CITY OF DAVIS
COMMISSION HANDBOOK

Davis
CALIFORNIA

Updated July 2025

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INTRODUCTION

Boards, commissions, committees, and task forces (referred to collectively as "city commissions") assist and advise the City Council. They serve as a conduit for citizen input – a way of gathering, analyzing, and recommending options to the City Council, who ultimately has the final responsibility for making policy decisions. Serving as a commissioner provides an opportunity to participate in the decision-making process and help shape the future of Davis.

The purpose of this handbook is to introduce you to your role as a commissioner. It provides a summary of important aspects of City government and commission activities. However, it cannot incorporate all material and information necessary for undertaking commission business. Many other laws, plans and documents exist which bind the commissioners to certain courses of action and practices.

This handbook will:

- Outline the role and function of the City's boards, commissions, committees, and task forces
- Provide information relative to legal and regulatory parameters, and areas of responsibility
- Provide procedures, guidelines, expectations, and best practices

City Council will periodically review and amend the structure and functions of its advisory commissions to reflect the evolving nature of the Davis community and the Council's needs and interests. This Commission Handbook will be administratively updated as needed to include changes to policies and procedures as they are adopted/amended by City Council as well as technical changes to reflect current laws and organizational structure of the city organization.

June 2025

CHAPTER 1
CITY OF DAVIS

BRIEF HISTORY

Though Davis dates its founding from the arrival of the railroad in 1868, the City of Davis was officially incorporated on March 28, 1917. Initially, the commission-form of government served the local population. The 1920s saw the installation of paved and lighted streets, sewage and water systems, and the development of local governance structures such as the establishment of the Mayor-Council form of government. In 1950, the first city administrator was appointed, and in 1965, the position of City Manager was instituted.

The University became a general campus of the University of California system in 1959. Today the City of Davis is a university-oriented city of over 66,000 residents. Specific planning decisions made in years past have led to the development of a city widely considered to be one of the most bike-friendly in the country.

CITY GOVERNMENT

Davis uses a Council-Manager form of government. The City Council serves as the legislative body, sets policies and procedures, and represents the citizens and residents of Davis. The City Council appoints the City Manager to carry out the Council's direction and acts as the chief administrative officer for the city.

City Council

The Davis City Council, the governing body of the city, is made up of five council members who are elected in a non-partisan election and serve “by-district” representing one of five city districts. Council elections occur with the state general election in November of even calendar years. Council members serve four-year terms. Three council members are elected in one election and two council members in the next election.

Mayors and vice mayors serve one-year terms from January through December. The selection of mayor and vice mayor is made by City Council as a whole and may consider criteria such as seniority on the City Council, consensus

building skills, experience presiding over legislative bodies, and other factors that promote good governance practices.

The City Council formulates policy, approves programs, appropriates funds and establishes local taxes and assessments, as well as enacts local laws (ordinances) and regulations that govern the City. Local ordinances adopted by the City Council are compiled in the municipal code. Other City Council directives and policies are recorded in resolutions or council minutes.

The City Council also serves as the Successor Agency to the former Redevelopment Agency and as the City's Public Facilities Financing Authority.

City Manager
The City Manager is appointed by the City Council and is the chief executive officer and the head of the administrative branch of the city government. The City Manager implements policies and procedures initiated by the City Council, prepares and administers the municipal budget, advises the Council of future financial needs of the city, initiates and supervises business relationships, and directs the daily operations of city government. The City Manager is responsible for all city personnel, except the City Attorney. The City Manager's Office (Department) staffs the Climate and Environmental Justice Commission (jointly with Public Works Utilities & Operations), Human Relations Commission, and the Police Accountability Commission.

City Clerk
The City Clerk is responsible for recording, writing and maintaining the records of City Council proceedings. The City Clerk serves as the Elections Official and administers municipal elections through coordination with County of Yolo Elections Office. The Clerk stores and indexes official documents and city records for retrieval, administers the city's records management and retention system, coordinates recruitment for and activity of city commissions, and implements the Brown Act, Political Reform Act, and Public Records Act.

City Attorney
The City Attorney is appointed by the City Council and advises them and city officers (in their official capacity) in legal matters, attends all Council meetings and represents the city in legal actions and proceedings. The City Attorney and members of the City Attorney's office maintain an attorney-client relationship with the city, its officers, agents and employees, so their official communications are protected as confidential attorney-client privilege. The City Attorney rarely attends commission meetings but may provide counsel to staff when legal issues arise on commission matters.

Community Development Department
The Community Development Department is responsible for:

1. Researching, analyzing and recommending proposed general and specific plans, ordinances, codes and guidelines;
2. Reviewing and making recommendations on proposed development projects;
3. Ensuring that approved project plans are consistent with city policies;
4. Inspecting all residential, commercial and industrial building construction to ensure compliance with applicable codes; and
5. Reviewing historical resource designations and design review.

The Community Development Department staffs the Open Space and Habitat Commission and Planning Commission.

Finance Department
The Finance Department houses the Finance Administrator as the City's controller, auditor and treasurer. Finance is responsible for developing and maintaining the annual city budget and for providing all business services related to the city organization. The Finance Department staffs the Fiscal Commission.

Fire Department
The Fire Department is responsible to ensure that the community's emergency resources and prevention services are effectively and efficiently delivered and managed. The Fire Department provides emergency services, which include pre-hospital emergency services at the EMT-1D level (defibrillation); response to structural, vehicular and vegetation fires, hazardous materials response, water rescue, public assistance and other emergencies. The prevention services provided include fire and life safety inspections, plan review services; public education on fire safety and fire prevention; fire investigations and a youth fire diversion program. The training division trains and prepares the firefighters to respond to a wide diversity of emergency incidents.

The department has a shared services agreement for a boundary drop with UC Davis. The Fire Department has three contracts to provide emergency services: East Davis County Fire Protection District, Springlake Fire Protection District and No Mans Land Fire Protection District. Each of these districts has a board of commissioners who report to the Yolo County Board of Supervisors.

Human Resources Department
The Human Resources Department is responsible for the direction and coordination of filling vacant positions, administering employee benefits, facilitating all labor negotiations, citywide training programs and risk management. The Human Resources Department staffs the Personnel Board.

Information Systems Department
The Information Systems Department maintains the city's network, is responsible for the city's hardware and software, provides internal computing resources, and maintains the city's web site.

Parks and Community Services Department
The Parks and Community Services Department is responsible for operating and maintaining a variety of services and facilities related to recreation including design and maintenance of various parks and greenbelts; staffing and operation of community buildings and swim complexes; administering programs for senior citizens and individuals with disabilities; and providing a variety of general services to other departments. The Parks and Community Services Department staffs the Recreation and Park Commission and the Senior Citizen Commission.

Police Department
The Police Department is responsible for providing professional law enforcement, order maintenance, crime prevention planning, code enforcement, and coordination services to discourage criminal behavior and enhance community livability and sustainability. It acts as a public safety dispatch center for all emergency calls for police, fire and ambulance services in Davis.

Public Works Engineering & Transportation Department
The Public Works Engineering & Transportation Department is responsible for implementation of the City's Capital Improvement Program (CIP), as well as processing and inspection of public infrastructure improvements in subdivisions. Staff also provide transportation planning, traffic engineering, bicycle and pedestrian programs, maintenance of city-wide maps and GIS systems, and floodplain ordinance management. The Public Works Engineering & Transportation Department staffs the Transportation Commission.

Public Works Utilities & Operations Department
The Public Works Utilities & Operations Department is responsible for the operation and maintenance of the street and utility systems (water, wastewater and stormwater), including signals and streetlights, Urban Forestry, City fleet and building maintenance, environmental quality regulations and permitting, as well as administration of the solid waste collection service agreement with the City's franchise waste hauler. The Public Works Utilities & Operations Department staffs the Climate and Environmental Justice Commission (jointly with City Manager's Office).

Social Services and Housing Department
The Social Services and Housing Department is responsible for focusing on a comprehensive community health and safety network and works closely with other city and county departments, community-based organizations and service providers involved in the social services of the City. In addition, this department focuses on early intervention and prevention, mental health, affordable housing, homelessness services, and data analysis. The Social Services and Housing Department staffs the Social Services Commission.

City Commissions

The City of Davis currently has 11 advisory groups categorized as boards and commissions. Each advisory body has a specific focus and serves to make recommendations to the City Council on issues related to that specific field.

The following is a list of city commissions:

- Climate and Environmental Justice
- Fiscal
- Human Relations
- Open Space and Habitat
- Personnel
- Planning
- Police Accountability
- Recreation and Park
- Senior Citizen
- Social Services
- Transportation

Committees / Task Forces

From time to time, the City Council creates city committees and task forces to look at specific issues. These committees and task forces are governed by the same rules and regulations as commission; however, their membership structure will vary and their scope and duration are limited.

City Documents Relevant to Commissions

Commission Enabling Resolutions
The City Council has adopted a resolution of formation for each commission, outlining the commission's purpose and scope of responsibility. Staff liaisons and commissions should periodically review their enabling resolutions to ensure that matters on their agendas are within their assigned subject matter jurisdiction.

Commission Meeting Calendar
Each Commission shall maintain a meeting calendar to guide the timing of discussion and action items throughout an established period. Calendars cover a one-year period and should align with the council legislative schedule (schedule commission work in a timely manner to make council deadlines, commissions should recess when council does, etc.).

Meeting frequency will be determined by assigned tasks/projects and deliverables; flexibility is provided to meet monthly, bimonthly, quarterly, or as needed. Meetings will not be held if the commission does not have any business to conduct.

A sample commission calendar template can be found as an Appendix. The template includes meetings dates and anticipated items, and tracks assigned tasks/projects, annual updates/reviews, and subcommittees.

City Council Goals
Each City Council sets goals and objectives for a two-year period, usually following Council elections. From these goals and objectives come specific tasks, which may be included as part of commission work for those two years. Tasks listed in the Council Goals do not cover every area of city service, but instead focus on actions that are new, strategic in nature, or in some cases higher in priority. To the extent possible, Commissions are expected to frame their work around the goals and objectives adopted by each Council, while continuing routine duties that may not be included in the goal document.

Davis Municipal Code
The Davis Municipal Code ("DMC") constitutes a codification of the administrative, criminal and regulatory ordinances of the City of Davis, as adopted by the City Council. Each section of the code contains substantive ordinance language. The code is organized to make the laws of the city as accessible as possible to city officials, city employees and private citizens. Provisions in the DMC are enforced by the Code Enforcement division of the Police Department and, in some cases, may be further enforced by staff in other departments.

An online version of the DMC is available online (http://cityofdavis.org), and a hard copy is available to view in the City Clerk's Office.

Davis General Plan

The City of Davis' General Plan is the primary guide to policies and actions regarding the City's growth. The general plan articulates a community's vision of its long-term physical form and development. The State of California requires each city and county prepare and adopt a comprehensive, long-term general plan for its jurisdiction to serve as a basis for decision-making.

City Budget

The Budget is the primary policy document adopted by the City Council that establishes the service levels and capital projects to be provided to the community by its city government. It establishes the financial and human resources devoted to accomplishing community goals and objectives as reflected by the City Council. It provides a structure to organize its various programs, projects and other expenses, and a system for control of its revenues and expenses. Some, though not all, commissions may need to refer to the Budget documents when making decisions and recommendations to Council which may have fiscal impact on the City. Staff liaisons should be proactive in assisting commissions on matters of this nature.

Climate and Environmental Justice Commission (CEJC)

Purpose
The Climate and Environmental Justice Commission advises City Council on climate matters through the lens of environmental justice.

Roles and Responsibilities

- Serve as the lead commission on implementation efforts of the Climate Action and Adaptation Plan; excludes transportation aspects assigned to the Transportation Commission. Review and make recommendations pertaining to measures to reduce greenhouse gas and address adaptation needs.
- Identify policies to address the protection of vulnerable and disadvantaged communities from natural and climate change-induced hazards such as extreme heat, air pollution, drought, and flooding.
- Advise on the preservation, management and enhancement of the city's natural resources including air, soil, urban forest, and water (and its by-products); excludes habitat and wildlife matters assigned to the Open Space & Habitat Commission.
- Review and make programmatic recommendations relating to maintaining the city's water, wastewater, stormwater, and solid waste utilities. Review and make recommendations regarding environmental policies and regulatory compliance matters.
- Serve as the lead commission on implementation efforts of the Urban Forest Management Plan. Advise on the management of the city's urban forest. Review and make recommendations regarding Landmark Tree designations.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

Meetings
4th Mondays (monthly) at 6:00 p.m.
Community Chambers at City Hall (23 Russell Boulevard)

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limit:	8 successive years

Conflict Disclosure
Members are required to complete and file Statement of Economic Interests Form 700s with the City Clerk's Office (annually and upon beginning and termination of membership).

References
Resolution No. 24-081 (2024)

Fiscal Commission (FC)

Purpose
The Fiscal Commission advises City Council on financial and budgeting matters, including City charged rates, fees, and charges.

