

# CITY OF CYPRESS



## BOARDS, COMMISSIONS, AND COMMITTEES POLICY MANUAL

**CITY OF CYPRESS**  
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***[www.ci.cypress.ca.us](http://www.ci.cypress.ca.us)***

***FOURTH EDITION***

This policy manual is published by the City of Cypress City Clerk's Office and represents the Third Revision as adopted by Resolution by the City Council of Cypress on July 9, 2007. Questions regarding this material may be directed to the City Clerk's Office at 5275 Orange Avenue, Cypress, CA 90630, or by calling 714-229-6683.

# CITY OF CYPRESS

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## **MISSION STATEMENT**

The City of Cypress, in partnership with the community, will sustain and enhance a safe, attractive and quality environment in which to live, work and play.

## **VISION STATEMENT**

The vision of the City of Cypress is to be an outstanding family-oriented community with a thriving business environment.

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## **CITY FACTS**


Cypress was incorporated July 24, 1956.

On February 13, 1975, a new City Charter provided for the Council-Manager form of government. Copies of the Charter are available at the City Clerk's office.

Cypress' size is 6.65 square miles

Cypress' motto is  
"Education - Cooperation - Progress"

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This manual has been prepared to assist commissioners and members of committees in the performance of their duties. Included are standards adopted by City Council that delineates the administrative procedures, and the rules and regulations that relate to the boards, commissions and committees.

### Applicability

The authority of the City Council to establish boards, commissions and committees derives from the City Charter. In turn, the ordinance governing the creation and functioning of boards, commissions and committees shall apply to all such advisory groups, unless an ordinance or resolution (as required) is enacted after the date of this publication establishes different requirements.

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# INTRODUCTION

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Board, commission and committee members are appointed by and serve at City Council's pleasure in an advisory capacity to provide citizen input and recommendations relative to a limited and specific area of assignment. Because of the complexity and diversity of issues facing government today, it is not possible for each Council member to know and gather all pertinent decision making factors for every given situation.

An appointment to a board, commission, or committee is an honor and a responsibility and increases citizen participation in the affairs of government. As advisors, regular attendance at meetings, understanding the duties and role, and working to contribute to the betterment of the community are needed of each member. City staff provides technical and administrative assistance to the Council and appointed advisory groups.

## **DEFINITIONS OF BOARDS, COMMISSIONS AND COMMITTEES**

The City Council establishes advisory boards, commissions, and committees by Ordinance or Resolution. The following serves as definitions of the various advisory groups appointed by Council, as adopted in Chapter 2, Article IV, of the Code of the City of Cypress:

Ad Hoc Committee. An ad hoc committee, sometimes referred to as a Task Force, is a committee appointed for a specific limited time, purpose, project or task.

Board. A board is a standing body which may be tasked with defined advisory or investigatory powers as stated in an establishing ordinance.

Commission. A commission is another standing body with more broad-based advisory duties and responsibility, organized to provide citizen input and recommendation of policy relative to their specific area of assignment.

Committee. A committee may be an ad hoc, or standing body, tasked with more narrow duties, including to provide support to discrete community projects or events, or to advise the City Council, or its designated reporting body, on solutions to specified problems or issues. A Standing Committee has ongoing responsibilities over a general area as assigned and meets on a regular basis, or as needed.

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# GENERAL INFORMATION

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## THE CITY OF CYPRESS

The City of Cypress is a charter city operating under a Council-Manager form of government. The City Charter is ordained and established as the organic law of the City under the Constitution of the State of California.

In the Council-Manager form of City government, the Council appoints a City Manager to serve as a full-time executive to carry out the established policies. The Council appoints all legal counsel to provide City Attorney services. All department heads are appointed by, and report to, the City Manager.

Copies of the City Charter are available through the City Clerk's Office in City Hall, 5275 Orange Avenue, Cypress, CA 90630, 714-229-6683.

## CITY COUNCIL

A five-member City Council is elected at large to perform the legislative and policy-making functions of local government. Terms are staggered to allow for overlap; alternatively, and successively, three members' terms are filled at one general municipal election and two members' terms at the next such election. Council members' terms of office are for four years, and members are limited to serving a total of eight years. Annually, the Council members elect a Mayor.

The Cypress City Council conducts regularly scheduled meetings twice monthly, on the second and fourth Monday, beginning at 7:00 p.m., in the City Council Chamber, located in the Civic Center at 5275 Orange Avenue. The City Council also serves as the Planning Agency under the provision of State law, and sits as the Redevelopment Agency. Additionally, Council members serve as the *ex-officio* governing body of the Cypress Recreation and Park District.

