



1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: 7/11/23

TO: Councilmembers

FROM: City Manager's Office

SUBJECT: COUNCIL Q&A FOR June 27th, 2023, CITY COUNCIL REGULAR MEETING

Agenda Item 1 (Minutes)

1. Can you please change the word "safe" to "healthy" under item 13--Orchard Commons Committee item, second bullet? Thank you.

Answer: Noted and changed.

Agenda Item 3 (EOC Design)

1. On page 1 of the report, it says, "The funds for this scope of work come from two sources: the Park-In-Lieu fund and General Fund." In light of the new funding for this project from the State, can't this come out of those funds? Or will those funds be used specifically to purchase the generator?

Answer: Once received by the City, the grant funds from the State will be included in the General Fund. The midyear budget adjustment will reflect the acceptance of the grant and the funds will be used for the purchase of the generator and the necessary electrical work for connection to the EOC.

2. Resolution: In the "NOW THEREFORE" clause, the word "adopt" should be plural ("adopts").

Answer: Thank you. It will be revised.

3. Will we be soliciting bids for construction and installation of the two generators?

Answer: The plan is to procure one generator (not two) that has the capacity to service the EOC/LACC and LAYC. Since the lead-time to procure a generator is over one year, staff plan to procure it in advance of the EOC's construction bidding process. To expedite the procurement, staff will utilize the federal cooperative purchasing government organization Sourcewell, which the City of Los Altos is a member of. Sourcewell allows the City to utilize bids on equipment and supplies that have been competitively solicited nationally. We used this process to procure furniture for the Community Center in 2021.

Agenda Item 4 (TRB & Associates)

1. Please provide a "Fiscal Impact" report (similar to that section in the staff report for agenda item 3). I.e.:

Amount already included in approved budget?

Total Budget Available in

Amount above budget requested

Answer: Amount already included in approved budget? Yes.

Public Works Engineering, Acct: #5270

Total Budget Available in \$400,000.00

Amount above budget requested \$0.00

Agenda Item 5 (Resilience Program Grant)

1. Have we considered using the Cool Pavement technology grant on the re-do of the Grant Park basketball court?

Answer: We have not, but it's an excellent idea. Cool Pavement products are regularly utilized on basketball courts, playgrounds, etc. (see the City's study: [FINAL Los Altos Cool Pavements Report - Full \(Issued 12-16-2022\).pdf\(Review\) - Adobe cloud storage](#)). The \$125,713 in grant funds have to be spent, or at least procured in an awarded bid, by 12/31/23. If the timing works out to spend the remaining \$66,488 of the grant funding on the Grant Park basketball court, staff will consider it. Otherwise, the remaining grant funds will be utilized on another street during the 23/24 Annual Resurfacing Project.

2. Does the cool coating affect the City's potential liability? Does it make the pavement more slippery or otherwise affect traction different from regular pavement or slurry seal? Have our liability carriers approved the use of cool coatings?

Answer: The Cool Pavement product we plan to apply on State Street is "CoolShield", by GuardTop—a company that has been manufacturing asphalt protection sealcoat products since 1983. They have been working with the City of Phoenix and several other metropolises to test the skid resistance of its sustainability product line. The following data was provided by GuardTop. It tested CoolShield's skid resistance at 25 and 35 MPH and demonstrated that the CoolShield product exceeds the acceptability threshold for skid resistance for heavily traveled roads, and it matches the skid resistance of asphalt cement (i.e., typical pavement) and exceeds the resistance of traditional sealcoat.

Prior to application of the CoolShield product on State Street, the Risk Manager will reach out to the City's insurance carrier to confirm liability coverage for the product.



British Pendulum Skid Testing

Client PHX Streets Department

Project Title: Surface Comps

Surface Material	Date	British Pend (BPN)	Macrotecture Depth (mm)	(SN)* 25 mph	(SN)* 35 mph
Traditional sealcoat	6/9/23	56	0.55	39.02	35.46
asphalt cement	6/9/23	64	0.65	58.7	47.05
CoolSeal	6/10/23	55	0.56	38.6	34.37
CoolShield	6/10/23	67	0.53	59.74	47.93

Test Method	Description:
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British Pendulum (ASTM 303-22)	The British Pendulum test provides a measure of a friction property, microtexture, of surfaces. The equipment uses a calibrated pendulum-type arm with standardized rubber slider to determine the frictional properties of a test surface.
*skid Number (SN)	calculated using the Pennsylvania State University Model for Skid Resistance: $SN = (-31 + 1.38 * BPN) * \exp [-0.041 * V * (MTD)-0.47]$: V = Velocity km/hr,

Table 1. Typical Skid Numbers (from Jayawickrama et al., 1996)^[2]

Skid Number	Comments
Less than 30	Take measures to correct
≥30	Acceptable for low volume roads
31 - 34	Monitor pavement frequently
≥35	Acceptable for heavily traveled roads

Furnisd By

Mike March
 Technical Director
 GuardTop

1. **Appendix A, Amendments to Chapter 6.16, in 6.16.020 Definitions - K, the holidays do not include all our currently recognized holidays (Cesar Chavez and Juneteenth). Will this be addressed when this Chapter comes back for clean-up per Council direction, or can it be updated in this ordinance without causing a delay in adoption?**

Answer: An update to the recognized holidays in the Municipal Code would be amended separately in a future ordinance.

Agenda Item 7 (Mechanical Equipment)

1. **Chapter 6.16, Noise Control, has a variance process (section 6.16.100). What is the variance process to ask for an exception to this ordinance?**

Answer: The Development Services Director is designated as the Authority of the Noise Control Office (NCO) at the City of Los Altos. The Development Services Director may consider a requested Variance for a deviation from the Noise Ordinance should it be reflective of positive Variance Findings which are as follows:

Findings and decisions. In considering the variance as applied for, the NCO shall make the following findings:

1. That the use involved with the noise source is desirable or essential to the public health, safety, comfort, convenience, prosperity, or welfare;
2. That the granting of the variance will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons living or working in the vicinity;
3. That there are exceptional or extraordinary circumstances or conditions applying to the property involved or to the use of the property which do not generally apply to other properties or uses in the same district; and
4. That because of such exceptional or extraordinary circumstances or conditions, the strict or literal enforcement of the specified provisions of this chapter would result in practical or economic difficulties.

Additional information and explanation can be provided at the City Council meeting should it be requested.

Agenda Item 8 (Commission Handbook)

An attachment with the redline recommended changes to the Commission Handbook has been included with this document.

