with municipal responsibility and resources.

At times, your role may be challenging and complex. Public opinion can be sharply divided, questions may overlap, and sometimes the province of one body may also be the territory of another. Therefore, we have created this handbook to assist you with some of the fundamental aspects of your new responsibility.

Much of the information in this handbook comes from City policy, such as the Morro Bay Municipal Code and the City Council Policies and Procedures Manual. In addition, State Law governs certain responsibilities of advisory body members. The material presented is intended to: (1) give interested persons an understanding of why the City's advisory bodies have been established and how they function within the overall governmental framework and, (2) summarize the roles, relationships and responsibilities of each advisory body member.

Each Advisory Body within the City has its own by-laws, which are included in this Handbook for your ease of reference. The sections of the Handbook are divided as follows:

1. General Information on Advisory Bodies
2. How Our City Government Works
3. How Advisory Bodies Work
4. The Brown Act
5. Political Reform Act of 1974 (Conflict of Interest)
6. Advisory Body By-Laws

We hope this Handbook will answer many of your questions, get you off to a good start, and contribute to your satisfaction in serving the citizens of the City of Morro Bay.

1. General Information on Advisory Bodies

A. Background

Advisory bodies are authorized by both the Morro Bay Municipal Code and the City Council. They provide an opportunity for interested residents to participate in the governing of their community under guidelines and procedures established by the Council. Advisory bodies can improve the quality of City government by providing the Council with resources to make better-informed decisions. They can serve as the "eyes and ears" of the Council for issues and matters that otherwise might not receive attention. Other benefits include improvement in the lines of communication between the public and the Council, greater opportunities for discussion of public issues, and more citizen involvement in City government. There is considerable variety in the purpose or responsibility of these bodies. Advisory bodies have been created by the City Council to serve the City of Morro Bay's unique needs.

The authority of an advisory body will depend upon its specific purpose. Each has a specific focus and will make recommendations to the Council on issues related to that specific field. *Decisions made by an advisory body may be appealed to the Council*. The Council may not always accept the recommendation of an advisory body because of additional information available or a need to balance the recommendation with policy or community priorities.

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

Members of the advisory bodies are volunteers who are appointed by the City Council and serve at the pleasure of the City Council. There is no compensation or benefits for members, except for Planning Commission, whose responsibilities are greater and meetings more frequent. All members are expected to attend scheduled advisory body meetings and all meetings shall be conducted in accordance with Robert's Rules of Order, City Council Policies and Procedures Manual and State Law.

Currently, the City of Morro Bay has five advisory bodies:

- Harbor Advisory Board
- Public Works Advisory Board
- Recreation and Parks Commission
- Planning Commission
- Citizens' Oversight Committee/Finance Committee

From time to time, a special advisory body may be created by the Council to provide input on a specific issue or project. The City Council shall establish a mission statement and goals for

the specific advisory body. These bodies meet for a limited duration and only meet when specific actions need to be taken in support of the Council adopted purpose. They are terminated by the Council once the work of the special advisory body is completed or the issue is resolved.

B. Application/Selection Process and Membership Qualifications

The City of Morro Bay encourages participation of a wide variety of its citizens through service on an advisory body. Applicants will be sought from all segments of the community, representing various interests and groups.

1) The Application/Selection Process

- All recruitment for advisory body members is open, published in a local newspaper and on the City website.
- The City accepts applications from interested persons throughout the year.
- Each application is carefully reviewed by the City Council.
- Appointment of qualified applicants is made by the City Council in a special, publicly held meeting. If there are multiple openings for a specific advisory body, the specific term for the specific openings will be communicated to applicants.
- In the event the City Council determines some or all of the applicants are not qualified to serve on the advisory body for which they are applying, the City Council may elect not to make an appointment and extend the recruitment period.
- In the event there are more qualified applicants than openings for an advisory body, the City Council at its sole discretion may appoint qualified applicant(s) on an alternate or standby status for an interim 3-6-month period. Any such applicant designated as an alternative advisory body member would not participate in advisory body meetings, but could subsequently be appointed as a regular advisory body member if a vacancy occurs within the stated 3-6-month period.
- Members serve at the pleasure of the City Council.
- Incumbents are considered for reappointment at the conclusion of their terms.
- Terms are four years, commencing on February 1st, and the terms are staggered.
- Applications may be obtained from the City Clerk's office at City Hall. Information on vacancies and/or specific recruitment periods may be requested by phoning the City Clerk. An official application form must be completed for each position.
- Fill out a separate form for each advisory body in which you are interested. It is to your advantage to tailor each application to the specific board or commission for which you are applying. Emphasize different aspects of your background to match those needed for a particular advisory body.
- Emphasize your talents. Clearly indicate how your particular talents, skills, training, or experience will benefit the advisory body for which you wish to be considered.
- Become familiar with the appropriate advisory body. Attend meetings, talk with advisory body members, or read documents they have developed to acquaint yourself with their work. Talk with the department head responsible for staffing the specific advisory body in which you are interested.

2) Qualifications for Service

Advisory body members may be required to wear "different hats" at different times. The ability to suitably perform the varied roles requires specialized skills and knowledge. Qualification for service can be divided into four general areas:

- **LONG-RANGE INTEREST IN THE COMMUNITY**

  The ability to conceive and be concerned with the impact of current decisions on future citizens is paramount. Advisory body members are required to analyze issues, to listen to public comment through formal hearings or informal discussion, to interpret and apply mandates of the General Plan, and to analyze all the pertinent data before arriving at objective decisions which will be in the best interest of the community as a whole.

- **FAIRNESS, COMMON SENSE, HONESTY AND GOOD CHARACTER**

  Keeping the public interest in mind, an advisory body member will be called upon to use every day good sense in balancing the need of public and private groups. Controversial issues do arise, and the ability to make decisions based on merit rather than personalities is a must. Other traits include imagination, flexibility and the ability to act in a judicial vs. legislative capacity.

- **KNOWLEDGE OF THE COMMUNITY MARKETPLACE, PROCESS, OBJECTIVES, AND LAWS**

  A first-hand knowledge of economic systems, the general operation of government, and a basic understanding of the legal process is important. This knowledge will be of tremendous value, especially on the Planning Commission where members are required to conduct public hearings, analyze and receive testimony and make meaningful decisions.

- **TIME TO SERVE IN APPOINTED CAPACITY**

  The amount of time an advisory body member devotes to his/her duties varies with each advisory group. Before making a personal commitment, a prospective applicant should honestly evaluate whether he/she has adequate free time to attend the meetings, to review and be familiar with meeting materials, and to communicate with the public as well as with department staff.

3) Other Requirements

Members of all advisory bodies are required to file the State of California Statements of Economic Interest (Form 700). Additionally, advisory body members are required to refrain from participation in matters where they have the potential for conflict of interest. (See Section 5 for the City's policy on Conflict of Interest)

Advisory body members are also required to attend periodic trainings, including Ethics Training and Sexual Harassment Training as well as others which may be mandated.

