

Commissioner's Handbook



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**CITY OF PLEASANTON
COMMISSIONER’S HANDBOOK**

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INTRODUCTION

Welcome to public service!

The City of Pleasanton prides itself with having a large number of residents like you interested in volunteering and doing something for the betterment of the entire community. As a commissioner, you'll find your role requires time, effort and sometimes lengthy evening meetings. However, it also provides an opportunity for genuine public service which enables you to help shape the City's future.

Because of a long-standing community value and tradition of public involvement, the City Council has established a number of commissions and committees that act as vehicles for channeling public input to the City Council, City staff and community organizations. In addition to regular commissions created by City ordinance and codified in the Pleasanton Municipal Code, the City Council regularly establishes ad hoc committees, task forces and boards which are designed to address specific issues and/or programs.

The purpose of this handbook is to provide you with information on the City's government and commission structure, and to introduce you to your role as a commissioner. This handbook also reviews the history, government and administrative organization of the City and provides general operating guidelines for all commissioners. A detailed description of each commission and information outlining meeting procedures and commission conduct is also included.

As a commissioner (used here generically to mean an appointed member to a City Commission, Committee, Task Force or other City ad hoc group established by the City Council), you are essential to the City's commitment to developing policies and services that reflect the needs and values of our community. In carrying out your responsibilities, you will work closely with your fellow commissioners, the City Council and the City staff -- all of whom play a critical role in improving our community. It is hoped that this handbook will provide you with the information necessary to understand your role as a commissioner so that your experience can be positive and productive. While this handbook is geared toward the needs of members serving on City commissions, it will also prove beneficial to task force and committee members.

To help you with your role, the City has assigned a staff person to each commission. Please feel free to contact that individual at any time if you have questions regarding information in this handbook.

Section I

HISTORY

Pleasanton has been transformed from a homesteading settlement along the transcontinental railroad (1870s) to an agricultural center for dairies, roses, grain, hay and hops (1870-1950), to a bedroom community supporting residents with jobs outside the Tri-Valley area (1950-1980), to its current status as a regional, residential, retail and commercial center.

Originally occupied by Ohlone and Meganos Indians, Pleasanton was settled by Augustin Bernal in 1850. The adobe house he built along Foothill Road is still standing today as the centerpiece of the Alviso Adobe Community Park. Bernal also trained and raced horses in the area, a tradition continued today at the Pleasanton Race Track within the Alameda County Fairgrounds.

The City of Pleasanton was incorporated in 1894 and by 1900 became a thriving agricultural and commercial community, complete with the Bank of Pleasanton, the Pleasanton Hop Company, the Ruby Hill Vineyard and three hotels. In 1917, Pleasanton was chosen as the setting for the film "Rebecca of Sunnybrook Farm", starring Mary Pickford, and later became the site of Phoebe Apperson Hearst's luxurious home, "Hacienda del Pozo del Verona" at the present site of Castlewood Country Club.

During the 1930s, Henry Kaiser and others began the harvesting of sand and gravel deposits, an industry vital to the region's economy to this day. Pleasanton's residential neighborhoods and geographic setting have continued to attract residents and businesses over the past century. During the 1980s, Pleasanton's convenient location and unique amenities attracted a regional shopping mall, several large business parks and a mix of new residential developments. Throughout its history, Pleasanton has successfully combined the virtues of its past with opportunities of guaranteeing a prosperous future.

Beginning in 1980, the City experienced rapid commercial and residential growth. Population increased from 35,163 in 1980 to approximately 55,000 in 1990 to 67,724 in 2003. The number of households also increased from 11,317 in 1980 to 19,000 in 1990 to 25,015 in 2003. The addition of the 876-acre Hacienda Business Park in 1983 acted as a major catalyst to commercial and retail development. Other business parks such as the Valley Business Park, Pleasanton Park, Commerce Circle, Signature Center, Stanley Business Park and the Bernal Corporate Center resulted in the development of a diverse community with a strong economic base.

In response to the business development, the City oversaw the establishment of the North

Pleasanton Improvement District (NPID) which was formed in July 1985 as a mechanism for funding roadways and water system improvements. The NPID encompasses 1,442 acres spread over approximately 212 parcels of land owned by more than 100 different commercial entities. By 1991, NPID had provided approximately \$150 million to finance an eight million gallon water tank, the upgrading of two existing freeway interchanges, and the construction of two new freeway interchanges -- projects of unprecedented magnitude for private sector funding. The first new interchange, on I-680 and Stoneridge Road, was completed in December 1989, ahead of schedule and under budget. Construction of a second, eight million gallon water tank has recently been completed.

In response to the substantial commercial and economic development occurring during the 1980s, the City focused its attention on improving services to its residents. As a result, numerous parks, including the 105-acre Pleasanton Sports and Recreation Park, were established. City facilities, including the renovation of Amador Theatre, three gymnasiums, a new City operations service center on Busch Road, a new police station and upgraded city hall facilities, were also constructed during this period. A new 22,000 square foot senior center and public park were opened in early 1993 on Sunol Boulevard near Bernal. Recent projects include programming the Bernal Property, the expansion and renovation of Val Vista Park, the Civic Center site Master Plan, the reuse of the Railroad Avenue Fire Station and the renovation of the Veteran's Building.

Since the turn of the century, the City has made significant capital investments in new facilities including the Bernal Community Park, renovation of the Veterans Memorial Building on Main Street, construction of the Alviso Adobe Community Park, the Callippe Preserve Golf Course and open space area, and the Firehouse Arts Center.

While our recent past has created numerous opportunities for the City, we continue to face new challenges. To address these future challenges, the City relies on the collective efforts of its residents and business people to bring forth ideas and solutions so that the "City of Planned Progress" can continue to be an attractive and comfortable place to live and conduct business.

Section II - City Government

CITY GOVERNMENT

The City of Pleasanton is a general law city operating with a City Council/City Manager form of government. This form of government, which has been widely used since its inception in 1910, provides the City with public policy direction from its City Council and professional administration from its City Manager.

The City Council is the governing body of the City and is vested with all the regulatory and corporate powers of a municipal corporation provided for by State law governing general law cities. As a general law city, Pleasanton's Council structure, planning procedures and many other aspects of local government are controlled by State law. The City does, however, maintain a Pleasanton Municipal Code which sets forth Pleasanton's own specific regulations and laws.

CITY COUNCIL

The City Council acts as the governing body of the City with all the regulatory and corporate powers of a municipal corporation provided under State law. In general, the Council establishes policies and programs, as well as appropriates funds for each City service.

The City Council consists of four elected City Council members and one elected Mayor. All members of the Council are elected at-large with Council members elected for a four-year term and the Mayor elected for a two-year term. The Mayor and Council are subject to term limits as provided in the Municipal Code.

The City Council is the policy-making body of the City and is responsible for approving ordinances, resolutions, contracts, developments and reviewing major service proposals for meeting community needs, and determining the funding amounts and sources for all City services and facilities.

Each year the City Council approves a City Budget consisting of the two year operating budget and the Four-Year Capital Improvement Program which establishes program expenditures and revenues on a yearly basis. The final adoption of the budget occurs only after holding a public hearing for the purpose of receiving public comment on City programs and expenditures.

The Mayor and City Council members are not full-time City officials or City employees and generally hold positions in private industry, business or other professions or personal enterprise. The City Council holds regular meetings on the first and third Tuesday of each month at 7:00 p.m. at 200 Old Bernal Avenue. All Council meetings are open to the public.

CITY ADMINISTRATION

City Administration is divided into 10 departments and the Livermore-Pleasanton Fire Department which provide service to the entire community. A summary of each department follows.

City Manager's Office

The City Manager is the City's chief administrative officer and is responsible for providing overall leadership and administrative direction to the City organization in fulfillment of City Council policies. The City Manager is the City's appointing authority for personnel purposes. The office coordinates the City's economic development and affordable housing efforts.

City Attorney's Office

The City Attorney provides legal counsel to the City Council, commissions, committees and all City departments. In addition, the City Attorney's Office defends the City from lawsuits, and writes ordinances and resolutions for adoption by the City Council setting forth laws, policies and action of the City.

Finance Department

The Finance Department is responsible for the safekeeping, management and accounting of the City's financial assets. The department provides City financial information to the public, City Council, City Manager and other City departments. The department audits revenue sources, processes cash receipts, payroll and accounts payable, administers assessment districts and other debt, invests the City's funds, monitors the City's budget and coordinates the City's financial audits.

Administrative Services Department

The Administrative Services Department includes the Human Resources Division that administers the City's personnel system, the Information Technologies Division which provides technology services to the entire organization, and the City Clerk Division that is responsible for ensuring the safeguarding of City records, preparing City Council minutes and processing City ordinances, resolutions and contracts. In addition, the City Clerk Division coordinates municipal elections, oversees City compliance with public official reporting requirements, provides public information services, and coordinates central services, including mailing and duplicating.

Community Development Department

The Community Development Department protects and promotes the public health, safety and general welfare by the development and administration of the General Plan and other planning, zoning, transportation and environmental regulations. This department includes the divisions of Engineering, Traffic Engineering, Planning, Building and Safety, Construction Services and Permitting.

Community Services Department

The Community Services Department provides and coordinates a variety of leisure and human services including sports and recreational activities for youths and adults, classes, civic arts and special programs for children, senior citizens, the disabled and the disadvantaged.

Operations Services Department

This department is responsible for developing, operating and maintaining the City's infrastructure including its water, sewer and roadways systems, providing utility billing, and developing and maintaining City facilities. The department also plays a key role in implementing the City's Climate Action Plan and overseeing many of the City's environmental programs.

Police Department

The Police Department is responsible for protecting the legal rights of individuals, minimizing crime and enhancing community safety. The department's personnel dispatch and respond to calls for service, conduct investigations, operate crime and drug abuse prevention programs, provide animal service and rescue, enforce parking limits, and manage crowds and traffic at special events. The police station serves as the Emergency Operations Center in the event of a disaster.

Library Department

The Library Department is responsible for overseeing the operations of the Pleasanton Library located at the City Civic Center.

Livermore-Pleasanton Fire Department

The Livermore-Pleasanton Fire Department is responsible for minimizing fire risk and responding to all emergency fire, medical, rescue and hazardous materials incidents. The department operates 10 fire stations located in the cities of Livermore and Pleasanton and a training facility. The Fire Department also provides mutual aid assistance to other local jurisdictions and plays a key role in the citywide Emergency Preparedness Plan.

PLEASANTON MUNICIPAL CODE

The *Pleasanton Municipal Code* sets forth the regulatory, penal and administrative laws of general application to the City pursuant to the authority granted in the *State Government Code* for general law cities. Amendments to the *Pleasanton Municipal Code* can only be made through the approval of an ordinance by the City Council, or a voter initiative. The *Municipal Code* is available from the City's website at <http://qcode.us/codes/pleasanton/>.

PLEASANTON GENERAL PLAN

The Pleasanton General Plan is the adopted document used by decision makers and citizens to guide and interpret the City's long-range plans for development of land and conservation of resources. Each city and county in California is required by State law to adopt a general plan documenting its intentions for future development and conservation. The general plan must contain a land use map, adopted policies and supporting information adequate to make informed decisions concerning future change in the community.

The Pleasanton General Plan is general and flexible enough to allow for future change, but specific enough to inform citizens and decision makers of the City's policy regarding the future use of individual properties. The Pleasanton General Plan identifies methods for improving public facilities and services to meet community needs and establishes a framework within which zoning, subdivision and other government regulations are implemented. In addition, the Pleasanton General Plan provides a long-term perspective including projections for accommodating growth based on the most current available information. Finally, the Pleasanton General Plan is written in a manner which guides local decision-making and is available to all those concerned with the future of the community.

The Pleasanton General Plan meets all requirements for general plans stipulated in State laws including the seven mandatory elements: land use, circulation, housing, public safety, conservation, open space and noise. The Plan also includes optional elements covering public facilities, air quality, community character, economic and fiscal matters, and subregional planning.

The Pleasanton General Plan is structured to facilitate access to information concerning the community. It documents existing conditions and projects future trends. It explains City policy and offers specific programs to alleviate potential problems. It serves as a reference document to help locate information from diverse sources. Finally, it provides a concise guide to making decisions about the future of Pleasanton.

Copies of the Pleasanton General Plan may be obtained by contacting the City's Planning Department.

Section III – City Commissions

SUMMARY OF COMMISSIONS

To take advantage of community resources, the City utilizes a number of commissions, committees and/or task forces to advise the City Council on a wide range of activities. Committees, boards and task forces are generally formed on an ad hoc basis to provide assistance to the City Council for a specific project, and as a result, have a term limited to the particular project. Past examples of these groups include the Kottinger Place Task Force, Historic Preservation Task Force, East Pleasanton Specific Plan Task Force, Youth Master Plan Implementation Committee and the General Plan Steering Committee. If you are a member of an ad hoc group, City staff will provide you with information detailing your group's charges and goals.