All Council meetings are public meetings. Agendas and general information relative to the meetings are available from the City Clerk's Office and the Police Department. They can also be viewed on the City's website at [www.ci.cypress.ca.us](http://www.ci.cypress.ca.us)

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# CYPRESS ORGANIZATIONAL STRUCTURE

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## ORGANIZATIONAL STRUCTURE

The City of Cypress consists of the departments of City Manager/City Clerk, Finance/Administrative Services, Police, Community Development, Public Works/Engineering, Recreation and Community Services, and the Cypress Redevelopment Agency.

### City Manager/City Clerk's Office

This department is responsible for the general management of all City operations in the areas of Administration, City Clerk, Records, Legislative Matters, Risk Management, Central Services, Warehouse, and Video Production.

### Finance/Administrative Services Department

This department is responsible for handling all City Finances, Human Resources Information Services. This department is also responsible for the purchase of most equipment and supplies, and issuance and enforcement of the business licenses for the City.

### The Police Department

This department is responsible for the protection of lives and property of the residents of Cypress and for the enforcement of established laws and City ordinances. This department also provides special programs such as Victims Assistance, Juvenile Diversion and Neighborhood Watch.

### The Community Development Department

This department is responsible for promoting a community with diverse land uses to create a balance of employment and housing. The department consists of three components: Planning Division, Building Division and Redevelopment/Economic Development. The Planning and Building Divisions promote and implement comprehensive development plans and administer Code Enforcement.

### The Public Works/Engineering Department

This department is responsible for sustaining the high quality of the City's public facilities and infrastructure through innovative design and cost-effective maintenance. The department is divided into two divisions: Engineering and Public Works/Maintenance. The Engineering Division is responsible for engineering designs, contracts, capital improvement projects, and traffic. The Maintenance Division is responsible for maintenance of all City-owned landscaped parks, City-owned sewers and storm drains, streets and sidewalks, traffic signals, and building maintenance.

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## ORGANIZATIONAL STRUCTURE, CONTINUED

### The Cypress Recreation and Park District

The District is responsible for a myriad of recreation and community services programs, and community-wide special events designed to benefit residents of all ages and interest. The administrative office is located at the Cypress Community Center at 5700 Orange Avenue. In addition, there is a Senior Citizens Center located at 9031 Grindlay Street.

### The Cypress Redevelopment Agency

The Redevelopment Agency is responsible for the attainment of the City's redevelopment goals and policies. Community Development staff provides resources for the Redevelopment Agency, Economic Development and Housing elements. The City Council acts as the Agency Board Members, the City Manager acts as the Agency Executive Director, and the Community Development Director acts as the Deputy Executive Director.

### Other City Services

Provided under contract with the County of Orange are health, sanitation, animal control and library services. Fire Services are provided by the Orange County Fire Authority. Waste disposal and cable communication services are provided to residents as established through franchise agreements with companies.

# RELATIONS OF THE BOARDS, COMMISSIONS, AND COMMITTEES

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## RELATIONSHIPS WITH THE CITY COUNCIL

Board and commission members are appointed by, and responsible to, the City Council. Committees may be appointed and responsible to City Council or other designated legislative body. Boards, commissions and committees advise and make recommendations to the City Council, but the City Council has the final responsibility for all policy decisions. When a member of an advisory body addresses the City Council at a public meeting, it shall be made clear whether the member is speaking on behalf of the advisory body or as an individual citizen.

Business transacted with the Council should be in writing from the board, commission or committee, and representing decisions made by a majority of the advisory group. The written communication, addressed to the Council, should be channeled through the chair of the advisory group and submitted to the City Manager's office.

A board, commission or committee should not represent proposals to the City Council through community organizations. The method of advancing proposals carries the political influence of the organization as well as the proposal, which puts the Council in a difficult position to consider the proposal on its merits alone.

## RELATIONSHIPS WITH CITY STAFF

The City's administrative staff works for and is responsible to the City Manager. The City Manager may assign staff to act in a technical advisory capacity and provide supportive assistance to a board, committee or commission.

Staff work related to boards, commissions and committees is directed by the City Manager alone, therefore, advisory members shall not direct City staff or decide on the priority of staff work. However, advisory members should set priorities for their own agendas. Board, commission or committee members may make only routine inquiries or requests, as a member of the general public, from City staff.