Roles and Responsibilities
- Provide accountability and transparency in spending tax payer dollars. Review spending outlined in the City budget for appropriateness and alignment with Council goals and priorities. Consider potential cost saving measures and revenue generators.
- Review and make recommendations on City rates, fees, and charges for all funds including annual or multi-year adjustments to the City's utility rates.
- Review and provide recommendations on financial policies. Review and provide recommendations on financial impacts of projects at the request of City Council.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

Meetings
1st Wednesdays (monthly) at 6:00 p.m.
Community Chambers at City Hall (23 Russell Boulevard)

Conflict Disclosure
Members are required to complete and file Statement of Economic Interests Form 700s with the City Clerk's Office (annually and upon beginning and termination of membership).

References
Resolution No. 24-082 (2024)

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limits:	8 successive years

Human Relations Commission (HRC)

Purpose
The Human Relations Commission will promote mutual respect, understanding, justice, and advancing the human rights of all people.

Roles and Responsibilities
- Study and make recommendations around equity and discrimination in the City, including gathering information from affected individuals and connecting them to the appropriate agency, official, or process.
- Conduct and support, as appropriate, community forums and activities to prevent and address discrimination and promote diversity, equality, and justice relevant to the goals and policies of the City Council.
- Serve as the lead commission regarding the city's community engagement component of the Hate Free Together initiative.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

2 regular ex-officios (non-voting): 1 DJUSD administration member and 1 UC Davis administration member.

2 optional student representatives (non-voting): one DJUSD student and one UC Davis student.

Ex-Officios may not serve in the role of Chair or Vice Chair or serve on commission subcommittees.

1 commission member shall be appointed annually to the UC Davis Campus Council on Community and Diversity to serve as an ex-officio for the academic year.

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limits:	8 successive years

Conflict Disclosure
None required.

Meetings
4th Thursdays (monthly) at 6:30p.m.

November and December meetings are held on alternate dates due to observed holidays.
Community Chambers at City Hall (23 Russell Boulevard)

References
Resolution No. 24-084 (2024)

Open Space and Habitat Commission (OSHC)

Purpose
The Open Space and Habitat Commission advises City Council on matters relating to open space and habitat.

Roles and Responsibilities
- Advise on matters related to wildlife, wildlife habitat, habitat restoration, public access in open space, and trail connectivity between open space areas. Review and make recommendations on the spending of funds dedicated to maintaining existing open space and acquiring new open space and conservation easements.
- Advise on the City's agricultural mitigation and agricultural buffer requirements, possible acquisitions of new open space and/or conservation easements, and the policies related to such acquisitions.
- Serve as lead commission on implementation efforts of the Open Space 2030 Strategic Plan for the Open Space Program, and subsequent plan development.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

Meetings
1st Mondays (monthly) at 6:30 p.m.
Community Chambers Conference Room at City Hall
(23 Russell Boulevard)

Conflict Disclosure
Members are required to complete and file Statement of Economic Interests Form 700s with the City Clerk's Office (annually and upon beginning and termination of membership).

References
Resolution No. 24-085 (2024)

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limits:	8 successive years

Personnel Board (PB)

Purpose
The Personnel Board fulfills obligations and responsibilities imposed by the city's personnel rules (hear appeals submitted by any regular employee relative to a disciplinary action).

The purpose of the Personnel Rules is to establish and maintain an equitable and uniform system for dealing with personnel matters, and to comply with applicable laws relating to the fair administration of a comprehensive personnel program. They set forth policies and procedures which ensure similar treatment for those who compete for original and promotional employment, and define certain obligations, rights, privileges, benefits, and prohibitions which are placed upon employees in the service of the City.

Roles and Responsibilities
- Provide advice to the City Council and the City Manager through neutral and objective judgments concerning personnel issues and thereby helps to ensure fair and equitable conditions of employment in City service.
- Reviews any proposed new personnel rules or any amendments to existing personnel rules and make recommendations to the City Council.
- When requested, investigate and make recommendations on any matter of personnel policy.
- Has the power to examine witnesses under oath. Each member of the Board shall have the power to administer oaths to witnesses. The City Council shall, at the request of the Personnel Board, issue subpoenas when necessary to compel attendance of witnesses at Personnel Board hearings or to require the production of evidence.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

Meetings
On call; meets as needed when appeals are submitted.

Conflict Disclosure
None required.

References
- Davis Municipal Code Chapter 29
- City of Davis Personnel Rules

Term

Regular member:	Until resignation or a successor is appointed
Alternate member:	Until resignation or a successor is appointed
Term Limit:	Until resignation or a successor is appointed

Planning Commission (PC)

Purpose
The Planning Commission is to carry out duties outlined in State Government Code and City regulations related to land use matters.

Roles and Responsibilities

- As required by state law, serve as the agency to hear matters relating to general plan, general plan amendments, and zoning regulations arising from Government Code or City of Davis Zoning Code, or both (i.e., annexations, prezonings, rezonings, development agreements, final planned developments, use permits, design review, variances, zoning interpretations and ordinance amendments).
- Serve as the agency to hear subdivision matters.
- Serve as the focal point for community in general Plan and specific plan development and updates.
- Determine the consistency of any project with the general plan using the criteria approved by the City Council.

The Planning Commission has quasi-judicial authority to make certain binding decisions under its subject matter jurisdiction. Aggrieved parties have the right to appeal decisions of the commission to the City Council.

Note: Update pending. The Planning Commission will have additional responsibilities related to historical resources management in the fall of 2025.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

Meetings
2nd and 4th Wednesdays (monthly) at 7:00 p.m.
Community Chambers at City Hall (23 Russell Boulevard)

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limits:	8 successive years

Conflict Disclosure
Members are required to complete and file Statement of Economic Interests Form 700s with the City Clerk's Office and the California Fair Political Practices Commission (annually and upon beginning and termination of membership).

References
Resolution No. 07-043 (2007)

Police Accountability Commission (PAC)

Purpose
The Police Accountability Commission provides community-based accountability for law enforcement in the city.

Roles and Responsibilities

- Work with Independent Police Auditor on matters related to police accountability, including specialized audits of police department policies. Receive Independent Police Auditor reports on completed citizen complaint investigations. Annually evaluate Independent Police Auditor's work with the commission.
- Review and make recommendations on Police Department Policies, Procedures, and Training.
- Serve as the lead commission regarding the city's community engagement component for police accountability.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

Meetings
1st Monday (monthly) at 6:30 p.m.
Community Chambers at City Hall (23 Russell Boulevard)

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limits:	8 successive years

Conflict Disclosure
None required.

References
Resolution No. 24-086 (2024)

Recreation and Park Commission (RPC)

Purpose
The Recreation and Park Commission advises City Council on matters relating to public recreation and parks.

Roles and Responsibilities
- Review and make recommendations related to city recreation activities and programs.
- Review and make recommendations related to park planning and operational policies.
- Participate in public outreach and related events for city parks and recreation activities.
- Serve as lead commission on implementation efforts of the Parks & Facilities Master Plan.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

Meetings
3rd Wednesdays (monthly)
at 6:30 p.m.
Community Chambers at City Hall (23 Russell Boulevard)

Conflict Disclosure
Members are required to complete and file Statement of Economic Interests Form 700s with the City Clerk's Office (annually and upon beginning and termination of membership).

References
Resolution No. 24-087 (2024)

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limits:	8 successive years

Senior Citizen Commission (SCC)

Purpose
The Senior Citizen Commission advises City Council on matters affecting senior citizens.

Roles and Responsibilities
- Review and make recommendations related to city policies and programs affecting seniors.
- Support city forums, activities, and public outreach events related to senior services.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

1 commission member shall be appointed to serve as a voting member on the Yolo County Commission on Aging and Adult Services.

Meetings
2nd Tuesdays (monthly) at 1:00 p.m.
Davis Senior Center Activity Room (646 A Street)

Conflict Disclosure
None required.

References
Resolution No. 24-088 (2024)

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limits:	8 successive years

Social Services Commission (SSC)

Purpose
The Social Services Commission advises City Council on matters related to equitable delivery of social services to vulnerable populations.

Roles and Responsibilities
- Review and make recommendations on policies and programs to support city-driven social services. Advise on critical needs involving vulnerable populations, including health, food security/nutrition, disabilities, and child care; refer individuals to appropriate agency, official, or process.
- Review and make recommendations on policies, procedures, and standards related to housing affordability across the continuum from unhoused to renters and home buyers, including affordable housing plans of development proposals.
- Review and make recommendations on Community Development Block Grant, Home Investment Partnership Program and other Federal, State, and local grant programs to support vulnerable populations in the city. Liaise with providers involved with serving vulnerable populations.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

Meetings
3rd Mondays (monthly) at 7:00 p.m.
Community Chambers at City Hall (23 Russell Boulevard)

Term

Regular member:	4-year term
Alternate member:	2-year term
Term Limits:	8 successive years

Conflict Disclosure
Members are required to complete and file Statement of Economic Interests Form 700s with the City Clerk's Office (annually and upon beginning and termination of membership).

References
Resolution No. 24-089 (2024)

Transportation Commission (TC)

Purpose
The Transportation Commission advises City Council on matters relating to transportation and transit.

Roles and Responsibilities

- Advise on transportation programs, policies, projects, and planning efforts for all modes including active transportation (bicycle, pedestrian, scooters, etc.), transit (Unitrans, Yolobus, etc.), and vehicular.
- Serve as the lead commission on implementation of transportation aspects of the Climate Action & Adaptation Plan.
- Hold a public meeting once a year to review any proposed Unitrans route, schedule, and fare changes.

Membership
7 regular members and 1 alternate.
A quorum shall consist of 4 voting members.

4 Associated Students of UC Davis (ASUCD) representatives will be full participating and voting members during the required public meeting held once a year to review any proposed Unitrans route, schedule, and fare changes; for the required public meeting, ASUCD representatives do not count toward quorum requirements, nor is a quorum of ASUCD representatives themselves required.

Representatives may be invited to participate in other Commission meetings if Unitrans-related items are agenized. Representatives may not serve in the role of Chair or Vice Chair or serve on commission subcommittees, unless it is Unitrans-related.

The ASUCD members will be appointed by ASUCD annually.

Meetings
2nd Mondays (monthly) at 6:00p.m.
Community Chambers at City Hall (23 Russell Boulevard)

Conflict Disclosure
Members are required to complete and file Statement of Economic Interests Form 700s with the City Clerk's Office (annually and upon beginning and termination of membership).

References
Resolution No. 24-083 (2024)

Term

Regular member:	4-year term
Alternate member:	2-year term

Term Limits:
8 successive years

CHAPTER 2
SERVING ON A COMMISSION

MEMBERSHIP

Application/ Selection Process

Application

Anyone 18 years of age or older who resides within the Davis Joint Unified School District area may apply to serve on a City commission. Individuals employed by the City of Davis may not serve on a City commission.

Applications are available online and at City Hall during normal business hours. Applications are generally accepted on a rolling basis, with exceptions for scheduled recruitment periods during which an application deadline is established. Regular commission appointments occur on a biennial basis, with approximately 2-3 month recruitment periods. The City of Davis will advertise all recruitments in the local newspaper, city website, and other media.

Applications are kept on file for a period of two years from the date submitted. On-file applicants will be contacted as vacancies occur to ensure their continued interest in serving on a commission.

Appointments

The City Council appoints a Subcommittee on Commission Recruitment to help facilitate the applicant selection process. The Subcommittee may choose to hold a brief 10-15 minute interview with applicants. The Subcommittee submits their applicant recommendations, along with all applications and supporting materials, to the full City Council for appointment at a regularly noticed public meeting. Applicants will receive notice of the meeting date/time before appointments are made. Each Council member will vote to appoint applicants, and they may or may not vote in favor of the Subcommittee's recommendations. It requires a majority vote of the Council to appoint a commission member. Following Council appointment, applicants will be notified of Council action and if appointed, receive orientation materials.

Moving from one commission to another

Individuals may apply to be appointed to another commission vacancy while actively serving, but if appointed, would automatically relinquish the position on the original commission. There does not have to be a break in service to be eligible to move from one commission to another.

Volunteer Role

Compensation

Commission members are dedicated community members who freely volunteer their services and time to serve on a City of Davis advisory body. Members receive no compensation for the performance of their duties.

Training

City-sponsored training will be offered to members of the commission. Some trainings may be mandatory for new commission members or to maintain active status for certain advisory bodies. Additional training opportunities will arise for topic or role specific matters, and commission members are encouraged, and in some cases expected, to participate whenever possible. At times, non-City-sponsored trainings or conferences may be offered.

Oath of Office

The Oath of Office is the standard oath set out in the California State Constitution and is required for all elected and appointed officials in California, as well as all city employees. Oaths may be completed during the first meeting with your staff liaison or at a swearing in ceremony upon your first commission meeting. Failure to take the Oath of Office within 30 days of the start of your term or first meeting shall be cause for termination of membership.

Terms of Office

Term of office on most commissions for regular members is four years, although all commissioners serve at the will of the City Council. The term of office for alternate members is two years. There are exceptions such as the Personnel Board or other committees/task forces whose members are selected for their expertise, are representatives from other agencies, or have a defined project or task assignment to complete. The terms of commissioners are staggered to provide continuity to the commissions. The term length for each seat is fixed; if a seat is vacated before the end of the term, the new member will serve the remainder of the current term.