Commissions are standing bodies established by City ordinance or resolution for long-term service and are not connected with one particular project. These bodies are usually ongoing and meet on a regular basis each month. Copies of the ordinances establishing each City commission, the Bicycle, Pedestrian and Trails Committee, Economic Vitality Committee, and Committee on Energy and the Environment are included in *Section V* of this Handbook. A summary of existing commissions and committees are as follows.

Civic Arts Commission

Duties: Promote the acquisition and installment of works of public art in Pleasanton and makes recommendations to the City Council regarding the City's Civic Arts Program.

Members: Seven regular members, one youth member and one alternate member comprised of four at-large members, two working artists and one member from the Pleasanton Cultural Arts Council.

Term: Four years with a maximum of eight years

Meetings: First Monday of each month at 7:00 p.m., City Council Chambers,
200 Old Bernal Avenue

Housing Commission

Duties: In cooperation with the community and the development industry, the commission is responsible for initiating and pursuing opportunities for developing, promoting and retaining affordable housing within the community and the region. This commission recommends policies related to affordable housing and provides oversight of City affordable housing developments.

Members: Five regular members and one alternate member

Term: Four years with a maximum of eight years

Meeting: Third Thursday of each month, 7:00 p.m., City Council Chambers,
200 Old Bernal Avenue

Human Services Commission

Duties: Advise the City Council on the human service needs of the community and methods of fulfilling these needs. Particular emphasis is given by the commission to the human service needs of the socially and economically disadvantaged, the elderly and the youth of the community.

Members: Seven regular members, one youth member and one alternate member

Terms: Four years with a maximum of eight years

Meeting: First Wednesday of each month, 7:00 p.m., City Council Chambers,
200 Old Bernal Avenue

Library Commission

Duties: Advise the City Council on matters related to the Pleasanton Library and library services including policy, rules, capital projects, service levels and ongoing operations. This commission also promotes the use of library services to the community.

Members: Seven regular members, one youth member and one alternate member

Terms: Four years with a maximum of eight years

Meeting: Second Thursday of each month, 7:00 p.m., Pleasanton Library
400 Old Bernal Avenue

Parks and Recreation Commission

Duties: Advise the City Council, on matters related to the development and provision of services pertaining to parks and recreation facilities, programs and services, including capital budgeting for park development and improvements.

Members: Five regular members, one youth member and one alternate member

Terms: Four years with a maximum of eight years

Meeting: Second Thursday of each month, 7:00 p.m., City Council Chambers, 200 Old Bernal Avenue

Planning Commission

Duties: Prepare, adopt and administer the Pleasanton General Plan and specific plans; prepare recommendations to the City Council regarding amendments to the City's zoning ordinance; review and advise the City Council regarding subdivision maps; and investigate, hear and determine use permits, specified variances, permits and zoning ordinances.

Members: Five regular members and one alternate member

Term: Four years with a maximum of eight years

Meeting: Second and fourth Wednesdays of each month, 7:00 p.m., City Council Chambers, 200 Old Bernal Avenue

Youth Commission

Duties: Act as the liaison between Pleasanton's youth community and the City Council; advise the Council on youth-related issues; promote an understanding and appreciation of community affairs among the youth of Pleasanton.

Members: Eleven regular members and three alternate members

Term: Youth Members -- two years, with maximum of two terms

Adult Members – four years, with maximum of two terms

Meetings: Second Wednesday of each month from September through May, 7:00 p.m., Operation Services Center, 3333 Busch Road

Economic Vitality Committee

Duties: Assess the current and ongoing business climate in the City of Pleasanton and offer suggestions and recommendations to the City Council intended to maintain a strong economic development base in the City.

Members: 22 members

Term: Four year terms with a maximum of two terms

Meetings: Third Thursday of the month, as needed, 7:30 a.m., Operation Services Center, 3333 Busch Road

Bicycle, Pedestrian and Trails Committee

Duties: Advises the Parks and Recreation Commission and the City's Traffic Engineering Division on bicycle, pedestrian and trails related items including reviewing and prioritizing potential projects, policy recommendations, and the promotion of community awareness regarding non-motorized forms of transportation.

Members: 12 regular members and one alternate

Term: Three years with a maximum of six years

Meetings: Fourth Monday of the month, 6:30 p.m., Senior Center, 5353 Sunol Boulevard

Committee on Energy and Environment

Duties: Advise the City Council on energy and environmental matters, strategies, planning and protections and opportunities for conservation. Support the intent of the Pleasanton General Plan's environmental goals, develop measurable energy strategies related to preservation, enhancement and conscientious utilization of environmental resources, and other energy related matters.

Members: Five regular members including one youth commissioner liaison⁷

Term: This is an ad hoc committee so no terms are identified.

Meetings: Fourth Wednesday of every other month, 5:00 p.m., Operation Services Center, 3333 Busch Road

The ordinance/resolution setting forth the establishment of each of the above groups is included in *Section V. Municipal Code Sections Describing City Commissions*.

APPOINTMENT TO COMMISSIONS

The City has established guidelines for the appointment of members to City commissions, which are set forth in a resolution and included in *Section VI City Commission Related Resolutions* of this handbook.

In an effort to streamline the commissioner appointment process, appointments are made in April and September of each year. With the exception of certain appointments to the Youth Commission that have a term of two years, commission appointments are for a term of four years with a term limit of eight years, with some committee appointments for 3 year terms with six year maximum. The term limit does not apply to any time served as an alternate commissioner. Appointments to committees and task forces are determined by resolution based on the subject matter involved.

The commission appointment process includes an advertising period requiring interested candidates to submit an application to the City. The Mayor and City Council or a Council subcommittee will interview the candidates. At a City Council meeting, the Mayor will make an appointment and the Council will vote to approve or disapprove the appointment. A majority vote of the City Council is required to finalize the appointment. If no candidate received the required three affirmative votes, the vacancy may be readvertised for a 15-day period and the review and appointment procedure will be repeated. Any person appointed but not approved by the City Council for a particular committee or commission is not eligible to reapply for the particular term of office or vacancy.

Incumbent commissioners interested in being reappointed have the option of submitting a letter to the Mayor prior to the start of the advertising period requesting reappointment. If the Mayor intends to reappoint, the City will not conduct the application process for the particular commission.

In addition to the procedures for appointment, the City maintains a process for orienting commissioners to their position and leaving office. This process is outlined in *Section VI City Commission Related Resolutions*. In general, the orientation process involves a meeting with the staff liaison to review the commission's role, meeting procedures, key issues and a tour of the City.

APPOINTMENT OF OFFICERS

Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson.

The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees and ad hoc committees, and
3. Call special meetings.

The vice chairperson shall preside in the absence of the chairperson.

The City Manager shall appoint a City employee to serve as a commission Staff Liaison who shall also serve as secretary to the commission. The Staff Liaison/secretary to the commission shall keep true and accurate accounts of all actions of the commission.

MAINTENANCE OF MEMBERSHIP

Every member of a committee or commission is required to regularly attend the scheduled meetings of his/her particular committee or commission. Meeting attendance and maintenance of membership guidelines are set forth in various sections of the *Pleasanton Municipal Code* which are included in *Section VI City Commission Related Resolutions* of this handbook.

In general, the ordinance states that if a member is absent from one-third or more of the regular meetings during a six-month period, that member may be removed from the commission subject to the following procedures:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the City Manager, who shall transmit a report to the City Council.
2. The City Manager shall notify in writing any member who has been absent from one-third of the regular meetings during the course of a six-month period of that fact and request that the member submit to the City Council in writing the reasons for the absences.
3. The City Council shall determine if the member's reasons for the absences were justified. If the City Council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the City Council shall terminate the term of office of the member and declare the office vacant.
4. If the City Council declares such office vacant, the City Council shall take appropriate steps to appoint a qualified person to fill such vacancy for the unexpired term and the City Clerk shall notify the member that the member's term has been officially terminated.

Subject to the above provisions, a commissioner will maintain membership until:

1. The member's term has expired.
2. The member voluntarily resigns.
3. The member fails to maintain residence in the City.
4. The position has been filled with another candidate.
5. The member becomes employed with the City in a capacity related to the duties of the commission.
6. The City Council removes a member. (A majority vote of Council shall be required to remove a member of a City commission or committee. The recommendation for removal may be made by the Mayor or any Councilmember. The Council shall vote on the matter.)

COMPENSATION FOR COMMISSIONERS

City-appointed commissioners (including alternates) on the Planning Commission, Parks and Recreation Commission, Civic Arts Commission, Youth Commission, Human Services Commission, Housing Commission and Library Commission receive \$50 for each commission meeting attended, with a maximum of \$100 per month.

The payment is subject to withholding taxes. Immediately after the appointment of a commissioner, contact will be made from the City related to the selection of withholding options.

The resolution establishing the commissioner payments is included in *Section VI – City Commission Related Resolutions*.

TRAVEL POLICY

The City Council has adopted an administrative regulation governing reimbursement for business travel, training and meetings.

In general, the City may for certain specific situations, provide a full or partial level of reimbursement for travel and training related to commission activities. However, any commissioner desiring to participate in travel, training and meetings (other than commissioner meetings where reimbursement is expected) must have prior approval of the City Manager. No reimbursement will be provided without prior City Manager approval.

CODE OF CONDUCT

To minimize conflict of interest exposure and to maintain a high level of trust with the community, a Code of Ethics is established as follows:

The Political Reform Act of 1974 (PRA), as amended, establishes conflict of interest guidelines for elected officials. In addition, the City Council has adopted a *Conflict of Interest Code* for itself, City committee members and commissioners and City employees. The following *Code of Ethics* guidelines are established to highlight and augment the PRA and the adopted *Conflict of Interest Code*.

1. No elected or appointed official (including committee and commission members) or employees of the City of Pleasanton shall engage in any business or transaction or shall have financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties, or which would tend to impair his/her independence, judgment or action in the performance of such duties. Examples of such activities include, but are not necessarily limited to, the following:
 - a. Using the prestige or influence of the City office or employment for private gain or advantage of him/herself or another, unless so specified by contract.
 - b. Using time, facilities, equipment or supplies of the City of Pleasanton for the private gain or advantage of him/herself or another.
 - c. Using official information not available to the general public for his/her private gain or advantage or that of another.
 - d. Receiving or accepting money or other personal consideration from anyone other than the City of Pleasanton for the performance of work done or actions taken in the regular course of employment or duties for the City of Pleasanton.
 - e. Receiving or accepting, directly or indirectly, any gift or favor from anyone doing business with the City of Pleasanton under circumstances from which it could reasonably be inferred that such was intended to influence him/her in his/her official employment or duties, or as a reward for official action.
 - f. Engaging in or accepting private employment or rendering services for private interests that may inhibit the proper discharge of his/her official employment or duties.

3. Elected and appointed officials shall comply with the *Ralph M. Brown Act (Brown Act)* and all applicable open meeting laws to ensure that information is available to the public regarding the public's business.
4. Every elected official, officer, appointee, consultant or contract personnel of the City of Pleasanton shall disclose completely the nature and extent of any interest, direct or indirect, which conflicts with his/her responsibility or duty.
5. The City Council and the City Attorney shall administer this *Code of Ethics* for all elected and appointed officials.

In addition to the above, the *Political Reform Act* requires State and local agencies to adopt and promulgate conflict of interest codes. The City's code is currently included in City Resolution 10-405.

In general, the code requires commissioners to submit annual statements of economic interest as prescribed by the State Fair Political Practices Commission. Included in Section *VI City Commission Related Resolutions* is the City Council Resolution 10-405 detailing the economic interest disclosure requirements for each commission. It is important that you review this information and complete the necessary material. The City Clerk will provide you with the necessary forms consistent with the submittal timeline.

The State of California also requires that all officials who receive a stipend for attending public meetings complete ethics training totaling two hours every two years. The City Clerk's Office will advise you of in-person and on-line training opportunities to meet this requirement.

The failure to comport with the Code of Conduct, Conflict of Interest Code, and or the above state law requirements constitutes grounds for removal from office.

RESPONSIBILITY OF COMMISSIONERS

To be selected as an active member of a commission provides an opportunity for meaningful public service. Although the duties of each commission vary widely, there are certain responsibilities that are common to all commission members. The following is a summary of the important responsibilities of commission members:

1. Understand the Role and Responsibilities of the Commission

One of the first responsibilities of a new member is to understand the commission's scope of responsibility and operating procedures. This information may be obtained by referring to the section of the Municipal Code related to your particular commission included in this section. All commissions should be familiar with the Pleasanton General Plan. The Planning Commission should also be familiar with the zoning ordinance; similarly the Youth Commission knowledgeable about the Youth Master Plan, and every other commission familiar with the ordinance or resolution that created it. City staff will provide copies of this information upon your appointment to the commission.