Members shall not ask staff to commit staff resources for work that has not been budgeted or has not been approved by the City Council.

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## RELATIONSHIPS WITH OTHER BOARD, COMMISSION OR COMMITTEE MEMBERS

In order to build a consensus around common goals and objectives, each board, commission and committee must create a degree of cooperation among members. An important way to develop this cooperation is for each member to ensure that meetings proceed in an orderly manner. The chairperson is primarily responsible for seeing that consideration of agenda items moves along expeditiously with reasonable time allocated to each item. It is important that all members familiarize themselves with the basic rules of parliamentary procedure and by adequately preparing for presentations made to the board, commission or committee, and thoroughly reviewing all materials provided to them before the meeting.

All boards, commission and committees should be aware that members come from different backgrounds and represent different perspectives. Members contribute in their own ways and are important parts of the decision-making process.

Bearing this in mind, the following concepts may serve as guidelines to develop cooperation:

- Always respect other individuals' viewpoints even though they may be the opposite of your own.
- Allow other individuals to articulate their views and then attempt to make an objective evaluation of those views.
- Evaluate fellow board, commission or committee members' viewpoints based on what is best for the total community.
- Board, commission and committee members must be open and honest at all times.
- Each member has a responsibility to recognize new members and to see that they are made welcome, and become oriented and trained.

## RELATIONSHIPS WITH THE PUBLIC

Members are encouraged to seek out and become aware of public opinion relating to their field of influence. They should welcome citizen input at meetings and ensure that the rules and procedures for these public hearings are clearly understood.

Members should conduct themselves at public meetings in a manner that is fair, understanding, and gracious in that it best represents the City of Cypress. Members should be considerate of all interests, attitudes, and differences of opinion. They should also take care to observe the appearance as well as the principle of impartiality.

# BOARD, COMMISSION AND COMMITTEE APPOINTMENT QUALIFICATIONS

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All board, commission and committee members are appointed by, and serve at the pleasure of, City Council. The City Clerk oversees the appointment process and maintains a roster of all appointees. As adopted by Ordinance of the City Council (Chapter 2, Article IV, Section 2), the City of Cypress ordains as follows:

## MEMBER QUALIFICATIONS FOR APPOINTMENT (Chapter 2, Article IV, Section 2-60)

### Residency

Applicants must be a resident of the City of Cypress and must be a registered voter in Cypress. An exception is made for student members of a Youth appointed body who are not yet of voting age.

### Public Employment Conflicts

Applicants shall not hold any full or part-time office or employment in the Cypress personnel system, and shall not serve on more than one City appointed board, commission, or committee at any time. An exception to part-time employment may be made for Youth Standing Committee members.

### Nepotism

Applicants shall not be directly related by blood or marriage to anyone on the appointing body.

## OATH OF OFFICE (Chapter 2, Article IV, Section 2-80)

Each newly appointed member of a board, commission or committee is required to take the Oath of Office as administered by the City Clerk's office. Upon completion of the Oath the member is authorized to attend meetings and vote.

## CONFLICT OF INTEREST STATEMENTS (STATEMENTS OF ECONOMIC INTERESTS)

(Chapter 2, Article IV, Section 2-90)

All members of established City boards, commissions and committees are required to file annual Statements of Economic Interest, with the City Clerk, upon assuming or leaving office.

# BOARD, COMMISSION AND COMMITTEE COMPOSITION

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## CREATION AND COMPOSITION (Chapter 2, Article IV, Section 2-40 and 2-70)

The boards, commissions and committees are composed of the following number of members. Members are appointed by the City Council as terms expire and/or as vacancies occur.

### Reporting to City Council

Traffic Commission – (5) members

### Reporting to City Council in its capacity as the *ex-officio* Board for the Recreation and Parks District

Recreation and Community Services Commission – (7) members

Senior Citizens Commission – (7) members

### Committees Reporting to and Serving Under the Recreation and Community Services Commission

Youth Standing Committee – (7) members

# BOARD, COMMISSION AND COMMITTEE PROCEDURES FOR RECRUITMENT, APPOINTMENTS AND REMOVALS

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## PROCEDURES GOVERNING THE BOARDS, COMMISSIONS AND COMMITTEES (Chapter 2, Article IV, Section 2-100)

The procedures governing application for, appointment to, term of office (including staggered terms) of, term limitations upon, compensation of, removal from, vacancy resulting from lack of continuous residency in or excessive absence from, and conduct of meetings, together with the powers, duties, responsibilities, prerogatives of, each board, commission, and committee shall be as provided in greater detail in a policy manual entitled "*Boards, Commissions, and Committees Policy Manual*," which policy manual shall be reviewed and adopted by resolution of the City Council, as the same may be reviewed and/or modified and/or amended from time-to-time.