1. **Meeting Days and Times, first paragraph, I recommend adding, “ ... no commission meeting can be held during the same meeting time as City Council or another commission meeting.” Although it is obvious, it should be explicitly stated. The same applies to the following paragraph regarding Special Meetings.**

Answer: Noted and changed.

2. **In the section covering Commission Workplans, wording should be added to indicate that workplans are to be derived from the most recent Council goals and priorities as well as the Budget.**

Answer: Noted and changed.

3. **“Reappointment” should continue to mention that a Commissioner has to indicate interest in another term, that part has been deleted, something such as, “Commissioners shall notify the City Clerk if they are interested in another term ... “**

Answer: Noted and changed.

4. In "Conflict of Interest", to eliminate confusion only one of the phrases that I've **bolded** should be used, " ... then **as early as is practical** that member shall provide the letter to the staff liaison and the City Clerk **upon receipt of the letter** ... ". "Upon receipt" would be best.

Answer: Noted and changed.

5. Add the phrase "If there is" before the "[a]ny conflict between" new language in the introduction.

Answer: Noted and changed.

6. On page 2, in the new paragraph, the brackets do not match. []

Answer: Noted and changed.

7. Page 2: Why is the "Role of Staff Liaison" box remaining when the Council is going to examine and perhaps modify or eliminate the role?

Answer: City Council will be reviewing the role of Council liaisons, not staff liaisons. City Council can review staff liaisons at their discretion.

8. Why are requests for research / analysis directed to department heads instead of commission staff liaisons?

Answer: City staff wanted to ensure that department heads were aware of requests as they come in from commissioners and this would allow the department head to ensure that requests align with the individual's job functions most appropriately.

9. In the new section entitled "Meeting Days and Time," in the second line of the first paragraph, please insert the word "regular" in between "commission" and "meeting."

Answer: Noted and changed.

10. I am concerned about the second paragraph of the "Meeting Days and Time" section. While I think policy should be to strive not to have overlapping commission meetings, sometimes it seems unavoidable. We have previously had overlapping meetings (either scheduled or occurred:

June 1, 2023

May 22, 2023

May 4, 2023

April 24, 2023

April 6, 2023

March 29, 2023

March 23, 2023

March 13, 2023

March 2, 2023

Etc.

Answer: Noted and changed.

11. In the new language proposed for the first paragraph in the "Meeting Minutes" section, please add the word "recused" in between "abstained" and "or."

Answer: Noted and changed.

12. Staff proposes that no one may serve as chair of a commission for more than one consecutive term (“term” = “year?”). Why can’t a commissioner serve as chair for more than one consecutive term (year)?

Answer: City staff believes that this would allow more commission members with the opportunity to take the leadership role of chair for the commission. However, the individual commissioner would be able to serve as chair in non-consecutive terms.

Agenda Item 11 (Community Center Café)

1. Who will bear the cost for acquisition, installation, and ongoing maintenance of the food service equipment?

Answer: Who bears the cost of food service equipment will depend on what is proposed by the selected vendor and what the City agrees to in the contract.

Agenda Item 13 (Allen Bill and the School District)

1. Do you believe that having an opportunity to have our staff participate in Allen Transfers with our local schools’ districts would be desirable and beneficial to our current staff and assist in the recruitment process?

Answer: This would be viewed as a valuable benefit for City employees.

Agenda Item 14 (Council Travel Policy)

Background, this item was added as a future agenda item at the Council meeting of March 28, not March 23.

Answer: Thank you. Staff will update the report.

1. The Staff Report says that the City’s Travel Policy is included as Attachment 2. Is that the “Administrative Policy and Procedure Training and Travel Expense Policy?”

Answer: The administrative policy covers City staff and is compliant with AB1234. The City Council and City Commissioners are not included in this administrative policy.

However, City Council travel is governed by Section 6.6 of the City Council Norms and Procedures, which reads:

“Reimbursement. City Councilmembers may be reimbursed for personal expenses for travel to and lodging at conferences or meetings related to their role as a Councilmember. Reimbursements shall be subject to the City’s Travel and Expense Policy.

Brief reports must be given on any outside meeting attended at the expense of the City at the next regular Council meeting. Reimbursement is conditioned on the submission of this report to the City Council.”

The City Council may adopt a formal policy for reimbursement specifically associated with Councilmember travel to be compliant with AB 1234.

2. Is the City’s Administrative Policy and Procedure Training and Travel Expense Policy a draft policy? I notice it is not signed by the City Manager.

Answer: It is not a draft policy.

3. Does the City have a reimbursement/expense form?

Answer: Yes. The check request form is included as attachment to this document. The form is used by staff seeking reimbursement for approved travel.

4. Our policy says that “International and out-of-state travel for any event or activity requires advance approval by the City Manager or his/her designee.” Since January 1, 2020, has the City Manager or his/her designee approved any City Council international and/or out of state travel expenses for Council Members? If so, for which Council Members, when was it approved, and who made the approval?

Answer: The City Manager does not approve travel for Councilmembers. The policy referenced is a staff policy and does not cover Councilmembers or Commissioners. Councilmembers are currently required to comply with Section 6.6 of the City Council Norms and Procedures as referenced above.

5. Since January 1, 2020, have any Council Members been reimbursed or otherwise had their expenses paid (in whole or in part) for travel outside the State of California? If so, which Council Members, when, and how much for each trip?

Answer: Out of state Conferences between 1/1/20-7/11/23

1. NLC City Conference November 2022 Kansas City, Councilmember Lee Eng. Total \$2,484.53
2. NLC City Conference March 2023 Washington, DC. Councilmember Lee Eng. Total \$3,622.13
3. NLC City Conference November 2023 Atlanta, Councilmember Lee Eng total: \$750 paid
**\$1,480.41 hotel (5 nights) to be reimbursed*
**Approximately \$400 Flights to be reimbursed.*

Total paid as of 7/10/23= **\$6,856.66**

Approximated total including hotel and flights for November 2023 Conference= **\$8,737.07**

6. What is the amount in the budget for travel.

Answer: The City Council has \$3,500 included for travel in the current fiscal year budget.

7. Is there a divided line item for City employee's vs elected officials?

Answer: Yes. Travel and training for staff is budgeted within each department's budget.

The travel budget for City Council is included separately at \$3,500 in the current fiscal year budget, under City Council within the City Manager's Office budget.