2. How Our City Government Works

The City of Morro Bay is a general law city and became incorporated in 1964; it operates under the laws of the State of California.

The City Council, City Manager, City Clerk and City Attorney are integral to the day-to-day operations of the City. As such, we have included a summary of the City government's main function for your information and reference.

A. City Council

The City Council is elected by a majority vote by the citizens of Morro Bay. The City Council is the governing body of the City and is made up of the Mayor and four council members. The Mayor is elected for a two-year term and the Council Members are elected for staggered four-year terms. Mayoral and City Council elections are held in November of even-numbered years. Regular Council meetings are held in the Council Chamber at the Morro Bay Veterans' Hall according to the established calendar. In addition, special meetings and study sessions are held from time to time. The Mayor is the official spokesperson for the Council. The City Council is accountable to the citizens of Morro Bay. The decisions of the City Council are reached by a majority vote.

The City Council formulates policy, approves programs, appropriates funds and establishes local taxes and assessments. The City Council enacts local laws (ordinances) and regulations for governing of the City. The local ordinances adopted by the City Council are compiled in the City's Municipal Code.

B. City Manager

The City Manager is the administrative head of the government of the City. The City Manager is appointed by the City Council, and serves at its pleasure. The City Manager's duties include implementation of policies and procedures initiated by the City Council. The City Manager also is responsible for all City personnel, except the City Attorney, and serves as a liaison to each advisory body, unless otherwise noted in the Advisory Body By-Laws. The following positions report to the City Manager: City Clerk, Assistant City Manager/Administrative Services Director (Treasurer), Chief of Police, Fire Chief, Community Development Director, Public Works Director, Harbor Director, and Recreation Services Manager.

C. City Clerk

The City Clerk's duties include, but are not limited to: recording, writing and maintaining Council proceedings, conducting municipal elections, publishing ordinances and resolutions and other official City documents, storing and indexing official documents and City records for retrieval, administering Conflict of Interest disclosures, and serving as the custodian of the seal of the City.

D. City Attorney

The City Attorney is appointed by the City Council. The City Attorney is the legal counsel for the City and advises the City Council and City officials, officers and employees (in their official capacity) in legal matters, attends all Council meetings and some board meetings, represents the City in legal actions and proceedings, and retains, supervises and monitors outside legal counsel. The City Attorney also approves all bonds and contracts made by the City, prepares ordinances and resolutions as required by the Council and prosecutes violations of the Morro Bay Municipal Codes and ordinances.

3. How Advisory Bodies Work

A. Understanding Your Role and Scope of Responsibility

Advisory Bodies are groups of volunteers that provide input for City Council consideration on matters that impact policy and issues of community importance. After appointment by the Council and being sworn in as a City officer, the City Clerk will provide new advisory body members with useful information about the City, including this handbook. In addition, the City staff member who supports your advisory body will schedule an orientation appointment with you. That will be your opportunity to learn more about the scope of responsibility of the advisory body to which you have been appointed. Additional trainings may be held periodically.

1) Council Liaison Member(s)

Each year the Council selects two of its members (one regular and one alternative) to be "Liaison Members" to each advisory body. The Council Liaison can be called upon to facilitate the flow of information between the Council and that advisory body. The Liaison Member may also attend advisory body meetings and present information regarding advisory body meetings to the Council during Council announcements.

2) Preparing for Your Role

It will be helpful to review the City's Mission Statement, the City's website, and your advisory body's bylaws. Meeting with your advisory body chair and getting to know fellow advisory body members, staff and the Council Liaison will also help you to learn more about your role and to understand expectations. Ask about upcoming issues. Advisory Body Members are required to attend various training programs and workshops offered to you by the City.

3) Advisory Body Work Plans

To ensure advisory bodies are assisting the Council on key issues of community concern, the Council and each advisory body establish a work plan. The work plan is derived from the goals and action items approved by the Council. The City Council will ask each advisory body for input into the work plan as part of the two-year City Goal and Action Item plan process. Once the Action Item plan is adopted by the Council, the advisory body will be informed of the specific topics and issues that the advisory body will be addressing for the given period of time. Other issues may arise during the year that the Council may ask an advisory body to consider and on which to make recommendations. If the advisory body desires to add an item to its work plan during the year, the scope must be defined in a motion and receive support by a majority of the advisory body members. Staff will evaluate the required time, resources and impacts on and relation to Council approved goals and work plan then present the request and analysis to the City Council for consideration and approval. Likewise, if it desires to change its meeting times, dates, or location, it must also seek prior approval from the Council.

4) Advisory Body Sub-Committees

From time to time it may be desirable for the majority of an advisory body to appoint a sub-committee to address a particular issue related to adopted work plan items. That is especially the case if the issue requires additional work or research. Establishing a sub-committee requires the body to define purpose, parameters and duration of the subcommittee. The number of sub-committee members depends on the size of the advisory body. Per the Brown Act, sub-committees must consist of less than a quorum of the body. Therefore, for a five-member body, sub-committees may consist of two members. Seven-member bodies may have sub-committees composed of two or three members. Sub-committees report back to the full body for discussion before any formal action can be taken on the issue. Staff should be consulted before considering the creation of a sub-committee to determine the impact on staff time.

5) Advisory Body/Staff Relationship

The proper channel to contact City staff on items of consideration is through the designated City staff person providing support to your advisory body. Staff support and assistance is provided, but advisory bodies do not have supervisory authority over City employees, nor the authority to direct staff's work. While they may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and ultimately to the City Manager, who is responsible to the Council. The advisory body members are responsible for the functions of the advisory body and the Chair is responsible for committee compliance with the policies outlined in this Handbook.

Staff support includes preparation of a summary agenda and preparation of agenda reports providing a brief background of the issue, a list of alternatives, fiscal impact (if any), and recommendations and appropriate backup materials, as necessary. To improve the efficiency of advisory body meetings, when possible, advisory body member questions for staff regarding agendized items should be made in advance of the meeting. Advisory body members should be mindful of staff's time in making requests for information. The request should be channeled through the assigned staff member, be specific and be limited in scope so staff can respond without altering other priorities and with minimal delay to other assignments. The request should only impose a "one-time" work requirement and should not require a significant allocation of staff resources (generally defined as consisting of more than one staff person working on the issue in excess of 1-2 hours).

6) Advisory Body/City Council Relationship

Advisory bodies are occasionally requested to make special reports or recommendations to the Council on specific subjects. Any recommendations or reports from an advisory body should be in written form.

An advisory body does not have authority to speak for the City. If the body wishes to recommend a statement be made, then it shall be submitted to and receive approval of the Council. An advisory body shall not sponsor or co-sponsor a public forum, meeting or survey without the prior approval of the Council. Individual advisory body members should avoid making public comments on Council actions or public policies that might appear to represent the official position of their advisory body. When an advisory body wants to make a specific recommendation to the City Council, the formal process of making a motion, seconding the motion, discussing it and a vote by each advisory body member present should occur. Advisory body actions are then conveyed to the Council in the form of official advisory body minutes, by e-mail to the full Council or by the Council Liaison. The Chair of an advisory body is the spokesperson for the group. A summary of advisory body discussions pertinent to issues before the City Council shall be incorporated into staff reports.