### RECRUITMENT PROCESS

#### Applications

Those wishing to apply for appointment to a board, commission or committee may do so by filling out an application form available from the office of the City Clerk. Residents of the City of Cypress are eligible for appointments. Every effort is made by the Council to give representation on a board, commission or committee from a diverse cross-section of the City's citizens. A resident may apply concurrently for appointment to more than one board, commission or committee, but may be appointed to only one of these advisory bodies at a time.

The annual recruitment calendar for all standing City boards, commissions and committees is as follows:

- |          |   |
|----------|---|
| April    | <i>Recruitment</i> – Vacancies are advertised and applications are available for a 30-day recruitment period. Existing board, commission and committee members eligible for reappointment and whose terms expire during the year are not automatically re-appointed. Instead, they are offered the opportunity to reapply and shall follow the same application and interview procedure as specified. |
| May/June | Applications are screened and applicant interviews conducted by Council. Names of applicants who are selected to serve are kept confidential until announced at a Council Meeting.  |

## RECRUITMENT PROCESS, CONTINUED

July            In most cases, terms for appointed members begin July 1<sup>st</sup> of each year. New appointments to fill vacancies of unexpired terms of office shall be made for the unexpired term of said office.

## APPOINTMENTS AND REMOVAL OF MEMBERS BY CITY COUNCIL

### Appointments of Members

After application and interview, each board, commission and committee member is appointed by the City Council from a pool of applicants as affirmed by at least three votes.

### Removal of Members

City Council may, at its sole and absolute discretion, remove a member from office, by at least three (3) affirmative votes of the Council at any time (as specified in the Cypress Charter Section 802). The reasons for removal may include, but are not limited to, any of the following reasons:

1. City Council determines that it would be in the best interest of the City that a member be removed.
2. A member has incurred four (4) absences from regular meetings during the given period between July 1 of a current year and June 30th of the following year. A member arriving more than 30 minutes after the start of a meeting shall be deemed absent.
3. A member has violated the Oath of Office.
4. A member has been convicted of a crime of moral turpitude.
5. A member ceases to be a registered voter of the City.

### Voluntary Retirement

Per the Cypress Municipal Code (2-2.22.1) the office of an appointed commissioner or board member shall be immediately and automatically rendered vacant upon the member's filing of nomination papers designating such person a candidate for the office of the City Council.

Members may voluntarily retire from an advisory group at any time. In such a case, or the case of any other vacancies for whatever cause, as consistent with Cypress City Charter §§ 802 and 805, vacancies on any commission or board (but not any committee), from whatever cause, shall be filled for the term prescribed therein.

# BOARD, COMMISSION AND COMMITTEE TERM LENGTHS AND LIMITS

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## MEMBERS TERM LENGTHS AND TERM LIMITS

### Term Lengths

Members shall be committed to the following terms:

#### Four (4) Years

- Traffic Commission
- Recreation and Community Services Commission
- Senior Citizens Commission

#### One (1) Year

- Youth Standing Committee

Any other advisory groups shall be set by City Council as deemed sufficient.

### Term Limits

Board, commission and committee members shall serve until the respective successors are appointed and qualified. No member shall serve more than two (2) successive full and/or partial terms on the same board, commission, or committee, with the exception of the Youth Standing Committee.

All members' terms shall expire on June 30, of the appropriate year. In the event an incumbent is removed or otherwise vacates his office, his successor shall be appointed for the unexpired term of said office.

For Youth Standing Committee members, appointments are made to a one-year term, and there is no limit of service. However, members must be in, or entering, a minimum of 7<sup>th</sup> grade, but not greater than 12<sup>th</sup> grade, at the time of term considered for appointment.

### Existing members seeking to fill a vacancy on an alternate advisory body

In order to maintain consistency of service to any one advisory group, an existing member of a Council-appointed advisory body who desires to seek a vacant seat on another Council-appointed advisory body must resign from his current advisory body in order to be considered for appointment unless his term expires in the same year as the vacancy will be filled.