8. How long has the administrative policy been in place?

Answer: The administrative travel policy included in the document was updated in June of 2023 and had not been revised since 2016.

9. How does this new policy compare to the previous policy?

Answer: The 2016 administrative staff policy is included as an attachment.

CITY OF LOS ALTOS

Check Request Form

Check Payable To: _____ Date: _____

Address: _____ Address Type: _____

(Lookup in FE)

PEID: _____ Look up in Finance Enterprise Vendor Inquiry (PEIQ)

Do Not Mail - Pick up in Finance

Mail Out - Must match an address in Finance Enterprise
Otherwise, please submit Vendor change form

RUSH Date Needed _____

	Account	Description	Amount
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
5	_____	_____	_____
6	_____	_____	_____
7	_____	_____	_____
8	_____	_____	_____
9	_____	_____	_____
10	_____	_____	_____

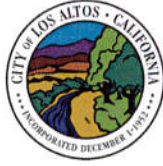
Total requested: _____

Signature and Date of Requestor

Signature and Date of Authorized Approver

Name of Requestor

Name of Authorized Approver



CITY OF LOS ALTOS ADMINISTRATIVE POLICY AND PROCEDURE

TRAVEL AND EXPENSE POLICY

PURPOSE

City travel should be for business and training purposes that is of value to the City and its residents. All expenses incurred while on City business should constitute reasonable and practical use of public funds. When traveling, employees shall choose the most efficient, direct and economical travel options available.

POLICY

The purpose of this policy is to establish business travel guidelines for City employees that are fair, accountable and transparent. This policy addresses the criteria for City payment of travel expenses and/or advances incurred by the City employee.

GENERAL GUIDELINES

1. Authorized expenses shall include, but are not limited to, authorized business expenses incurred while engaging and/or participating in the following activities and/or events, which meet the criteria listed below:
 - The seminar, meeting, function certification training or conference is mandatory or necessary to accomplish key City or employee goals and objectives. Such activities include, but are not limited to:
 - Participating in and attending meetings of regional, state and national organizations whose activities effects the City's interests.
 - Attending educational seminars designed to improve skill and information levels.
 - Attending business meetings, functions of local civic or community organizations where there is a clear nexus between the event and City employee duty, i.e., not purely social events.
 - If the training location requires an overnight stay, efforts should be made to ensure no local option is available. Government rates should be used when available. Attendance at conferences and travel time to and from the conference must receive prior approval from the employee's supervisor. If the employee is eligible for overtime or compensatory time accrual during the travel time and conference event, wages will be calculated in accordance with FLSA requirements or in accordance with the employee's MOU. Public Safety Personnel should refer to the POA MOU section 17.15. Lodging at conference sponsored or group rate discount are to be utilized. Exceptions may be made for Public Safety personnel with prior approval from the Police Captain or his/her designee.

- Registration fees will be fully paid by the City via check or credit card. Any discounts offered for early registration or attendance by additional persons should be obtained whenever possible.

International and out-of-state travel for any event or activity requires prior approval by the City Manager or his/her designee.

2. The following are examples, but not all inclusive, of personal expenses for which the City will not reimburse the employee, even when incurred in conjunction with approved reimbursable expenses:
 - Expenses incurred as a result of supplemental personal travel
 - Political or charitable contributions or events.
 - Family or companion expenses, including those related to child or pet care.
 - Entertainment expenses
 - Meals for any person other than the employee.
 - Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline.
 - Personal losses incurred while on City business.
 - Inaccurate receipts that are greater than the reimbursable cost of the item.
 - Alcohol
3. Payments for travel and expenses may be requested as an advance, prepayment or reimbursement of appropriate expenses for lodging, food, transportation and incidental expenses. Some departments may have additional regulations for their staff, such as Public Safety attending training required by POST. Reimbursement of expenses may be made only for City employees; no reimbursement is allowed for non-employees accompanying the attendee.
4. All reimbursement claims or advances for travel and expenses (including registration) shall be accompanied by sufficient supporting documentation including original receipts, copies of registration forms, invoices, cancelled checks or notation for any receipts that are lost. An exception to this requirement is listed under section entitled *Meal Costs*.
5. All claims for travel and expenses shall be signed by the employee's supervisor and Department Head or his/her designee.

TRANSPORTATION

Airfare

1. Use of air, train, private automobile, or other mode of transportation shall be selected on the basis of the least expensive option for the City. Government and group rates should be used when available.
2. Transportation costs to and from the authorized destination will not exceed advance purchase economy class airfare unless such fare is not available. Employees shall inquire as to any government discount the airlines may provide. The City will not pay for upgrades (e.g. seat upgrades or early boarding options) without prior approval from the Department Head or his/her designee.

Automobile

1. City vehicles should be used whenever possible. No allowance or reimbursement for transportation is authorized when a City vehicle is used.
2. When two (2) or more employees are traveling by vehicle, the employees should make every effort to travel together.
3. Automobile mileage will be reimbursed at the rate set by the Internal Revenue Service (IRS) in effect at the time of travel and will be reimbursed for the distance between home and the destination or work and the destination, whichever is less. Exceptions may be made for Public Safety Personnel according to specific provisions of the POA MOU section 17.15. The Finance Division shall be responsible for determining the applicable rate at the time of travel. This amount does not include bridge and road tolls, which are reimbursable at actual rates. Any employee in a management position who receives a vehicle allowance, or has a take home City vehicle assigned, is not eligible for mileage reimbursement. Mileage reimbursement should be submitted within thirty (30) days of travel.
4. If a personal vehicle is used to and from the airport, the actual mileage will be reimbursed. If a personal or City vehicle is left at the airport, the reimbursement will be the lesser of the following: round trip and parking costs compared with shuttle transportation.
5. The necessity for a rental car must be established and authorized in advance by the Department Head or his/her designee. Only economy car models may be rented, unless the upgrade is provided at no additional cost to the City. Prepaid gas is not to be selected, but optional insurance is required and will be reimbursed. The employee is required to notify the City's Risk Manager and their supervisor, immediately, in the event of any incident or accident related to the rental vehicle. When 2 or more employees are attending the same training, the rental vehicle, if approved, should be shared.
6. If an employee chooses to travel by vehicle instead of air, the employee is only eligible for travel time equal to the estimated length of the air travel. If travel time is longer, as a result of driving, the employee must use time off for the difference. Exceptions may be made at the discretion of the Department Head or his/her designee.

