



# CITY OF MONTEREY

  

## BOARD, COMMISSION AND COMMITTEE HANDBOOK

Approved by the City Council May 1, 2012

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# INTRODUCTION

Citizen knowledge, interest and action are important ingredients to the delivery of top quality public services.

More than ever, citizen participation is playing an important role in local government. The richness that comes from citizens serving on a City board, commission, or committee is one of the things that make Monterey exceptional.

The City Council has established boards, commissions, and committees to advise and assist the Council in dealing with specific projects, policies, and issues of concern. There are approximately 80 citizens presently serving the City on these bodies, giving generously of their time and energy. The City benefits from the expertise of these dedicated individuals. Boards, commissions, and committees play an integral and important role in the City's decision making process.

Being a member of a City board, commission, or committee requires work and commitment, and it is hopefully a very rewarding experience. It offers a means to participate in community affairs, to work with interesting people, and to help shape City policy.

The handbook has been prepared to:

- Outline the role and function of each City board, commission, and committee.
- Review important guidelines for all boards, commissions, and committees, as well as the responsibilities of appointed members.
- Provide information about the history and composition of the City organization.
- Provide members with the information necessary to understand areas of responsibility for their respective board, commission, or committee, and their role in serving the City.

# ABOUT THE CITY

## A Unique Place

Our City is a unique and special place, full of rich history and beauty. First incorporated as a City in 1850, Monterey has since grown and changed, but still retains much of its historical charm and heritage. The City encompasses an area of about eight square miles and has a residential population of approximately 28,000 people. Due to our visitor and business activity, our daytime population is estimated at 70,000 persons. This, of course, has a substantial influence on how the City structures and delivers its services.

## A Charter City

Monterey is not a general law City; Monterey is a Charter City. The [Charter](#) empowers the City to regulate and adopt its own procedures and organization. The Charter is adopted and amended by the voting public, and is the basic body of law for the City. The City is a "municipal corporation" using a Council-Manager form of government.

## The City Council

The [City Council](#) is the legislative and policy making body of the City. The City Council consists of five members. The Mayor is directly elected to a two-year term, and the four City Council members are elected to overlapping four-year terms. Under a Council-Manager form of government, the City Council appoints a professional City Manager, who is responsible for the proper and efficient management of municipal services. The City Council also appoints a full time City Attorney to serve as the City's legal counsel. The powers and duties of the City Manager are detailed in the [City Charter, Article 5.1](#). To assist in managing the organization, the City Manager appoints a professional, executive management staff consisting of the Assistant City Manager and the Department Heads.

# CITY ADMINISTRATION

## City Organization

Board, commission, and board members need to be familiar with the City organization and develop an understanding of the City departments and their operations. For some departments a brief description is included in this section. This is to further define special roles and responsibilities or organization structure that is new or non-traditional or that may not be included on that department's City web page. For other departments only a link has been included.

## City Manager's Office

The [City Manager](#) is responsible for the administration of City resources and operations in accordance with Council policy. All Department Heads, except the City Attorney and the Library Director, are responsible to the City Manager, either directly or through the Assistant City Manager. The City Manager's Office is responsible for the preparation of the City's budget, and various other programs, projects, and activities related to City policies and services.

## City Attorney's Office

The [City Attorney](#) is appointed by the City Council. She is the legal advisor to the City Council, boards, commissions and committees, and City staff on all matters pertaining to the affairs of the City. The City Attorney is available to attend board, commission or committee meetings upon the request of the Chair of the respective body.

## Community Services Department

This diverse Department is responsible for the operation of the [Monterey Conference Center](#), the management of all municipal [parking](#) facilities, parking enforcement, the operation of the [Harbor/Marina](#), and contributes to the quality of life in Monterey through its successful [museums and cultural arts](#), recreational programs, and quality facilities. The [Recreation Division](#) operates the [Monterey Sports Center](#) and the City's four community centers. The department offers a variety of year-round recreation programs and activities and publishes them in the Recreation Activities Guide and online.

## Finance Department

## Fire Department

## Human Resources Department

## Information Resources Department

The Information Resources Department is responsible for all aspects of information and technology management. The department is charged with creating opportunities for leveraging City information resources, concentrating resources for strategic information management

initiatives and designing, developing, and sustaining enterprise-wide solutions, both hardware and software. The Department is organized into two divisions under the management of the Information Resources Director/City Clerk. The [City Clerk's Office](#) supports the Council, public, and staff in the areas of legislation, elections, record management, campaign reporting, contracting, and requests for public information. The Information Services Division supports and maintains the City's information architecture (i.e. network, software, hardware, telecommunications).