# BOARD, COMMISSION AND COMMITTEE ATTENDANCE AND COMPENSATION

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## ATTENDANCE TO REGULAR BUSINESS MEETINGS

Council appointments made to a board, commission or committee are held in high regard and an appointed advisory member is expected to attend and participate in all of the meetings held by the advisory group. An advisory member is subject to removal from office by at least three (3) affirmative votes of the Council should the member incur four (4) absences from regular meetings during the given period between July 1 of a current year and June 30th of the following year. A member arriving more than 30 minutes after the start of a meeting shall be deemed absent and shall not be eligible to receive compensation for said meeting.

## COMPENSATION

### Meeting Allowance

Member compensation for attendance to regularly scheduled meetings as applicable to set commissions is established by City Council per resolution. Compensation amounts for all boards, commissions and committees is as follows:

\$50 per attendance to a regularly scheduled board, commission or committee meeting (maximum payment of one per month)\*

*\*With exception of the Youth Standing Committee which will receive no stipend.*

### Travel and Other Expenses

All travel and other expenses, where reimbursement is expected, must have budgetary approval. State law (AB 1234) requires officials seeking reimbursement to file an expense report, as well as make an oral report on the meeting or conference attended. Travel and expense reports are available through the City's Finance Department.

## ATTENDANCE TO ETHICS TRAINING

In order to meet the requirements of California state law (AB 1234) all appointed advisory members who are eligible to receive a stipend for their service are required to receive no less than two hours of training in general ethics principles and ethics laws every two years. Newly appointed advisory members should complete the required ethics training within the first six months of appointment.

The Youth Standing Committee as well as ad hoc committee members are not subjected to this required training as they do not receive a stipend for their service.

# ROLE OF CITY COUNCIL, ADVISORY MEMBERS AND STAFF

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Board, commission and committee members are appointed to serve in an advisory capacity to provide citizen input and recommendation of policy relative to its specific area of assignment. Advisory members serve at the Council's pleasure

City staff provides technical and administrative assistance to the Council, boards, commissions and committees, and serve at the direction of the City Manager, who in turn answers to the City Council.

## ROLE OF COUNCIL, ADVISORY MEMBERS, AND STAFF

### **Council's role is to:**

- Make Policy
- Direct City Manager to carry out policy
- Solicit input from boards, commissions and committees on issues in their various functional areas unless there are legal or time constraints

### **The Boards', Commissions' and Committees' roles are to:**

- Advise and provide recommendations to Council on policy issues.
- Promote and provide citizen input

### **Staff's role is to:**

- Research and investigate issues, prepare alternatives and recommendations for boards, commissions, committees and Council's review.
- Implement Council policy decisions
- Provide staff liaison and clerical support to the board, commission, or committee under the guidance of the department head (and, ultimately, the City Manager)

The role of each appointed member is to advise the City Council on specific City policies and related program areas (as opposed to establishing City policy or administering City programs). To fully understand and assist an advisory member's role the following is recommended for each member:

- Be informed of the scope of responsibility and operating procedures of the advisory groups.
- Pledge to represent the overall public good and not that of an exclusive group or interest.

# BOARD, COMMISSION AND COMMITTEE OPERATIONS AND PROCEDURES

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## Election of Officers

The appointed advisory groups shall elect from its members a Chairperson and a Vice Chairperson on an annual basis each July as specified by Council Resolution. Such officers shall serve for one (1) year and until their successors are elected. The Chairperson and Vice Chairperson may make and second motions and shall have a voice and vote in all proceedings of the board, commission and committee.

## Subcommittee

The Chairperson may appoint special sub-committees of less than a quorum of the Commission. The sub-committees may then meet and carry out their special task. The sub-committee meeting will be arranged by staff at the convenience of staff and sub-committee members.

## Special Sub Advisory Committees

Special sub-advisory committees made up of community task force members can be appointed by the Chairperson, as directed by City Council. These sub-advisory committees may or may not have a Council-appointed member on them. The sub-advisory committee's role is to advise the board, commission or committee on special projects or events. Meetings are arranged as other sub-committees.

## INDIVIDUAL DUTIES

Appointed advisory group members shall perform specific duties of each position:

### Chairperson

- May call special meetings
- Serves a one-year term as chairperson (subject to re-election each year after)
- Appoints task force members to sub-advisory committees and, may appoint sub-committees of less than a quorum of the Commission

### Vice-Chairperson

- Serves a one-year term as vice-chairperson (subject to re-election each year after)

### Members

- Serve as chairpersons for any special committees
- A majority may call a special meeting
- Serve four-year terms (except the Youth Standing Committee, which serves one-year terms)

## OPERATIONS AND PROCEDURES, CONTINUED

### Secretary

- Record of projects (Youth Standing Committee)

## STAFF AND SECRETARIAL SERVICES

Designated staff persons shall serve as liaison and secretary to each commission. Representatives from other departments may attend when appropriate as well.