City staff responsible for the programs within each commission's scope of interest are available to assist new members in becoming familiar with their roles and duties and will provide information about City policies, minutes of past meetings and other helpful data.

2. Be Careful to Represent the Entire Commission

Individual members should refrain from representing their views or recommendations as those of the entire commission unless the commission has officially voted to approve the recommendation. Commission members making recommendations or expressing views not approved by the majority of the commission should indicate that they are representing only themselves as individuals. When making statements to the press or writing letters to the editor, members should indicate which actions are only recommendations and indicate when final action will be taken by the City Council or the commission. Most commission actions are recommendations to the City Council.

Minority reports may be submitted by individual members of a commission on actions taken by the commission. The disagreement should be stated in the minutes and a copy of the minority report should be placed in the commission's records. If the commissioner was absent at the time action was taken, he/she may state the desire to submit a minority report at the next meeting.

3. **Be Representative of the Whole City**

Although commission members may be selected, in part, because they represent certain groups or interests, once selected each commission member should represent the entire public interest of the City and not just his/her respective group or interest. The question "What is best for the entire community?" should take precedence over "What is best for my interest group?"

4. **Keep the Lines of Communication Open**

As an influential member of the community, a commissioner is in the unique position of serving as a liaison between the City and the general public in helping to reconcile contradictory viewpoints and building a consensus around common goals and objectives. A commissioner must serve as a link between the community, staff and City by presenting City programs and recommendations and also providing a channel for citizen expression. A primary role of the commission is to determine the interests of the citizens concerning City programs.

5. **Do Your Homework and Be Thorough in Your Recommendations**

Commission members, in connection with their role, often spend many hours in research on a particular problem. Commissioners should be familiar with the portions of the General Plan, Municipal Code and Zoning Ordinance applicable to their area of responsibility and should thoroughly review staff reports, plans and material submitted by an applicant in advance of meetings. This information (or links to it) will be provided to you by the staff person assigned to your commission.

6. **Be Conscious of Your Relationship to the City Council, Other Commissions and City Staff**

It is important to remember the City staff works for the City Manager, and through him or her, for the City Council and the community at large. Staff does not work for commission members. It is, therefore, not appropriate for commissioners to direct staff or to become involved in the administrative or operational concerns of City departments. While staff can provide routine information on ongoing projects, a formal request to the City Council must be made for staff involvement in major projects.

If commissioners have questions or are concerned with staff services provided to the commission, the City Manager should be contacted immediately to review the matter.

City staff is required by the City Council to make individual professional recommendations which may, or may not, agree with those of a commission. The staff is required to present fairly a commission's recommendations and explain them, but will not defend them if in disagreement. When appropriate, the commission chair or delegated representative should be present at the City Council meeting to report on the commission's recommendations.

Your commission is not a substitute for regularly constituted government. The responsibility for allocating scarce public resources rests with the community's elected representatives, the City Council, and cannot be designated to an outside group, however capable and interested it might be.

Commissions should review City policies related to programs under their scope of interest and make recommendations for changes to the City Council. There are regular opportunities to do this at joint meetings, or when making proposals for City Council Priorities, which generally occurs every two years. However, commissions must adhere to the policies approved by the Council as expressed in the General Plan, Municipal Code, and other official documents.

In the event your commission wishes to make inquiries or recommendations to the City Council at a regularly scheduled City Council meeting, you should follow the procedures as set forth in the *City Council Rules and Operating Procedures, Section III Agenda for Council Meetings, Subsection D*. In accordance with this section, Commissions should submit a written memorandum to the City Manager stating the subject of the request, what decision is being requested of the Council and any cost associated with the request. The request must be made no later than 5:00 p.m., 18 days prior to the date of a regularly scheduled Council meeting. The City Manager shall determine the completeness of the request and shall determine if any staff work is necessary prior to placing the matter on a City Council agenda. To assure that staff members are apprised of commission activities while allowing the City Manager to direct the staff work needed to finalize an item for City Council review, your requests should be submitted to the City Manager through the staff liaison assigned to your commission.

7. Establish a Good Working Relationship with Other Commission Members

On many occasions, the success or failure of the efforts of a commission member is largely dependent on the degree of cooperation among the individual members of the commission. To help build a consensus around common goals and objectives, commission members will often have to reconcile contradictory viewpoints. While commissioners are encouraged to become more familiar with each other during your

service, be mindful that a majority of commission members should not meet outside of scheduled commission meetings to discuss matters within your jurisdiction. That could give rise to a violation of State law regarding open meetings (the Ralph Brown Act), as public business should not be conducted outside of meetings that are open to the public.

Each commission member should do his/her part to ensure that meetings proceed in an orderly and constructive manner. The chair is primarily responsible for seeing that consideration of items on the agenda move along without delay, but with reasonable time allocated to each item. Each commission member can assist the chair by becoming familiar with the basic rules of parliamentary procedure and by adequately preparing any presentations he/she makes to the commission.

8. **Political Participation**

Serving as a City commissioner does not restrict an individual from participating in political activities at any level of government, whether local, state or federal. However, if a commissioner takes a position on a political issue outside of the role of commissioner, he/she must take steps to assure a distinction between personal viewpoints and positions of the commission. If commissioners use the title of their appointed office when participating in these activities, they must make it clear that they are not representing or speaking for the commission, but rather using the title for identification purposes only. Further, a commissioner may not use public resources for personal gain, including political gain, or support of campaign activity for a candidate or ballot measure. Please contact your staff liaison or the City Attorney's Office if you have questions regarding political activity by individual commissioners or your commission.

MISCELLANEOUS COMMISSION MATTERS ---

A. Use of Staff for Outside Activities

Requests that involve change of policy, detailed research or analytical work or use of significant staff time shall be submitted to the full commission for consideration and approval.

B. Press Releases

All press releases pertaining to the commission shall be issued on City letterhead on behalf of the entire commission. No press releases pertaining to commission action shall be released by individual commissioner(s). Only the City Manager is authorized to make press releases pertaining to City activities and events of public importance as the City Manager determines necessary and appropriate to keep the public informed. All press releases by staff shall be reviewed by the staff liaison to ensure accuracy.

C. Reimbursement Policy and Procedures

Any activity, including travel and attendance at seminars, resulting in a request for reimbursement must be requested prior to incurring personal expenses. Any request must be preapproved by the City Manager. The City will not reimburse any expense not preapproved by the City Manager.

D. Commission Equipment/Supplies

Any special equipment or supplies purchased by the City for the use of a commissioner shall remain the property of the City, and shall be returned to the City upon leaving office.

Section IV – Meeting Procedures

OPEN MEETING REQUIREMENTS

Purpose

The *Brown Act* is California's "sunshine" or open meetings law for local government. In a nutshell, it requires local government business to be conducted in open and public meetings. The *Brown Act* is based upon state policy that the public must be informed so it can keep control over its own government.

Who is Covered

Legislative bodies are the basic local governmental unit subject to the *Brown Act*. A legislative body includes a commission or committee, whether the commission or committee is decision-making or advisory in nature. Even subcommittees, which are less than a quorum of the commission, are subject to the *Brown Act* if the subcommittee is a standing committee, i.e., one which has continuing subject matter jurisdiction.

Public Meetings

The *Brown Act* requires that all meetings shall be open to the public. A meeting, generally, occurs when a majority of the legislative body gathers at the same time and in the same place to hear, discuss or deliberate upon anything that is within the subject matter jurisdiction of the legislative body or city. In order to be lawful, a meeting must be noticed, have an agenda and follow other procedural rules.

While at a public meeting of your commission, be mindful of your electronic devices, such as smart phones, laptops and tablets. Do not use such devices to communicate with other commission members, members of the public, or undertake ad hoc research while your commission is considering a matter. Doing so results in parts of the decision making process occurring outside of the public's view.

What commissioners also must be careful about are "serial meetings". These are meetings by which a majority uses any direct communication or technological device, such as telephone, e-mail, blog, etc., to develop collective concurrence on actions to be taken. These type meetings are by definition unlawful because there is no way to notice such meetings or to provide for public participation. Something as simple as pressing "Reply All" to an email sent by City staff to all commissioners can inadvertently trigger such a serial meeting violation. For example, if your "Reply All" message tries to convince other

commission members to join your point of view on an issue coming before your commission, that is a *Brown Act* violation because commissioners are considering an issue outside of the public's view.

A majority of the legislative body, however, may attend a purely social gathering or attend conferences or seminars without running afoul of the *Brown Act*, so long as a majority does not discuss among themselves city business of a specific nature.

Finally, a legislative body, such as the City Council, can meet in closed session for certain express purposes such as to discuss litigation or labor or property negotiations. Those exceptions, however, will rarely apply to commissions.

Private Meetings

Persons with development applications or other matters pending before a commission may approach individual commissioners. Whether to meet privately with such persons is always a difficult decision for a commissioner to make. To help make that decision, commission members should consider the following points:

- The public's business should be discussed in public whenever possible.
- City staff can advise you regarding the legality and/or propriety of private meetings.
- The commission will make better decisions when all members have access to the same information.
- You should inform the full commission at the public meeting when you have held a private meeting.

Penalties

There are civil remedies and criminal misdemeanor penalties for *Brown Act* violations. The civil remedies include injunctions against further violations, orders nullifying any unlawful action and orders determining the validity of any rule to penalize or discourage the expression of a member of the legislative body. Criminal penalties will result if a person is found guilty of a wrongful intent to deprive the public of information to which it is entitled under the *Brown Act*.

Certainly the best way to avoid these type penalties is to conduct the commission's meetings in public, keep to matters on the agenda and check with the City Attorney if you have any questions or doubts about whether an act may run afoul of the *Brown Act*.

GENERAL MEETING PROCEDURES ---

In order to serve the public's interest and to assure continuity of public meetings, the City has adopted procedural policies for commission meetings as follows.

A. Types of Meetings

Commission meetings shall be confined to the following categories:

1. Regular Meetings

Commissions shall meet for all regular meetings at a specific time and location. (See Section III for a listing of meeting days and times.)

If the meeting date should fall on a legal holiday, the commission shall meet at a time and date so designated by the commission.

2. Adjourned Meetings

Any meeting of the commission may be adjourned to a later date, place and time provided no adjournment is for a longer period than the next regularly scheduled meeting.

3. Special Meetings

Special meetings may be called by the commission Chairperson or by a majority of the commission. The call for a special meeting must specify the day, hour and place and shall specify the subject/subjects to be considered as required by law. Twenty-four hours' notice must be given prior to meetings. Only specified matters may be discussed at special meetings.

4. Study Sessions /Workshops

The commission may meet informally in study sessions or workshops called by the commission chair or by a majority of the commission. Study sessions shall be held to receive briefings and background information and hold general discussions on major issues before formal commission action is required. Study sessions are open to the public and are subject to the *Brown Act*, thus, they must be noticed and open to the public. Other than providing direction to staff, the commission may not take any formal action on items agendaized for a study session.

5. Joint Meetings

Joint meetings with outside governing bodies may be called or authorized by the commission chair or by a majority of the commission.

B. Meetings Open to the Public

1. All meetings, except closed session meetings as permitted by law, will be open to the public in accordance with the *Brown Act*. This rule also applies to meetings of standing committees of the commission, even though such committees are less than a quorum of the commission.
2. During the “Meeting Open to the Public” portion of the agenda, no action or discussion shall be taken on any matter except that the commission may briefly respond to a statement, ask a question for clarification, provide a reference to staff for factual information, or request staff to report back at a subsequent meeting.

C. Media Attendance

All meetings that are open to the public shall be open to the media, and may be recorded by tape, radio, television or photography, provided such recordings do not interfere with orderly conduct of the meetings.

AGENDA FOR COMMISSION MEETINGS ---

A. General

Each commission meeting shall follow a written agenda.

B. Setting of Agenda

1. The staff liaison, with input from the commission chair, shall prepare the agenda.
2. A member of the public may request an item to be scheduled on the agenda as follows:
 - a. Whenever possible, items requested by the public to be scheduled for the agenda shall be in writing. Requests must state the subject of the request, who is making the request, what decision is being requested of the commission and any cost associated with the request.
 - b. Written requests must be received by the City Clerk no later than 5:00 p.m. 18 days prior to the date of the regularly scheduled commission meeting.
 - c. The staff liaison shall determine the completeness of the request prior to scheduling. The staff liaison shall determine if any staff work is necessary prior to scheduling and will notify the requestor of the date on which the item will be discussed or the reasons for not scheduling the item.
3. A commissioner may place an item on the agenda as provided in *Section D.5* below.