If a member of an advisory body appears before the Council (or another advisory body) in a capacity other than as representative of their body, then it should be explained in advance that any statements made are not to be construed as representing the opinions or recommendations of the advisory body. The member should state that they are speaking as a member of the public. That member must take care not to make comments at a Council (or other advisory body) meeting

about a matter within that member's advisory body's subject matter jurisdiction if a majority of that advisory body are present at that meeting.

7) Resignation

If an advisory body member finds it necessary to resign, then a letter of resignation stating the effective date of the resignation shall be directed to the Council through the City Clerk, with a copy forwarded to the Chair of the advisory body.

8) Removal from Office

As noted, advisory body members serve at the pleasure of the Council and may be removed without cause by Council action in an open public meeting. Violation of City policies or the policies contained in this Advisory Bodies Handbook will result in a warning, reprimand, or removal.

B. Advisory Body Meeting Procedures and Conduct

1) Parliamentary Procedures

All advisory body meetings shall be conducted in accordance with City practices and policies. Robert's Rules of Order, Newly Revised, shall also be used as a guide in conducting meetings. Questions should be directed to the appropriate City staff. A quorum shall be stated in individually adopted advisory body bylaws or procedures.

The order of business of advisory body meetings follows the City Council's procedures:

a) Establish Quorum and Call to Order
b) Moment of Silence
c) Pledge of Allegiance
d) Committee Members Announcements and Presentations
e) Public Comment Period – Members of the audience wishing to address the committee on items not on the agenda or items on the agenda if they are unable to stay for the entire meeting
f) Consent Calendar
g) Public Hearing (for Planning Commission)
h) Business Items
i) Future Agenda Items
j) Notification of Next Meeting and Adjournment

For discussion of items on the agenda, the following order is followed:

A. Presentation of the Staff Report
B. Advisory Member Questions
C. Public Comments

D. Advisory Member Discussion
E. Recommendation(s) as Needed

Consistent with City Council practice for receiving public comments on agenda items, advisory bodies are encouraged to limit public comments to three minutes per speaker to ensure that everyone who wishes to be heard has the opportunity to do so. The Chair, with the consensus of the advisory body, may allow additional brief testimony from speakers who have already commented on the same agenda item; however, speakers should not be allowed to yield their time to another speaker.

2) Behavior and Civil Discourse Policy

The City of Morro Bay encourages the willingness to speak up and to listen within a framework of respect and understanding. Toward that end, the Council has adopted Resolution No. 07-19, a Resolution of the City Council of the City of Morro Bay, California, Pledging to Follow Best Practices of Civility and Civil Discourse in All of Its Meetings, both on the part of any public comment as well as any comments from Advisory Body Members (see following page). That resolution was crafted by the League of Women Voters of San Luis Obispo County.

RESOLUTION NO. 07-19

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA,
PLEDGING TO FOLLOW BEST PRACTICES OF CIVILITY AND CIVIL DISCOURSE
IN ALL OF ITS MEETINGS**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, on November 10, 2015, the City Council adopted Resolution No. 70-15 pledging to follow best practices of civility and civil discourse in all of its meetings, principles developed by the League of Women Voters; and

WHEREAS, on May 8, 2018, the City Council adopted Resolution No. 27-18 restating its commitment to the principles of civility and civil discourse in conducting business with appointed and elected officials, staff and citizens; and

WHEREAS, a healthy democracy respects the people's right to debate issues with passion; and not only tolerates disagreement but welcomes it; and

WHEREAS, honest debate helps refine ideas and create policies that benefit the greater good; and

WHEREAS, we, the Mayor, City Council Members, Commissioners, Appointees, and Staff of the City of Morro Bay, in order to ensure **civility** and **civil discourse** in all of our meetings, reaffirm and pledge our commitment to the following **best practices of civility** and **civil discourse**; and

WHEREAS, we pledge our commitment to **listen first,** making an honest effort to understand views and reasoning of others by listening to understand, not listening to find fault, allowing thoughtful discussion to lead to the best possible outcomes; and

WHEREAS, we pledge our commitment to **respect different opinions**, by inviting and considering different perspectives, allowing space for ideas to be expressed, opposed and clarified in a constructive manner; and

WHEREAS, we pledge our commitment to **show courtesy**, by treating all colleagues, staff and members of the public in a professional and courteous manner whether in person, online, or in written communication, especially when we disagree; and

WHEREAS, we pledge our commitment to **avoid rhetoric and refrain from making slanderous, profane or personal remarks intended to humiliate, malign, or question the motivation** of those whose opinions are different from ours in all our meetings; and

WHEREAS, we pledge our commitment to **speak truthfully** without accusation, and avoid distortion in all our meetings; and

WHEREAS, we pledge our commitment to **debate the policy not the person**, focusing on the issue, and not personalizing the debate or using other tactics that divert attention from the issue; and

WHEREAS, we pledge our commitment **against violence** and **incivility** in all their forms whenever and wherever they occur in all our meetings; and

WHEREAS, we commit ourselves to build a civil political community in which each person is respected and spirited public and political debate is aimed at the betterment of the City of Morro Bay and its people and not the disparagement of those with whom we disagree.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, City of Morro Bay, California, that the Mayor, City Council Members, Commissioners, Appointees, and Staff of the City of Morro Bay shall promote the use of and adherence to the principles of **civility** and **civil discourse** in conducting business with appointed and elected officials, staff, and citizens.

BE IT FURTHER RESOLVED, the City Council directs this resolution pledging best practices of civility and civil discourse be brought forward in January of each year for re-affirmation by the City Council.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 22nd day of January 2019 on the following vote:

AYES: Headding, Addis, Davis, McPherson
NOES: Heller
ABSENT: None

JOHN HEADDING, Mayor

ATTEST:

DANA SWANSON, City Clerk

The Chair (or presiding officer in the event the Chair is absent) of each advisory body is responsible for ensuring that all of its members as well as members of the general public adhere to these practices. The presiding officer strives to preserve appropriate order and decorum during all meetings. Speakers should be encouraged to address the advisory body and not the audience and discouraged from clapping, shouting or booing.

Persons demonstrating rude, boisterous, or profane behavior will be called to order by the presiding officer (chairperson or vice chairperson). If such conduct continues, then the presiding officer may call a recess, request the removal of such person(s) from the meeting, adjourn the meeting, or take such other appropriate action permitted by the Brown Act.

3) Quorum Requirements

A quorum constitutes the majority or more than half of the total established members of the advisory body. A quorum must be in attendance for any discussion or action to take place. The quorum must be present for the entire meeting and if a member leaves during the meeting that results in the absence of a quorum, the meeting must be adjourned.