The following departments shall serve as staff liaisons and/or secretaries to each board, commission and committee:

<u>Advisory Group</u>	<u>Department</u>
• Traffic Commission	Public Works/Engineering
• Recreation & Community Services Commission	Recreation & Community Services
• Senior Citizens Commission	Recreation & Community Services
• Youth Standing Committee	Recreation & Community Services

## QUORUM

A quorum consists of a majority of the members of the Commission. A quorum is required to conduct the business of any meeting whether it is a regular, adjourned, or special meeting. A majority vote of the members present and voting, where a quorum is present at any regular special meeting, is required to carry a motion, proposal or resolution. Although a Commissioner is expected to be present at all meetings, should he/she know in advance that this will be impossible, he/she should so notify the Commission secretary or Chairperson, or a staff member.

In the event that a majority of Commissioners will not be present to conduct a meeting, the staff liaison and the City Clerk's Office, shall be notified in order to publicly post the meeting cancellation.

## PARLIMENTARY PROCEDURES

*Robert's Rules of Order – Newly Revised* will cover procedures of all board, commission and committee business meetings unless inconsistent with provisions of the Articles.

## OPERATIONS AND PROCEDURES, CONTINUED

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## AGENDAS

The staff liaison is responsible for preparation and distribution of an agenda and supporting documents prior to each meeting.

Materials for an agenda are submitted to the Commission liaison no later than five days prior to the Commission meeting. Agendas, with supporting documents are available the Friday prior to the scheduled meeting. Supporting documents include, but are not limited to, reports, memoranda, maps, photographs, and correspondence.

Commissioners, the Council, and the news media should be kept well informed of all matters to be discussed at public meetings. The persons responsible for preparing an agenda will make every effort to see that items to be discussed are carried at each meeting.

## MINUTES

Minutes are taken of all board and commission meetings, then transcribed and included in the following month's meeting agenda packet, which is distributed to board members, commissioners, Council Members and, upon request, the news media. Action Minutes are taken of all standing committee and committee meetings and are distributed to committee members and to their reporting body.

The approved minutes of an advisory group are the vehicle through which the board and commission as a whole or its individual members express their interest. The minutes are submitted to the City Council and placed on file by the City Clerk for public access. While other avenues exist for communication of interest or opinion, the minutes of the board and commission remain the official document of record. An administrative secretary is assigned to record and prepare minutes of each board and commission meeting.

## MEETINGS

All commissions and standing committees shall meet regularly, as needed (provided there are business items to agendaize for consideration), in a location within the City of Cypress, and shall meet the notice and meeting provisions of the Brown Act (see related section, page 20).

All meetings shall be open to the public except as otherwise authorized by the laws of the State of California. Regular minutes of such meetings shall be maintained by these advisory groups and available for public inspection at all times.

## OPERATIONS AND PROCEDURES, CONTINUED

A meeting includes any gathering of a majority of the members of the advisory group to hear, discuss, or deliberate upon any item, which is within its subject matter jurisdiction. A meeting also includes any use of direct communication, personal intermediaries, or technological devices, which are employed by a majority of the members of the Commission to develop a collective concurrence on any action to be taken on at any time by members of the legislative body.

### Brown Act

1. The Brown Act is a State Law requiring open meetings. It requires, among other things, that Commission meetings be open to the public (e.g., adequate meeting notification).
2. The law requires that the meeting agenda be posted 72 hours in advance, and that no changes can be made after that time. The notice must contain the time and place for such a meeting and the agenda subject to be considered. The law states that no action may be introduced or taken on items not on the agenda before it is posted.
3. The law requires that meetings, at which a quorum of the members is in attendance, must be open to the public. For this reason, less than 50% of the members may be assigned to sub-committees; otherwise it would create a quorum.
4. A copy of the Brown Act is available in the City Clerk's office.

### Open and Public Meetings

All advisory group meetings are required to be non-discriminatory to the public, handicap accessible, and shall not require an admission fee or sign-in. In addition, the public shall have the right to record/broadcast meetings, inspect tapes of meetings, and meetings may be video teleconferenced.