Reappointment Policy

The City Council will take attendance records and term limits into consideration when evaluating re-appointment of commission members. The Council has established a general term limit of eight successive years. Members who have termed out for a commission must wait one year before re-applying for that same commission. However, individuals may be appointed to a different commission.

Council may re-appoint a member that has reached the term limit based on exceptional circumstances. Exceptional circumstances may include, but not be limited to: the incumbent's special expertise, the need to preserve continuity, or a lack of other qualified applicants.

Attendance

Regular attendance at commission meetings is fundamental to your role as a commissioner. Failure to comply with the attendance rules and other requirements as outlined in this section can result in automatic termination of your membership. All commissions, regardless of the frequency of meetings, are subject to attendance requirements. A member must be present for at least 50% of the entire meeting to be counted as present for purposes of attendance.

Commissioners are asked to review the agenda packet materials and/or the meeting video for any meeting they are absent from. Review is mandatory if there is a continuing subject matter that requires a commissioner be present to receive the necessary information to make decisions on an issue at a future meeting.

Absence from three consecutive meetings

Absence from three consecutive regular meetings of the body will result in removal from the commission. If a member has been absent from two consecutive regular meetings, the staff liaison will advise the member that non-attendance at the next meeting will negatively impact their membership. Upon the third consecutive absence, the staff liaison will report the absence to the City Clerk's Office for immediate action. Please note: If your commission meets less frequently, such as quarterly or as needed/on call, absence from two consecutive regular meetings will result in removal from the commission.

Reporting absences

The staff liaison to each commission will report the full attendance record of each member to the City Clerk. Absence from 1/3 or more of all regular meetings held within the reporting period (July 1 – June 30) will result in termination of membership.

Excused Absences/Leaves of Absence

Absences may be excusable due to one of the following reasons:

- Conflict between a scheduled commission meeting and a religious or cultural holiday. Written notice of this conflict should be received at least 2 days in advance of the meeting.
- Leave of absence for personal or family medical illness/emergency. Notice of the leave of absence must be communicated to the staff liaison as far in advance as possible prior to the actual absence. If the leave extends beyond a stipulated timeline, membership status may be affected.

Termination of Appointment

Term Ending

City commissioners are appointed to serve for a defined period of time with a term ending date established by City Council. Your appointment will terminate on the established term ending date. If you seek another term and Council re-appoints you, the "new" appointment will terminate on the "new" term ending date.

Resignation

If you wish to resign prior to the expiration of your term, you should submit a written resignation to the City Clerk and/or to your staff liaison. The effective date of the resignation will be the date it is received by the Clerk unless a future date is indicated. A new appointment process to fill a vacancy will not begin until a written resignation is received.

Removal from Office

Failure to fulfill the requirements of being a commissioner will result in termination of your appointment. The following are reasons why members may be removed from a commission:

- Failure to take the Oath of Office
- Failure to meet attendance requirements:
    - Absence from three consecutive meetings
    - Absence from 1/3 or more of all regular meetings in a year
- Failure to file a Statement of Economic Interests (Form 700). In addition to termination, this will result in a one-year suspension of eligibility to serve on a commission.
- Non-attendance of required trainings
- Non-residency
- Failure to comply with the law and/or legal guidance provided by the City Attorney
- Failure to meet policies, guidance, and standards of behavior established by City Council as outlined in this Handbook
    - Minor levels of disciple will be used when possible according to the Discipline Procedures

Ultimately, commissioners are appointed by City Council and serve at the will of the Council.

COMMISSION ORGANIZATION

Chair/Vice Chair

Appointment (Annual)

The Chair and Vice Chair are selected by the majority of the commission for a one-year term, and shall hold this position until a successor is appointed or until their terms as members of the commission expire. No commission members should serve as chair for more than two consecutive years; there is no limit for vice chair.

Although it is suggested that appointments occur either at the beginning of the fiscal or calendar year, Commissions may determine when it is appropriate to schedule chair/vice chair selection. All chair and vice chair appointments shall take place at a regular commission meeting and be recorded in the minutes.

Any regular member of the commission is eligible to serve as chair or vice chair (excludes alternates, ex-officios, and assigned representatives that are not full participating and voting members at all commission meetings). Commissions should give all eligible members an opportunity to serve as chair, however the responsibilities of service as chair and vice chair do take some extra time.

> <u>Nominating members for Chair/Vice Chair</u>
> Commissions choose their chair/vice chair with a majority vote.
> *Please note: Action by "secret ballot" is prohibited under the Brown Act.*
>
> Formal motion to nominate and appoint specific individual as Chair/Vice Chair. (Individual should be present at the meeting and indicate their willingness to serve.)
> Move/Second/Vote

Some commissions may prefer or have need of a different structure than Chair/Vice Chair. Based on individual circumstance or interest, some commissions have chosen to appoint Co-Chairs (no Vice Chair appointed) who preside on a rotating basis determined by the commission or a "Chair for the Day" structure with a different person serving as Chair at each meeting for a defined period of time if multiple commissioners want to test out the role prior to committing to a full term as Chair. These types of alternative structures may be appropriately determined by each commission and its members.

Duties/Responsibilities

- Preside at commission meetings. The Chair should strive to exercise sufficient control of the meeting to eliminate irrelevant, repetitious or otherwise unproductive discussion of the Commission. It is important, both from a productive and legal stance, that the discussion on the floor stay focused on the agenda item.

Information on how to preside over a meeting is provided under the section, "Running a Meeting" (Chapter 4).

- Consult with the staff liaison to assist in the development of meeting agendas. The scope of such review focuses on the timing of agenda items (order on agenda, anticipated amount of time per item, etc.) and the volume of business which can be considered at any one meeting. Such review does not allow for a unilateral addition of items to an agenda or unlimited delay of items to be considered. Should any disagreement arise regarding the scheduling of items, it should be resolved by the full Commission. The Commission is presented with a calendar at every meeting which provides an opportunity to consider timing of matters anticipated to be considered at future meetings.
- Act as an impartial facilitator. When possible, help the commission achieve consensus on an issue and derive a decision from the discussion. If the commission is unable to reach consensus, ensure each member has an opportunity to be heard and conclude the topic.
- To achieve both the perception and the reality of impartiality, it can be helpful for the chair to hold off expressing views on a matter until after all other members have an opportunity to express their thoughts, and not engage in debate.
- Ensure that all commissioner viewpoints are heard, and protect new thoughts from being rejected without evaluation in a fair and unbiased manner. Discourage blame-orientated statements, and solicit comments from reticent commission members.
- Manage, to the extent possible, activities of members of the public in attendance at commission meetings. Enforce rules of procedure and limits on public comment times. Disruptive and/or inappropriate conduct should be addressed.
- Attend City Council meetings or other advisory meetings as needed to represent the commission or to testify to the position of the commission, with the approval and authorization of the full commission.

Vice Chair

The Vice Chair must understand the roles of the Chair and preside over meetings when the Chair is absent (either due to actual absence or recusal from an item due to a conflict of interest).

Chair and Vice Chair Absence
In the event that both the Chair and Vice Chair are absent from a meeting, the commission may appoint an Acting Chair to preside over that particular meeting. The appointment shall only be in effect for that one meeting.

Alternate Member

The Alternate member may participate in all discussions, serve on a commission subcommittee, and be assigned to represent their commission at other commissions meetings (with the approval and authorization of the full commission). However, the Alternate may not make a motion, second a motion, or vote on any agenda item except under the following circumstances:

- If one or more regular voting members is absent.
- If there is a conflict of interest causing the number of regular voting members to be less than the full membership of the commission during an item.
- If a regular voting member shows up late to a meeting, the Alternate may continue to serve as the voting member for the duration of an "active" item if there is a pending vote and the regular member was not present for the staff presentation and commission deliberation on the item.

The Alternate may not serve as Chair or Vice Chair of the commission. However, should both the regularly appointed Chair or Vice Chair be absent for a commission meeting, the Alternate is eligible to serve as Acting Chair for that one meeting.

If/when a regular member resigns prior to a designated term ending date, the Alternate will automatically assume the vacant regular position. The City will then recruit to fill the vacant Alternate position. At the end of their term, the Alternate may request to be appointed to a regular position during biennial recruitments.

Individual Commissioners

Upon appointment, commissioners are tasked with representing the overall public good and not that of an exclusive group or interest. Although the specific duties of each commission vary widely with the purpose of which it was formed, there are certain responsibilities that are common to all commission members.

The following is a summary of those responsibilities:

- Understand the role and scope of responsibility of the commission on which you serve.

- Attend commission meetings (inform the staff liaison as soon as you know that you will miss a scheduled meeting).
- Abide by the Ralph M. Brown Act concerning the conduct of public business and public meetings.
- Prepare in advance of meetings. Carefully review your commission meeting agenda and meeting materials in order to be fully prepared to discuss, evaluate and act on all matters scheduled for consideration. Conclusions based on thorough investigation will strengthen the value of the commission's recommendations.
- Serve as a model of leadership and inspire public confidence in Davis government. Act and speak with honesty and integrity.
- Develop a supportive relationship with city staff. The proper channel to contact city staff is through the designated staff liaison providing support for your commission.
- Establish a good working relationship with fellow commission members – respect individual viewpoints, allow other members time to present their views fully, be open and honest, and welcome new members. Understand that all members of the commission bring different backgrounds and levels of experience to discussions.
- Do not speak for the City Council or City of Davis.
- If/when authorized by action of the full commission, represent fairly and fully the majority views of your commission at City Council or other advisory commission meetings.
- When appearing in a non-official, non-representative capacity before any public or private body, you should indicate that you are speaking only as an individual and expressing your personal views.

All commissioners should support the chair's efforts to conduct meetings effectively and fairly. Commissioners should all work towards achieving the following meeting goals:

- Receive and share information at meetings so everyone can make informed choices.
- Be respectful of other people's time. Stay focused and act efficiently during meetings.
- Actively pay attention when others are talking. Be aware that side conversations, note writing and nonverbal expressions can be distracting to others.
- Commissioners desiring to speak must wait to be recognized by the Chair and should confine questions or comments to the matter under debate. Only one person should speak at a time. A commissioner, once recognized by the Chair, shall not be interrupted when speaking.
- Reach decisions with a focus on what options best serve the public's interests and other community values.

- Reach decisions in a way that builds and maintains relationships as well as promotes trust in both decision-makers and the decision-making process.

Ex-Officios and Assigned Representatives

Ex Officios
Currently, only one commission has designated ex-officio members: the Human Relations Commission. Ex-officios are not regular voting members of the commission appointed by City Council. Instead, their position on the commission is due to their role in a related organization, such as the Davis Joint Unified School District or UC Davis. Ex-officios are appointed by and represent the interests and viewpoints of the organization they are employed by or student body/student organization they are a member of. They keep the commission apprised of issues and activities that are of mutual interest within the commission's scope.

Ex-officio members do not count toward a quorum of the commission for attendance purposes, and may not make a motion, second a motion, or vote. Ex-officios may not serve in the role of Chair or Vice Chair or serve on commission subcommittees.

Ex-officios should fully and fairly represent their organization to the extent possible.

DJUSD or UCD Administration Ex-officios: If an ex-officio chooses to express a personal viewpoint that is divergent from or in opposition to the organization they are employed by, they should clearly indicate the difference (after they represent the stance of the organization). Likewise, if the topic is a new one that the organization has not addressed, they should indicate there is no official stance prior to expressing any personal opinions.

DJUSD or UCD Student Ex-officios: These are optional ex-officios on the Human Relations Commission. The students may be individual volunteers or appointed by a student organization. To the extent possible, student ex-officios should try to represent their larger student body.

Assigned Representatives
At times, the City may embark on a large project that includes extensive outreach and engagement, most recently updating the Climate Action and Adaptation Plan (CAAP; completed in 2022) and the Urban Forest Management

Plan (UFMP; completed in 2023). In these instances, the lead commission (either assigned by City Council or already included in their assigned scope) may send out a memo to other commissions asking if they are interested in participating in project discussions. At a regular meeting, Commissions may appoint a commissioner to be an assigned representative (liaison) of their commission to attend meetings of the lead commission, provide feedback as needed, and report back to their respective commission. Assigned representatives/commission liaisons must be listed on the lead commission's agenda when the item is agenized for discussion.

The process may look as follows:

1. Commissions appoint an assigned representative/commission liaison to the lead Commission and that liaison will provide periodic updates at regularly scheduled meetings. These updates are brief and fact based. The updates should not include individual opining by the liaison or discussion/deliberation by the commission.
2. At designated times during the process, Commissions will agendize the item as a regular agenda discussion topic and discuss recommendations from the full commission that can be sent via the assigned representative/commission liaison or the staff liaison.
3. The appointment concludes when the project or plan is brought forward in final form to City Council.