If vacancies exist on an advisory body, then those positions still count when determining a quorum. For example, if two positions are vacant on a seven-member body, and two members are absent there is not a quorum and no meeting can be held.

4) Meeting Absences

Because of quorum requirements, when an absence is anticipated, the individual advisory body member is responsible for notifying the Chair and the staff responsible a minimum of seven days in advance and the absence shall be counted in that member's attendance record. An advisory body member may include a written request that the absence be excused; said request must be submitted in advance and formally approved at a regular meeting of the advisory body. Attendance requirements are contained in each advisory body's by-laws, but generally speaking the unexcused absence of two consecutive regular meetings or 25% of the regular meetings during any calendar year period shall constitute the resignation of the absent member. An advisory body member determined to have not met the attendance requirements herein may submit a written request to the City Council to have the previous absences excused.

The assigned staff person responsible for taking the minutes will be responsible for monitoring advisory board members' attendance and conveying pertinent information to the City Clerk/Deputy City Clerk. City Council shall be notified when a member is determined to have not met the attendance requirements of the advisory body.

5) Chair Responsibilities

The Chair's main role is to provide the advisory body with direction and to set the tone for meetings. The job involves balancing the need to keep the meeting moving while also ensuring all

members of the advisory body and the public are involved in the meeting. The Chair is responsible for ensuring the meeting follows parliamentary procedures, as described above.

6) Reconsideration of Issues

City Council Policies & Procedures discourage reconsideration of issues once a decision has been made. Decisions can be revisited if a majority of Council Members choses to do so. For advisory bodies, once the City Council has made a decision on an issue an advisory board should not attempt to reconsider that issue or make an alternative recommendation to Council.

4. The Brown Act

This is a brief review of the Brown Act, also known as the "open meeting law." A more detailed Brown Act and Political Reform Act Booklet is available to the advisory body through the City Attorney's office.

A. Purpose

The general purpose of the Brown Act is to aid in the conduct of the people's business. The People, in delegating authority, do not give their public servants the right to decide what is good for the People to know and what is not for the People to know. Therefore, it is the intent of the Brown Act the actions and deliberations of all local agencies be taken openly, including deliberations and collective discussion involving the examination, weighing and reflection on the reasons for or against a choice. It also includes the exchange of facts preliminary to the ultimate decision.

Generally, all meetings of City boards, commissions, committees and groups are to be open and public and all persons are to be permitted to attend any meeting. Under certain ***strict*** circumstances, closed session meetings are permitted.

A "meeting" is defined as a gathering of a majority (quorum) of the advisory body to discuss items within the body's subject matter jurisdiction or to conduct other business of the body. It should be noted the Brown Act generally prohibits any action or discussion of items not on the posted agenda. The Brown Act also requires regular meeting agendas allow for two types of public comment: general public comment where the public can comment on any item that is within the subject matter jurisdiction of the body that is not listed on the agenda and public comment that is specific to items on the advisory body's agenda. In Morro Bay, separate public comment is allowed on each item on the posted agenda prior to deliberation.

Keeping in mind all discussion of issues by an advisory body must be made in a public meeting, one of the most common violations of the Brown Act involves serial meetings. This occurs when any communication among a majority of the members on matters within the advisory body's subject matter jurisdiction occurs outside of a meeting. A common example of a serial meeting is when one member calls a second member who then calls a third member, and so on to

share ideas among a majority of the advisory body. Another common occurrence involves e-mails. For example, a staff member sends out via e-mail a document, and one member recommends a revision and copies fellow advisory body members. It is good practice to send e-mail responses to the sender only.

Brown Act compliance is absolutely required. We encourage you to carefully review the Brown Act Booklet which is available through the City Attorney's Office which describes in detail the Brown Act.

B. Electronic Mail (e-mail), the Public Records Act and the Brown Act

You will be issued a City e-mail once you are appointed to an advisory body. City e-mail is no less a part of "official City business" than any other written correspondence; and there is no expectation of privacy for City email messages. Good judgment and common sense should, therefore, prevail at all times regarding its appropriate use. City e-mail is subject to the requirements of the Brown Act and is subject to disclosure under the Public Records Act.

The Brown Act does not prohibit the use of e-mail to make individual contacts between members of an advisory body, the City Council, or the public or staff. However, great care should be taken to avoid the use of e-mail to contact a majority of the Council or your advisory body, either individually or serially, "in a connected plan to engage in collective deliberation on public business."

City e-mails are generally intended to fulfill the same general function as ordinary daily verbal communications among advisory body members, City Council and City staff and are generally considered "transitory" documents (work-in-progress), and, therefore, are generally not subject to records retention requirements. For file management and storage purposes, such City e-mail messages should only be retained for as long as needed. In most instances this means deleting messages as you have read them, and shortly after you have sent them.

Some email messages, including any attachments thereto, can be considered official city records, because the content relates in a substantive way to the conduct of the public's business. Emails that qualify as public records need to be retained by the City. However, they are not retained through the City e-mail system. Those e-mail public records should be printed as a hard copy or saved electronically in a folder outside the e-mail system, in accordance with the City's records retention policy. Generally, the sender of the e-mail should be the person responsible for printing and filing it accordingly, but persons responsible for a particular program or project file shall be responsible for retaining all e-mail they send or receive related to that program or project.

It is the responsibility of individual advisory body members to determine if e-mail is an official City-record that must be retained in accordance with the City's record retention policy. The City Attorney will assist in making such a determination. Preliminary drafts, notes or interagency or intra-agency memoranda that are not retained by the City in the ordinary course of business are generally not considered to be official City records subject to disclosure. Advisory body members are encouraged to delete documents that are not otherwise required to be kept by

law or whose preservation is not necessary or convenient to the discharge of your duties or the conduct of the City's business.

Periodically, the City receives requests for inspection or production of documents pursuant to the Public Records Act, as well as demands by subpoena or court order for such documents. In the event such a request or demand is made for e-mail, and advisory body members have control over such e-mail, once they become aware of the request or demand, shall use their best efforts, by any reasonable means available, to temporarily preserve any e-mail that is in existence until it is determined whether such e-mail is subject to preservation, public inspection or disclosure. The City Clerk shall be contacted regarding any such emails within the advisory body member's control.

Advisory board members will typically be assigned a City electronic messaging account, such as an email account. To the extent feasible, City issued accounts shall be used to conduct City business. Limited use of a private device for public business is permissible, but not encouraged, and public records on such devices are subject to the Public Records Act.

Electronic communications regarding City business may be subject to the City's official records retention policies and the Public Records Act, even if those electronic communications are or were created, sent, received or stored on an advisory board member's personal electronic messaging account or device. To the extent an advisory board member uses private, non-City electronic messaging accounts or devices, in compliance with State law they will be asked to locate any such electronic communications on those non-City accounts or devices and provide the communications to the City Clerk in the event a Public Records Act request is made seeking the communication(s).