### Public Hearings

A board or commission may determine a public hearing be held by a two-thirds majority of those members present. A public hearing is warranted if the board or commission determines that its deliberations concerning a matter within their designation would be substantially aided by the presentation of testimony from the citizens of the City, or a certain area of the City. Notice of such a hearing shall be provided by publication in a newspaper of general circulation published in the City of Cypress and/or by posting the same in at least three (3) public places, not later than ten (10) days prior to the date of the hearing. Such hearings shall be conducted in accordance with the rules established for the conduct of hearings before the City Council unless the Council, by resolution, shall provide otherwise.

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## OPERATIONS AND PROCEDURES, CONTINUED

### Face to Face Meetings

City Council and City-appointed advisory group meetings are considered to be face-to-face meetings. These meetings are unlawful if a quorum of the appointed members is discussing City business face-to-face in private or without proper public notification specified in the Brown Act.

### Special Meetings

The chairperson or the majority of the members of the advisory group may call special meetings.

### Serial Meetings

A serial meeting is a meeting where a quorum of the members uses any direct communication, personal intermediaries, or technological devices to develop collective concurrence on action to be taken. Serial meetings are unlawful because there is no way to properly notice and agendaize them, or to provide for any means of communication (electronic or otherwise) used for the purpose of developing collective concurrence on action to be taken.

### Adjourned Meetings

If, for any reason, the business to be considered at a regular meeting cannot be completed, less than a quorum of the members may designate a time and date for an adjourned meeting. Any matter to be considered at a regular meeting may be processed at an adjourned meeting. But, in order to so adjourn, it is necessary that this be announced to the public present at the time of adjournment and so recorded in the minutes.

The original 72-hour posting requirement is valid for taking action at an adjourned meeting. If the adjourned meeting will take place within 24 hours of the adjournment, the order of continuance must be immediately posted on, or near, the door of the meeting place.

### Meeting Exceptions

1. Out-of-Town meetings are not allowed except if there is not a meeting facility in the City; for compliance with law or Court Order; real or personal property inspection; meetings of multi-agency significance; meetings with state or federal officials; meetings in, and regarding, City facilities and pending litigation closed sessions, at legal counsel's office if more economical.
2. In addition, members are not restricted by the Brown Act from attending conferences, attending community meetings organized by others,

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## OPERATIONS AND PROCEDURES, CONTINUED

attending public meetings of another body or agency and attending social or commercial occasions.

3. Emergency meetings may be called if prompt action is necessary due to disruption or threatened disruption of public facilities. This includes work stoppage or other activity or crippling disaster which severely impairs health, safety or both. In case of an emergency meeting, the 24 hour notice is not required, but the meeting is still required to be open to the public.

### Public Testimony at Meetings

Public testimony must be allowed at meetings as long as the testimony applies only to meetings and items for which action is proposed to be taken. The opportunity to give public testimony must appear on meeting notices (agenda). It is also permissible for the Commission to regulate the length of testimony.

# BOARD, COMMISSION AND COMMITTEE RECOMMENDATIONS

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## ADVISORY GROUP RECOMMENDATIONS

All board and commission recommendations are forwarded to City Council by staff. All committee recommendations are forwarded to their reporting commission. The timeframe for Council or commission consideration may vary depending upon issue and urgency. Council may reject recommendations, not for the lack of confidence in an advisory group's suggestion, but due to the other issues and considerations the Council must weigh in order to reach the decision that meets the legal responsibility and general welfare of the community.

# BOARD, COMMISSION AND COMMITTEE RESTRAINTS

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Certain limitations have been placed upon the power of the City Council and its appointed boards, commissions and committees, by both statutory and case law. In certain instances, application of these restraints may be crucial in the governmental process. In instances of doubt, the City Attorney's opinion shall be obtained.

## CONFLICT OF INTEREST

Generally, it is unlawful for a board, commission or committee member to have an interest in any contract, sale, or purchase, or transaction, in which the member is involved in an official capacity. Conflict of Interest may disqualify the Commission member and may result in additional penalties including criminal prosecution.

## PUBLIC RECORDS ACT

The Government Code of the State of California provides that all official records of the City are open for inspection by interested citizens at reasonable times. All board and commission minutes and supporting documents are public records and are available for public review and copying.

## DISCRIMINATION AND EQUAL PROTECTION

All rules, regulations, laws, services, and facilities must apply equally to all persons and not give favor to any segment of the community. Similarly, all laws and ordinances of the City must afford equal protection to all facets of the community.