### Monterey Public Library

The [Library](#) is unique in that the Library Director is appointed by, and reports to, the Library Board of Trustees.

### Police Department

### Plans and Public Works Department

The Plans and Public Works Department is the largest City department and is responsible for a huge array of services, from [streets](#) and storm drains, [housing and property management](#), to [code compliance](#), and [neighborhood improvement](#). In the area of community development, this department coordinates all [planning](#) for the development of the City, assuring that all development is in accordance with the various approved plans, codes, and ordinances. The Department provides technical staff for the [Planning Commission](#), the [Architectural Review Committee](#), the [Historic Preservation Commission](#), and the [Neighborhood Improvement Program Committee](#).

# RELATIONSHIPS

## Relationship with the City Council

A good relationship with the City Council is essential. The primary responsibility of boards, commissions, and committees is to advise and make recommendations to the City Council. They are responsible for providing additional avenues of communication between the general public. As they provide their recommendations to the City Council, advisory body members should keep in mind that no advisory body has the authority to establish City policy or administrative direction. It is the City Council's role to receive the recommendations made by the boards, commissions, and committees, and to consider them as part of its decision making. Regardless of one's individual position, it is customary for a board or commission member to support the policy decisions of the City Council once they are made.

Official communications with the City Council should be in written form from the entire appointed body. Communications will then be forwarded through the staff liaison to the City Council and the City Manager's Office. The role of the staff is to typically *communicate* the position of a board or commission rather than to *advocate* it. Whenever a board, commission, or committee has an item before the City Council, the Chair or a representative of that appointed body is not required to attend the Council meeting, but is encouraged to be present at the City Council meeting to speak to the topic or answer questions and especially when the staff recommendation differs from that of the board, commission, and committee. Staff will always indicate in the agenda report recommendation if the staff recommendation differs from that of the board, commission, and committee.

When an appointed member addresses the City Council at a public meeting, it should be made clear whether or not he/she is speaking on behalf of the board, commission, or committee, or as an individual. If the member is speaking on behalf of a Board or Commission normally, this would be the Chair or Vice Chair), only the majority position of the Board or Commission should be advocated. If the member is expressing his/her own personal viewpoint on a particular subject, it should be stated as such.

Each December, the City Council may conduct a Study Session with the Chair and Vice-chair of each board, commission, and committee to discuss work program progress, future objectives and work program items, and other items of general interest. This meeting provides an excellent opportunity to review past accomplishments, and to discuss future directions for the City.

Appointed members of boards, commissions, and committees assist the City Council and staff by:

- Focusing attention on specific issues of community concern;
- Encouraging citizen participation and involvement in the ongoing management of their community;
- Providing a grass roots perspective on issues of importance;

- Making recommendations based on thorough review of alternatives from a citizen's perspective.

### Relationship with City Staff

The staff liaisons to the Council appointed bodies are valuable resources. They do research and provide relevant information that enhances a body's ability to get things done. Staff is available to answer questions and follow-up on items brought before the board, commission or committee. Appointed members should be aware of the time involved on the part of staff in preparing studies and reports, and should make sure that all staff requests are consistent with the appointive body's approved work program.

Appointed bodies may not direct staff to initiate major projects without approval from the City Council, and individual members may not direct staff to initiate any program or study. In addition, appointed members should not become involved in the operational matters of City departments unless specifically provided for in their prescribed powers and duties. Except for the Library Board, any comments on operational issues should be provided to staff outside of a City meeting. Because of their special administrative responsibilities, the Library Board of Trustees may indeed direct staff and become involved in operational matters.

### Relationship with Fellow Members

Cooperation among fellow board, commission, and committee members plays an important role in the successful efforts of City boards, commissions, and committees. In order to build consensus around common goals and objectives, members should first show a willingness to objectively define the issues at hand and then work to reconcile opposing viewpoints. When appointed members interact positively, the group as a whole will be more effective. Important points to keep in mind in working with other appointed members are:

- Respect an individual's viewpoint, even though it may be different from your own
- Allow other members adequate time to present their views before making comments
- Be open and honest
- Welcome new members and help them become acquainted with their board, commission, or committee
- Accept responsibility, voice opinions, be fair and factual

### Relationships with the Public

Good relations with the public are vital for all City boards, commission, and committees. In many cases each body serves as a link between the City Council and the public, helping to inform the public, to reconcile opposing viewpoints, and to explain City programs and policies. Appointed members should welcome citizen input at meetings and be considerate of all interests, attitudes, and differences of opinion. Each body provides a channel for citizen expression by listening to comments, opinions, and concerns from the public. Therefore, it is important to be responsive and in tune with the community.