If an advisory board member receives an electronic message regarding City business on his/her personal electronic messaging account or device, or circumstances require such person to conduct City business on a personal account or device, then the advisory board member is strongly encouraged to either: (a) copy ("cc") any communication from the advisory board member's personal electronic messaging account or device to his/her City electronic messaging account; or (b) forward the electronic communication to his/her City account as soon as feasible after the original creation or transmission of the electronic communication. That practice facilitates efficient and prompt responses to Public Record Act.

5. Political Reform Act (Conflicts of Interest)

A. Background

The Political Reform Act (Government Code sections 81000, et seq.) was approved by the voters of the State of California and is intended to prevent conflicts of interest by requiring public officials to disclose certain personal financial interests which could foreseeably cause conflicts. In addition, a public official may be required to disqualify himself/herself from making, participating in, or attempting to influence any government decision which will affect any of his/her financial interests, not just those that are required to be disclosed. The City's Brown Act and Political

Reform Act Booklet explains in more detail what a conflict of interest is, and when the law requires disqualification. In addition, the Fair Political Practices Commission is available for advice.

Under the Political Reform Act, no public official may make, participate in making, or in any way attempt to use their official position to influence a governmental decision if they knows or has reason to know that they have a financial interest. (Government Code Section 87100). A public official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect on one or more of their economic interests. (Government Code Section 87103; 2 Cal. Code of Regs. Section 18700 (a)).

The term "financial interest" denotes a conclusion that a public official has a financial interest in a decision if it is concluded that it is reasonably foreseeable that the decision will have a material financial effect on their economic stake greater than that of other citizens. The term "economic interest" is a label applied to the particular types of stakes recognized by the Act as potential sources of a conflict of interest. There are specific types of economic interest recognized by the Act, as such, we direct you to carefully review the Brown Act and Political Reform Act Booklet which is available from the City Attorney's Office and/or visit the Fair Political Practices Commission Web page for more detailed information.

B. City Policy Regarding Conflicts of Interest

Because the City of Morro Bay is a small, closely knit community it is imperative the citizens have trust and confidence in City government. Therefore, the City has adopted this public policy to prevent any possibility of conflict that may arise.

Generally stated, any elected or appointed official has a conflict of interest if he or she has a financial interest in a project before the City and/or when compensation is received from anyone seeking approvals from the City. There are some exceptions but, generally, elected or appointed officials are prohibited from voting on projects where a conflict exists. A conflict of interest also occurs when officials live within a certain distance from a project (usually less than 500 feet but context matters and the City Attorney should be consulted). Even if a legal conflict does not exist, it may be inappropriate to participate in a decision for personal reasons to avoid even the appearance of a conflict of interest. As an example, there could be a conflict if your good friend has a matter before your board, and you do not feel it would be appropriate for you to voice an opinion in your "City" capacity. While the latter case is not defined by the Fair Political Practices Commission as a conflict, it could be perceived as a conflict, and then stepping down is appropriate.

It is the policy of the City, in addition to strictly adhering to the Fair Political Practices Commission rules, all elected and appointed officials conduct themselves in a manner that does not raise a reasonable perception or belief that there is a conflict of interest or an abuse of your position. All advisory body members should avoid the appearance of conflict at all costs.

If you step down from the dais and refrain from voting on an issue, then you are not precluded from speaking as an individual on matters affecting your personal interests. Your

presentation, however, must be made from the floor, at the microphone with the rest of the public. You should state for the record you are speaking as an *individual*. Many times in the past, Council Members and advisory body members have stepped down from their official position at the dais when projects are presented in which there may be the potential for conflict of interest. That provides the opportunity to present your views as an *individual* on matters affecting your personal interests before any City body.

6. ADVISORY BODY BY-LAWS

The City Council has approved the rules and regulations (referred to herein as By-Laws) to set forth their purpose, procedures, and specific issues such as their functions, meeting dates, officers, vacancies and budgets.

All advisory body meetings will be conducted in strict compliance with the City Council Policy and Procedures and State Law and with guidance from Robert's Rules of Order, all as described in this Handbook.

Attached hereto are the applicable By-Laws for all of the City of Morro Bay's Advisory Bodies.

CITY OF MORRO BAY
HARBOR ADVISORY BOARD
BY-LAWS

PURPOSE AND AUTHORITY

The Harbor Advisory Board is established to review, advise, and recommend to the City Council on items pertaining to the City Harbor. These include, but are not limited to:

A. Use, control, promotion and operation of vessels and watercraft within the harbor, docks, piers, slips, utilities and publicly-owned facilities as a part of the City's Harbor, and water commerce, navigation, or fishery in the Harbor.

B. Review and recommend rules and regulations pertaining to any of the matters listed in subsection A of this section.

C. Review and recommend rates, tolls, fees, rents, charges or other payments to be made for use or operation of the Harbor.

D. Review and comment on various issues and initiatives on the Harbor and adjacent areas affecting the Harbor as deemed appropriate by the City Council or staff.

E. The Board shall make reports and recommendations to the various city boards, commissions or the City Council on matters relating to activities within the Harbor. When requested to do so, the Board will review items referred by other city boards, commissions, the City Council or staff. Resulting reports and recommendations will be included in presentations before the City Council.

F. Provide a channel of communication from the individuals, businesses, and groups who live, have businesses or use and recreate on the Harbor to the City Council.

APPOINTMENT

The Harbor Advisory Board shall be comprised of seven voting members, four of which must be qualified electors of the City of Morro Bay. Appointments and the filling of vacancies shall be made by the City Council. Harbor Advisory Board members shall serve at the pleasure of the City Council. The City Council will attempt to select members from the following categories:

Morro Bay Commercial Fishermen's Association
Waterfront Leaseholders
Marine Oriented Business
Recreational Boating
Representative of South Bay/Los Osos
Two Members at Large

The City Council and Harbor Advisory Board, however, recognize the importance of the Morro Bay Commercial Fisherman's Association (MBCFO) seat, and acknowledge that it is often difficult for commercial fishermen serving on the HAB to meet the attendance requirements due to the nature of their business. As such, up to two (2) Alternate MBCFO members to the Primary member may be appointed by the City Council in the same manner and fashion as regular appointments in order to stand-in for the Primary member in the event of the Primary member's absence.

TERMS OF OFFICE

Members shall serve, without compensation, for a period of four (4) years commencing February 1st in the year specified when members are appointed. Appointments shall be made in such a manner so as no more than three members' terms expire concurrently. Unanticipated vacancies shall be filled for the duration of the unexpired term only.

QUALIFICATIONS

Four of the seven members must be a resident and registered voter of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and, may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

ABSENCE FROM MEETINGS

Because of quorum requirements, when an absence is anticipated, the individual advisory body member is responsible for notifying the Chair and the staff responsible a minimum of seven days in advance and the absence shall be counted in that member's attendance record. An advisory body member may include a written request that the absence be excused; said request must be submitted in advance and formally approved at a regular meeting of the advisory body. The unexcused absence from two consecutive regular meetings or twenty-five (25) percent of the regular meetings during any calendar year period shall constitute the resignation of such absent member. An advisory body member determined to have not met the attendance requirements herein may submit a written request to the City Council to have the previous absences excused.