Taxis/Shuttles

1. Whenever possible, hotel courtesy buses or local shuttle services should be used. Taxi service should be used only when no other convenient, less costly transportation is available.

Lodging

1. No lodging expenses incurred by employees within a 50-mile radius will be reimbursed unless there are extenuating circumstances with prior Department Head or his/her designee approval.
2. Lodging expenses may be prepaid directly to the hotel or reimbursed. Prepayment or reimbursement will be limited to single occupant room rates. Lodging reimbursement shall not exceed conference hotel cost or host group rate with the exception the lodging is not available. No reimbursement will be made when lodging is at a family/friend's residence.

- Hotels often provide exemptions from transient occupancy tax for government employees. Employees should request exemption for hotel transient occupancy taxes if applicable.

Meal Costs

- The City will reimburse for documented meal expense, including gratuity (not to exceed 15%), according to the daily Maximum Federal Rate. For per diem rates within the US, use rate listed on <http://www.gsa.gov/>. If the destination city is not listed, then the rate for the county applies. If there is no rate for the city or county, the lowest rate applies. .
- Meal expenses, including gratuity, in excess of the daily Maximum Federal Rate will not be reimbursed without approval of the Department Head or his/her designee.
- The per diem rates are to be reimbursed only for full days of travel (travel away from City overnight). If partial day of travel, the City will reimburse meal based on the Federal Meal Rate.
- If any meal is included in the registration fee or the hotel fee, the employee will not receive reimbursement for the included meal. For example, if lunch is included in the registration fee, then the full day per diem will be less the per diem allocated for lunch.
- If an employee returns home after 1:00 p.m., the employee will receive the per diem for breakfast and lunch. If an employee returns home after 6:00 p.m., the employee will receive the full day's per diem.

Miscellaneous Expenses

- Expenses related to City business will be reimbursed for actual telephone, fax, parking expenses, tolls, tipping (non-meal related as this falls under the Maximum Federal Rates), taxi, hotel wireless charges, or other reasonable expenses. Miscellaneous expenses must be itemized and receipts must be provided. Where receipts are not available, a signed declaration of expenditures may be accepted by the Administrative Services Director or designee at their discretion.
- Incidental expenses incurred for fees and tips given to porters, baggage carriers and hotel staff will be reimbursed up to General Service Administration (GSA) limit (currently at \$5 per day). If the employee receives a full day's per diem, no additional incidentals will be provided, as this is already included in the GSA daily rate.
- Personal expenses (e.g. shoe shine, in-room entertainment, personal phone calls, traffic fines, etc.) are not reimbursable.
- If a personal side trip is planned, the City will reimburse not more than the advance purchase economy class airfare to and from the original destination. Any additional costs related to personal travel will not be reimbursed by the City.
- If a companion accompanies an employee, only the business cost incurred by the employee will be reimbursed. All costs incurred in addition to the employee costs will not be reimbursed by the City.

Business Meeting Expenses

1. Prior to any business meeting, the Department Head or his/her designee shall approve any meal expense based on the Federal Meal Rate or in excess. The itemized receipt shall include the amount of the expense, the date and place of the expense, the business purpose, and who attended the business meeting.
2. Meals will only be reimbursed for the cost(s) of the eligible item on the meal receipt. Overcharged amounts will not be reimbursed.
3. Meal reimbursement should be submitted within 30 business days of the meeting.

PROCEDURE

Employee

1. Discuss planned travel and expenses with immediate supervisor. Obtain prior authorization for any nonstandard expenses (i.e., rental car, travel by air, etc.)
2. Submit requests for registration and any advances or prepaid items within the standard disbursement time period.
3. Within 30 business days after the employee's return from a trip, a Statement of Travel Expenses (travel and expense report) must be filed with the Finance Division complete with the proper signing authority.
4. All Statement of Travel Expenses shall include copies of documentation of previous prepayments or advances made, including registration, airfare, hotel, training agenda, etc.

Finance Division

1. Receives completed Statement of Travel Expenses from department.
2. Reviews requested prepayments, advances and reimbursements related to travel. Checks the budget for consistency with budgeted funds.
3. Process Statement of Travel Expenses and provides payment for advances, prepayments or reimbursements.


Christopher Jordan, City Manager

September 15, 2016

Revision: September 2016

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TABLE OF CONTENTS

INTRODUCTION	1
THE BASICS	1
Government in the City of Los Altos	
City Council	
Commissions/Committees	
Staff	
MEETING DAYS AND TIMES	3
COMMISSION WORKPLANS	3
MEMBERSHIP ON CITY COMMISSIONS	3
Appointment	
Reappointment	
Resignation/Removal	
Attendance and Participation	
Statement of Economic Interest	
Ethics Training	
THE BROWN ACT	6
Violations	
Types of meetings	
Agendas	
Meeting Minutes	
Adding items to a future agenda	
CONFLICT OF INTEREST	8
COMMISSION ORGANIZATION	9
Chair and Vice Chair	
Ad hoc Committees	
MEETING PROCEDURES	9
Rules of Order	
Consideration of agenda items	
Public comment	
Teleconferencing	
DECORUM	10
TRAINING	11
CONCLUSION	11
CHEAT SHEET FOR CHAIRS	12

INTRODUCTION

This manual functions as an introduction to service as a Commission or Committee member in Los Altos. For the purposes of this manual, the terms Commission member and Committee member are interchangeable. For those instances not covered in this manual, refer to the City Council Norms and Procedures and the Los Altos Municipal Code for additional guidance.

If there is any conflict between the rules set forth in this handbook and the Los Altos Municipal Code or the City Council Norms and Procedures, the Code and then the Norms and Procedures shall govern.

THE BASICS

Government in the City of Los Altos

The City of Los Altos operates under the Council-Manager form of government. The City Council sets policy for the City which is then carried out by the City Manager and staff.

Commissions are integral to the City's commitment to developing policies which reflect the needs and values of the community. Commissions work closely with staff and the Council to carry out the duties and responsibilities assigned by Council.



Figure 1: City of Los Altos organization

City Council

The City Council is elected by registered voters of the City of Los Altos and serves as the 'Board of Directors' for the City. The Council is the legislative body of the City. It sets policy and establishes the City's overall priorities, direction and financial plan. The Council appoints the City Manager, who is responsible for the administration of City business, and the City Attorney.

To facilitate the exchange of information between the Council and its Commissions, one Councilmember will be assigned as a liaison to each Commission. These liaisons may attend meetings, but will not participate as a member of the Commission. While Council liaisons may offer general guidance, liaisons do not speak for the Council on matters not previously considered by the Council as a whole.