C. **Order of Agenda Items**

Regular commission meetings begin at a time agreed upon by the commissioners and include each of the following items, in order:

- | | |
|-------------------------------------|--------------------------------------|
| 1. Call to Order and Pledge to Flag | 5. Meeting Open to the Public |
| 2. Roll Call | 6. Public Hearings and Other Matters |
| 3. Agenda Amendments | 7. Matters Initiated by Commission |
| 4. Consent Calendar | 8. Adjournment |

D. **Format of Agenda**

The agenda for regular meetings shall include, at a minimum, the following sections:

1. **Call to Order and Pledge of Allegiance**

The commission chair shall call the meeting to order at the designated date and time specified on the agenda.

2. **Meeting Open to the Public**

- a. During the “Meeting Open to the Public” portion of a commission meeting, any person may address the commission provided that the item: (1) is of interest to the public and is within the subject matter jurisdiction of the commission; and (2) is not otherwise on the agenda. State law does not allow the chairperson to require that a speaker state his or her name or address.
- b. The commission shall take no action or discuss any item raised under this portion of the agenda except that the commission may briefly respond to statements made or questions posed, and in addition, either on its own initiative or in response to such questions, may ask a question for clarification, provide a reference to staff or other resources for factual information or request staff to report back at a subsequent meeting.

3. Consent Calendar

Items listed under the “Consent Calendar” are those items that staff believes will not require commission discussion and that are routine in nature.

Any commissioner may remove any item from the consent calendar to another portion of the agenda for discussion. Prior to taking action on the Consent Calendar, a commissioner may ask questions about, or comment on, a Consent Calendar item without moving the item from the Consent Calendar.

4. Public Hearings and Other Matters

Items requiring a public hearing will comply with State law and City ordinances as to notice. Procedures for conducting public hearings are described later in this section.

5. Matters Initiated by Commission for Discussion/Action

- a. The purpose of the “Matters Initiated by Commission” portion of the meeting is to allow commissioners to raise issues and, if necessary, to request information from staff or to direct that items be scheduled on future agendas.
- b. A commissioner may request in writing that an item be placed on a future agenda. The request shall be placed on the agenda under “Matters Initiated by Commission”, and the item will be placed on a future agenda if a majority of the commission present agrees.
- c. A commissioner may request orally under “Matters Initiated by Commission” that an item be placed on a future agenda. The item will be placed on such agenda if a majority of the commission present agrees.
- d. Any item placed on the agenda following this procedure may be withdrawn by the commissioner who initiated its placement if a commission majority so agrees.

E. **Agenda Posting**

City staff shall post an agenda at least 72 hours before any commission meeting at City Hall offices at 200 Old Bernal Avenue, 123 Main Street, at the meeting location, and also on the City's website

The agenda shall specify the time and location of the meeting and contain a brief description of each item of business to be transacted or discussed at the meeting.

F. **Delivery of Agenda Material to Commissioners and use of Technology Equipment**

City staff shall endeavor to deliver all agenda materials, including all staff reports and exhibits, to the commission no later than one week preceding a regular commission meeting. In the event that agenda materials are not delivered as provided above, the commission may request continuance for the item until the next regularly scheduled commission meeting.

City staff may elect to provide agenda material through electronic media in a format suitable for computers and/or tablets. Because the use of electronic media raises concern regarding Brown Act, due process and Public Records Act requirements, the following policy applies to the use of these electronic devices.

Commissioners are required to use their own electronic devices during public meetings to review agenda materials. The City will not provide computers or tablets to commissioners.

Commissioners should not communicate privately with each other, the public, or City staff, or browse the Internet or use email or social media, during meetings.

G. **Minutes of Proceedings**

Staff shall record an account of all public proceedings. These minutes, following approval by the commission, will be considered the City's official record of the meeting.

1. **Preparation of Minutes**

To ensure uniformity of minute entries and to save time composing the record, all minutes will be prepared in a standardized format.

Minutes will include a statement of all commission actions, including motions made and vote thereon. Communication by members of the public shall include name and address (if provided) and subject matter.

Oral and written presentations by members of the commission or the public will be paraphrased unless written materials are specifically requested to be included by reference.

2. **Audio Recordings of Meetings**

It is the policy of the City to record its regular meetings.

a. **Not official records**

The audio recordings of the commission meetings are not the official record of those meetings. The approved minutes constitute the only official record.

b. **Maintenance of Audio Recordings**

Audio recordings shall be maintained for two years. Arrangement for tape review may be made with the staff liaison. The City is not required to provide verbatim transcripts of any audiotape or to make copies thereof.

MEETING ORDER AND ATTENDANCE ---

A. **Presiding Officer**

The commission chair, if present, shall preside. In the absence of the commission chair, the vice chair shall preside. In the absence of both, the commissioners present shall select a presiding officer.

The presiding officer shall preserve order and decorum at all meetings of the commission, announce the decisions on all subjects and decide all questions of order.

B. **Right of Floor**

Any commissioners desiring to speak shall first be recognized by the presiding officer and shall confine any remarks to the subject under consideration.

C. **Personal Privilege**

The right of a commissioner to address the commission on a question of personal privilege shall be limited to cases in which the integrity, character or motives of the commissioner are in question, or to where the welfare of the commission is concerned. The commissioner may not interrupt the speaker, however, until recognized by the presiding officer.

D. **Quorum**

A majority of the commission shall constitute a quorum necessary to transact business. In the event a quorum is not in attendance, those attending will be named in the minutes and shall adjourn the meeting to a later set time.

MEETING PROCEDURES

A. Call To Order

The commission chairperson or vice chairperson shall call the meeting to order at the hour appointed. In the absence of both, the meeting shall be called to order by the staff liaison and those commissioners present shall proceed to select a temporary presiding officer.

B. Preservation of Order

The presiding officer shall preserve order and decorum, shall prevent verbal attacks on commissioners, staff and/or citizens, and shall confine debate to the item under discussion. Commissioners shall not delay or interrupt the proceedings nor disturb another commissioner while speaking.

C. Speaker Cards

All speakers are requested to complete a speaker card and to submit the card to the commission prior to the item being heard, showing the speaker's name, address, telephone number and agenda item. (Again, speakers may not be required to provide this information.) This information shall be used to ensure accuracy of minutes.

D. Disorderly Conduct

Any person whose conduct disrupts the commission meeting or its orderly consideration of the public's business may be barred from the meeting by the presiding officer, unless permission to continue is granted by a majority vote of the commission.

E. Point of Order

The presiding officer shall determine all points of order, subject to the right of any member to appeal as herein defined.

F. Motion to Be Stated

The presiding officer shall state all motions submitted for a vote and announce the result of all persons who vote in favor, against or abstain.

G. **Actions Limited to Posted Agenda/Items Too Late For Agenda**

The commission shall not take action or discuss any item not appearing on the posted agenda except as permitted by the *Brown Act*.

The *Brown Act* permits the commission to take action on an item not appearing on the posted agenda under the following conditions. Prior to discussing any item pursuant to this subsection the commission shall publicly identify the item.

1. Upon a determination by a majority vote of the commission that an emergency situation exists, as defined in *Government Code, Section 54956.5*.
2. Upon a determination by a two-thirds vote of the commission, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the commission subsequent to the agenda being posted as specified in *Section IV*.
3. The item was posted pursuant to Section IV for a prior meeting of the commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

When an item arises during a regular meeting which requires commission action, but which is not listed on the posted agenda and cannot be added to the agenda as described above, commission may request staff to report back on the item at a subsequent meeting, as provided for in *Section IV Matters Initiated by Commission*.

H. **Items Considered After 11:00**

By 11:00 p.m., the commission shall determine by vote which agenda items, if any, it will take up that evening, with the intent of completing those items by 11:30 p.m. At 11:30 p.m. the commission shall determine by vote whether it will complete action on the current agenda item and any others. Any other agenda items scheduled for the evening but not taken up or completed shall be continued to a future date.

Continued items shall be taken up after the “Meeting Open to the Public” portion of each meeting. (See *Section IV*.)

PROCEDURES REGARDING PUBLIC HEARINGS AND COMMENTS BY THE PUBLIC ON OTHER AGENDA ITEMS —

A. Commencement

Noticed public hearings shall commence at the time specified in the notice of hearing or as soon thereafter as is reasonably possible, and shall continue until completed, unless continued under *Subsection H* of this section.

Public comment on other agenda items shall commence when the presiding officer so indicates and may continue until all persons have spoken, unless continued in accordance with this *Commissioner's Handbook*.

Any item may be continued or recontinued to any subsequent meeting by majority vote of the commission. This may be done if additional information is deemed necessary.

B. Procedures

The presiding officer shall announce the subject of the item, declare the public hearing open when applicable or ask for public comments. If necessary to assure completion of the item, the presiding officer may establish time limits for the presentations by individual speakers. If the public hearing is opened but continued to a date specific, the item does not have to be renoticed.

To assure due process, all agenda items other than those on the Consent Calendar shall be conducted as follows:

1. Review of Written Material/Oral Presentations

- a. Generally, this includes review of staff reports and other written material included in the commission agenda packet. Written material from staff shall be submitted to the commission in accordance with *Agenda for Commission Meeting, Subsection F* above. Members of the public are encouraged to provide any written material to the commission in advance of the commission meeting. Whenever possible, commissioners shall try to obtain from staff clarification or answers to questions before the meeting.
- b. An oral report may be presented by a City staff member.

- c. Staff responds to commissioner questions, comments and concerns, if any.

2. Public Hearing/Comment

- a. The purpose of the public hearing and public comment is to provide an opportunity for the public to be heard in support of or in opposition to the matter. In general, the order of speakers for public hearings should be:
 - 1. Project/issue applicant or spokesperson
 - 2. Members of the public speaking on the project/application
 - 3. Rebuttal by applicant or spokesperson
- b. No person may speak without first being recognized by the presiding officer. The presiding officer shall instruct speakers to:
 - 1. Complete a speaker card (with the speaker's name, address and phone number preferred, but not required);
 - 2. Speak from the podium;
 - 3. Give the speaker's name and address before starting the presentation (again, may not be required, but failure to provide goes to credibility of speaker);
 - 4. Keep comments within specified time limits, if any;
 - 5. Avoid repetition; and
 - 6. Direct any questions or comments to the commission.
- c. Members of the commission may ask questions of speakers, of each other, or of staff during the public hearing or during the public comment portion of the agenda.
- d. Prior to commission deliberation, an effort will be made to answer questions from all speakers.

3. Commission Deliberation and Action

- a. After determining that no other member of the public wishes to speak, the presiding officer shall declare the public hearing and comment opportunity closed, and return the matter to commission for deliberation and action. Thereafter, no additional testimony shall be received by the commission as to the item except the commission may direct questions to staff, the applicant or to other members of the public before taking action or upon reopening the public hearing or comment opportunity.

- b. The commission shall take action, if appropriate, on the matter. The commission may discuss/debate the matter before taking action. The commission may at any time (unless prohibited by law) continue the matter if additional information is necessary.

4. Permitting Public Comment After a Motion

- a. After a motion has been made and seconded, the presiding officer may permit further public comment on the motion, provided no commissioner objects. The purpose of this opportunity shall be for the public, including the applicant/appellant, to address matters specific to the motion and not to restate prior testimony.
- b. After all such comment is heard, the presiding officer shall reclose the public comment opportunity and then follow the procedures in *Section 3.b.*, above.

RULES OF DEBATE

A. **General**

The presiding officer shall request a motion. If a motion is made and seconded, all commissioners will have an opportunity to state an opinion on the motion. Once all commissioners who wish to be heard on the motion have spoken, the presiding officer shall call the question.

B. **Commissioners/presiding officer Right to Debate**

Any commissioner, including the presiding officer, may make, second and debate motions.

C. **Types of Motions**

Motions shall be made and amended in accordance with *Robert's Rules of Order*. Generally, once a motion has been made and seconded, the commission may consider further motions to amend, substitute, postpone or table the original motion.

D. **Debate of Motions**

1. **Getting the Floor**

Every member desiring to speak on a motion that has been seconded shall address the presiding officer, and, upon recognition, shall confine him/herself to the question under debate, avoiding personalities and indecorous language. Once recognized, the commissioner shall not be interrupted unless to call him/her to order, or as herein otherwise provided.

2. **Privilege of Closing Debate**

After reasonable debate has been conducted, the presiding officer shall call for the question that will begin the voting procedure.

E. **Voting Policies**

1. **Presence for Vote**

- a. Any member of the commission, once having answered the call of the roll or having been noted as being present at a meeting, shall advise the presiding officer prior to leaving the meeting room for the remainder of a meeting.
- b. A member of the commission, once having answered the call of the roll as being present at a meeting, and not excused as herein provided, has an obligation to vote on each and every matter considered by the commission even though he or she may temporarily be absent from the meeting room.
- c. The vote on any matter being considered by the commission may be delayed by the presiding officer until all members of the commission who are present for a meeting and not excused as herein provided are present at the meeting room.
- d. Notwithstanding other provisions of these policies, no commissioner can be forced to vote.
- e. No commissioner with a statutory financial conflict of interest should vote on the matter creating such conflict.