The assigned staff person responsible for taking the minutes will be responsible for monitoring advisory board members' attendance and conveying pertinent information to the City Clerk/Deputy City Clerk. City Council shall be notified when a member is determined to have not met the attendance requirements of the advisory body.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chair and Vice-Chair who shall hold office for a period of one year. The Chair shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chair, duties of the office shall be performed by the Vice-Chair. If both the Chair and Vice-Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Harbor Advisory Board.

PROCEDURE

Regular meetings shall be held monthly on a regular schedule, except in the months of January, , July and November. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. If the Board desires to change its meeting times, dates, or location, it must also seek prior approval from the Council.

The Chair may close meetings to public comments, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended. In instances where there is no business coming before the Board in a given month, the Chair and assigned staff person may agree to cancel the meeting. Cancellation shall occur at least 120 hours or five days before the scheduled meeting and all members and the public shall be duly notified.

These advisory board meetings will be conducted in strict compliance with the policies and procedures outlined in this Handbook. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Harbor Advisory Board shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

Staff support includes preparation of a summary agenda and preparation of agenda reports providing a brief background of the issue, a list of alternatives, fiscal impact (if any), recommendations and appropriate backup materials, as necessary. To improve the efficiency of advisory body meetings, when possible, advisory body member questions for staff regarding agendized items should be made in advance of the meeting. Advisory body members should be mindful of staff's time in making requests for information. The request should be channeled through the assigned staff member, be specific and be limited in scope so staff can respond without altering other priorities and with minimal delay to other assignments. The request should only impose a "one-time" work requirement and should not require a significant allocation of staff resources (generally defined as consisting of more than one staff person working on the issue in excess of 1-2 hours).

Communication between the Harbor Advisory Board Members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to Harbor Advisory Board business and shall attend the Harbor Advisory Board meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

CITY OF MORRO BAY
PUBLIC WORKS ADVISORY BOARD
BY-LAWS

PURPOSE AND AUTHORITY

The Public Works Advisory Board is established to review, advise and recommend to the City Council on items pertaining to:

- Water, Wastewater, and Stormwater
- Public parks, Streets, and City-owned trees;
- Recycling and Solid Waste;
- Telecommunications;
- Traffic, Parking, Transportation, and Transit; and
- and other issues related to City-owned assets.

Additionally, staff will periodically present to the board on progress of the capital improvement plan and projects as well as the annual maintenance program, and the Board may provide recommendations to City Council on these items.

The Board shall make reports and recommendations to the various city boards, commissions or the City Council on the above matters. When requested to do so, it will review items referred by other city boards, commissions or the City Council. Resulting reports and recommendations will be included in presentations before the City Council.

APPOINTMENT

The Public Works Advisory Board shall be comprised of seven voting members, all of which must be qualified electors of the City of Morro Bay. Appointments and the filling of vacancies shall be made by the City Council. The Public Works Advisory Board members shall serve at the pleasure of the City Council.

TERMS OF OFFICE

Members shall serve, without compensation, for a period of four years commencing February 1st in the year specified when members are appointed. Appointments shall be made in such a manner so as no more than three members' terms expire concurrently. Unanticipated vacancies shall be filled for the duration of the unexpired term only.

QUALIFICATIONS

A member must be a resident and registered voter of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and, may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

ABSENCE FROM MEETINGS

Because of quorum requirements, when an absence is anticipated, the individual advisory body member is responsible for notifying the Chair and the staff responsible a minimum of seven days in advance and the absence shall be counted in that member's attendance record. An advisory body member may include a written request that the absence be excused; said request must be submitted in advance and formally approved at a regular meeting of the advisory body. The unexcused absence from two consecutive regular meetings or twenty-five (25) percent of the regular meetings during any calendar year period shall constitute the resignation of such absent member. An advisory body member determined to have not met the attendance requirements herein may submit a written request to the City Council to have the previous absences excused.

The assigned staff person responsible for taking the minutes will be responsible for monitoring advisory board members' attendance and conveying pertinent information to the City Clerk/Deputy City Clerk. City Council shall be notified when a member is determined to have not met the attendance requirements of the advisory body.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice-Chairperson who shall hold office for a period of one year. The Chair shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chair, duties of the office shall be performed by the Vice-Chair. If both the Chair and Vice-Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Advisory Board.

PROCEDURE

Regular meetings shall be held every month on a regular schedule, except in the months of July, November and December. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. If the Board desires to change its meeting times, dates, or location, it must also seek prior approval from the Council.

The Chair may close meetings to public comments, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the

requirements of the Brown Act, as amended. In instances where there is no business coming before the Board in a given month, the Chair and assigned staff person may agree to cancel the meeting. Cancellation shall occur at least 120 hours or five days before the scheduled meeting and all members and the public shall be duly notified.

These advisory board meetings will be conducted in strict compliance with the policies and procedures outlined in this Handbook. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Public Works Advisory Board shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

Staff support includes preparation of a summary agenda and preparation of agenda reports providing a brief background of the issue, a list of alternatives, fiscal impact (if any), recommendations and appropriate backup materials, as necessary. To improve the efficiency of advisory body meetings, when possible, advisory body member questions for staff regarding agendized items should be made in advance of the meeting. Advisory body members should be mindful of staff's time in making requests for information. The request should be channeled through the assigned staff member, be specific and be limited in scope so staff can respond without altering other priorities and with minimal delay to other assignments. The request should only impose a "one-time" work requirement and should not require a significant allocation of staff resources (generally defined as consisting of more than one staff person working on the issue in excess of 1-2 hours).

Communication between the Public Works Advisory Board members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to the Public Works Advisory Board business and shall attend the Public Works Advisory Board meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

CITY OF MORRO BAY
RECREATION AND PARKS COMMISSION
BY-LAWS

PURPOSE AND AUTHORITY

The Recreation and Parks Commission is established to provide the following:

A. Act in an advisory capacity to the City Council in all matters pertaining to parks and public recreation and to cooperate with other governmental agencies and civic groups in the advancement of sound recreation and parks planning and programming. The Commission shall make reports and recommendations to the various city boards, committees or the City Council on the above matters. When requested to do so, will review items referred by other city boards, committees or the City Council. Resulting reports and recommendations will be included in presentations before the City Council.

B. Formulate policies on recreation services, parks and open space for approval by the City Council.

C. Recommend to the City Council the development of recreational areas, parks, facilities, open spaces, programs, and improved recreation services.

D. Recommend to the City Council the adoption of rules, regulations and standards concerning recreation and parks in respect to organization, personnel, areas and facilities, program and financial support.

E. Advise the Recreation Services Manager in the preparation of the recreation budget and long-range recreation and parks facilities improvements.

F. Hold public hearings and meetings to conduct investigations and surveys for the purpose of securing facts and data concerning parks and public recreation.