At other times, there may be projects assigned to one commission that another commission or individual commissioners would like to be informed about or comment on. This can be accomplished as follows:

1. Individual commissioners can voluntarily sign up to receive agendas from any commission they are interested in. They can attend public meetings, watch meeting videos, or read commission minutes. If they believe there is an item relevant to their commission, the information may be shared as an announcement during a commission meeting. This is not a formal appointment by the commission; the individuals do not represent and are not authorized to speak on behalf of the commission.
2. Commissions can designate the Chair, or another individual commissioner if the Chair is unable to do so, to speak on their behalf at another commission. Commissions must have an item on their agenda to designate the representative and approve the content of the message (to the extent possible—it is not necessary to "wordsmith" a statement during the commission meeting). The message relayed must represent the full commission. This is not an ongoing role.

PRINCIPLES OF CIVILITY, PUBLIC SERVICE ETHICS, AND CONFLICTS OF INTEREST

Principles of Civility

City Council adopted Principles of Civility for City Council, City Commissions, and all other legislative bodies authorized and governed by the City Council. These Principles support opportunities for civil discourse and uphold a model of professional and collegial atmosphere.

- **Be welcoming and Inclusive.** Welcome all people working for the greater good of the community and respect diverse groups and views, even when they are different than your own.
- **Show Respect.** Honor other people and their opinions and ideas, especially in the midst of disagreement; disagree with respect and sometimes agree to disagree; don't use disrespectful non-verbal behaviors (e.g., eye rolling, loud sighs, finger-snapping).
- **Speak Kindly.** Be positive; refrain from idle complaints and/or pettiness; don't use language and tone that is aggressive, sarcastic, and/or demeaning.
- **Be Present and Listen.** Actively participate in discussions with others. Be attentive and focus on what a person says, rather than who they are, to better understand them and their points of view; don't interrupt or talk over others who have the floor.
- **Relationships Matter.** Maintaining good relations takes work. Be accountable and take responsibility for your words and actions. Address conflict with sincere dialogue and apologize when needed. Celebrate when things go well.
- **Be Open and Honest in Expression.** Don't knowingly deceive others and be authentic. Ensure your actions reflect what you are verbally communicating.
- **Be Constructive and Fair.** Look for opportunities to agree or compromise. When disagreeing, stick to the issues and avoid personal attacks. Remain civil even when faced with incivility. Avoid the temptation to rush to judgment without evidence.

Note: While members of the public are encouraged to abide by these Principles, they govern official representatives of the city and not the public.

Public Service Ethics

California has a complex set of ethics laws to guide local officials in service to their communities. Commissioners, in their capacity as an appointed official, should strive to keep the following principles in mind when determining the appropriate course of conduct in their decision-making:

- Public officials may not use their position for personal financial gain, nor does it entitle them to personal advantages/perks.
- Merit-based decisions based on fair process produce the best results for the public.
- Transparency in the decision-making process promotes public trust and confidence.

Minimum Standards

It is important to keep in mind that ethics laws are minimum standards. It is not possible to write laws to prevent all actions that could weaken the public's trust. Just because a given course of conduct is legal does not mean that it is ethical (or that the public will perceive it as such).

The California Political Reform Act

Most financial conflict of interest laws are contained in the California Political Reform Act. It states that a financial conflict of interest may exist when a person influences a decision that will materially affect an economic interest connected to you or your immediate family.

A commissioner may "influence" a government decision when they make or participate in making; or when they attempt to use their official position to affect the outcome of a decision. Often, it is not enough just to abstain from voting on a matter in which you have a conflict of interest – the law requires that you completely refrain from all participation or attempts to influence the outcome.

Economic Interests and Disclosure (Form 700)

The Political Reform Act requires every city in California to adopt a conflict of interest code. The code is intended to ensure that decisions are made by public officials openly, honestly, and free from the motivation of personal gain. Many members of Davis' commissions are identified as decision-makers subject to its conflict of interest code. If you are a member of one of the advisory bodies listed below, you must refrain from participating in discussions in which you have a financial interest, and are required to file a Form 700 "Statement of Economic Interests" on a regular basis:

- Climate and Environmental Justice
- Fiscal
- Open Space and Habitat
- Planning
- Recreation and Park
- Social Services
- Transportation

Your Form 700 must be completed and filed with the City Clerk's Office at the following times:

- Within 30 days after appointment (Assuming Office Statement)
- On April 1st of each year while serving on the commission (Annual Statement)
- Within 30 days of leaving office (Leaving Office Statement)

You must complete and return a Form 700 even if you have "no reportable interests" to disclose. Failure to file on time may result in a penalty of $10 per day for late filings (up to $100), suspension and/or removal from the commission. Instructions and the period covered by each type of statement are included with the forms used for filing.

For most people, filling out a Form 700 will be a relatively easy experience provided you read the instructions carefully. However, questions are bound to arise, especially if you have financial interests in addition to the income from your job, residence, or loan obligations. Commission members can contact the FPPC or the City Clerk's Office for assistance. Form 700s are public records.

What to Do If You Have a Conflict of Interest

If you have a conflict of interest, you must disqualify yourself from participating in the matter. This includes all discussion on the matter as well as the actual vote.

You must take the following steps after you have determined that a conflict of interest exists under the Political Reform Act:

1. **Publicly identify the financial interest**. This must be done in enough detail for the public to understand the financial interest that creates the conflict of interest. Residential street addresses do not have to be disclosed.
2. **Recuse yourself from both the discussion and the vote on the matter.** You must recuse yourself from all proceedings related to the matter.
3. **Leave the room until the matter has been completed.** The matter is considered complete when there is no further discussion, vote or any other action.

   Exception: If the matter is on the consent calendar, you do not have to leave the room.

Exception: If you wish to speak during public comment, you may do so, but this is the only time when you may be in the room while the matter is being considered.

What to do if you're in doubt

If you believe you may have a conflict of interest, you should seek an opinion from the City Clerk (who will coordinate with the City Attorney as needed) or Fair Political Practices Commission. At any time, it is safest to err on the conservative side and to publicly identify the conflict, and follow the rules on disqualification.

Other Ethics Laws

Other ethics laws prohibit commissioners from:

- Using their official position for personal benefit or gain.
    - You may not use your commission role for discounted registration or entrance fees.
    - You may not use your commission role to qualify you for government rates for travel, lodging, meals, etc.

- Having a financial interest in any contract or grants made or recommended by their commission.
    - This may include the interest of a non-profit entity that you serve in a decision-making capacity for (such as on a board of directors) or that you volunteer your time and expertise to (such as draft an RFP or grant proposal).

- Engaging in employment or activities that are incompatible with their public office duties.
    - Public officials are prohibited from occupying two "offices" that are incompatible in terms of their duties and/or the likelihood of divided loyalties.
    - Commissioners are prohibited from serving on an elected body within the jurisdiction if there is any conceivable overlap in scope of work. If a commissioner runs for office during their term and is elected, they automatically vacate their commission seat.

- Using their official position to engage in political activities and convey the impression that the city or commission endorses a political campaign.
    - You are prohibited from using your office or city resources (including city email) to support or oppose the approval or rejection of a ballot measure or the election or defeat of a candidate by the voters.
    - You are prohibited from using your office or city resources to directly or indirectly solicit campaign contributions from other city officials or city employees.

DUE PROCESS AND BIAS

To ensure fairness in local government proceedings, public officials are legally prohibited from making decisions that are based on bias. Allegations of bias arise from an official's financial interest in a government decision or when an official publicly announces their personal opinion about an upcoming decision before participating in the official decision-making process. The mere appearance of bias can damage public confidence in the fairness of local government.

Procedural Due Process: Fair Decision Making

Both the US Constitution and the California Constitution guarantee rights to ***procedural due process*** which guarantees a person's right to notice and a fair hearing before public officials make a decision about the person's property or personal rights. In the land use setting, it is not only the property owner that has due process rights -- neighbors and opponents of a project do as well. To avoid costly lawsuits and duplicative proceedings, officials must avoid making statements that could show bias, and officials who may be biased or who may appear biased against a person or project should not participate in decision-making procedures involving that person or project.

Bias Rules for Legislative and Adjudicatory Decision Making Processes

Generally, all decisions made by local officials fall into one of two categories: (1) legislative and (2) adjudicatory. These two types of decisions are subject to different rules about due process and bias.

Legislative decisions involve the adoption of general rules or policies that apply to a number of people in a jurisdiction. Legislative decisions are typically based on broad public policy determinations. Legislative decisions include:

- Consideration of a proposed ordinance
- Deciding whether to undertake a public project
- Consideration of a development agreement
- Amendments to the general plan

Adjudicatory decisions involve determinations about a particular person, project, or case. When a public official serves in an adjudicatory capacity, they act similarly to a judge and make a ruling about how the law applies to a specific set of circumstances. A commission's decision of whether or not to approve an application for a land use entitlement or a permit is an adjudicatory decision.

Some decisions involve adjudicatory and legislative actions. For instance, development projects are often accompanied by a development agreement,

zone change, or General Plan amendment. While approval of a development project is an *adjudicatory decision*, a General Plan amendment is a *legislative decision*. In these instances, the best practice is for public officials to approach all decisions as if they are adjudicative.

Disqualifying Bias Due to Prior Public Advocacy

Courts have held that officials are biased or appear biased when they have publicly taken policy positions that suggest that they have already made a decision about an upcoming adjudicatory hearing. This includes making verbal public statements in support or opposition of certain projects (or certain ***types*** of projects), as well as written policy statements published in articles, blog posts, or other writings that are published in the community. **This is true even if the writing is published anonymously**.

Given this precedent, public officials who have publicly taken a policy position that could affect any upcoming adjudicatory decisions are probably disqualified from participating in those adjudicatory decisions, and should recuse themselves.

Keep in mind, certain commissions sometimes consider the same project or proposal more than once.

- The Planning Commission may disapprove a project and following an appeal to Council, the Council may remand it back to the Planning Commission for further review.
- Other commissions may review different aspects of the same proposal over time or take actions to implement prior decisions.

  A project may initially come to the City for general entitlements, with implementing actions coming later. While the statements that City officials make during deliberations at an adjudicative hearing generally do not give rise to bias concerns (it is expected that officials would express their opinions at that time), commissioners who engage in public advocacy regarding a proposal before that decision is final run the risk of having to recuse themselves from all future decisions regarding that proposal.

Officials must avoid taking a position on projects or upcoming hearings before the public meeting. Those who have taken a position that could affect an upcoming decision about a particular case, project, permit, or person, should recuse themselves and avoid participating in the decision-making process. This includes officials who have made verbal or written statements advocating for or against a particular project (or types of projects).

If an official who has made disqualifying statements does not recuse themselves from participating in relevant adjudicatory decisions, affected parties may be able to successfully sue the City for a due process violation. This could result in overturning the original decision, court-ordered duplicate proceedings, and City liability for the affected parties' court costs.

CHAPTER 3
ROLES AND RELATIONSHIPS

ADVISORY ROLE

The primary role of City of Davis commissions is to review and make recommendations to the City Council on matters within the commission's scope of responsibility as set forth in the enabling resolution/ordinance, and to promote increased public awareness, participation, and input into the determination of city policies. On specific matters referred to them by the City Council, commissions serve as the reviewing body of the city. All recommendations, however, are subject to approval and revision of the City Council.

City Council

Members of city commissions are sometimes referred to as the "eyes and ears" of the City Council. They serve an important role in extending the reach of the democratic process into the community. Even though the Council relies on the work of city commissions, there should be no confusion about the separate roles of each. Commissioners are not appointed to relieve elected officials of making decisions.

Commission members should recognize that City Council's jurisdiction is much broader, and in some cases the commission's recommendations may not be followed. That is an inevitable part of the process. You may disagree with the City Council on any matter, but once the Council has established its position, your actions as a commissioner should not be contrary to the adopted policies and programs. If problems arise because of differences between Council decisions and the personal values of a commission member, which would interfere with continued commission service, resignation from the commission is the appropriate response.

<u>Commission Recommendations to the Council</u>

Commissions may submit items to the City Council to be placed on a City Council Agenda. Commission proposals to the City Council should be provided in writing via the staff liaison or department of the staff liaison, and should represent the views of the commission as a whole. Action items should contain a specific recommendation for Council approval, adoption or authorization. Recommendations should be clear about who is taking action and what the action will accomplish. Informational reports advise or inform the Council on a subject or commission activity, but does not request any action or report by the Council. A report to Council should state the full commission motion and the list how

each commissioner voted in its decision-making process.

The City Council has determined that Council members should not lobby commissioners for particular votes. However, Council members may request that commissioners consider certain issues during their deliberations.

City Council Liaisons to Commissions

Each member of the Council is assigned to serve as a liaison with one or more city commissions. The purpose of the liaison assignment is to facilitate communications between the City Council and the advisory body. The liaison also helps to increase the Council's familiarity with the membership, programs and issues of the advisory body. In fulfilling their liaison assignment, Council Members may elect to attend commission meetings periodically to observe the activities of the advisory body or simply maintain communications with the commission chair or staff liaison on a regular basis.

Council members are not participating members of the commission, but are there to create a linkage between the City Council and commission. In interacting with commissions, Council members are to reflect the views of the full Council body.