2. **Majority Vote Required**

A majority of the members present and eligible to vote is required to take action.

3. **Silence**

During a collective voice vote, silence of any member denotes an affirmative vote.

4. **Abstinance**

During a voice or electronic vote, to abstain is considered a vote with the majority unless the commissioner has declared a conflict of interest, stepped away from the podium, and left the room.

F. **Tie Votes**

1. If there are no vacancies on the commission, and if all commissioners are not present, a tie vote on a motion shall be carried forward to the next meeting at which a quorum of commissioners are present.
2. If all commissioners are present, but one or more commissioners abstain, or if there is a vacancy on the commission:
 - a. As to any matter which the commission is required by law to take final action, a tie vote on a motion shall be considered no action.
 - b. As to any matter which the commission is considering on appeal, a tie vote on a motion shall be deemed no action and the decision which was appealed shall stand.
3. Any person whose application is not approved or is denied as a result of this policy may reapply in accordance with the *Pleasanton Municipal Code*. Nothing contained in this policy shall prohibit a commissioner who could not participate in a decision involving a resubmitted application if the commissioner is no longer required to abstain.

G. **Continuation of an Item**

1. **Continuance by a Commissioner**

Any commissioner may continue an item (not subject to a legally or City-imposed deadline) to the next commission meeting or to another date agreeable to a majority of the commission. An agenda item may be continued only once using this procedure.

2. **Other Continuances**

The applicant or other member of the public may request a continuance of an item and a commission majority may grant one continuance, provided, however that a request for a further continuance may be granted by a 4/5 vote of the commission and only if it finds that:

- a. the need for the continuance was beyond the control of the person requesting it; and

- b. the need for the continuance arose after: (a) the date the notice of public hearing was published, if the item is a public hearing item: or (b) the date the commission agenda was posted for an item for which a public hearing is not required.

H. **Protests**

Any commissioner shall have the right to enter into the record reasons for opposing any motion carried by the majority.

I. **Motion to Reconsider**

Any member who voted with the majority may move reconsideration of any action at the same meeting or at the next regular meeting, providing no legal rights have intervened to create an estoppel. A majority of the commission present must approve the motion to reconsider. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous approval.

SUMMARY OF MOTIONS

Business is conducted by acting on motions. A subject is introduced by a **main motion**. Once this has been seconded and stated by the presiding officer, nothing else should be taken up until it is disposed of. Once a motion has been stated, the mover may not withdraw it without the consent of the commission. Most motions must be seconded.

While a main motion is being considered, other **parliamentary motions**, which affect either the main motion or the general conduct of the meeting, may be made. The ones most frequently used are described in general below.

1. **Amend** **Debatable: majority vote**

Used when the intention is to change, add or omit words in the main motion.

Amend the amendment: Used to change, add or omit words in the first amendment. This motion *cannot* itself be amended.

Method: the *first* vote is on the amendment to the amendment. The *second* vote is on the first amendment either as changed or as originally proposed, depending on the first vote. The *third* vote is on the main motion either as introduced or as amended.

2. **Refer** **Debatable: majority vote**

If a motion becomes too complicated through amendments or if more information is needed, a motion may be made to refer it to staff or a commission committee for study or redrafting. This committee must report back or act as instructed.

3. **Postpone** **Debatable: majority vote**

Consideration of a motion can be delayed until a more suitable time, until other decisions have been made or until more information is available by a motion to postpone to a stated future time.

4. **Lay on the table** **Not debatable: majority vote**

I move that we table this motion. This postpones consideration in such a way that the motion can be taken up again in the near future if a majority decides to “take it from the table.”

5. **The previous question** **Not debatable: two-thirds vote**

I move the previous question. This motion is used to end debate that has become lengthy or repetitious. When it is seconded, the presiding officer immediately puts the question on closing debate. If this receives a two-thirds vote, the pending motion is voted on at once without further discussion.

6. **Reconsider** **Usually debatable: majority vote**

A vote may be reconsidered at the same or next regular meeting by someone who voted on the prevailing side. A motion can be reconsidered only once except with unanimous approval of the commission.

7. **Point of order and appeal**

A member who feels the rules are not being followed may call attention to the breach by rising and saying: *Point of order.* The chair says: *State your point of order.* Upon hearing it, the chair may say: *Your point is well taken,* or *Your point is not well taken.*

One dissatisfied with the ruling may appeal to the meeting for a final decision: *Shall the decision of the Chair be sustained?* This appeal is debatable, and the presiding officer may enter the debate without giving up the Chair. A majority of *no* votes is necessary to reverse the ruling; a tie sustains it.

8. **Questions and inquiries**

Whenever necessary, advice may be asked as to correct procedures (**parliamentary inquiry**), facts may be requested (**point of information**), or a change may be sought for comfort or convenience (**question of privilege**). The presiding officer responds to the question or refers it to the proper person.

Section V

MUNICIPAL CODE SECTIONS DESCRIBING CITY COMMISSIONS

The following Municipal Code sections and City resolutions set forth the roles, duties and responsibilities of City Commissions and Committees. Commissioners are encouraged to become familiar with this information as a means of carrying out the duties of their respective commissions.

Chapter 2.39 CIVIC ARTS COMMISSION

Note

* Prior ordinance history: Ords. 1674, 1768.

2.39.010 Commission created.

There is created a civic arts commission (commission). (Ord. 1819 § 1, 2001)

2.39.020 Duties.

- A. The commission shall be responsible for advising the city council on matters related to public art.
- B. The duties of the commission shall include the following:
 1. Act in an advisory capacity to the city council for recommendations regarding the administration of the public art program including the establishing of program policies and guidelines, recommending annual public art budgets and selecting art juries. It shall also be responsible to the city council for recommendations regarding the administration of the city civic arts program including establishing program policies, goals and fees.
 2. Designate sites, determine project scope and budget, oversee the artist selection process, commission artworks, review design, execution and placement of artworks, and oversee the process for removal of artworks from the public art collection.
 3. Submit to the city council for its approval, an annual public art projects plan with a prioritized list of proposed public art projects, recommended budgets and funding sources and design approaches. The annual public art projects plan shall be submitted in consultation with city agencies anticipating city capital projects and/or private organizations or individuals wishing to develop a public art project.
 4. Establish, coordinate and include in the annual public art projects plan recommendations for the ongoing maintenance of the city public art collection, and provisions for an ongoing educational program which will enhance the community's awareness and appreciation of the city public art collection.
 5. Determine the method or methods of selection and commissioning of artists with respect to the design, execution and placement of works of art for which appropriations have been made, and, pursuant to such method or methods, make recommendations to the city council for the selection and commission of artists. The civic arts commission, if it deems it appropriate, may invite professionals in the visual arts and design fields to serve in the selection process in order to ensure works of the highest quality. The civic arts commission also shall ensure appropriate community participation in the selection process and public education activities as part of the public art projects.
 6. Review and recommend whether any artworks proposed to be donated to the city should be accepted.
 7. With city council approval, apply for and accept gifts, grants, funds, contributions and bequests from individuals and public and private entities, agencies, foundations, trusts, corporations and other organizations or institutions.
 8. Other powers and responsibilities as outlined in other sections of this chapter and as may be appropriate in carrying out the purposes and goals of this chapter and as set forth in reports or recommendations

adopted by the city council. (Ord. 1819 § 1, 2001)

2.39.030 Membership—Appointments.

A. The commission shall have seven regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.

B. Four regular commissioners and the one alternate commissioner shall be selected from the community at large. The youth member shall be the minimum age of a high school freshman.

C. At least two regular commissioners shall be working artists. “Working artists” shall be defined as those persons who have enjoyed success in the exhibition of their works and enjoy the professional respect of their peers, or are engaged as instructors of art, or have been engaged as art museum directors, gallery curators or docents, or art consultants.

D. One regular commissioner shall be a member of the Pleasanton Cultural Arts Council.

E. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

F. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners, and the youth member shall not vote.

G. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission’s representative to other boards and commissions.

H. Commissioners shall be compensated as established by city council resolution, unless the youth member is unable to qualify for a work permit that allows for compensation. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.39.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The terms of commissioners shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.39.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner’s term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city;

- 5. The commissioner is employed with the city in a capacity related to the duties of the commission.
- B. The secretary of the commission shall inform the council when any of the above occurs.
- C. The following procedures shall apply to termination of office as a result of absences from commission meetings:
 - 1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.
 - 2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.
 - 3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.
 - 4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 § 1, 2001)

2.39.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.39.070 Organization.

- A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.
- B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures may be amended from time to time.
- C. The chairperson shall:
 - 1. Preside at all meetings;
 - 2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
 - 3. Call special meetings.
- D. The vice chairperson shall preside in the absence of the chairperson.
- E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 9, 2003; Ord. 1819 § 1, 2001)

2.39.080 Meetings.

- A. The commission shall attempt to meet on a monthly basis at a predetermined time and place, but shall meet at least four times each calendar year.
- B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city

manager, and/or the city council, provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Four commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

RESOLUTION NO. 12-559

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON CONCERNING THE ECONOMIC VITALITY COMMITTEE

WHEREAS, at its meeting of August 21, 2012, the City Council received the report from the Economic Development Director regarding suggested changes to the membership of the Economic Vitality Committee.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:

SECTION 1: Resolution No 08-214 is hereby rescinded.

SECTION 2: The City Council does hereby establish the Economic Vitality Committee which shall serve as follows:

- a. The mission of the Economic Vitality Committee shall be to assess the current and ongoing business climate in the City of Pleasanton and to offer suggestions and submit recommendations to the City Council intended to maintain a strong economic base in the city.
- b. The Committee will focus on general trends, issues and governmental processes in an attempt to identify opportunities to assist and promote economic vitality in the City of Pleasanton.
- c. The Committee's role in retaining and attracting business is limited to providing general information regarding available resources within the business community and governmental agencies which may be beneficial toward attracting new businesses to the community and/or retaining existing businesses. Unless otherwise directed by the City Council, the Committee shall not engage in any negotiations relative to the relaxation, expansion or modification of any City regulations, fees, or services.
- d. The Committee shall recommend to the City Council the general types of business and/or markets that would be beneficial to the overall economic condition of the city. The City Council shall take this information into consideration when determining active attraction and retention efforts by the Economic Development Director.

SECTION 3: The Economic Vitality Committee shall have one representative from each of the following groups. The members shall serve without compensation. Members shall be reimbursed for appropriate expenses incurred when attending conferences if budgeted and approved by the City Council.

1. Chamber of Commerce – A representative recommended by the board of directors of the Chamber of Commerce whose membership in the organization is expected to be at least two years from the time of the appointment to the Committee.

2. Commercial Real Estate Development – A representative from a commercial builder or developer with an office located in Pleasanton or who directly serves the Pleasanton community.
3. Commercial Real Estate Broker – A representative from a business specializing in commercial real estate leasing or sales with an office located in Pleasanton or who directly serves the Pleasanton community.
4. Stoneridge Shopping Center – A representative from Stoneridge Shopping Center.
5. Pleasanton Downtown Association – A representative from a business located in the city's downtown district and recommended by the board of directors of the Pleasanton Downtown Association.
6. Residential Real Estate Development – A representative from a residential builder or developer with an office located in Pleasanton or who directly serves the Pleasanton community.
7. Residential Real Estate Broker – A representative from a business specializing in residential real estate leasing or sales with an office located in Pleasanton or who directly serves the Pleasanton community.
8. Financial Services – A representative from a financial institution or financial services company or business with an office located in Pleasanton.
9. Citizen At Large – A resident of Pleasanton.
10. Tri-Valley Convention and Visitors Bureau – A representative recommended by the Board of the Tri-Valley Convention and Visitors Bureau and whose membership in the organization is expected to be at least two years from the time of the appointment to the Committee.
11. Education Community – A representative recommended by the Pleasanton Unified School District Board of Trustees.
12. Environmental Industry – A representative from a business that provides environmentally related materials or services with an office located in Pleasanton.
13. City Council – A representative from the Pleasanton City Council.
14. High Technology – A representative from a high technology business that provides materials or services with an office located in Pleasanton.
15. Medical Technology – A representative from a business involved with the research, development or application of medical technology with an office located in Pleasanton.

16. Alameda County Fairgrounds – A representative recommended by the Alameda County Fair Association.
17. Hacienda – A representative from the owners or management of Hacienda.
18. Commercial Service Firm – A representative from a business specializing in commercial services with an office located in Pleasanton.
19. Professional Service Firm – A representative from a business that provides professional services with an office located in Pleasanton.
20. Medical Services – A representative from a business that provides or is involved with the provision of medical services with an office located in Pleasanton.
21. Business At Large – A representative from a business or company with an office located in Pleasanton.
22. Non-Profit or Community-Based Organization – A representative recommended by the board of directors of a local non-profit or community-based organization whose membership in the organization is expected to be at least two years from the time of the appointment to the Committee.