APPOINTMENT

The Recreation and Parks Commission shall be comprised of five voting members, four of which must be qualified electors of the City of Morro Bay. Appointments and the filling of vacancies shall be made by the City Council. Commissioners shall serve at the pleasure of the City Council.

TERMS OF OFFICE

Members shall serve, without compensation, for a period of four (4) years commencing February 1st in the year specified when members are appointed. Appointments shall be made in such a manner so as no more than three members' terms expire concurrently. Unanticipated vacancies shall be filled for the duration of the unexpired term only.

QUALIFICATIONS

Four of the five members must be a resident and registered voter of the City during the term of appointment, unless excepted by State Law or Council approved special requirements. Unless otherwise approved in accordance with Council Policies and Procedures, section 6.6.1, each member must (i) be at least 18 years of age at the time of appointment and (ii) not be an Elected Official, Officer, or Employee of the City of Morro Bay. (See Council Policies and Procedures, Section 6.6.1.)

ABSENCE FROM MEETINGS

Because of quorum requirements, when an absence is anticipated, the individual advisory body member is responsible for notifying the Chair and the staff responsible a minimum of seven days in advance and the absence shall be counted in that member's attendance record. An advisory body member may include a written request the absence be excused; said request must be submitted in advance and formally approved at a regular meeting of the advisory body. The unexcused absence from two consecutive regular meetings or twenty-five (25) percent of the regular meetings during any calendar year period shall constitute the resignation of such absent member. An advisory body member determined to have not met the attendance requirements herein may submit a written request to the City Council to have the previous absences excused.

The assigned staff person responsible for taking the minutes will be responsible for monitoring advisory board members' attendance and conveying pertinent information to the City Clerk/Deputy City Clerk. City Council shall be notified when a member is determined to have not met the attendance requirements of the advisory body.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice-Chair who shall hold office for a period of one year. The Chair shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chair, duties of the office shall be performed by the Vice-Chair. If both the Chair and Vice-Chair are absent, the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Commission.

PROCEDURE

Regular meetings shall be held every other month on odd numbered months on a regular schedule. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. If the Commission desires to change its meeting times, dates, or location, it must also seek prior approval from the Council.

The Chair may close meetings to public comments, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended. In instances where there is no business coming before the Board in a given month, the Chair and assigned staff person may agree to cancel the meeting. Cancellation shall occur at least 120 hours or five days before the scheduled meeting and all members and the public shall be duly notified.

All Commission meetings will be conducted in strict compliance with the policies and procedures outlined in this Handbook. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Commission shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

Staff support includes preparation of a summary agenda and preparation of agenda reports providing a brief background of the issue, a list of alternatives, fiscal impact (if any), recommendations and appropriate backup materials, as necessary. To improve the efficiency of advisory body meetings, when possible, advisory body member questions for staff regarding agendized items should be made in advance of the meeting. Advisory body members should be mindful of staff's time in making requests for information. The request should be channeled through the assigned staff member, be specific and be limited in scope so staff can respond without altering other priorities and with minimal delay to other assignments. The request should only impose a "one-time" work requirement and should not require a significant allocation of staff resources (generally defined as consisting of more than one staff person working on the issue in excess of 1-2 hours).

Communication between the Commission members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to Commission business and shall attend the Commission meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

CITY OF MORRO BAY
PLANNING COMMISSION
BY-LAWS

PURPOSE AND AUTHORITY

The Planning Commission is established in accordance with the provisions of Government Code Sections 65100, *et seq*. The functions of the Planning Commission shall be as follows:

A. To develop and periodically review~~,~~ a general plan and recommend its adoption or any revisions to the City Council;
B. To maintain and implement the general plan after its adoption by the City Council;
C. To develop specific plans as may be necessary to implement the general plan;
D. To periodically review the capital improvement program of the City for its consistency with the general plan, and forward recommendations to the City Council;
E. Consult and advise with public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens generally concerning implementation of the general plan.
F. Endeavor to promote public interest in, comment on, and understanding of the general plan, and regulations relating to it;
G. To perform such other functions as the City Council may direct.

The Planning Commission shall:

A. In addition to the duties and responsibilities set forth by state laws and local ordinances, the Planning Commission shall act in the public interest and serve in an advisory capacity to the City Council on all matters pertaining to the planning function;
B. Cooperate with other City boards, committees and commissions, governmental agencies and civic groups in the advancement of sound planning, both within and without the City;
C. Formulate policies on planning services for recommendation to the City Council;
D. Upon request of the City Council, a joint meeting with the Planning Commission and the City Council may be held to discuss matters requiring joint deliberation.
E. Recommend to the City Council the adoption of standards with respect to organization, personnel, facilities, programs and financial support of the planning commission;
F. Disseminate to the public information concerning the policies and functions of the Planning Commission.

APPOINTMENT

The Planning Commission shall consist of five voting members and they shall be qualified electors and residents of the City. Appointments and the filling of vacancies shall be made by the City Council. Commissioners shall serve at the pleasure of the City Council.

TERMS OF OFFICE

Terms shall be for a period of four years; vacancies shall be filled for the unexpired term only. Two-year short terms may be established to stagger terms. Expiration dates of specific terms shall be established by resolution of the City Council.

QUALIFICATIONS

A member must be a resident and registered voter of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and, may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

ABSENCE FROM MEETINGS

Because of quorum requirements, when an absence is anticipated, the individual advisory body member is responsible for notifying the Chair and the staff responsible a minimum of seven days in advance and the absence shall be counted in that member's attendance record. An advisory body member may include a written request the absence be excused; said request must be submitted in advance and formally approved at a regular meeting of the advisory body. The unexcused absence from two consecutive regular meetings or twenty-five (25) percent of the regular meetings during any calendar year period, without the formal consent of the City Council, shall constitute the resignation of such absent member. An advisory body member determined to have not met the attendance requirements herein may submit a written request to the City Council to have the previous absences excused.

The assigned staff person responsible for taking the minutes will be responsible for monitoring advisory board members' attendance and conveying pertinent information to the City Clerk/Deputy City Clerk. City Council shall be notified when a member is determined to have not met the attendance requirements of the advisory body.

ORGANIZATION

At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chair and Vice-Chair who shall hold office for a period of one year. The Chair shall preside over meetings, appoint appropriate sub-committees, and direct the affairs of the Committee. In the absence of the Chair, duties of the office shall be performed by the Vice-Chair. If both the Chair and Vice-Chair are absent, then the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Commission.

PROCEDURE

Regular meetings shall be held twice a monthly on a regular schedule. The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. If the Commission desires to change its meeting times, dates, or location, it must also seek prior approval from the Council.

The Chair may close meetings to public comment, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended. In instances where there is no business coming before the Board in a given month, the Chair and assigned staff person may agree to cancel the meeting. Cancellation shall occur at least 120 hours or five days before the scheduled meeting and all members and the public shall be duly notified.