Joint Discussions/ Meetings with the City Council

Periodically, the City Council may choose to meet with a commission. These meetings may focus on a specific issue or they may more generally cover topics of mutual interest to the two bodies. The meetings may be joint discussions at a City Council meeting or may be a joint meeting between both bodies. The staff liaison will work with the commission to prepare for the meeting.

Staff Liaison

Duties of the Staff Liaison

The City Manager designates staff to serve as the staff liaison to city boards, commissions and committees. Generally, the staff liaison is appointed from the department in which the commission is housed. The staff liaison attends all meetings of the commission, prepares the agenda, acts as technical advisor, and finalizes the minutes for the commission's approval. Requests for information or support should be directed to the staff liaison, not directed to other city staff.

The staff liaison must consider the policy and fiscal impacts of proposals and provide commissioners with early and timely information about not only the impact of a proposal in and of itself, but its relationship to overall department and citywide fiscal capacity and priorities. Staff liaisons must be constantly aware of the responsibility to represent overall Council priorities and administrative policies of the City.

The staff liaison has a responsibility to:

- Provide background and context on a subject.
- Provide resources for the commission to seek out information or solutions to a problem.
- Present a balanced report on controversial issues, so that both positive and negative aspects can be readily identified. Alert the commission of possible detrimental actions.
- Keep the commission informed of changing policies, procedures, and Council goals.
- Take initiative to inform commissioners about activities, projects and work that is taking place elsewhere in the organization and among other commissions, especially in areas that may overlap with items up for discussion on commission agendas.
- Keep the commission focused on priorities.
- Educate new members about their role and responsibilities, and at times, coach individual commission members to encourage participation and develop their skills.
- Post the agendas and minutes in a timely manner.
- Ensure that motions and minutes accurately reflect the actions taken and the intent of the commission at the meeting.
- Respond in a timely and professional manner to requests made by individual commissioners for information and assistance. Staff responses to individual commissioner comments/questions should be distributed to all commission members if the material may be of interest.
- If a commission desires information that will require an excessive amount of staff time, the staff liaison will consult with their department head and the city manager's office. The request may need to go to Council for approval if it diverts staff and budget resources from other projects.

Relationship Between Commission and Liaison

The staff liaison's responsibility is but one of many tasks assigned to that staff person. While the liaison's role is to assist the commission, the liaison and other staff are not employees of the commission. At all times staff is directly responsible to their department director and to the City Manager. Commissioners should realize that the assigned staff person reports directly to a supervisor and may not be able to carry out every recommendation or request that the commission may have.

The following are recommended ways to avoid misunderstandings and to keep the channels of communication open:

- All contacts from commissioners to other members of staff should be

transmitted through the staff liaison. Conversely, all contacts from City staff to the commission should also go through the liaison.

- Contacts with staff members should clearly be in the framework of the commission's function/scope.
- Resident complaints received by commissioners should be referred directly to the staff liaison.
- Resident correspondence received by commissioners should be forwarded to the staff liaison for record keeping.
- Commissioners who wish to share information with the rest of the Commission should do so at commission meetings, or through the staff liaison who will determine the appropriate method of distribution- which may include a formal agendized item for commission discussion.
- Commissioners shall not ask for individual reports, favors, or special considerations.
- Commissions should not ask staff to commit staff time for work that has not been budgeted or has not been approved by their Department Director or the City Manager.
- It is not expected that every staff recommendation will be approved; however, based on the technical knowledge of staff, consideration should be given to their proposals and recommendations. If the commission does not agree with the recommendation put forward, staff will report the commission's stance on the issue to the City Council.
- Treat all staff as professionals. Acknowledge the abilities, skills, experience and dignity of every employee of the City of Davis. Recognize that staff liaisons also value their family and personal time. Accordingly, contacting staff during non-working hours is generally discouraged.
- Commissioners should not criticize or embarrass city staff in a public setting. If you have a concern about staff performance, it should be brought privately to the staff member's Department Head or City Manager.

City Attorney

The City Attorney is appointed by the City Council and is the legal advisor for the City Council and City organization as a whole. The City Attorney ensures the City operates within legal constraints and minimizes the City's legal liability. Commissions are required to comply with the instructions and advice of the City Attorney.

Staff liaisons will coordinate with the City Attorney for any commission work that requires legal review or advice. Commissioners are not authorized to contact the City Attorney directly. If a commissioner has questions about a potential conflict of interest, the first point of contact is the City Clerk who will coordinate with the City Attorney as needed.

RELATIONSHIPS WITH OTHER COMMISSIONS, EXTERNAL AGENCIES/ENTITIES, GENERAL PUBLIC

Joint Commission Meetings

Two or more commissions may hold a joint meeting to discuss an issue that may fall under the purview of multiple commissions. Any proposed joint meetings must be approved by the City Manager and coordinated by the staff liaisons and City Clerk.

- Each commission must have a quorum of members in attendance.
- Location and room setup will be determined by staff on a case-by-case basis.
- Meeting will be held as a "special meeting" and include only one main topic (exclude announcements, liaison reports, etc.) and one public comment period on the main topic (exclude general public comments on any topic within commission purview).
- During the meeting, a "Lead Chair" must be assigned to run the meeting. The Lead Chair will be chosen among all the Chairs present (or Vice Chairs if Chairs are absent). If there is a "Lead Commission" on a topic, then the Chair of that commission will be designated.
- During the meeting, if there are any motions/votes, each commission must act separately and have their own motion/vote. If needed or requested, each commission may have a separate deliberation solely amongst its members prior to the motion/vote.

External Agencies/Entities

Interjurisdictional Bodies
(Davis Joint Unified School District, UC Davis, Yolo County)

Commissions are not authorized to support or oppose matters on behalf of the City or City Council. Any request of that sort should be directed to the staff liaison who will coordinate a response with the Communications Division of the City Manager's Office. Requests will be reviewed for relation to official city policies or stances on issues or presented to the City Council for approval. Requests for commission representation on an advisory body (i.e. a member from the commission serves as city representation on a County or DJUSD Committee) must be submitted to City Council for approval and authorization and incorporated into the commission enabling documents.

Community Groups / Non-Profits
You may be approached by community organizations regarding matters under the purview of the commission. It is not uncommon for community groups to present proposals and recommendations for commission review. Such proposals must be referred to City staff for analysis prior to any commission work commencing.

If you serve as a decision-making member of a non-profit board or community group that intersects with the scope of work of your commission, you must be careful to understand any biases or potential conflicts of interest that may result. To the greatest extent possible, you are expected to serve your commission role for the benefit of the public generally and not an individual group's interest. In addition, strict ethics laws regulate whether or not you are able to participate in commission work if it may impact the non-profit in certain matters. Examples of potential conflicts include: submittal of a grant proposal considered by your commission, pending permit reviewed by your commission, city has an existing or is considering a contractual relationship of some kind with the group, etc. If you have any questions regarding potential conflicts of interest based on your non-profit or other volunteer work, please contact your staff liaison and the City Clerk.

Developers
Large projects/applications may come before commissions as part of the City's normal review process. At times, individual commissioners may be approached by developers or applicants in order to lobby approval for their projects. You are under no obligation to meet with any applicant, and all invitations can be referred to staff.

If you choose to meet privately with an individual or entity that has an item coming before the commission, you must not make any commitments or indicate your voting decision. (See Due Process and Bias for more information.) You should disclose such contacts at the commission meeting when the item is discussed.

<u>Commission Review of Development Proposals</u>

1. When the City receives a development proposal, staff will determine if the proposal adheres to applicable laws, regulations, standards, guidelines, requirements, and city policies. When there are inconsistencies with existing policy, staff may refer the matter to appropriate commissions for review. Commission review will occur before proceeding to commissions with regulatory authority or City Council.

2. The Planning Commission and Social Services Commission will review development proposals as outlined in the Zoning and Affordable Housing Ordinances.

3. The Fiscal Commission will review financial impacts of projects at the request of City Council.

4. Commissions should not make an endorsement for or state opposition to a development proposal.

Media

The City of Davis has a strict protocol for speaking to the press. Commissions as a body and commissioners as individuals are not authorized to speak to the press or issue press releases. All requests for an official response must be submitted to the Communications Division of the City Manager's Office. The Comms Division serves as a single point of contact for media inquiries and coordinates across all City departments and with the City Council to ensure a unified response. **All media inquiries you receive as a City of Davis Commissioner must be sent to communications@cityofdavis.org**.

If you receive an inquiry from the press, you do not have to answer any questions or request for an interview simply because you are asked. In fact, if you speak to the media and opine about a subject that is going to come before your commission, it could be a potential violation of the Brown Act, create a disqualifying bias, or even lead to the invalidation of decisions. There are complex laws that limit if and what you can say in many circumstances, including the Constitution, Brown Act and other ethics laws, planning and zoning statues, etc. Additionally, if you speak about a topic of concern for the City it may create tensions or assumptions that are false, avoidable or unwarranted.

Expectations of Commissioners:

- Do not state an opinion or position in advance of a meeting.
- Do not share or solicit opinions from other commissioners before a meeting.
- If you publicly announce your opinion about an upcoming decision before participating in the official decision-making process, you may create a disqualifying bias. Even the appearance of bias can damage public confidence.
- If you make a statement that suggests you have made up your mind on a pending decision, you must recuse yourself and avoid participation.
- Commissioners are expected to represent the overall public good and not that of an exclusive group or interest.

- Commissioners should serve as a model of leadership and inspire public confidence in the fairness of government.

If you decide to speak **as an individual** to the press, you must exercise caution. Make sure it is clear that you are speaking as an individual, and not on behalf of the commission, the City Council or the City in general. Carefully consider your words and understand they can easily be taken out of context. Be cautious about humor, sardonic asides, criticism, sarcasm or word play. Please be aware that even if you attend an event in a personal capacity, others may still perceive you as representing the commission. This can lead to assumptions about the commission's views or positions. For example, attending public demonstrations, rallies, advocacy events or politically charged gatherings—even as a private individual—can create the perception that you are endorsing a particular viewpoint on behalf of the commission. It's important to be mindful of how your presence may be interpreted and to avoid situations that could compromise the commission's neutrality or credibility. The City has needed to respond to previous media inquiries about Commissioners attending events that the City either did not support or did not take a stance on.

This also includes social media. Keep in mind there are very strict laws governing internet-based social media platforms including news sites or blogs and what you say on them. If your personal social media profile mentions your role as a commissioner, it's important to understand that the content you share—even if posted in a personal capacity—may be interpreted as reflecting official views. This can unintentionally associate your opinions with the commission or City, leading to confusion or misrepresentation. To protect the integrity of the commission's work, use good judgment when posting about public matters and consider how your affiliation might shape how your message is received. Further, you should be aware that use of social media in a manner that conveys a connection to your public duties may establish a designated or limited public forum to which First Amendment protections may apply – this means that once you create a "public forum" any action to limit public access to your page may have constitutional implications that may lead to personal liability. Finally, you are prohibited from interacting with the posts of other members on topics within the subject matter jurisdiction of your Commission (see section on Brown Act for more details).

General Public

Commissioners are encouraged to seek out and become aware of public opinion relating to their commission scope and to welcome resident input at commission meetings. Spreading word of citywide opportunities and resources to increase resident involvement is encouraged.

The City serves a diverse population and has specific policies against discrimination. Statements that can be interpreted as discriminatory against any group must be avoided at all times.

Commissioners should encourage residents to send their comments about commission related matters to the staff liaison for distribution to all commissioners or attend a meeting and speak during public comment. This allows the full commission to hear and consider all pertinent information and points of view. For information on dealing with members of the public during meetings, please see the section on "Public Comment."

Commissioners from time to time may correspond with residents in response to inquiries or provide requested information. In these circumstances, members should clearly indicate that they are not speaking for the commission, but for themselves as an individual member of the commission.

All communications from commissioners to members of the public must be transmitted through the commission staff liaison, whether directly or copied on all email correspondence. Similarly, any communications received by an individual commissioner should be forwarded to the staff liaison. Official responses to resident inquiries or concerns must be approved and/or sent via the staff liaison. Staff will maintain and retain communications according to the City's Records Retention Schedule.

Endorsements/Political Activity

Serving as a commissioner does not restrict you from participating in political activities at any level of government, whether local, state or federal. However, if you do take a position on a political issue outside of the role of commissioner, it is important to take steps to assure a distinction between your personal viewpoints and positions of the commission. You may use your title as a commissioner for identification purposes only when participating in these activities, and you must make it clear that you are not representing or speaking on behalf of the commission, the City Council, or the City of Davis. You may not indicate in any campaign materials or discussions that you have political influence or authority due to your role as a commissioner. Further, you may not use public resources for personal gain, including political gain, or support of campaign activity for a candidate or ballot measure. Please contact your staff liaison and/or the City Clerk's Office if you have questions regarding political activity by individual commissioners or your commission.

CHAPTER 4
MEETINGS AND PROCEDURES

THE BROWN ACT

The Ralph M. Brown Act ("Brown Act") is a state law that applies to any legislative body in the State of California. Commissions, committees, boards or other bodies of a local agency, whether advisory or decision-making, temporary or permanent, created by ordinance, resolution or formal action of the City Council are considered legislative bodies.