SECTION 4: Members shall be appointed to the Committee in accordance with City resolution No. 97-18, A Resolution Establishing Procedures for Appointments to City Boards and Commissions, except specific groups or organizations as identified by the City Council (i.e., the Pleasanton Chamber of Commerce, the Tri-Valley Convention and Visitors Bureau, the Pleasanton Downtown Association, Hacienda, Stoneridge Shopping Center, Alameda County Fairgrounds and the Pleasanton Unified School District) may choose their own representatives, subject to confirmation by the City Council.

SECTION 5: The Committee shall hold regular meetings as follows:

- a. The Committee shall meet at least quarterly and no more than bi-monthly with the time and place and date set by the Committee.
- b. Special meetings may be called by the Committee chairperson or by any twelve members, provided written notice is given twenty-four hours in advance of the special meeting to the following: each Committee member, local newspapers of general circulation, and to anyone who has filed with the City Clerk or the Economic Development Director a written request for notice. Notice of meetings shall comply in all respects with Section 54950 et seq. of the Government Code, known commonly as the Ralph M. Brown Act.
- c. All meetings shall be public; an agenda shall be prepared; minutes of all meetings shall be kept and filed by the Economic Development Director.

SECTION 6: A simple majority of current membership shall constitute a quorum. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of members, if any action is approved by at least a majority of the required quorum. A simple majority of the quorum shall be required to conduct business.

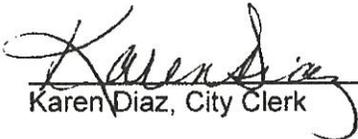
SECTION 7: Committee officers shall be selected and serve as follows:

- a. The Committee by majority vote shall elect for a term of one year a chairperson and vice chairperson from among its members. Officers shall be elected at the last meeting of each calendar year and assume office at the first meeting of the next calendar year.
- b. The chairperson shall be responsible for the conduct of the meetings, the preparation of agenda and other duties normally associated with a chairperson.
- c. The vice chairperson shall perform those duties assigned by the chairperson and act for the chairperson in the latter's absence.
- d. No member of the Committee shall serve more than two successive full terms as chairperson.
- e. The Economic Development Director or his/her designated representative shall serve as secretary to the Committee.

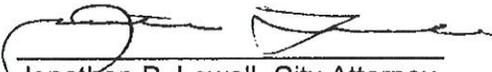
PASSED, APPROVED AND ADOPTED by the City Council of the City of Pleasanton at a regular meeting held on August 21, 2012.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 21st day of August, 2012, by the following vote:

Ayes: Councilmembers Cook-Kallio, McGovern, Sullivan, Vice Mayor Thorne
Noes: None
Absent: Mayor Hosterman
Abstain: None


Karen Diaz, City Clerk

APPROVED AS TO FORM:


Jonathan P. Lowell, City Attorney

Chapter 2.38 HOUSING COMMISSION

Note

* **Prior ordinance history:** Ords. 1674, 1768.

2.38.010 Commission created.

There is created a housing commission (commission). (Ord. 1819 § 1, 2001)

2.38.020 Duties.

- A. The commission shall be responsible for advising the city council on both the affordable housing needs of the community and the methods for meeting these needs.
- B. The duties of the commission shall include the following:
 - 1. Initiate and pursue opportunities for developing affordable housing within the city.
 - 2. Cooperate with the private housing industry, city commissions and regional agencies to produce new affordable housing and/or to maintain existing affordable housing.
 - 3. Make recommendations to the city council and/or establish policies regarding affordable housing projects affiliated with the city and the housing authority including preference and eligibility criteria for city assisted housing, informational documents, available grant applications, and new affordable housing programs.
 - 4. In cooperation with the human services commission, review and make recommendations to the city council regarding community development block grant applications for capital improvement and rehabilitation projects.
 - 5. Coordinate the property and financial management and tenant related issues at affordable housing projects under the control of the city and/or the housing authority of the city, including Ridge View commons and Kottinger place.
 - 6. Review and make recommendations to the city council regarding the annual operating budget for the city's lower income housing fund.
 - 7. Appoint the resident representatives to the housing authority commission and commission liaisons to affordable housing projects. (Ord. 1819 § 1, 2001)

2.38.030 Membership; appointments; voting.

- A. The commission shall have five members, and one alternate, all of whom shall be residents of the city.
- B. The five regular commissioners and the one alternate commissioner shall be selected from the community at large. The regular commissioners and alternate commissioner shall be appointed by the mayor subject to the ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.
- C. Commissioners are eligible to participate in all discussions of the commission except that the alternate commissioner shall vote only if one of the regular commissioners is absent or has a financial conflict of

interest.

D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the housing commission representative to other boards and commissions.

E. Commissioners shall be compensated as established by city council resolution. (Ord. 1901 § 2, 2004; Ord. 1887 § 7, 2003; Ord. 1819 § 1, 2001)

2.38.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 1901, 2004; Ord. 1819 § 1, 2001)

2.38.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city.
5. The commissioner is employed with the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.

2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.

3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.

4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 § 1, 2001)

2.38.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.38.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures may be amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;

2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and

3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 8, 2003; Ord. 1819 § 1, 2001)

2.38.080 Meetings.

A. Regular meetings shall be held on the third Thursday of each month at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, the staff liaison and/or the city council provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Three commissioners need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present. (Ord. 2093 § 1, 2014; Ord. 1819 § 1, 2001)

Chapter 2.28 HUMAN SERVICES COMMISSION

Note

* **Prior code history:** prior code §§ 1-3.32.05, 1-3.32.10, 1-3.32.15, 1-3.32.20, 1-3.32.25, 1-3.32.30, 1-3.32.35, 1-3.32.40, 1-3.32.45, 1-3.32.50, 1-3.32.55, 1-3.32.60; Ords. 1418, 1507, 1674, 1768, 1785.

2.28.010 Commission created.

There is created a human services commission (“commission”) originally established by Resolution 76-21. (Ord. 1819 § 1, 2001)

2.28.020 Duties.

A. The commission shall be responsible for advising the city council on both the human service needs of the community and the methods for meeting these needs. Particular emphasis shall be given to the human services needs of the socially and economically disadvantaged, the elderly and the youth of the community.

B. The duties of the commission shall include the following:

1. Identify and prioritize the human service needs of the community;
2. Develop and recommend to the city council specific programs and/or actions designed to meet the identified human service needs of the community and evaluate the success of the programs and/or the actions undertaken;
3. Identify and be informed of programs providing human services to the community, their purpose, the type and nature of services they provide, and the effectiveness of their services;
4. Review and evaluate requests from human service providers for financial assistance, endorsements, and other types of assistance; make recommendations to the city council regarding such requests;
5. Develop and recommend actions designed to coordinate the delivery of human services within and to the community;
6. Represent the city and/or serve as liaisons with governing boards of public and private human service agencies/programs of interest to the community;
7. Inform and advise the city council concerning actions by federal, state and other public or private human service agencies of interest to the city. (Ord. 1819 § 1, 2001)

2.28.030 Membership—Appointments—Voting.

A. The commission shall have seven regular commissioners, one youth member, and one alternate commissioner, all of whom shall be residents of the city.

B. The seven regular commissioners and the one alternate commissioner shall be selected from the community at large. The youth member shall be the minimum age of a high school freshman. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to ratification by the city council as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

C. Commissioners are eligible to participate in all discussions of the commission except that the alternate commissioner shall vote only if one of the regular commissioners is absent or has a financial conflict of interest, and the youth member shall not vote.

D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

E. Commissioners shall be compensated as established by city council resolution, unless the youth member is unable to qualify for a work permit that allows for compensation. (Ord. 2059 § 1, 2013; Ord. 1901 § 1, 2004; Ord. 1887 § 1, 2003; Ord. 1851 § 1, 2002; Ord. 1819 § 1, 2001)

2.28.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum term of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1901, 2004; Ord. 1819 § 1, 2001)

2.28.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city;
5. The commissioner is employed by the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.

2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.

3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.

4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 § 1, 2001)

2.28.060 Commissioner vacancies.

Vacancies shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.28.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures may be amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and

3. Call special meetings.

D. The vice chairperson shall perform in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 2, 2003; Ord. 1819 § 1, 2001)

2.28.080 Meetings.

A. Regular meetings shall be held on the first Wednesday of each month at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Four commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

Chapter 2.34 LIBRARY COMMISSION

Note

* Prior ordinance history: Ords. 1357, 1418, 1507, 1675, 1780.

2.34.010 Commission created.

There is created a library commission (commission). (Ord. 1819 § 1, 2001)

2.34.020 Duties.

- A. The commission shall be responsible for advising the city council on matters related to the Pleasanton library and library services in general.
- B. The duties of the Pleasanton library commission shall include the following:
 - 1. Make recommendations to the city council and the Pleasanton library board of trustees regarding policies, services and operating and capital budgets for the Pleasanton library.
 - 2. Recommend rules, regulations and services necessary for the administration of the Pleasanton library.
 - 3. Assist with the planning of library services.
 - 4. Promote the use and support of library services within the community, including working in cooperation with citizen and business groups, foundations, charitable trusts, school districts and governmental agencies.
 - 5. Recommend rules and regulations regarding the use of the Pleasanton library building.
 - 6. Recommend acceptance or rejection of proposed donations to the Pleasanton library. (Ord. 1819 § 1, 2001)

2.34.030 Membership—Appointments.

- A. The commission shall have seven regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.
- B. Six regular commissioners and the one alternate commissioner shall be selected from the community at large. One regular commissioner shall be selected from a recommendation made by the Pleasanton library league. The youth member shall be the minimum age of a high school freshman. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor subject to the ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.
- C. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners, and the youth member shall not vote.
- D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

E. Commissioners shall be compensated as established by city council resolution, unless the youth member is unable to qualify for a work permit that allows for compensation. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.34.040 Term of membership.

- A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.
- B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.
- C. The youth member shall be eligible to serve a two-year term.
- D. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.34.050 Maintenance of membership.

- A. Persons appointed to the commission shall continue to serve as members of the commission except when:
 - 1. The commissioner's term of office on the commission expires;
 - 2. The commissioner voluntarily resigns from the commission;
 - 3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
 - 4. The commissioner fails to maintain a primary residence in the city;
 - 5. The commissioner is employed with the city in a capacity related to the duties of the commission.
- B. The secretary of the commission shall inform the council when any of the above occurs.
- C. The following procedures shall apply to termination of office as a result of absences from commission meetings:
 - 1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.
 - 2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.
 - 3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.
 - 4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 § 1, 2001)

2.34.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.34.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures may be amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 6, 2003; Ord. 1819 § 1, 2001)

2.34.080 Meetings.

A. Regular meetings shall be held on the second Thursday of each month at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chair or by a majority of the commissioners, the city manager, and/or the city council provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Four commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

Chapter 2.32 PARKS AND RECREATION COMMISSION

Note

* **Prior history:** prior code §§ 1-3.23—1-3.30; Ords. 1418, 1507.

2.32.010 Commission created.

There is created a parks and recreation commission. (Ord. 1819 § 1, 2001)

2.32.020 Duties.

- A. The parks and recreation commission shall advise the city council in matters related to city parks and recreational services.
- B. The duties of the commission shall include the following:
 - 1. Act in an advisory capacity to the city council in all matters pertaining to public parks and recreation, and to cooperate with other governmental agencies and civic groups in the advancement of sound recreation programming and park planning. The commission is jointly charged with the planning commission, to establish harmonious and effective relationships, as both of these bodies have designated functions of an interrelated nature in the area of recreation facilities as they relate to the general plan.
 - 2. Formulate recommended policies regarding recreation services for consideration by the city council.
 - 3. Advise the city council, regarding the development of recreation areas, facilities, programs and services.
 - 4. Make periodic inventories of recreation services that exist or may be needed and interpret the needs of the public to the city council, and all other governmental agencies and civic groups as required.
 - 5. To facilitate in every appropriate manner the establishment and maintenance of formal and informal cooperative relationships with all entities that have resources to promote local recreation services. Such entities may include, but not be exclusive of, public and private businesses and institutions; local, regional, state and national agencies; and private, public or quasi-public foundations, associations and corporations; all of which individually have either in part or total as their function the promotion and/or provision of some phase of recreation.
 - 6. Take an active role as community leaders in soliciting from the general public the desires and wishes of the people, in making the needs for recreation facilities and programs known along with the best possible methods of achieving such.
 - 7. Advise the city council, regarding the emphasis and priorities in the preparation of the annual recreation budget and a long-range capital improvement program. (Ord. 1819 § 1, 2001)

2.32.030 Membership—Appointments.

- A. The commission shall have five regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.
- B. The five regular commissioners and the one alternate commissioner shall be selected from the

community at large. The youth member shall be the minimum age of a high school freshman. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to the ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

C. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners, and the youth member shall not vote.