All Commission meetings will be conducted in strict compliance with the policies and procedures contained in this Handbook. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Commission shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

Staff support includes preparation of a summary agenda and preparation of agenda reports providing a brief background of the issue, a list of alternatives, fiscal impact (if any), recommendations and appropriate backup materials, as necessary. To improve the efficiency of advisory body meetings, when possible, advisory body member questions for staff regarding agendized items should be made in advance of the meeting. Advisory body members should be mindful of staff's time in making requests for information. The request should be channeled through the assigned staff member, be specific and be limited in scope so staff can respond without altering other priorities and with minimal delay to other assignments. The request should only impose a "one-time" work requirement and should not require a significant allocation of staff resources (generally defined as consisting of more than one staff person working on the issue in excess of 1-2 hours).

Communication between the Commission Members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Manager or the designee of the City Manager shall be responsible for preparing agendas, reports, and minutes pertaining to Commission business and shall attend the Commission meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.

CITY OF MORRO BAY
CITIZENS' OVERSIGHT COMMITTEE
ACTING IN THE CAPACITY OF A CITIZENS' FINANCE ADVISORY COMMITTEE

PURPOSE AND AUTHORITY

The Citizens' Oversight Committee was established in accordance with the provisions of Morro Bay Municipal Code Section 3.26.120 as a result of Measure Q, and subsequently Measure E, which resulted in 1.5% general purpose local retail transactions and use tax. The function of the Citizens' Oversight Committee shall be to meet at least once per year as required by ordinance and to semi-annually review revenues and expenditures from the tax proceeds collected as a result of Measure E and present its findings and conclusions to the City Council no later than the last day of the eighth month following the end of each City fiscal year.

The Citizens' Oversight Committee shall perform the following duties:

1. Review an annual revenue and expenditure report of the City relative to activities funded with the one and a half cent Measures Q and E general purpose local transactions and use tax monies.
2. Review a semi-annual revenue and expenditure report of the City relative to activities funded with the one and a half cent Measures Q and E additional general purpose local transactions and use tax monies.
3. Present its findings and conclusions to the City Council for its review no later than February 28th each year.

When the committee is acting in the capacity of a Citizens' Finance Advisory Committee, its purpose is to provide citizen input to the City Council regarding specified financial policy issues such as City budgets or other items designated by City Council. In addition, the Committee's role is to help promote citizen participation with, and understanding of, governmental financial information and processes.

The Citizens' Finance Advisory Committee shall perform the following duties:

4. Review the proposed City budget prior to or in coordination with its presentation to the City Council, time permitting, and make recommendations for City Council consideration, with particular emphasis on the budget for Measure Q and E funds.
5. Undertake special financial projects, as directed by the City Council, City Manager or City Treasurer.

APPOINTMENT AND TERMS OF OFFICE

The Committee shall have five citizen-members appointed by the City Council for staggered four-year terms. Appointees shall be residents of the City; however, no member of the Committee shall

be an elected official. Unanticipated vacancies shall be filled for the duration of the unexpired term only.

QUALIFICATIONS

All Committee Members must be residents and registered voters of the City during the term of appointment, unless excepted by State Law or Council approved special requirements; must be at least 18 years of age at the time of appointment; and may not be an Elected Official, Officer, or Employee of the City of Morro Bay. (Council Policies and Procedures, Section 6.6.1)

ABSENCE FROM MEETINGS

Because of quorum requirements, when an absence is anticipated, the individual advisory body member is responsible for notifying the Chair and the staff responsible a minimum of seven days in advance and the absence shall be counted in that member's attendance record. An advisory body member may include a written request the absence be excused; said request must be submitted in advance and formally approved at a regular meeting of the advisory body. The unexcused absence from two consecutive regular meetings or twenty-five (25) percent of the regular meetings during any calendar year period shall constitute the resignation of such absent member. An advisory body member determined to have not met the attendance requirements herein may submit a written request to the City Council to have the previous absences excused.

The assigned staff person responsible for taking the minutes will be responsible for monitoring advisory board members' attendance and conveying pertinent information to the City Clerk/Deputy City Clerk. City Council shall be notified when a member is determined to have not met the attendance requirements of the advisory body.

ORGANIZATION

At the first regular meeting every two years wherein newly appointed members are seated, the members shall elect a Chair and Vice-Chair who shall hold office for a period of two years. The Chair shall preside over meetings, appoint appropriate sub-committees if needed, and direct the affairs of the Committee. In the absence of the Chair, the Vice-Chair shall perform duties of the office. If both the Chair and Vice-Chair are absent, then the remaining quorum shall appoint one member to preside at that meeting. The City of Morro Bay staff will maintain accurate minutes of the official activities of the Committee.

PROCEDURE

Regular meetings shall be held monthly at 3:00pm on the third Tuesday of the months of January, February, May, August, and October, with the following primary focus for each scheduled meeting:

Meeting Date	Primary Agenda Focus
January	Measure Q&E Annual Report - prior year (required by ordinance)
February	Measure Q&E Semi-Annual Report – current year (required by ordinance)
May	City Budget Input – Measure Q&E Focus (at Council direction)

August	Finance-related Council priority item (at Council direction)
October	Finance-related Council priority item (at Council direction)

The meetings shall be open to the public. The date, time and location along with the meeting agenda shall be noticed in accordance with Government Code Sections 54970-54975. If the Committee desires to change its meeting times, dates, or location, it must also seek prior approval from the Council.

The Chair may close meetings to public comment, provided that the action is consistent with the Brown Act. Agendas, reports, meetings and any and all actions shall be governed by the requirements of the Brown Act, as amended. In instances where there is no business coming before the Board in a given month, the Chair and assigned City staff person may agree to cancel the meeting. Cancellation shall occur at least 120 hours or five days before the scheduled meeting and all members and the public shall be duly notified.

All Committee meetings will be conducted in strict compliance with the policies and procedures contained in this Handbook. However, no ordinance, resolution, proceeding or other action of the City Council pertaining to the Committee shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

Staff support includes preparation of a summary agenda and preparation of agenda reports providing a brief background of the issue, a list of alternatives, fiscal impact (if any), recommendations and appropriate backup materials, as necessary. To improve the efficiency of advisory body meetings, when possible, advisory body member questions for staff regarding agendized items should be made in advance of the meeting. Advisory body members should be mindful of staff's time in making requests for information. The request should be channeled through the assigned staff member, be specific and be limited in scope so staff can respond without altering other priorities and with minimal delay to other assignments. The request should only impose a "one-time" work requirement and should not require a significant allocation of staff resources (generally defined as consisting of more than one staff person working on the issue in excess of 1-2 hours).

Communication between the Committee Members and the Council shall be in accordance with the City Council Policies and Procedures as currently adopted.

QUORUM

A majority of voting members shall constitute a quorum.

CITY STAFF

The City Administrative Services Director/Treasurer shall be responsible for preparing agendas, reports, and minutes pertaining to Committee business and shall attend the Committee meetings.

BY-LAW AMENDMENTS

All amendments to the By-Laws shall be approved by the City Council.