## USE OF PUBLIC PROPERTY

Public property, equipment, and facilities may not be used for private or personal purposes. Facilities, equipment, and supplies are provided by the City, but are limited to use in official functions only.

## REASONABLENESS

Every action of municipal government must be reasonable, or other stated, not capricious, extreme, arbitrary, or abusive. Simply stated, actions must be fit and appropriate to the foreseeable goal.

# FUNCTIONS AND DUTIES OF BOARDS, COMMISSIONS AND COMMITTEES

## BOARD, COMMISSION AND COMMITTEE FUNCTIONS

It is the function of each board, commission and committee, with respect to the subject matter jurisdiction assigned to each by the Council, to:

- Listen to and reflect community interests, needs, and values to the City Council.
- Give due attention and study to community issues as they affect the citizens of Cypress.
- Serve as a sounding board for the community and City administrators.

Review and recommend policy to the City Council, as well as develop alternatives for policy decisions where necessary.

## GENERAL BOARD, COMMISSION, AND COMMITTEE DUTIES (Chapter 2, Art. IV, Sec. 2-50)

All boards and commissions shall review and make recommendations to the City Council on all matters pertaining to specific areas of designation such as recreation and community services, cable television, and transportation, as requested and directed by the City Council. All committees shall review and make recommendations to their reporting authority related to their specific area of designation.

The general duties applicable to all Cypress boards, commissions and committees shall be:

- To act in an advisory capacity to City Council, or designated reporting body, and to cooperate with all governmental agencies and civic groups.
- To identify the service needs of the community.
- To be responsible for alternative methods of fulfilling these needs and interests.
- To present alternate solutions or recommendations for action or policy.

The following pages outline the specific duties per each advisory group.

# RECREATION AND COMMUNITY SERVICES COMMISSION DUTIES

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The duties of the Recreation and Community Services Commission shall be:

- To identify the arts, leisure and community services needs of the community, be responsible for recommending alternative methods to City Council of fulfilling these needs and interests, and to present alternate solutions or recommendations for action.
- To act in an advisory capacity to City Council, City, and Director of Recreation and Community Services in all matters of arts, leisure and community services and activities and to cooperate with all governmental agencies and civic groups in the advancement of sound arts, leisure and community services planning and programming.
- To review recommendations and issues from the Youth Standing Committee on their specific interests of programming and services.
- To recommend joint recreation and park programming.
- To relate the community park, arts, and recreational services program to public officials and to the community leadership in order to promote understanding and financial support from public and private sources.
- To recommend the establishment of general policies with respect to the Recreation and Park District.
- To provide recommendations in the acquisition, development, beautification, and maintenance of recreation, arts, and park facilities in the City, with consideration for short and long range planning, as part of a sound master plan in keeping with community needs and future growth.
- To review and advise the City Council regarding the budgeting for such functions.

## SENIOR CITIZENS COMMISSION DUTIES

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The Senior Citizens Commission shall act as a community forum and advise the City Council on all matters pertaining to the concerns of senior citizens, including, but not limited to, recreational opportunities, current and expanded social services; low-cost housing, federal, state and local legislation, use of the City's senior citizens center; senior citizens programming in other communities, donations to senior citizens programs and other revenue sources which are or which may be available to provide funding for city programs for senior citizens.

## TRAFFIC COMMISSION DUTIES

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The Traffic Commission shall suggest the most practicable means for coordinating the activities of all officers and agencies of the City of Cypress having authority with respect to the administration or enforcement of traffic regulations; receive complaints having to do with traffic matters; and recommend to the City Council and to the City Traffic Engineer, and other City officials, ways and means of improving traffic conditions and the administration and enforcement of the traffic regulations.

## YOUTH STANDING COMMITTEE DUTIES

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The Youth Standing Committee shall advise the Recreation and Community Services Commission and shall strive to open more effective lines of communication between young people and local government and to create the opportunity for the involvement of young people in the governmental decision-making process. The principal objectives of the Youth Standing Committee shall be to:

- Improve and promote communication between adults and young people.
- Interpret the needs of young people and represent them to the Recreation and Community Services Commission.
- Involve young people in civic activities, planning and implementation of recreational activities for youth, and the political decision-making process.
- Provide a means in which young people's needs can be heard, and recommend the means to attend to and answer these needs.
- Involve youth in municipal government.
- Promote public understanding of the contributions of young people.