D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

E. Commissioners shall be compensated as established by city council resolution, unless the youth member is unable to qualify for a work permit that allows for compensation. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.32.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.32.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;

4. The commissioner fails to maintain a primary residence in the city;

5. The commissioner is employed by the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.

2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.

3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.

4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 § 1, 2001)

2.32.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.32.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson or vice chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures are amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and

3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 2038 § 1, 2012; Ord. 1887 § 5, 2003; Ord. 1819 § 1, 2001)

2.32.080 Meetings.

A. Regular meetings shall be held on the second Thursday of each month at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council, provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Three commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

Chapter 2.30 PLANNING COMMISSION

Note

* Prior code history: Prior code §§ 1-3.07-1-3.19; Ord. 1507, 1991.

2.30.010 Commission created.

There is created a planning commission (commission). (Ord. 1819 §§ 1, 3, 2001)

2.30.020 Duties.

- A. The planning commission shall perform functions as outlined in this chapter.
- B. The duties of the commission shall include the following:
 1. Prepare, adopt and administer a general or master plan for the city and for land adjacent to the city for long-term growth, subject to revision as conditions and land uses change;
 2. Prepare, adopt and administer precise plans in accordance with the general plan, regulating land and building uses, height and bulk of buildings, open spaces about buildings, lot percentages, lot sizes and locations of buildings and rights-of-way;
 3. Recommend to the city council amendments to the zoning ordinance to carry out the general plan and precise plans;
 4. Investigate, hear and determine applications for use permits and for variance permits made pursuant to the zoning laws of the city;
 5. Investigate, hear and determine disputes and controversies regarding the zoning ordinance;
 6. Review subdivision maps filed with the city council, act as “advisory agency” pursuant to the subdivision map act of the state of California in making recommendations concerning said maps to the council. (Ord. 1819 §§ 1, 3, 2001)

2.30.030 Membership; appointments.

- A. The commission shall have five regular commissioners, and one alternate commissioner all of whom shall be residents of the city.
- B. The five regular commissioners and the one alternate commissioner shall be selected from the community at large. The regular commissioners and alternate commissioner shall be appointed by the mayor, subject to ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.
- C. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners.
- D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission’s representative to other boards and commissions.
- E. Commissioners shall be compensated as established by city council resolution. (Ord. 1819 §§ 1, 3,

2001)

2.30.040 Term of membership.

- A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.
- B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.
- C. The terms of commissioners shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 1819 §§ 1, 3, 2001)

2.30.050 Maintenance of membership.

- A. Persons appointed to the commission shall continue to serve as members of the commission except when:
 - 1. The commissioner's term of office on the commission expires;
 - 2. The commissioner voluntarily resigns from the commission;
 - 3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
 - 4. The commissioner fails to maintain a primary residence in the city;
 - 5. The commissioner is employed with the city in a capacity related to the duties of the commission.
- B. The secretary of the commission shall inform the council when any of the above occurs.
- C. The following procedures shall apply to termination of office as a result of absences from commission meetings:
 - 1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.
 - 2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.
 - 3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.
 - 4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 §§ 1, 3, 2001)

2.30.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 §§ 1, 3, 2001)

2.30.070 Organization.

- A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service

for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures", as those rules and procedures are amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 4, 2003; Ord. 1819 §§ 1, 3, 2001)

2.30.080 Meetings.

A. Regular meetings shall be held on the second and fourth Wednesday of each month at a predetermined time and place. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council, provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Three commissioners need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present. (Ord. 1819 §§ 1, 3, 2001)

Chapter 2.29 YOUTH COMMISSION

2.29.010 Commission created.

There is created a youth commission (commission). (Ord. 1819 § 2, 2001)

2.29.020 Duties.

- A. The commission shall advise the city council on matters related to the youth of the community.
- B. The duties of the Pleasanton youth commission shall include the following:
 - 1. Make recommendations to the city council regarding policies, services and issues related to the youth of the community.
 - 2. Act as the “voice” of the community.
 - 3. Act as a communication liaison between Pleasanton’s youth community and the city council.
 - 4. Research the needs and interest of Pleasanton’s youth. Promote an understanding and appreciation of community affairs among the youth of Pleasanton.
 - 5. Identify and report to the city council on youth needs and priorities in the city of Pleasanton and remain informed regarding the programs providing youth services to the community.
 - 6. Research and formulate proposed policies, programs and services designed to meet the needs of the youth community in Pleasanton.
 - 7. Review and evaluate requests received by the city for youth related policies and services.
 - 8. Represent the city and maintain liaison with the youth commissions in other cities and with youth related agencies in Pleasanton and other cities. (Ord. 1819 § 2, 2001)

2.29.030 Memberships—Appointments.

- A. The commission shall have 11 regular commissioners and three alternate commissioners all of whom shall be residents of the city.
- B. The 11 regular commissioners shall include: three students from middle school; three students from high school; four at large student representatives from grades six through 12; and one adult commissioner from the community at large.
- C. The two alternate youth commissioners shall be from grades six through 12 and shall be selected from the community at large. The one alternate adult commissioner shall be selected from the community at large.
- D. The regular commissioners and the alternate commissioners shall be appointed by the mayor subject to ratification by the city council, as provided in the adopted city resolution establishing procedures for appointments to boards and commissions.
- E. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular youth commissioners.
- F. The alternate commissioners may serve as a voting member on any subcommittee of the

commission.

G. Commissioners shall be compensated as established by city council resolution or as allowed by state law given limitations related to work permits for minors. (Ord. 2093 § 1, 2014; Ord. 2065 § 1, 2013; Ord. 2059 § 1, 2013; Ord. 1853 § 1, 2002; Ord. 1819 § 2, 2001)

2.29.040 Term of membership.

A. Regular youth commissioners shall be eligible to serve a maximum of six years with three terms of two years.

B. The regular adult commissioner shall be eligible to serve a maximum term of eight years with two four-year terms.

C. The alternate youth commissioners shall be eligible to serve two-year terms and are not subject to a limit in the number of years served provided that their grade level does not exceed the 12th grade. The alternate adult member shall be eligible to serve four year terms and is not subject to the limit in the number of years served.

D. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 1853 § 2, 2002; Ord. 1819 § 2, 2001)

2.29.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city;
5. The commissioner is employed by the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.

2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.

3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.

4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1836 § 1, 2001; Ord. 1819 § 2, 2001)

2.29.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 2, 2001)

2.29.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures may be amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 3, 2003; Ord. 1819 § 2, 2001)

2.29.080 Meetings.

A. Regular meetings shall be held on the second Wednesday of each month, September through May, at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Seven commissioners need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present. (Ord. 2065 § 1, 2013; Ord. 1819 § 2, 2001)

Section VI

CITY COMMISSION RELATED RESOLUTIONS AND CITY POLICIES ---

The following information includes adopted City policies and procedures related to City Commissions. Commissioners are encouraged to become familiar with this information as a means of carrying out the duties of a City Commissioner.

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 97-18

**RESOLUTION ESTABLISHING PROCEDURES FOR
APPOINTMENTS TO CITY BOARDS AND
COMMISSIONS**

WHEREAS, Government Code §40605 provides that in a general law city where the office of Mayor is elected by the voters, the Mayor, with the approval of the City Council, shall make all appointments to boards and commissions; and

WHEREAS, the City Council desires to be more involved in the interviewing and appointment process with respect to such appointments;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON RESOLVES AS FOLLOWS:

Section 1: Resolution No. 95-114 (A Resolution Establishing Procedures for Appointment to City Boards and Commissions) is rescinded.

Section 2: The City Council hereby adopts the following procedures for appointments to City Boards and Commissions:

- A. When a term of office for a commissioner or board member is up, or when a vacancy for such office otherwise occurs, the Mayor shall direct that notice thereof be advertised for a minimum of 30 days, except as provided in Subsection F. The Council shall also decide whether the full Council, or only a Council subcommittee, shall interview all candidates. Generally, the procedure shall be the full Council (or a quorum thereof) to conduct the interviews.
- B. Following the close of the advertised period, the City Manager shall distribute to the Council the resumes and letters of interest and shall schedule the interviews of the candidates by the Council or its subcommittee.

- C. After Council has received the resumes/letters of interest and/or after the candidates are interviewed, any Councilmember of Council subcommittee may make to the Mayor a recommendation as to the appointment.
- D. At a City Council meeting, the Mayor shall make an appointment to the commission or board. The City Council shall then vote to approve or disapprove such appointment. If such appointment receives three affirmative votes, the appointment shall be approved and the person so appointed shall assume the office. If the Mayor's appointment is disapproved, the Mayor shall continue to make appointments until an appointment receives at least three affirmative votes.
- E. If no candidate receives three affirmative votes, the matter shall be readvertised for a period of 15 days and the procedure herein shall be repeated. Any person appointed but not approved by the Council shall not be eligible further for that particular term of office or vacancy.
- F. The Mayor may waive the procedures in Subsections A, B and C as follows:
 - 1. If (a) any commissioner's and/or board member's term is about to expire or has expired, (b) the commissioner/board member is eligible to serve additional time on the commission/board, (c) the Mayor receives written notice from the commissioner/board member stating an interest in being reappointed, and (d) the Mayor intends to reappoint the commissioner/board member;

2. If (a) any commissioner's or board member's term is about to expire or has expired, (b) the commissioner/board member is not eligible to serve an additional term on the commission/board or has informed the Mayor in writing that the commissioner/board member does not wish to serve an additional term, (c) there is an alternate who is eligible for a regular appointment to the commission/board and who has informed the Mayor in writing that the alternate is interested in being so appointed, and (d) the Mayor intends to appoint the alternate as a regular member to the commission/board.

The Mayor shall notify other Councilmembers of the Mayor's intention to waive the procedures of Subsection A, B, and C in a reasonable time prior to such procedures being waived.

Section 2: This resolution shall become effective immediately upon its passage and adoption.

I HEREBY CERTIFY THAT THE FOREGOING WAS DULY AND REGULARLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF PLEASANTON, AT A MEETING HELD ON MARCH 18, 1997 BY THE FOLLOWING VOTE:

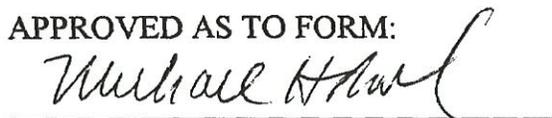
AYES: Councilmembers - Ayala, Dennis, Michelotti, and Mayor Tarver
NOES: None
ABSENT: Councilmember Pico
ABSTAIN: None

ATTEST:



Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:



Michael H. Roush, City Attorney

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 95-115

**RESOLUTION ESTABLISHING A FORMAL
ORIENTATION AND LEAVING OFFICE PROCESS
FOR COMMISSIONERS**

WHEREAS, the members of the City's commissions play an important role in the development of City policy; and

WHEREAS, an understanding of the role of the commissions, its procedures, key issues, and the legal responsibilities of commissioners is necessary for commissioners to effectively discharge their duties; and

WHEREAS, a formal orientation process for new commissioners will ensure that all commissioners begin their assignment with at least a common basic understanding of the key aspects of their role as a commissioner; and

WHEREAS, it is appropriate to recognize outgoing commissioners for their contributions to the community;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON RESOLVES AS FOLLOWS:

Section 1: Resolution No. 94-63 (Resolution establishing a formal orientation process for commissioners) is rescinded.

Section 2: The City shall establish a formal Commissioner Orientation Program, to include the following components:

- A. An official Oath of Office ceremony, held at a City Council meeting, if possible. If the commissioner must take his or her seat before the Council meeting following appointment, a separate Oath of Office ceremony and reception will be held.
- B. A meeting with the City Manager and key staff members, including the department head responsible for the commission and the primary staff contact for the commission, if other than the department head. The commissioner will review the Commissioner Handbook and be briefed on:

- (1) The commission's formal role and relationship to the City Council,
 - (2) The commission's meeting procedures and typical interactions with staff and Council,
 - (3) The Brown Act,
 - (4) Technical aspects of the commission's jurisdiction, such as the types of issues that will be faced, and
 - (5) Key issues or projects that the commission is or will be considering.
- C. A tour of City Hall and relevant city facilities, introductions to other key staff members, and signing of the Loyalty Oath.
- D. An opportunity to be introduced to the other members of the commission, either as a group or individually.
- E. The holding of periodic Commissioner Forums, open to all commissioners, to disseminate information and provide training opportunities, in order to enhance the knowledge and skill of all commissioners.

Section 3: At the conclusion of his/her service on a commission, the City Council may recognize the outgoing commissioner at a City Council meeting for the commissioner's service to the community.

Section 4: This resolution shall become effective immediately upon its passage and adoption.