### Relationship with Other Council-Appointed Bodies

From time to time, issues come before the City that involves two or more appointed bodies. When this occurs, each body should focus on their own advisory responsibilities, not on areas that are under the jurisdiction of other appointed bodies. The responsibilities of appointed bodies are, at times, very close to one another, and care should be taken to avoid overlapping to the greatest degree possible.

For example, the Parks and Recreation Commission, Historic Preservation Commission and the Architectural Review Committee could all easily become involved in a single park project. Park acquisition, development and maintenance are policy decisions that fall under the Parks and Recreation Commission's purview. Design issues of signing, landscape, and color are decided by the Architectural Review Committee. If the park has a historic structure on it, or falls under a Historic zoning area, the Historic Preservation Commission also becomes involved.

This can obviously get confusing, and it is often difficult to resist getting involved in decisions that are really not the responsibility of your body. On a particularly complex project, or when appointed members' objectives contradict one another, it may be appropriate to have joint meetings to improve communication and facilitate a common ground. In addition, the City Council will often designate a "lead body" on complex projects to help facilitate communication and decision making.

### Business Relationships

Members of boards, commissions, or committees may not have a financial interest in a contract with the City if there is any possibility they will have to review a project or changes to a project they are undertaking via that contract. This arrangement is prohibited by [California Government Code Section 1090](#), and can result in the most unfair situation of all where the contract is VOID (not voidable) and any work done by the consultant is retained by the City. What's important to note is this result is automatic. For example, an architect can sit on the Library Board and not have a problem, or an architect may not have a problem with a City project if his or her body isn't going to review the project at any stage. But if there is a review component, the person must resign or not contract with the City. *It is not enough to simply abstain or recuse from participation. The penalty is AUTOMATIC and incredibly severe, so everyone needs to be aware of the issue and very cautious when these situations arise.*

# APPOINTMENT PROCESS AND EXPECTATIONS

## Appointed Member Requirements and Appointment Process

Appointed members of all City advisory bodies must be residents of the City of Monterey. Members serve either a one-year, two-year or four year term dependent on the advisory body and may be reappointed with no term limit. Non-voting members are permitted on some advisory bodies and are people with specific knowledge or skills that are beneficial (i.e. architecture, history, cultural arts). Non-voting members may live outside the City. Interested applicants submit an application for appointment and a Council Sub Committee interviews and makes recommendations for appointment to specific boards, commissions, and committees. Appointments are made by the full City Council at a regular City Council meeting. The City Council reviews member attendance and performance during the reappointment interview.

## Appointment Limitations

By policy, board, commission, and committee members are not permitted to sit on more than one City board, commission, or committee. This does not preclude a member from participating in an "outside" agency such as the Water Management District or Regional Park District.

## Orientation

An orientation program for newly appointed members will be held within 30 days of appointment to a board, commission, or committee. The orientation will be arranged by the staff liaison and includes an overview of Monterey City Government and a comprehensive briefing with the staff liaison, body Chair and Vice-Chair.

The orientation program is designed to welcome newly appointed members and cover information to prepare them for their first few meetings, not to overwhelm them with information. The orientation of new members is really an on-going process during the first few months after appointment. In reality, we hope the learning process never stops!

## Training for Appointed Members

Continuing education to further one's knowledge of the various issues that face cities is essential to serving the public interest. Appointed members are encouraged to attend conferences and workshops, read relevant publications, and utilize other opportunities for personal and professional training that will bring new ideas into the community. The City Council's current policy regarding conference, travel, and training expenses is included in the Important Links section of the handbook.

## General Guidelines for Appointed Members

The Council encourages active citizen participation in the business of city government. Boards, commissions, and committees provide an opportunity for interested residents to participate in the governing of their community under guidelines and procedures established by the Council.

Boards, commissions, and committees can improve the quality of city government by providing the Council with resources to make better-informed decisions. Other benefits of these bodies include improved lines of communication between the public and Council, greater opportunities for discussion of public issues and more citizen involvement in city government. Appointment to a City board, commission, or committee is an honor. It provides an opportunity for genuine public service. Each appointed member should be aware of the responsibilities that go along with officially serving the City. The specific duties of each body vary with the purpose for which it was formed.