Commissions/Committees

Members are appointed by a majority vote of the City Council to serve on Commissions and Committees to advise and make recommendations to the Council and staff. Commissions focus on specific policy issues and provide additional opportunity for community participation in decision making.

From time to time, there may be instances when staff's recommendations on an issue may differ from that of the Commission. If this occurs, staff will inform the Commission of this in advance of the Council meeting and both recommendations will be presented to the Council for consideration.

As appointees of the City Council, members of Commissions are public officials and are appointed to represent all residents of the City, not individual organizations or special interest groups. Care should be taken to ensure that viewpoints expressed as public officials are consistent with City Council policy and the position of the majority of the Commission. Minority opinions are allowed but Commissioners acting in the role of a Commissioner should support actions taken by a majority of the Commission.

Unless speaking as the official spokesperson for the commission at a City Council or other public forum, commissioners must begin all written or verbal comments with "I am a commissioner for the [insert commission name here], but I am speaking on behalf of myself and my own personal beliefs."

Each Commission is established by Chapter 2.08 of the Los Altos Municipal Code, which includes the powers and duties of each Commission. Committees, both standing and ad hoc, are created by Council action and typically are assigned to focus on a specific topic for a short duration. Ad hoc Committees (sometimes referred to as Task Forces) may include Commissioners.

Staff

The City Manager serves as the 'Chief Executive Officer' for the City and implements policy set by the City Council, manages the day-to-day affairs of the City, appoints and removes employees, prepares the budget, enforces laws and ordinances, and makes recommendations to the Council on the general welfare of the City. He/she hires professionally trained staff to assist in carrying out his/her responsibilities.

The City Manager assigns staff members to assist the various Commissions in carrying out their responsibilities. These staff liaisons, by virtue of their technical training and experience, are competent to provide such assistance.

Commissions shall work closely with the staff liaisons; however, they do not have the authority to supervise or direct the work of staff. Requests by a commission or commissioner for assistance in completing research or analysis for the benefit of a commission shall be directed towards the Department Head which oversees the assigned Staff Liaison.

Role of Staff Liaison

- Attend all meetings of the Commission
- Prepare agendas in collaboration with the Chair
- Work with the Commission in the development of a work plan for the coming year and a summary of accomplishments for the previous year
- Research and prepare reports for the Commission, as is consistent with the work plan and/or Council direction
- Ensure agendas and reports are posted in compliance with State law and City protocols
- Prepare action minutes for approval by the Commission
- Prepare reports from the Commission to the Council, ensuring that reports represent the majority view and recommendation of the Commission
- Serve as the liaison between the Commission and City staff
- Submit all budget requests from Commissions to cover costs associated with accomplishing its mission as well as to attend training sessions related to accomplishing the work of the Commission
- Communicate directions from the City Council to the Commission
- Stay apprised of new laws and City protocols related to

Figure 2: Role of Staff Liaison

MEETING DAYS AND TIMES

Regularly scheduled commission meeting days and times are established by the City Council. To facilitate and encourage public participation no commission meeting can be held during the same meeting time as a City Council meeting and commissions should strive to not have any overlapping commission meeting with another commission's regular meeting. Additionally, commission meeting times are typically scheduled for later in the day to not impede on normal city business hours effectively insuring services are available until the close of business each day.

Commission special meetings shall be held in accordance with the provisions of regularly scheduled meetings to not impede of city services and operations. ~~or conflict with another commissions meeting day and time.~~

With majority support of commission members any commission can request a change in the approved day and time for a commission regularly occurring meeting. A request for a change in meeting day and time shall be respective of city business hours to ensure that staff and services are provided throughout the day. Such request shall be included in an agenda report prepared by the staff liaison and placed on the ~~City Council's~~ Commission's agenda as a Discussion Item.

COMMISSION:	DAY/TIME:
Complete Street	Last Wednesday 5:30pm
Environmental	Second Monday 7:00pm
Financial	Third Monday 6:00pm
Historical	Fourth Monday 7:00pm
Library	First Thursday 6:30pm
Parks, Art, Recreation & Cultural	TBD
Planning	First and Third Thursday 7:00pm
Senior	First Monday 3:30pm
Youth	First Monday 6:30pm

COMMISSION WORKPLANS

When a commission workplan is necessary each commission shall discuss and prepare its annual work plan based upon the City Council annual priorities and budget, which shall be submitted and approved by the City Council. The work plan is a list of the anticipated topics, assignments and goals that the Commission will focus on over a 12-month period. From time to time the City Council may amend the approved commission work plan in order to achieve the goals of the city. A commission may request modifications to the work plan once a quarter for consideration of the City Council. Any requested modifications should be in line with the goals and objectives of the commission and the city.

MEMBERSHIP ON CITY COMMISSIONS

Unless otherwise directed, Commission members must be residents of the City of Los Altos. If, at any time during their term, a member moves to a principal residence outside the City, they shall become ineligible to continue as a member of that body and shall notify the Commission's assigned staff liaison as soon as possible. It is expected that when a Commissioner moves to a principal residence outside the City, they will submit a letter of resignation to the assigned staff liaison and the City Clerk..

Members are appointed by and serve at the pleasure of the City Council. With the exception of Senior and Youth Commissioners, members serve for a term of four years and may serve a total of two, four-year terms, plus any portion of an unexpired term for which they have been appointed. Senior Commissioners may serve four, two-year terms. Youth Commissioner may serve two-year terms through the conclusion of their final year in high school.

No Commissioner shall serve simultaneously on two, separate Commissions. When a Commissioner ends their service on one Commission, the individual can then be appointed to a different Commission.

Ad hoc Committee members are appointed and shall serve until the task of the ad hoc committee has been completed at which time the Committee shall be disbanded. Council members and Commissioners may serve on ad hoc committees.

Two members of an immediate family, or persons residing in the same household, are not allowed to serve simultaneously on the same Commission or Committee, including ad hoc Committees. Immediate family members of City Council members are not eligible for appointment to any Commission or Committee during the term of the elected Councilmember.

Appointment

The City Council accepts applications for Commission positions during the formal recruitment period. Once per year in September, formal recruitments are conducted for those positions which are or will become vacant (including those for which an incumbent is eligible for reappointment). The City may conduct a recruitment for specific vacancies between formal recruitments if there is a vacancy that causes a commission to fall below quorum or at the direction of City Council after a request from a commission chair or commission liaison.