Resolution No. 95-115
Page 3

I HEREBY CERTIFY THAT THE FOREGOING WAS DULY AND REGULARLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF PLEASANTON, AT A MEETING HELD ON OCTOBER 3, 1995 BY THE FOLLOWING VOTE:

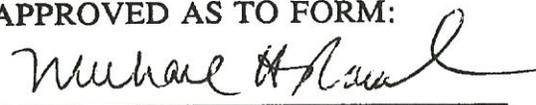
AYES: Councilmembers - Michelotti, Mohr, Pico, and Mayor Tarver
NOES: None
ABSENT: Councilmember Dennis
ABSTAIN: None

ATTEST:



Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:



Michael H. Roush, City Attorney

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 95-113

**RESOLUTION ESTABLISHING THE POLICY OF
LIMITING SERVICE ON BOARDS AND
COMMISSIONS TO EIGHT YEARS**

WHEREAS, in order to maintain a fresh outlook and to obtain new input from its members, it is appropriate to limit the time a regular member of any regularly appointed Board or Commission member of the City of Pleasanton serves to eight years only; and

WHEREAS, by putting this limit on service, it will allow more members of the community to serve on these Boards and Commissions and encourage more citizen participation in the government of their city; and

WHEREAS, as a result of commissioner resignations, it may be necessary to adjust the term of a commissioner to assure that scheduled expiration dates occur on May 1 or October 1 of each year;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON RESOLVES AS FOLLOWS:

Section 1: Resolution No. 83-17 (A Resolution Reaffirming the Policy of Limiting Service on Boards and Commissions to Two Terms) is rescinded.

Section 2: Any regularly appointed member of a Board or Commission shall serve no more than eight years.

Section 3: The Council may adjust the term of a commissioner to assure that a majority of a commission's members terms do not expire during one particular year or to realign the scheduled term expiration dates for members of a commission.

Resolution No. 95-113
Page Two

Section 4: This resolution shall become effective immediately upon its passage and adoption.

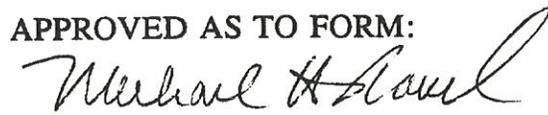
I HEREBY CERTIFY THAT THE FOREGOING WAS DULY AND REGULARLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF PLEASANTON, AT A MEETING HELD ON OCTOBER 3, 1995 BY THE FOLLOWING VOTE:

AYES: Councilmembers - Michelotti, Mohr, Pico, and Mayor Tarver
NOES: None
ABSENT: Councilmember Dennis
ABSTAIN: None

ATTEST:


Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:


Michael H. Roush, City Attorney



CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 02-046

**RESOLUTION ESTABLISHING COMPENSATION FOR
CITY OF PLEASANTON COMMISSIONERS**

WHEREAS, on January 17, 1989, the City Council adopted Resolution No. 89-36, establishing compensation for City of Pleasanton Commissioners; and

WHEREAS, since that time, several new Commissions have been created and it is deemed appropriate to amend Resolution No. 89-36 to include those new Commissions; and

WHEREAS, when the Youth Commission was formed, the Youth Commissioners did not receive a stipend, but Council now deems it appropriate to pay the Youth Commissioners the same as other City Commissioners.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON RESOLVES AS FOLLOWS:

Section 1: City appointed commissioners (including alternates) on the Planning Commission, Parks and Recreation Commission, Housing Commission, Human Services Commission, Library Commission, Civic Arts Commission, and Youth Commission shall receive \$50 for each regular or special meeting attended, with a maximum of \$100 per month.

Section 2: This resolution shall become effective immediately upon its passage and adoption.

Resolution No. 02-046
Page Two

I HEREBY CERTIFY THAT THE FOREGOING WAS DULY AND
REGULARLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF PLEASANTON, AT
A MEETING HELD ON MAY 7, 2002 BY THE FOLLOWING VOTE:

AYES: Councilmembers - Campbell, Dennis, Michelotti, and Mayor Pico
NOES: Councilmember Ayala
ABSENT: None
ABSTAIN: None

ATTEST:



Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:



Michael H. Roush, City Attorney

RESOLUTION NO. 14-711

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON RECONFIRMING THE CONFLICT OF INTEREST CODE AND REVISING THE LIST OF DESIGNATED POSITIONS REQUIRED TO FILE STATEMENTS OF ECONOMIC INTERESTS

WHEREAS, the California Political Reform Act, Government Code Section 81000 et seq., requires the City of Pleasanton to adopt a Conflict of Interest Code for each department of the City; and

WHEREAS, Section 87200 specifically requires mayors, councilmembers, city managers, city attorneys, city treasurers and members of planning commissions to file conflicts of interest statements without regard to the dictates of any local Conflict of Interest Code; and

WHEREAS, the Conflict of Interest Code must designate employees and officials involved in governmental decision-making to make certain disclosures regarding their sources of income, such as investments, interests in real property and business positions held outside of their employment with the City, in order to avoid potential conflicts of interest; and

WHEREAS, the Fair Political Practices Commission (the "FPPC") has adopted a Model Conflict of Interest Code (the "Model Code"). The Model Code, codified at Section 18730 of Title 2, Division 6 of the California Code of Regulations, can be incorporated by reference by the City as its Conflict of Interest Code. That Model Code will be amended by the Fair Political Practices Commission from time to time to conform to amendments to the Political Reform Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pleasanton, that the Model Code, attached hereto as Exhibit A and any amendments to it duly adopted by the FPPC, and Appendices A and B are hereby incorporated by reference and shall constitute the Conflict of Interest Code for the City.

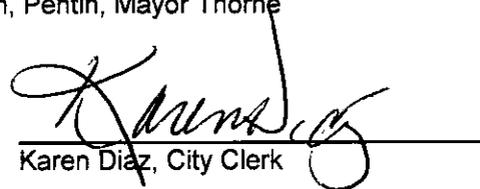
BE IT FURTHER RESOLVED that persons holding designated positions listed in the Appendices shall file Statements of Economic Interest pursuant to Section 5 of the Conflict of Interest Code with the information required for the disclosure categories assigned to them. The city clerk shall retain the statements and make them available upon public request.

BE IT FURTHER RESOLVED that the City Council hereby directs the City Clerk and City Attorney to coordinate the preparation of a revised Conflict of Interest Code in succeeding even-numbered years in accordance with the requirements of Government Code Sections 87306 and 87306.5. The revised Code should reflect any changes in department or employee designations. If no revisions to the Code are required, the City Clerk shall submit a report no later than October 1st of the same year, stating that amendments to the Code are not required.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Pleasanton at a regular meeting held on October 7, 2014.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 7th day of October 2014 by the following vote:

Ayes: Councilmembers Brown, Cook-Kallio, Narum, Pentin, Mayor Thorne
Noes: None
Absent: None


Karen Diaz, City Clerk

APPROVED AS TO FORM:


Jonathan P. Lowell, City Attorney

EXHIBIT A

FPPC Model Conflict of Interest Code

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code section 87300 or the amendment of a conflict of interest code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an, original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.

² See Government Code section 81010 and 2 Cal. Code of Regs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs. section 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence; of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$440.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$440 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail

installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

- a. The date the loan was made.
- b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.
- c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$420 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code section 83114 and 2 Cal. Code Regs. sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

Appendix A

CITY OF PLEASANTON
CONFLICT OF INTEREST CODE
LIST OF DESIGNATED POSITIONS

Department	Disclosure Category	Position
Administrative Services	1	Director of Administrative Services
	1	City Clerk
	1	Employee Services Manager
	1	Human Resources Manager
	3	Management Analyst
City Attorney	1	Assistant City Attorney
	1	Deputy City Attorney
City Manager	1	Assistant City Manager
	3	Assistant to the City Manager
	1	Deputy City Manager
	1	Director of Economic Development
	1	Economic Development Fiscal Officer
	3	Economic Development Specialist
	3	Housing Specialist
	1	Director of Community Development
Community Development	1	Planning Manager/Deputy Community Development Director
	1	Senior Plan Checker
	1	Principal Planner
	2	Assistant Planner
	2	Senior Planner
	2	Associate Planner
	1	Permit Center Manager
	2	Public Works Inspector
	2	Public Works Inspector, Lead
	3,5	Senior Public Works Inspector
	2	Building Inspector
	2	Building Inspector, Lead
	2	Building Inspector, Senior
	3	Management Analyst
	1	Assistant Dir. Public Works/City Engineer
1	Deputy Dir. Public Works/Traffic Engineer	
1	Chief Building Official	
1	Senior Civil Engineer	
1	Development Services Manager	
1	Senior Transportation Engineer	
Finance	1	Accounting Manager
	1	Assistant Director of Finance
	2	Business License Program Specialist
	1	Director of Finance
	2	Financial Services Manager/Accounting
	1	Financial Services Manager/Treasury
	2	Revenue Manager
	2	Senior Financial Analyst
1	Senior Accountant	
General Services	2	Information Services Manager

Department	Disclosure Category	Position
Library	1	Director of Library Services
	2	Administrative Librarians
	3	Library Services Manager
Livermore-Pleasanton Fire	4	Assistant Fire Marshal
	3	Battalion Chief
	3	CAD and Records Manager
	3	Deputy Fire Chief
	3	EMS-Disaster Preparedness Manager
	3	Emergency Preparedness Manager
	1	Fire Chief
	4	Fire Inspector
	4	Fire Marshal
	4	Hazardous Materials Coordinator
	4	Hazardous Materials Inspector
Operations Services	3	Management Analyst
	1	Director of Operations Services
	1	Assistant Director of Operations Services
	3	Support Services Superintendent
	3	Parks Superintendent
	2	Utility Billing Supervisor
	2	Utility Planning Manager
	3	Utilities Superintendent
	3	Street Maintenance Superintendent
	1	Operations Services Division Manager
	1	Energy & Sustainability Program Manager
Parks and Community Services	3	Community Services Manager
	1	Director of Parks and Community Services
	3	Management Analyst
Police	1	Police Chief
	1	Captain
	1	Lieutenant
	3	Support Services Manager
Commissions	2	Members of the Parks & Recreation Commission
	2	Members of the Housing Commission
	2	Members of the Human Services Commission
	2	Members Civic Arts Commission
	2	Members of the Committee on Energy and the Environment
	2 & 5	Members of the Bicycle, Pedestrian and Trails Committee
	2	Members of the Library Commission
1	Hearing Officer (including alternates)	
Other	*	Consultant

* Consultant: A person who contracts with the City to provide work that falls into one of the following categories. The Disclosure Category for consultant is dependent upon the type of work being performed.

1. Work of the type and/or nature that could or would be performed by a designated employee identified in the City of Pleasanton Conflict of Interest Code. The City Manager or their designee may find that a person need not fully comply with the disclosure requirements upon a written determination that the work and duties contracted are limited in scope and full compliance is unnecessary. The written determination shall identify what level of disclosure, if any, is required.
2. Work that involved making or participating in making decision which may have a foreseeable material effect on a financial interest subject to the reporting requirement of the Political Report Act.

Appendix B

CITY OF PLEASANTON CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES

GENERAL PROVISIONS

Any person holding a designated position is required to disclose any financial interests which include some or all of the following: investments, real property interests and other sources of income. An employee needs only to disclose investments of business entities and sources of income which do business in the City, plan to do business in the City or have done business in the City within the past two years, unless otherwise specifically changed in the disclosure categories specified below. Income from the City need not be disclosed. In addition to other activities, a business entity is doing business with the City if it owns real property in the City. Business position disclosure included businesses in which the employee is a director, officer, partner, trustee, employee, or holds any position of management. When a person holding a designated position is required to disclose interests in real property, that person need only disclose real property which is located in whole or in part within or not more than two miles outside the boundary for the City or within two miles of any land owned by the City of Pleasanton. The principle residence or any other property used as a personal residence of the employee need not be disclosed. Persons holding a designated position shall disclose their financial interest pursuant to the appropriate disclosure categories as described in Appendix A.

DISCLOSURE CATEGORIES

- Category 1: Designated officials and employees in this disclosure category shall disclose all sources of income, interests in real property and investments and business positions in business entities.
- Category 2: Designated officials and employees in this disclosure category shall disclose all investments and business positions in business entities and sources of income which provide services, supplies, materials, machinery or equipment of the type utilized by the city.
- Category 3: Designated officials and employees in this disclosure category shall disclose all investments and business positions in business entities and sources of income which provide services, supplies, materials or equipment of the type utilized by the designated employee's department or division.
- Category 4: Designated officials and employees in this disclosure category shall disclose all investments and business positions in business entities and sources of income, interests in real property which are subject to the regulations, permits or licensing authority of the city.
- Category 5: All designated officials and employees in this disclosure category shall disclose all investments and business positions in business entities, and sources of income which engage in land development, construction, acquisition or sale of real property, and all interests in real property.