There are, however, many responsibilities common to all appointed members:

- Understand the role and responsibility of the board, commission, or committee. Be informed of its functions, work programs and relationship with other bodies.
- Represent the overall public good, not the exclusive point of view of a sole group or interest.
- Keep all lines of communication open. Each appointed member serves as a communication link between the community, the City Council, and staff.
- Do your homework and be prepared. Appointed members should become familiar with items under consideration prior to meetings in order to be fully prepared to discuss, evaluate, and act on matters scheduled for consideration. Feel free to seek staff's advice and assistance in advance of a meeting.
- Establish a good working relationship with fellow appointed members, the City Council, and your staff liaison.
- Understand the scope and authority of your appointed body's responsibility and strive to work within that scope.
- Be a participant, an active representative, and be enthusiastic.
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Your role as an appointed representative of the City Council carries with it a significant responsibility. As an "ambassador" of the City of Monterey, the City Council hopes that you conduct yourself with politeness and courtesy with staff and whenever in the public eye. Yours is a position of service that is charged with maintaining the public trust. It is important that you not abuse that trust.

### The Ralph M. Brown Act

Political accountability is essential to responsible government. To help ensure accountability, the "Brown Act" was passed by the State Legislature and requires "All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency..." The law prohibits closed or secret meetings except under very special circumstances. The City Council takes this matter very seriously, and insists that the "public's business" be done in an open forum. It is essential that no perception to the contrary be conveyed. The Brown Act also establishes requirements for advance notice and a posted agenda before regular meetings take place. Furthermore, no action may be taken on an item at any meeting without a quorum present. You are strongly

encouraged to read the Brown Act information included in the “Important Links” section of this handbook.

### Conflict of Interest

To best serve the community, the City Council appoints persons with knowledge of the issues that face Monterey to serve on boards, commissions, and committees. Consequently, it is inevitable that matters will occasionally come before boards, commissions, or committees in which individual members have a direct or indirect financial interest. When this happens, the member must disqualify him/herself from participating in the discussion and abstain from voting. The law also requires appointed members and certain other City officials to report various financial interests including income, interest in real property, and business interests. The City of Monterey has adopted a local conflict of interest code as required by the Political Reform Act. It applies to members of all City of Monterey boards, commissions, and committees. You are required to complete and file the appropriate conflict of interest forms within 30 days of your first meeting and annually thereafter. Forms and assistance will be provided by the City Clerk's Office, including an annual notification regarding Form 700 in advance of the due date. Financial disclosure forms are filed with the City Clerk, as a matter of public record. The [Fair Political Practices Commission](#) is available for questions concerning conflicts of interest and disqualifications.

Potential conflicts of interest should not be taken lightly. The City Council has placed a special trust in you that should not be abused. It is also important to note that it is a violation of the Monterey City Code to vote on a matter knowing that you have a conflict, and that this can result in forfeiture of your position.

### Ethics Training

State law AB1234 requires that local officials that receive compensation, salary stipends, or expense reimbursements must receive training in public service ethics laws and principals every 2 years. The requirement applies to the governing body of local agency as well as boards, commissions, and committees, or other local agency bodies, whether permanent or temporary, decision-making or advisory. Therefore, you are required to complete this training. The only exception to this at the City of Monterey is for members who do not receive a stipend.

The Institute for Local Government and the [Fair Political Practices Commission](#) developed an [online ethics course](#) to help local officials meet their ethics training requirements. Upon completion of the ethics training, members are required to print their certificate, sign it, and return the original hard copy document to the Clerk's Office.

### Adherence to Policy

Appointed members should not approve projects that violate adopted City Council policies. Members can make recommendations to the City Council about exceptions to a City policy, and can also recommend policy changes when appropriate.

## Attendance

Regular attendance at meetings is critical to the effective operation of City boards, commissions, and committees. Therefore, all members are expected to attend all of their appointed board, commission, or committee meetings, including study sessions. If you are unable to attend a meeting, call your Chair or staff liaison prior to the meeting. If a problem with absenteeism arises, it should be handled between the appointed member and the respective Chair. If the issue cannot be resolved, the Chair should approach the staff liaison to help work toward a solution.

## Parking Permits

Members of boards, commissions, and committees are issued a special City parking permit valid only in City-owned and operated parking garages, metered parking spaces, and areas with time limits. The parking permit is to be used *only when a personal vehicle is being used to conduct official City business, such as attending a meeting or viewing a project site. Abuse of the parking permit will result in the revocation of parking privileges. Other parking arrangements for other appointed members will be handled by the staff liaison on an as-needed basis.*

## Stipends

The City Council's current policy regarding stipends for board, commission, and committee members is that *if the governing body is eligible to receive stipends*, each member will receive \$25 for each meeting with a monthly maximum of \$50 or \$75.