With the exception of the Youth Commission, all other commission recruitments will follow the same process. Youth Commission applicants are interviewed by the City Council Youth Commission Interview Committee which then makes appointment recommendations to the full City Council at a regular Council meeting.

The City Clerk announces that formal recruitment for commissioners is currently open so interested individuals should submit their application to the City for review. The City Clerk works with other City staff, City Council, and community groups to conduct as much public outreach as possible. This public outreach will include, but is not limited to posting on the City website, City social media, local newspapers, and email notifications to previous commissioners or applicants.

City Council may only review applications for appointment once the application period ends.

Interested applicants submit their complete application to City staff, where they will indicate their desired commission(s). City staff verifies that the individual lives within the City of Los Altos and may serve on the desired commission(s).

City Council holds one special meeting that will include interviews and voting on commissioners. All applicants are allotted the same amount of time to ensure that all candidates are given equal treatment.

After all interviews are completed, the City Council submits a ballot with their appointees.

Incumbent applicants will have their attendance record included as part of their application packet for review by the City Council.

Reappointment

Upon completion of the first four-year term, or an unexpired term, Commissioners shall notify the City Clerk that they have an interest in continuing on the commission and complete a new application for re-appointment to the Commission for another four-year term. In order to qualify for reappointment a Commissioner shall have met the minimum attendance requirements during the duration of their previous term. Commissioners requesting reappointment will be interviewed by the City Council. Reappointments will occur at the same time as new appointments to the Commission. Upon completion of their service, Commissioners are encouraged to meet, either in person or via telephone, with the Council Liaison assigned to their respective Commission or another Councilmember. The purpose of this meeting is to provide Commissioners with a chance to offer feedback to the Council regarding their time on the Commission.

Resignation/Removal

In the event a member is unable to continue serving because of change of residence, health, business requirements or other personal reasons, a letter of resignation must be submitted to the City Clerk.

Members of Commissions serve at the pleasure of the City Council. The City Council shall review members' performance and fulfillment of Commission member obligations and may remove a member from a Commission based upon that review. The City Council may discipline or remove a Commissioner at any time solely at the discretion of the Council. Any proposed removal can be with or without cause. A Councilmember who wishes to discipline or remove a Commissioner shall

indicate their desire to place the discipline or removal on a future agenda at the end of a regular Council meeting. If three or more Councilmembers wish to agendize the discipline or removal of a certain Commissioner, the item will be placed on a future Council agenda.

Commission Member Responsibilities

- Prepare for and participate in Commission meetings
- Attend at least 75% of regular meetings annually
- File Form 700 on time, if required
- Complete Brown Act Training within 60 days of beginning service
- Complete two hours of Ethics Training within 30 days of assuming office and every two years thereafter
- Attend Annual Commission Training upon appointment and every two years while seated as a Commissioner

Attendance and Participation

A majority of members is necessary to conduct business. As such, Commission members are expected to attend no less than 75% of the regularly scheduled meetings annually during their term of office. At the end of each year, the City Council reviews an annual attendance report for each Commission. A Commissioner may be removed for failing to attend the required minimum number of meetings or after a third consecutive absence. If a Commissioner must miss a meeting, they shall inform the staff liaison a minimum of

two weeks notice prior to the regularly-scheduled commission meeting. If a Commission meeting is cancelled due to a lack of quorum, that meeting will still be considered a regularly scheduled meeting for purposes of calculating attendance, and those members whose absence caused the cancellation shall be charged with an absence for that meeting.

Figure 3: Commission Member Responsibilities

Commissions benefit from the informed input of each member of the body. Each Commission member is expected to exercise judgment in formulating recommendations to the City Council. Members are expected to be prepared for meetings and to participate and vote on every issue before the Commission, unless they are legally prohibited from participating. Lack of preparation and participation can be grounds for removal from a Commission. Each commission is to keep a rotation schedule for representation at City Council meetings by one of its members. Attendance is required when a commission has an item of interest on the Council agenda, so as to be available to answer Council questions.

Statement of Economic Interest

The Statement of Economic Interest (Form 700) is a form on which designated employees and officials disclose certain financial interests. State law dictates that members of the Planning Commission must file Form 700s. In addition, the City identifies those positions which are subject to the City’s Biennial Conflict of Interest Code. Those individuals appointed to positions identified in the Conflict of Interest Code are required to file Form 700s. Commission members not identified in the Conflict of Interest Code are not subject to these regulations.

Commissioners are responsible for ensuring that statements are filed properly and on time. For assistance in completing the forms, contact the City Clerk’s Office or the Fair Political Practices Commission (FPPC). Non-compliant Commissioners shall receive a letter from the City Clerk notifying them of their non-compliance and are subject to monetary fines. Continued non-compliance shall be grounds for removal from the Commission.

All statements filed are maintained in the City Clerk’s Office and are available for public review.

Type of Filing	Occurrence
Assuming Office	Within 30 days of assuming office
Annual	Each year on or before April 1
Leaving Office	Within 30 days of leaving office

Table 1: Deadlines for filing Form 700

Ethics Training

All those appointed by the Los Altos City Council to serve on Commissions shall complete at least two hours of public service ethics training every two years. New members must receive this training within 30 days of assuming office. Ethics training courses must have been reviewed and approved by the FPPC and the California Secretary of State. Members shall attend training sessions that are offered locally or by completing online training. Non-compliance shall be grounds for removal from the Commission.

It is the responsibility of a Commissioner to provide proof of completion of the ethics training program to the City Clerk. These documents are public records and are subject to public review.

The City Clerk provides periodic reports of Form 700 and Ethics Training compliance to the City Council. The Council may remove any non-compliant Commissioner.

THE BROWN ACT

The Ralph M. Brown Act (Brown Act) is the State of California’s open government law. Its purpose is to ensure that deliberations and actions of local agency bodies are open to the public and that there is meaningful public access to a local agency’s decision-making process. All City Commissions are



Figure 4: Ralph M. Brown

subject to the Brown Act. Staff liaisons to Commissions are versed in the elements of the Brown Act and will help Commissioners understand their obligations related to the Brown Act. In addition, certain subcommittees or ad hoc committees may be subject to the provisions of the Brown Act. Commissioners should consult with their staff liaison regarding questions of the Brown Act. Ultimately, it is up to the individual Commissioner to ensure that they are complying with the Brown Act.