The purpose of the Brown Act is to ensure that the public has adequate notice of what its elected and appointed officials do, and that their decisions and deliberations also take place in public. The full text of the Brown Act is available to you, as well as a summarized guide "Open & Public VI", as Appendixes to supplement the basic information provided in this section. It is advisable that you review both documents thoroughly, as this section will provide only a basic understanding of topics, including:

1. What constitutes a public meeting
2. Types of public meetings
3. How meetings are noticed to the public
4. How meetings should be conducted (meeting procedure)

What Constitutes a Public Meeting

A "meeting" for which public notice must first be given is defined as any gathering of or communication between a quorum of the members of a local body at the same time and location to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of that body.

Quorum

A quorum is the minimum number of members that must be present for a group to conduct business. A quorum is one more than a majority (or, often, one more than half) of the authorized seats on the commission. The number needed for a quorum does not change because of vacancies on the commission. For a seven-member commission, a quorum of four must be present. For a five-member board, a quorum is three members.

If a quorum is not achieved after 15 minutes from the start time of a meeting, the meeting should be cancelled. Present commissioners should not discuss any agenda items.

If at any time during discussion, a commissioner leaves the dais and the remaining membership seated is less than a quorum, the Chair should immediately either recess or adjourn the meeting. If a commissioner must leave the room because of a conflict of interest resulting in the membership seated as less than a quorum, then the item must be continued to a later time or date when a quorum of members may be present to discuss the item.

Serial Meetings Prohibited
Members must be cautious about discussing commission business outside of a formal meeting with other commissioners to avoid engaging in a serial meeting. "Serial Meetings" occur when a quorum of members use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the commission outside of a formal meeting. Serial meetings are prohibited under the Brown Act.

Most frequently, serial meetings can occur in email correspondence. It is very important that you restrict communications with fellow commission members to avoid reaching a consensus outside of a noticed public meeting. Do not use "Reply All" on any email correspondence from staff or members of the public if all members of the commission, or a quorum thereof, are listed recipients.

Serial meetings can also occur if staff or a commissioner acts as a hub by reaching out to individual commissioners to develop consensus regarding an item of business, even if the members never communicate to each other directly.

Social Media
The Brown Act prohibits social media interactions between two members of a legislative body. Commissioners are **prohibited from responding directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of your commission that is made, posted, or shared by any other member of your Commission**. This means that commissioners **cannot "like," "retweet," "share" or otherwise react to a post made by another commissioner that touches on topics within the scope of their Commission.**

Internet-based social media platform includes any online service that is open and accessible to the public that provides the ability to access and participate, with the only requirement for entry or membership being compliance with platform protocols and rules. The prohibition also applies to the "comments" fields on news sites or blogs.

In general, commissioners should avoid engaging with other commissioners on any internet site, as it could create an appearance of impropriety and draw criticism from members of the public.

Exceptions - Gatherings That Are Not "Meetings"
You are not precluded from attending community meetings or conferences; or attending purely social, recreational, or ceremonial occasions at which a majority of the commission may be present - so long as you do not discuss business items within the jurisdiction of your board or commission.

Types of Public Meetings

There are two types of public meetings: Regular Meetings and Special Meetings. Each has its own requirements, as discussed below:

Regular Meetings
All boards and commissions must take formal action (by a motion and vote) to establish a regular time and place for holding regular meetings. (For example: "7:00 p.m. on the first Monday of every month at City Hall"). Regular meetings must be noticed to the public at a minimum 72 hours in advance.

Special Meetings
Special meetings are discouraged by the City Council and should be used only when necessary, under extraordinary circumstances. In order to hold a special meeting, the City Manager must be consulted for approval. An explanation must be provided of the special circumstances that necessitate the meeting including when the topic/issue was brought to the attention of staff or the commission, and why it is time sensitive. Special meetings may be called by the chair or a quorum of the commission and coordinated through the staff liaison. Written notice must be given to the commissioners and to the media 24 hours prior to a special meeting.

Special meetings may take place at a date, time, or place that deviates from the regular meeting schedule. The main difference between a regular meeting and a special meeting is the type of business that is conducted at each meeting. Special meetings agendas should be focused on the specific matters requiring immediate action, and not include non-urgency items such as commission communications, subcommittee or liaison reports, or approval of minutes. Public comment during special meetings is restricted to only those items/topics specifically listed on the agenda; general public comment on matters not listed on the agenda is prohibited.

How Meetings are Noticed (Agendas)

An agenda for each meeting of a city commission is prepared by the staff liaison in consultation with the chair. The agenda outlines the topics or items of business that will be introduced, discussed, and acted upon at each meeting. Regular meeting agendas must be posted at least 72 hours prior to the meeting in order to comply with the Brown Act.

Agenda Format

All commissions shall use a standard agenda format, as provided by the City Clerk's Office. All agendas should contain the following information:

- Name of the legislative body
- Meeting Date, Time, and Location (common name and address)
- Names of all commission/committee members
- Name of primary staff and/or staff presenters
- Items to be discussed at the meeting. Agenda items need to be descriptive enough that the general public may understand what matters are to be discussed and potentially decided upon at the meeting.

A sample agenda for both regular and special meetings are provided as an Appendix.

Placing Items on the Agenda

Each commission has a meeting calendar to guide the timing of discussion and action items throughout an established period. Calendars cover a one-year period and should align with the council legislative schedule (schedule commission work in a timely manner to make council deadlines, commissions should recess when council does, etc.).

Tasks/projects may be added to the meeting calendar in various ways.

A. *Council Assigned Tasks/Projects*
   Items assigned by City Council are to take priority over other tasks/projects and may be assigned to the commission for research, analysis, and discussion or recommendation at any time, either:
   i. By Council as a whole, at a regular meeting, during an agendized item that relates to the item or during the long range calendar.
   ii. By an established Council Subcommittee. The Council Subcommittee will coordinate with the City Manager and staff to develop the overall task/project and desired timeline.

B. *City Staff Tasks*
   i. Draft work product such as policies and guidelines ready for community input and recommendation to City Council for adoption.

ii. Routine status updates on programs; state-mandated reporting for certain program requirements
iii. Community Outreach (workshops, forums, etc.)

C. *Commission-Initiated Requests*
Additions/modifications to the calendar must be submitted by the commission to City Council for review/action. Commissions may initiate proposals to add tasks/projects at any time during the calendar period.

Commission-Initiated Task/Project Process
At a Commission meeting, a commissioner may request to add an item to a future agenda. The commission must approve the concept of the task/project by a majority vote, and may assign an individual or subcommittee to submit the required information for staff and City Council review and analysis.

- Tasks should contribute to or directly serve an identified/demonstrated need and represent the general interests of the City.
- Commissions should discuss each proposed task/project with enough detail to ensure the full commission is informed prior to taking a vote. Commissions are not to provide "courtesy" approval to each proposal. Instead, commissioners should ask questions, discuss, and deliberate. If a proposed task/project is approved by the full commission, all actions from that point forward should reflect the viewpoint of the commission as a whole.

What is an Action-Oriented, Commission-Initiated Task?
A commission-initiated task is:
→ One that Council has not requested.
→ One that staff does not otherwise plan to bring forward.
→ When the commission wants to take action or make a recommendation on a new matter not already assigned.
→ When the commission needs to use City resources (significant staff time, budget).

Example: After receiving a presentation, the commission would like to work on developing a policy or guidelines, or would like to recommend a new program, initiative, or requirement that the City should provide or implement.

→ This would be considered an action-oriented, commission-initiated task because the commission wants to take action, utilize City resources, and make a recommendation. This type of activity would require Council approval to proceed.

What is NOT an Action-Oriented, Commission-Initiated Task? (Commissions Proceed Without Council Review/Action)

- The commission doing their own research on a topic (However, once the commission wants to discuss research findings and consider potential actions, then it becomes a task).
- Educational/informational presentations
- Items brought forward by staff, the Council or a Council Subcommittee

Examples:

1. A commissioner reads blog posts, whitepapers, news articles, and other informational resources about a topic (within the commissions' purview) and presents the information during "Brief Announcements".
    - This would not require prior Council approval because a commissioner is doing their own research on a topic.

2. Commission requests presentations from non-profits, city staff, and other organizations about a topic within their purview.
    - This would not require prior Council approval because this is an educational/ informational presentation.

Forums/Workshops

Some commissions are charged with supporting community engagement and public outreach events within their purviews. This is often accomplished through facilitated forums and workshops by the commission with an outside speaker or a panel of speakers. In these instances, once the proposed topic, speakers and basic format have been decided, the commission should inform City Council and seek approval to move forward.

City Council Action

The staff liaison will prepare a staff report to City Council to explain the item. All commission proposals will go to Council, regardless if the staff recommendation is to approve, approve with modifications, or oppose (recommend Council deny commission request) adding the item to a future commission agenda. The staff report should answer the following questions:

- **Task/Project:** Identify the task/project. Explain its purpose and if it may require work outside of the commission role to accomplish or will lead to additional tasks/projects (by staff, commission, council).

    ☐ Does it limit the commission's ability to accomplish other required responsibilities?

☐ Does it conflict with Council action or direction (inconsistent, incompatible, alter, etc.)?
  - × Tasks/projects should <u>not</u> include items regarding topics/tasks/projects that Council has already taken up/acted on, unless Council requests additional assistance.
  - × Council has adopted a policy that once a Council Subcommittee is established on a matter, it assumes the lead role on all future actions in order to coordinate resources and efforts. Commissions should <u>not</u> agendize discussion items or undertake Commission subcommittee work unless requested to do so by the Council Subcommittee. This ensures that Council and Commissions are efficient and not working at cross-purposes.

☐ Is it related to existing and/or anticipated projects, priorities and/or goals, such as:
  - → Capital Improvement Projects (CIPs)
  - → Department/division projects
  - → Master plans and other long-term planning documents
  - → Other projects, priorities and goals identified in the current City Budget or department workplan, or by Council direction

- **Commission Function(s):** Specify how this task fulfills Commission function(s)/scope of responsibility.
  ☐ Is it within the Commission's scope of responsibility?

- **Council Goal(s)/Objective(s)/Strategy(ies):** List the relevant component.
  ☐ Is it in alignment with or contribute to/furthers a goal or objective?

- **Potential Timeline:** Estimate the time to complete the task/project, including month/years
  ☐ Can it be completed within the proposed timeline?
  ☐ Does it require phases or smaller discrete steps to work towards the overall task/project?

- **Resources Needed:** include any outside resources that may be required, or other *significant* resources.
  ☐ Is it achievable with available resources, both monetary and non-monetary?
  ☐ Will it require a reallocation of staff time or budget adjustment?
  ☐ Does staff have the expertise necessary or will consultant work be needed?

Significant resources are those that are beyond "negligible" (two hours of staff time) and the department determines that the proposed project cannot be absorbed into the current budget and staffing assignment.

At the City Council meeting, the task/project will either be approved or the commission will not be authorized to move forward, or the Council may request revisions to the task.

- If the proposal is recommended for approval, add the task/project to the commission meeting calendar.
- If there is consensus that the task/project doesn't fit within the commission's scope, cannot be reasonably completed under the circumstances, or does not meet City Council needs, modification or alternatives may be developed.
- If there are no reasonable modifications or alternatives to the proposed task/project, staff will report back to the Commission that the idea needs to be revised or tabled.

Adding Emergency Items to the Agenda

In rare cases, an item may be added to the agenda if there is a need to take immediate action on an issue which came to the attention of the City less than 72 hours before the meeting.

The Brown Act defines an "emergency" as "work stoppage, crippling activity that severely impairs public health, safety or both…". Should such an issue arise, the staff liaison will work with the City Clerk's Office and the commission to ensure it is agendized correctly. To add an emergency item, the commission may only do so by a two-thirds vote (of the total authorized membership), or by unanimous vote if less than two-thirds of the members are present. Time permitting, the commission may choose to schedule a special meeting at a future date for which at least a 24-hour notice can be issued to the public.

Cancellation of Meetings

Meeting frequency is determined by assigned tasks/projects and deliverables; flexibility is provided to meet monthly, bimonthly, quarterly, or as needed. Meetings will not be held if the commission does not have any business to conduct.

A meeting will be cancelled if there are no items requiring commission input. If this happens, staff will post a notice of cancellation. A notice of cancellation should be posted at least 72 hours prior to the meeting whenever possible, or as soon as it is known that the meeting will not occur.

A meeting will also be cancelled if there is not a quorum of members in attendance. It is important that commission members notify staff as soon as possible if they will be unable to attend any meetings. The Chair should wait no more than 15 minutes from the official start time of the meeting for late members. After 15 minutes, if a quorum is still not achieved, the meeting should be cancelled. Present commissioners should not discuss any agenda items.

List of Persons Requesting Mailed Notice

Any person who requests a copy of the agenda and agenda packet must receive a copy at the time that these materials are posted or distributed to a majority of the members of the commission.