## Role of the Chair

The principal role of the Chair is to manage the board, commission, or committee meeting. This includes helping to set meeting agendas, maintaining the order of business during the meeting, focusing discussion on the issues at hand, and ensuring that the public appearing before the body are treated courteously. The Chair must make certain that discussions do not get sidetracked. Duties of the Chair also include review of the agenda with the staff liaison before the meeting, representing the body at City Council and community group meetings and, attending quarterly meetings with the Mayor.

# ORIENTATION PROGRAM

The orientation of newly appointed members is important to help members gain a sense of belonging to the board, commission, or committee and the City family. The orientation helps the new member understand City goals and policies, and it allows them to share in the Board/Commission/Committee's sense of purpose. The Orientation Program consists largely of one-on-one meetings to personalize the handbook and introduce the new member to the City of Monterey. The orientation of NIP Committee members is a separate process covered by the NIP Policies and Procedures Manual.

The City Clerk's Office notifies members of their appointment. The City Clerk's Office provides forms and assistance to help the member comply with the State of California Fair Political Practices Commission (FPPC) regulations discussing potential conflicts of interest and ethics training.

Then, in order for the new member to become familiar with the City organization and with their new responsibilities, the staff liaison will:

- Contact the new member and welcome him/her to the City Family.
- Arrange for the member to meet with the Mayor and the City Manager.
- Arrange for the member to meet with a representative from the City Manager's Office to receive a briefing on the City organization and services, budget process, etc.
- Arrange for the member to meet individually with the City Attorney to discuss the legal basis for the appointed body, conflict of interest considerations and the Brown Act.
- Arrange a meeting with the new member, the appointed body Chair, Vice-Chair and staff liaison to discuss:
  - Key functions of the appointed body
    - Duties and responsibilities
    - Scope and limits of responsibility
    - Operating procedures
  - Relationships
    - Role and authority of the appointed body, City Council, and relationship to the City Council
    - Issues and areas of overlap with other appointed bodies
    - Staff roles and responsibilities to the member
    - Role of the Chair
    - Working with the public
  - Other
    - BCC Handbook
    - Current Work Programs
    - Staff and resources available to the appointed body
    - Agenda preparation process
    - Meeting process
    - Current issues before the appointed body

- Subcommittees
  - Procedure for appealing appointed body decisions
- Take you on a tour of the City and important City facilities
- Supply you with:
  - Minutes of several recent meetings of your appointed board, commission, or committee
  - Goals and objectives of the appointed body and its current work program
  - Staff reports on items/issues currently before the Commission
  - The City's General Plan, Master plans, etc., as appropriate

# IMPORTANT LINKS

Below are links to the City's boards, commissions, and committees, which contain information on functions of each body, its membership, contact information, and meeting schedule, time and place. For more information on a particular advisory body, please call the contact number provided on that advisory body's web page. General information on City boards, commissions, and committees can be obtained from the City Clerk's Office at (831) 646-3935.

- [Appeals Boards \(Appeals Hearing Board, Disabled Access Appeals Board, Building and Housing Appeals Board\)](#) (defined in City Code [Chapter 1, Article 2, Section 1-11](#))
- [Architectural Review Committee \(ARC\)](#) (defined in City Code [Chapter 26, Article 3](#))
- [Colton Hall Museum/Cultural Arts Commission \(CHMCAC\)](#) (defined in City Code [Chapter 2, Article 4](#))
- [Historic Preservation Commission \(HPC\)](#) (defined in City Code [Chapter 2, Article 3](#))
- [Library Board \(LB\)](#) (defined in [City Charter, Article 7](#))
- [Parks and Recreation Commission \(PRC\)](#) (defined in City Code [Chapter 2, Article 2](#))
- [Planning Commission \(PC\)](#) (defined in City Code [Chapter 26, Article 1](#))
- [Neighborhood Improvement Program Committee \(NIP\)](#) (defined in [City Charter, Article 6, Section 6.6](#))

All advisory body members are also defined and described in City Code [Chapter 2, Article 2](#). Appointment and removal of appointees is handled as described in [City Charter, Article 4, Section 4.5](#).

More useful links follow, in alphabetical order:

- [Recognizing Conflicts of Interest – FPPC](#)
- [City Department Contact Lists](#)
- [Ralph M. Brown Act – Pamphlet – California Attorney General](#)
- [Ralph M. Brown Act – California Government Codes Sections 54950 - 54963](#)
- [Statement of Economic Interests – FPPC Form 700](#)