A major element of the Brown Act relates to meetings of legislative bodies. A meeting is defined as the coming together of a majority or more of a particular body (also known as a quorum) where the business of that body is discussed. Meetings must be properly noticed and held in facilities that are open and accessible to all. All meetings must be held within the City of Los Altos. A discussion which occurs outside of a properly noticed meeting and which involves a majority or more of a body is a violation of the Brown Act. This includes serial discussions which involve only a portion of the Commission, but eventually involve a majority. The two most common serial discussions are daisy chain and hub and spoke.

Daisy Chain

A daisy chain is when Member A contacts Member B who then contacts Member C who then contacts Member D and so forth, until a majority of members has discussed an item within the Commission's subject matter jurisdiction.

Hub and Spoke

A hub and spoke meeting is when one individual (the hub) contacts members individually (the spokes) until a majority has been achieved. The hub could be a Commissioner, staff member or member of the public.

To attempt to avoid serial meetings, emails from Commissioners that are intended for fellow Commissioners should be sent through the staff liaison. Commissioners should take care to not 'reply all' on emails.

Violations

Penalties for Brown Act violations can range from invalidation of an action taken to prosecution as a misdemeanor offense. In addition, there may be fines and/or attorney's fees associated with a violation of the Brown Act. Commissioners who violate the Brown Act may be subject to removal.

Whenever a questionable area arises, it should be brought to the attention of the City Attorney or City Clerk so that corrective actions or "cures" may be taken. Advice from the City Attorney or City Clerk should be followed completely to ensure all actions of the City comply with the Brown Act.

Types of meetings

There are two types of meetings which Commissions hold. The first, and most common, are regular meetings. These meetings are where a Commission accomplishes the vast majority of its work. Regular meeting days, times and locations are established by formal action of the Commission.

The second type are special meetings. A special meeting is any meeting held outside of the normal meeting day, time or location. Action may be taken at special meetings and agendas for those meetings should indicate the action recommended to be taken.

Special meetings may include study sessions. Study sessions are held to provide Commission members the opportunity to discuss and better understand a particular item. Generally, no action is taken at study sessions.

Agendas

The staff liaison, in collaboration with the Chair, is responsible for preparing all agendas of a Commission. All items of business that will be considered or discussed at a meeting shall be briefly described on the agenda. The description should define the proposed action to be considered so that members of the public will know the nature of the action under review and consideration. No discussion or action may be taken by a Commission on any item not on the agenda.

The Chair, or a majority of the Commission, may decide to take matters listed on the agenda out of the prescribed order.

All agendas and meeting materials are posted to the City's website as set forth in the Brown Act and the City's Open Government Policy. All Commissioners should sign up to receive meeting notices and associated agenda materials for their specific Commission through the City's website.

Meeting Minutes

Written minutes of all regular and special meetings are kept as the official record of business transacted and are taken by the staff liaison. Minutes are modeled after the City Council form of minutes known as "action minutes" and include a record of the legislative actions from the meeting. They do not include summaries of comments or discussion made by Commissioners or members of the public. The staff liaison will endeavor to distribute draft minutes within 10 days of the meeting. Action minutes will state the text of a motion voted on by the Commission, the result of the vote, identify which Commissioners voted "aye", "no", abstained, **recused**, or were absent. Action minutes will also identify whether motion passed or failed.

Any document submitted at a meeting, whether by a member of the public or a Commissioner, becomes part of the public record. The staff liaison should make a notation on the document of the date it was submitted and file it with the meeting packet. The staff liaison is responsible for posting the materials received within 48 hours of the meeting to the City's website and forwarding the material to the members of the commission.

Adding items to a future agenda

Commissioners may request that items be placed on a future agenda. This is done by requesting an item during the "Potential Future Agenda Items" portion of the meeting or by emailing a request to the staff liaison. Requests must be for items that are under the purview of the Commission. One less than a majority of members is required to place an item on an agenda. The staff liaison will work with the Chair to determine the best meeting to place an item on an agenda. Any background materials or information should be provided to the staff liaison for inclusion in the agenda packet. Future agenda items must be consistent with the Commission's Approved Work Plan.

CONFLICT OF INTEREST

Commission members are subject to all aspects of the Political Reform Act. Commission members must not make, participate in making, or attempt to influence in any manner a governmental decision which he/she knows, or should know, may have a material effect on a financial interest.

It is ultimately the responsibility of the Commission member to identify whether they have a conflict of interest or not. The City Attorney should be consulted as early as possible on any matters which may be a conflict of interest.

A Commission member who has a conflict of interest shall, immediately prior to the consideration of the matter, do all of the following: 1) publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public,

except that disclosure of the exact street address is not required; 2) recuse himself or herself from discussing and voting on the matter; and 3) leave the room until after the discussion, vote, and any other disposition of the matter is concluded. Notwithstanding this, a Commission member, not in the member's capacity as a Commissioner, may speak on the issue during the time that the general public speaks on the issue.

If a Commission member has obtained a letter or other documentation from the FPPC to discuss and vote on an item, then ~~as early as practical~~ the member shall provide the letter to the staff liaison and the City Clerk upon receipt of the letter and disclose at the next Commission meeting the existence of the letter or other authorization, briefly describe the circumstances of why the member sought clarification, the basis for the FPPC's conclusion, and the file number or other unique identifier so that members of the public can request a copy from the FPPC. In addition, the member shall provide to the staff liaison a copy of the letter or other authorization no later than 24 hours after the meeting at which the letter or other authorization is disclosed, so that a copy may be forwarded to any member of the public who requests a copy.

COMMISSION ORGANIZATION

Each Commission consists of between five and seven members, except the Youth Commission which consists of eleven members. Each member has an equal voice and vote on the Commission.

Chair and Vice Chair

To facilitate meetings and the work of the Commission, each Commission appoints a Chair and Vice Chair from the members of the Commission. The positions of Chair and Vice Chair shall rotate annually. Selection of Chair and Vice Chair occurs at the first meeting in October. In the event of either's resignation or removal, the Commission shall elect another member to fill the remainder of the year. No member of a commission may serve consecutive terms as the chair, meaning that the chair must change annually.

The role of the Chair is to preside at Commission meetings and to run a timely and orderly meeting. The Vice Chair is to preside in the absence of the Chair. If both the Chair and Vice Chair are absent, the Commission may elect a Chair Pro Tem to conduct the meeting. It is incumbent upon the Chair to limit discussion and recommendations to those items on the agenda.