The City of Davis has implemented an e-mail list serve to provide an easy way for individuals to continuously subscribe to receive agendas for any/all city commissions. Individuals may sign up for the City list serve online (http://cityofdavis.org). This service continues until the individual unsubscribes themselves from that commission mailing list.

Any request for mailed hard copies of agendas or agenda packets are subject to a fee equal to the cost of providing the service, and must be renewed each calendar year.

Agenda Packets

Agendized items may or may not include a written staff report. If provided, staff reports should be modeled after the format used for City Council.

Items prepared by staff for agendized items (i.e. supplemental reports and/or presentations) after packet delivery will be posted online with the rest of the meeting materials as soon as possible. Hard copies of any documents provided at the meeting must be made available for public review during the meeting; any requests for copies of these materials must be provided within one business day of receipt of the request.

Public communications on agendized items that are received by staff either via email or hard copy will be provided to commissioners prior to the start of the meeting, generally several hours ahead of time to allow for review. Late communications received prior to the meeting may only be available in hard copy. All such communications are public records and will be maintained accordingly and/or provided upon request.

Location and Accessibility of Meetings

Location
Commissions establish a regular meeting day, time and location. These should be occasionally reviewed to ensure that they meet the needs of the commission to conduct business effectively.

The City of Davis provides meeting facilities at several locations.
Each location differs in size and amenities. Meeting rooms used are:

- Community Chambers at City Hall (23 Russell Boulevard)**
- Community Chambers Conference Room (23 Russell Boulevard)
- Senior Center Activity Room (646 A Street)*

  ** amplified sound available*
  *** amplified sound and listening devices readily available*

If meetings are held in the Community Chambers Conference Room, members of the commission should be seated together, and staff may also sit at the table. However, to maintain order and reduce the risk of individuals speaking out of turn, members of the public should not be seated at the table. There should be a separation between the commission, staff, and members of the public.

Accessibility
All meeting facilities must be ADA accessible, this includes consideration of doors (unlocked, automatic), building/structural concerns (i.e. stairs, elevators, ramps, etc.), meeting room layout (walkway width, access to chairs and doors), etc. If the accessible entry or path of travel is other than the main entrance or walkway to the meeting location, such information and directions should be noted on the agenda or clearly posted at the building location.

Listening devices are available for use in some meeting rooms. Upon request, staff will make appropriate accommodations for members of the public who require listening assistance. If possible, notice should be received by staff at least 24 hours in advance of the meeting. If less time is provided, all reasonable efforts will be made to accommodate.

Closed Sessions
Closed sessions are not allowed except as authorized by the Brown Act. In general, only the City Council/Redevelopment Successor Agency and the Personnel Board hold closed sessions.

MEETING PROCEDURE

Parliamentary Procedure and Rules of Order

City commissions follow a modified version of Rosenberg's Rules of Order, Simple Parliamentary Procedures for the 21st Century as adopted by the City Council. The adoption of rules was undertaken to simplify procedures. A scaled-down and modified version is appropriate for commissions. It is highly recommended that commissioners thoroughly review these procedures, provided as an Appendix to this handbook.

The use of parliamentary procedure:

- Establishes a framework for the orderly conduct of meetings.
- Promotes cooperation and enables people to work together more effectively to accomplish their goals.
- Encourages discussion and facilitates decision-making.
- Ensures that meetings are conducted in good faith.
- Enforces the will of the majority while protecting the rights of the minority.

Order and Decorum

Members should accord the utmost courtesy to each other, to city employees, and to the public appearing before the commission, and should refrain at all times from (1) rude and derogatory remarks, (2) questioning the integrity of the speaker, (3) abusive comments, (4) statements about the member's personal feelings about the speaker's motives, and (5) personal attacks.

Any member may move to require the Chair to enforce the commission rules; the affirmative vote of a majority of the commission will require the Chair to so act. It is the responsibility of all commissioners to assure the successful conduct of each meeting. Each commission member should treat each other with respect and dignity, even when disagreements arise. The Chair may limit time for commission discussion in the interest of efficiency and timeliness.

Chair: Running a Meeting (Presiding)

It is the Chair's role to facilitate meeting protocol, ensuring that meetings are conducted in an orderly and timely manner. Staff liaisons may assist the Chair in starting the meeting on time and provide guidance on meeting protocol.

- **Start meetings on time.** Do not begin the meeting unless a quorum of members are present. The meeting should be cancelled if a quorum cannot be obtained after 15 minutes from the official start time of the meeting.

- **Explain the process.** Keep in mind that people may be attending a meeting for the first time and may be unfamiliar with meeting procedures. Announce agenda items and explain the process for receiving presentations, public comment, hearings, etc. at the beginning of each item.

- **Maintain order.** Do not allow members of the public to clap, cheer, whistle, and so on, either for or against testimony that is being presented or in response to comments by commission members during deliberations. Do not permit members of the commission to accuse or overtly challenge one another or any members of the public. To this end, dialogue between commission members and persons testifying should be limited to fact gathering which will contribute to the commission's decision-making ability.

- **Manage public comment.** Members of the public should not speak out, except on their turn during an opened public comment period. Public comment should be held to a reasonable length of time, particularly if a large number of people want to address the commission. Individuals requiring use of a translator must be allowed at least twice the amount of time for comment. When possible, discourage successive speakers from repeating the same testimony over and over again. Be fair, impartial, and respectful; procedure and time limits for public comment must be announced at the beginning and uniformly enforced. Give your full attention when others speak. Once the public comment period has been closed, only commission members or staff are permitted to speak on the item.

- **Understand parliamentary procedure.** The chair must understand order of business, making motions, amendments to motions, what is or is not debatable, and so on.

- **Manage Discussions.** Commissioners should try not to speak more than once on an item until every other member has had an opportunity

to speak. Commission members are encouraged to discuss items during the decision-making process and may ask staff to respond when appropriate. The Chair should allow other members to speak first and then give their views and summarize.

- **Keep the business moving.** The commission should not endlessly mull over matters, continuously request new information, and/or otherwise delay making a decision when the information needed for doing so has been presented. The chair should move the meeting along by summarizing the facts and the positions presented by commission members, and bring matters to a vote or bring the discussion to a close.
- **End meetings at a reasonable hour.** Keep the agenda in mind in order to give each item the appropriate time. Be mindful of how many items have yet to be heard.

Public Comment

Any member of the public is welcome to address the commission regarding matters listed on the meeting agenda (exceptions: public comments will not be taken on (1) roll call, (2) approval of agenda, and (3) brief announcements). Regular meeting agendas will also include a general public comment time for people to comment on any item of interest that is within the commission's subject matter jurisdiction, regardless if it is or is not agendized. Speakers will be asked to state their name for the record, although it is not a requirement that they do so.

Individuals may only speak one time per item, although the commission may ask that an individual return to clarify a comment that was made. In order to conduct business, the commission will limit the amount of time allotted to public participation. However, the commission may not place similar restrictions on the content of public comments (as long it is within the commission's subject matter jurisdiction), including prohibiting members of the public from expressing negative or critical comments of the City, staff, its legislative bodies, policies, procedures, or programs; such actions are a violation of their first amendment rights.

Time limitations

Comments are usually limited to no more than 3 minutes per speaker per item. The commission may adjust the time limits allowed to speakers depending upon the number of public in attendance (i.e. if more than 10 people want to speak on an item, the commission may limit to 1 or 2 minutes per comment). Procedure and time limits for public comment must be announced at the beginning and uniformly enforced for the duration of the comment period.

Note: a member of the public who utilizes a translator must be provided at least twice the allotted time for comment unless simultaneous translation equipment is used. This ensures that non-English speakers receive the same opportunity to directly address the legislative body.

General public comments vs. agenda item comments
Every regular agenda will have an item dedicated to receiving general public comments on any matters within the scope of the commission. (Reminder: No discussion or action may be taken on any item that is not listed on the agenda.) Members of the public should also address comments regarding items on the consent calendar during this general comment period. Consent calendar items are routine, require no discussion, expected to have unanimous support, and may be enacted by one motion.

Public comments on regular/business items listed on the agenda will be taken upon discussion of those items.

Items submitted at meetings by members of the public
Any written communication or other item submitted by members of the public during a commission meeting will be received by the staff liaison and distributed to the commission. If only one item is submitted, the staff liaison will scan and distribute the item following the meeting.

Public Hearings

When a public hearing is mandated by law, additional noticing requirements to affected parties may be applicable depending on the subject matter of the item and anticipated actions to be taken. Public hearings must be conducted in a fair and impartial manner. If a commission is acting in a quasi-judicial capacity, project applicants and opponents must be afforded due process. Decisions must be based on evidence in the record of the public hearing, which includes written documentation, staff presentation, and testimony from the public, applicants, and project opponents; certain decisions must also include adoption of written findings in support.

It is especially important that parties with an affected property interest in a project be allowed to participate fully in meetings. This includes applicants/property owners as well as neighbors whose property will be impacted by a project. From a legal perspective, it is better for a commission to err on the side of allowing more evidence into the record during the hearing as opposed to preventing the free flow of information, as this provides more evidence for the commission to base its decision upon.

Hearing Procedures

Generally, a public hearing is the first regular item heard on an agenda, following the consent calendar.

1. Chair opens the hearing
2. Staff presentation
    a. Commissioners ask staff any questions regarding staff presentation
3. Applicant testimony/presentation
    a. Commissioners ask any questions regarding presentation
4. In the context of an appeal, appellant testimony/presentation
5. In the context of an appeal, it is customary to allow rebuttal
6. Public Comment
7. Close of Public Comment
8. At the discretion of the Chair, allow applicant to briefly respond to public comment
9. Close of Public Hearing
10. Deliberation and discussion by Commission, which may include clarifying questions for staff, the applicant, opponents, or anyone else present in the meeting at the discretion of the Chair
    a. Answers to clarifying questions are brief and factual
    b. No new evidence presented
    c. No further public testimony
    d. Public hearing is not re-opened
11. Action by Commission
    a. Decisions must be based on evidence and testimony presented prior to the close of the public hearing
    b. Actions must be clearly stated for the record
    c. If no action is taken, the chair must announce and advise the public of when action is expected to take place.
    d. If the item must be postponed, the commission must determine an exact date and time when the hearing shall return to the commission.

MOTIONS AND VOTING

Motions

A motion is the way that a group under parliamentary procedure conducts business and makes decisions. There are several types of motions, each of which must meet certain requirements before a vote can be taken. A full and complete guide to types of motions and rules are found within Rosenberg's Rules of Order.

Steps in making, discussing and voting on a motion:

- The maker of the motion asks for recognition by the Chair, or the Chair may solicit a motion from commission members.
- After the individual is recognized, he/she will state "I move …"
- The Chair will ask if there is a second. Another member of the group must second the motion in order for discussion to start on the motion. The Chair then restates the motion "It has been moved and seconded that …" and opens the floor to discussion. The Chair will recognize members who wish to comment on the motion.
- Only one motion may be discussed at a time. It is important that all members of the group are clear on what the motion is and what its effect will be. Spirited discussion helps to answer questions and explore different interpretations and/or impacts of the motion.
- At the end of the discussion period the Chair will "call the question" and ask how many members vote "Aye" and how many vote "No" or "Abstain". A motion is passed when a majority of members votes in favor of the motion (members who recuse themselves due to a conflict of interest must leave the room, are not counted toward establishing a quorum or tallying votes).

Phrasing a motion can be difficult and corrections may be necessary before it is acted upon. Commissioners may wish to write out motions beforehand or ask staff to prepare a draft motion.

Friendly Amendments

The "Friendly Amendment" is an informal method for commissioners to request a minor change to the motion on the floor (while retaining the basic form of the original motion). A commission member may propose a friendly amendment, which must then be accepted by the main mover and seconder. Friendly amendments should only be used for minor adjustments, such as adding a word or phrase to the motion. Significant changes to a proposed motion should be proposed as a substitute motion, not as a friendly amendment or motion to amend.

Substitute Motion
At any time after a motion is moved and seconded, a member of the commission may move a substitute motion for consideration in place of the main motion. If the substitute motion is seconded, then discussion on this motion will take priority over the original motion. The commission will deliberate and then vote on the substitute motion. If it passes, the original motion becomes moot. If the substitute motion fails, the discussion will revert to the main motion. In the event of multiple substitute motions, the commission should address the latest motion proposed. There should never be more than two substitute motions (or three total motions) on the floor at any time.

Withdrawing a Motion
At any time after formation of a motion and before it is taken to a vote, the maker of the motion may interrupt a speaker to withdraw their motion from the floor.

OTHER TYPES OF MOTIONS
Motion to Continue
A motion to continue an item is to continue to another meeting, at a specific time and date. This type of motion requires a second.

Motion to Table
This type of motion is intended to immediately stop discussion and causes a vote to postpone a matter indefinitely. A motion to table takes precedence over all motions except adjourn and privilege. A motion to table requires a second. Once an item has been tabled, a motion to un-table the item is needed to bring the item back to discussion.

Motion to Reconsider
A motion to reconsider must be made at the same meeting or the next meeting following the original action. If the motion to reconsider is made at a subsequent meeting following the original action, the intent to reconsider the item must be agendized (requires a commissioner to contact the staff liaison as ask for an item to be added to the agenda). Motions to reconsider are not applicable to "tabled" items.

This type of motion may only be made by a commissioner who voted in the majority on the original motion. It also requires a second, of which any voting member of the commission may do so (not just those who voted in the majority). The motion is then subject to a vote. If the motion to reconsider passes, then the original matter is back before the commission and may be discussed and debated as if it were on the floor for the first time. During discussion, testimony should be limited to new facts that were not known at the time of the original motion.

The timelines for motions to reconsider must be strictly adhered to for binding deadlines, contracts, and any quasi-judicial matters. Policy related matters may allow for additional flexibility, but that type of circumstance will require specific staff analysis and/or city attorney consultation.

Voting

When present, all commissioners are to vote. Failure of a seated commissioner to orally express a vote constitutes an affirmative vote. The majority of members must vote in the affirmative of a motion for it to pass. Commissioners are never required to state reasons for a dissenting or supporting vote.

Members of city commissions are expected to participate in all decisions of their commission. There are two primary exceptions – a defined conflict of interest when a member must recuse themselves and leave the room, or due to a fairness issue such as personal animosity between the member and an individual appearing before the group. In all cases, care must be taken to ensure the fair, impartial deliberation process by the board, commission or committee.

Absence does not automatically disqualify a member from participating in a vote on an issue. If a member misses all or part of the proceeding in which information about the issue was presented, he/she can become familiar with the record of the meeting such as through minutes, studying the staff report or recorded version of the meeting, or discussions with staff.

Commissioners with a conflict of interest must step down, leave the room and not participate in the discussion or vote on the item; these members are considered "absent" for that item and may not be counted either for the purposes of establishing a quorum or for the tallying of votes.

<u>Calling the Question</u>

The Chair will call the question once it has been determined that discussion has reached a point where the commission is ready to vote. Generally, commissions will take a "voice vote" (see below). Commissioners may also declare a consensus on an action if there is agreement and no negative comments/objections have been expressed during discussion. If it is unclear whether a majority exists, or upon request of any commissioner, a roll call vote may be taken and recorded (see below). In any scenario, the Chair should announce the results (motion passes/fails) once votes are tallied.

<u>Voice Voting</u>

The Chair will state, "all those in favor" at which point members may altogether say "aye" or "yes", the Chair must then state, "all those opposed" and allow for opposing members to state "no" altogether. Keep in mind, failure to orally express a vote constitutes an affirmative (or "yes") vote.

Roll Call Votes

A roll call vote is generally used if there appears to be a division amongst members on an issue. This type of vote is especially preferable when making decisions on controversial items. The Chair or staff liaison may conduct the roll call. Each member will be identified, in any given order, followed by that member stating their vote.

Tie Votes

A tie vote is not a majority affirmative vote, and therefore is equivalent to a vote that has failed. The chair should publicly explain the effect of the tie vote for the public.

Abstentions

Abstentions count! A member who votes "abstain" is considered present and is counted toward the overall vote (not absent!). Abstentions are counted as a non-affirmative vote, and therefore act just like "no" votes (a motion may only pass with a majority affirmative votes).

What is the Difference? When to Abstain vs. When to Recuse

At times, it may not be clear to commission members whether they should participate/vote on an issue or not. Commissioners should keep in mind that by participating in discussion they have the power to influence the decision.

If a commission member has a defined conflict of interest, he/she must follow the steps for a recusal. They will be counted as "absent."

If a commission member is unable to act in an unbiased manner, they should also consider recusal and leave the room entirely before discussion ensues. Simply abstaining from voting may not be enough. Commissioners are encouraged to act on their conscience when such scenarios arise.

Abstentions should be rare and based on an inability to decide definitely to vote "yes" or "no" on a specific matter. Again, abstentions are counted toward the total vote and are non-affirmative. An abstention is not counted as "absent."

In the absence of a contrary statutory provision, the number of votes required to take action is a majority of a quorum.

Total Membership	Quorum	Number of Votes Cast	Majority Vote
5	3	5	3
		4	3
		3	2

Total Membership	Quorum	Number of Votes Cast	Majority Vote
7	4	7	4
		6	4
		5	3
		4	3

Voting requirements can vary depending on the action. A number of state law provisions impose voting rules requiring affirmative votes from more than a majority of a quorum in order for a legislative body to take action.

Total Membership	Quorum	Majority Vote of Total Membership	2/3rds Vote of Total Membership	4/5ths Vote of Total Membership
5	3	3	4	4

Total Membership	Quorum	Majority Vote of Total Membership	2/3rds Vote of Total Membership	4/5ths Vote of Total Membership
7	4	4	5	5

Requires approval by majority vote of total membership

- Resolutions and Ordinances
- Payment of money
- Action on appeal of EIR
- Rescinding or Amending Something Previously Adopted

Requires approval by 2/3rds vote of total membership:

- A resolution of necessity to initiate condemnation proceedings
- Enactment of general taxes
- Limit/close debate or nominations (removes ability of minority to discuss an item)
- Suspend the rules
- Add an emergency item (2/3rds vote of total membership or by unanimous vote if less than 2/3rds of the members are present)

Require approval by a 4/5th vote of total membership

- Urgency Ordinances and Urgency Interim Zoning Ordinances (“Moratoria”)
- Certain exceptions to competitive bidding

- Override protests to sell real property
- Ordinance to convert a park to a different municipal purpose

The Rule of Necessity (Legally Required Participation):
There are certain limited circumstances in which disqualified councilmembers may participate under the Rule of Necessity. The rule cannot be invoked merely because one member is absent or to break a tie. Participation by the smallest number of officials with a conflict that are "legally required" in order for the decision to be made shall be reinstated by lot or some other impartial method. Whatever method is used, all disqualified officials must participate in the random selection and all must have an equal likelihood of being chosen.

SUBCOMMITTEES

From time to time, Commissions may form ad hoc subcommittees to focus on specific issues and make the work of the group more efficient. Subcommittees do not have any decision-making authority and can meet outside of a public meeting setting. It is important to understand the difference between an ad hoc subcommittee (allowed) and a standing committee (prohibited).

Standing committee:

(1) continuing subject matter jurisdiction (no scheduled end date or subject matter is indefinite and open-ended); or

(2) meeting schedule set by ordinance, resolution, or other formal action of a legislative body.

Standing committees are subject to the Brown Act and must comply with open meeting requirements if it meets either of the above criteria. Commissions are not authorized to establish standing committees.

Ad hoc subcommittee:

(1) consists solely of less than a quorum of a commission.

(2) serves a limited or single purpose.

(3) will be dissolved once its specific task is complete.

Subcommittees can meet with outside parties; however, those parties solely function as a source of information gathering and are not members of the subcommittee in terms of deliberation, formation of recommendations, drafting of work product, etc.

- Two commissions may not each designate less than a quorum of members to create a single subcommittee.
- Subcommittees may not include interested members of the public

Subcommittees should be tasked with limited, short term projects that have a clear end date. This can be a date on the calendar designated by the commission or implied when the assignment will clearly come to an end by its own terms (e.g., reviewing conditions of approval for a pending project). Subcommittees must be dissolved after completion of their responsibilities.

Practical Considerations

When considering whether to appoint a subcommittee to discuss a topic or project, commissions should consider whether the topic is one that has been identified as a priority item by City Council. Since commission and subcommittee meetings consume staffing resources, it is important to pursue items consistent with Council direction.

Be mindful of the demands placed on staff by city commissions and subcommittees. Commission and subcommittee members do not have the authority to direct staff to take on work or prepare documents without City Manager approval. The City Manager may decide, after considering budgetary constraints and the competing demands placed on City staff, not to offer City resources to a particular project or commission or subcommittee effort until specifically directed to do so by City Council.

City Council Subcommittee as Lead Role
If/when a City Council Subcommittee is established on a matter, it will take the lead role on all future actions in order to coordinate resources and efforts. If a Council Subcommittee is interested in seeking commission input, they will coordinate such activities via the commission staff liaison. **Commissions should not schedule agendized discussion items or undertake commission subcommittee work unless they are specifically requested to do so by a Council Subcommittee.** This will ensure that city council and commissions are not working at cross-purposes and in the most efficient manner.

If a Council Subcommittee asks for a commission to form a subcommittee for a defined purpose:

- The formation of a commission subcommittee must be agendized for commission deliberation and action at a public meeting. The purpose must be within the subject matter jurisdiction of the commission.
- The council subcommittee and commission subcommittee are two separate entities with separate reporting structures. A commission subcommittee may only meet with a council subcommittee for the sole purpose of exchanging information and reporting back to their respective legislative bodies.

Subcommittees must adhere to the following:

- **Formation:** Must define specific task(s) and timeline.

- **Time Limited:** Subcommittees may not last longer than one year. Commissions must agendize no later than one year from subcommittee creation a commission discussion to reevaluate for modification of scope and members or dissolution.

- **Membership:**
  - Less than a quorum of the members of the commission. A commission comprised of 7 regular members can have a subcommittee of 3 members or less. However, if a commission has a vacancy and the

membership drops to less than 7, a subcommittee should only have 2 members.
    - Regular and alternate members of a commission may serve on a subcommittee. (Excludes ex-officio members and other assigned representatives.)
    - Subcommittees should be reevaluated if/when one of the members resigns or their term ends.

- **Check-Ins with Staff Liaisons:**
    - Subcommittees must meet or communicate with staff routinely to check-in on the progress of their work.
    - If a subcommittee proposes a survey, questions for community group discussions, or other direct request for community feedback, any materials and questions must be reviewed by the staff liaison prior to release. The staff liaison will coordinate with the Communications Division of the City Manager's Office as necessary.
    - If a subcommittee proposes interviews with community members or organizations, the questions and proposed list of interviewees must be reviewed prior to conducting interviews.
    - The staff liaison may choose to be the lead on communications with other governmental agencies; many staff have extensive networks and access to professional associations that commissioners will not be able to utilize.
    - When subcommittees prepare draft work product, recommendations, and presentations, these items must be reviewed by staff prior to being brought to the full commission.

- **City Work Product Representation:** When subcommittees research, investigate, or develop work product, it is considered draft. The opinions, recommendations, and work of a subcommittee do not officially represent the city, city council, or full commission. When conversing with community members or releasing surveys and the like, subcommittees must indicate or include a disclaimer statement stating their work is preliminary and does not officially represent the city, city council, or full commission.

- **Report Out:** The work and recommendations of subcommittees must always come back to the full commission for discussion in a public meeting. Subcommittee members should provide brief status updates at commission meetings (no more than 3-5 minutes during communications item of commission agenda) at regular intervals and at a minimum once a quarter. If a subcommittee has a substantive report that requires commission feedback and direction, the item should be agendized as a standalone regular item. If a subcommittee has made no progress or lacks ongoing work, it should be reevaluated for modification or dissolution.

MINUTES AND PUBLIC RECORDS

Meeting Minutes

All legislative bodies must take and keep minutes of its meetings. Meeting minutes serve as a permanent record of commission actions and are forwarded to the City Council as input and background for Council decisions.

Minutes should contain at least the following information:

- The time the meeting was called to order
- The names of the commission members attending the meeting
- A brief summary of the action taken on each item and the vote. (Note the names of each member who voted "Aye", "No," or "Abstained" if the vote is not unanimous, as well as absent/recused members)
- The names of those people who spoke on each item
- The time the meeting was adjourned

Action Minutes: Reflect the motion, the maker and second
Summary Minutes: Reflects the above action plus a brief summary of the main points of discussion if not included in the motion

Most commissions have brief "summary minutes" however there are times when "action minutes" are appropriate. Summary minutes are concise summaries of the thought process that lead to decisions/motions made by the commission. Minutes will only capture significant points made by the commission, and not every word. Individual commissioner comments are not included in the minutes.

Approval Process

The staff liaison will agendize the draft minutes for the commission to review and approve. Once approved, the staff liaison will forward the finalized minutes to the City Council as an informational item.

<u>Correction of Minutes</u>

Corrections such as minor typos can be brought to the attention of the staff liaison via email and do not require commission discussion and action to correct. Commissioners that seek substantive corrections to minutes should propose them at the meeting when the minutes are brought forward for adoption. Corrections require a motion to amend, second and a majority vote, and, if approved, are noted in the minutes of the current meeting. Unless specifically requested by the commission, it is not necessary for staff to return to the commission with corrections made to minutes. The staff liaison may make the corrections per the commission's direction, and then forward the finalized minutes to the Council.

COMMISSION RECORDS

Public Records

All documents generated in the administration of commissions are considered official records of the City of Davis. All agendas, minutes, reports, communications, video recordings, and any other related material, will be kept in an organized manner and retained in accordance with the City of Davis' Records Retention Schedule. Any materials distributed to the commission before, during, or after any meeting are public records and must be made available to the public upon request. Commission minutes must be retained permanently.

Work conducted by commission subcommittees are official records. All communications, surveys, notes, research, reports, etc. must be submitted to the staff liaison for record keeping purposes.

Be aware that commission records are publicly accessible records that will be produced upon a Public Records Act request.