Subcommittees

A Commission may appoint special subcommittees, consisting of less than a majority of the body, to work on specific tasks. Subcommittees should be focused on one specific topic and should last no more than one year. These subcommittees are working bodies and may be responsible for generation of reports and analyses, which are reviewed by staff prior to distribution to the full Commission. Commissions may not create standing committees.

MEETING PROCEDURES

All Commission meetings are open to the public and should be approached in a dignified, respectful manner. It is the responsibility of all Commissioners to treat their duties and obligations seriously and to ensure that all meetings are productive and further the mission of the City.

Rules of Order

Rosenberg's Rules of Order, with addendums adopted by the City Council, govern the conduct of Commission meetings. Information regarding the *Rules of Order* can be obtained from the City Clerk's Office.

Consideration of agenda items

The standard procedure for considering individual agenda items shall be as outlined in Figure 5. From time to time, the prescribed order may be changed.

Official action requires a majority vote of the entire Commission/Committee, not just those present.

Public Comment

Persons present at Commission meetings may comment on any item on the agenda. To facilitate an orderly meeting, each speaker is requested, but not required, to complete a Request to Speak card for each item they wish to speak on before discussion on that item begins. To ensure that all are heard, speakers are typically given three minutes to speak on each item. If there are more than 10 requests to speak on an agenda item, the Chair may limit each speaker's time to two minutes.

The Chair has the right to ask a member of the public to step down from speaking if over the allotted time or if comments are not related to the topic at hand.

During regular meetings, comments may be offered on items not on the agenda under that portion of the agenda identified for Public Comment. The Commission may not discuss nor take action on any item raised during the Public Comments on Items not on the Agenda portion of the meeting.

Teleconferencing

Commission members may participate in meetings via teleconference in accordance with State law (Gov. Code sec. 54953 and AB 2449). Members participating via teleconferencing under AB 2449 (Just Cause or Emergency Circumstances) must participate via audio and visual methods. In all other circumstances, members participating via teleconferencing shall participate via audio and visual methods, when practical. Members may participate via teleconference in no more than 20% of meetings in a calendar year (January to December), whether utilizing provisions of the traditional Brown Act or Just Cause or Emergency Circumstances. All meetings of the Commission must have a majority of members present in the physical meeting location within the City.

At the beginning of a meeting in which a member is participating via teleconference, the Chair, or the Vice Chair if the Chair is participating remotely, will ask the member(s) participating via teleconference to confirm the teleconference location was properly noticed according to State Law, the teleconference location is accessible to members of the public and whether anyone is present in the teleconference location besides the member.

DECORUM

Commissioners shall render the utmost courtesy to each other, the City Council, staff and members of the public. Commissioners may be subject to dismissal for failure to observe these standards.

Consideration of an agenda item

1. Presentation by Staff, Commissioner or subcommittee
2. Commissioners ask clarifying questions
3. Members of the public are given an opportunity to speak on the item
4. Commissioners discuss the item
5. If needed, a motion is made upon which the Commission votes on the matter

Figure 5: Procedures for considering agenda items

Members of the public attending Commission meetings shall observe the same rules of order and decorum applicable to Commission members. Los Altos Municipal Code Chapter 2.05 – Public Meetings Rules for Conduct shall apply to all meetings. To provide an environment in which all viewpoints may be expressed, noise emanating from the audience, whether in opposition or support, shall not be permitted. Continual disruption of meetings by members of the public may be grounds for removal from the meeting.

TRAINING

Commissioners are expected to stay current on issues related to their service as a public official. Members are provided brief training following their appointment regarding their duties as a Commissioner and the Brown Act. Annual trainings are organized by the City Clerk and conducted by City staff to review roles and responsibilities and to provide information on any changes in laws or policies that may be relevant to conducting the work of the Commissions. Attendance at this training is required for all Commission members and staff liaisons. Individuals who are unable to attend the training session will be required to watch the video of the training and certify that they have completed the training.

Members of Commissions are encouraged, within budget limitations, to attend training related to their area of responsibility. It is intended that such attendance will broaden a member's knowledge and increase awareness of current developments relating to relevant areas of responsibility. The City may cover costs of registration and certain travel expenses in accordance with the City's Travel and Expense Policy. Requests for use of City funds must be approved in accordance with City Policy.

CONCLUSION

The City Council and staff appreciate your service as a Los Altos Commission member. The time and energy you expend help to make Los Altos the wonderful community it is. If at any time during your service, you have questions or concerns, do not hesitate to contact your staff liaison who can help address any issue which may arise.

Tips for Chair (and Vice Chair)

(and anyone who may have to run a meeting)

The role of the Chair of a Commission is to preside at meetings and to help move the work of the Commission forward. The Chair (and Vice Chair) does not have any extra authority or power beyond that of his/her fellow Commissioners.

As Chair, you are responsible for conducting meetings of the Commission. It is important to limit discussion to those items on the agenda. For each agenda item, it is suggested that you follow this procedure:

1. Announce what the item being considered is
2. Ask if there is a report for the item – generally, this is provided by the staff liaison but occasionally may be provided by another Commissioner
3. Ask Commissioners if there are any clarifying questions
4. Take public comment – instructions for how to take public comment are included in the “Meeting Procedures” section of the Commission Handbook
5. Facilitate discussion among the Commission – it is important that each Commissioner is given equal chance to speak and express his/her opinion
6. After discussion of the item, ensure that a conclusion is reached – this can be in the form of a motion, direction provided to staff or a subcommittee, decision to continue the item to a date certain or not certain, or to take no further action.

Applications

On occasion, a Commission may receive an application from a resident or community group which the Commission is to consider. In these instances, applicants are given a total of up to ten minutes to present their position/input prior to hearing other public comments. This is done after the staff has presented its report. After the applicant(s) has presented, public comment is taken from the audience. Following public comment, the applicant is given five minutes to provide a rebuttal to any issue raised during public comments.

Announcing votes

The Brown Act requires that all votes be clearly noted, both at the meeting and in the record. It is the Chair’s responsibility to ensure that the vote is noted during the meeting. This is done by announcing how each member voted on a particular issue. If the voting is unanimous, it is sufficient to state “passes unanimously.” The staff liaison will ensure that the minutes accurately reflect how each member voted on each issue.

Recess

It is customary to have a short recess two hours after the beginning of a meeting. The established hour after which no new items will be started is four hours after the beginning of the meeting. Remaining items, however, may be considered by consensus of the Commission/Committee.