



City of Patterson

Office of the City Clerk

Board, Commission, and Committee Member Handbook



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INTRODUCTION AND OVERVIEW

Congratulations! You have been selected to serve your community as a member of a City of Patterson Board, Commission or Committee (Advisory Bodies). The City Council and City staff believe that citizen participation is vital to the ongoing business and future progress of our community. We commend you for your commitment to the city and encourage you to become acquainted with all phases of your municipal government.

The primary purpose of this handbook is to provide general guidelines for conducting successful meetings and to ensure compliance with laws and policies; inform members of the responsibilities and duties of the specific advisory bodies; and clarify relationships between appointed members and the City Council, City staff and the community.

City advisory bodies serve in various capacities and are managed by department assigned staff liaisons, in conjunction with the City Clerk's Office. Advisory bodies are integral to the City's commitment to developing policies which reflect the needs and values of the community. They collaborate closely with staff and Council to perform the duties and responsibilities assigned by Council.

Public Records and Disclosure

The [California Public Records Act, Government Code Sections 6250](#) et seq. ("Public Records Act"), governs public access to most government records. As a member of a city advisory body, all documentation provided to or exchanged with the city, including email and written correspondence, may be subject to public disclosure unless otherwise exempt under the act. The California Supreme Court has ruled that emails from personal devices or personal email accounts that relate to the City's business are public records subject to disclosure.

Formation and Structure

Formation of advisory bodies is typically in the form of a city ordinance or resolution. General requirements for all advisory bodies are contained in the Patterson Municipal Code, Title 2. Formation documents outline topics such as the number of members, attendance rules, quorum, background, and qualifications requirements, as well as powers and duties.

City of Patterson Advisory Bodies

The City of Patterson currently has five (5) advisory bodies which are managed by various departments. Each advisory body has a dedicated webpage that provides information for members, as well as the public. This includes duties, membership information, meeting schedules, agendas, and minutes.

The following descriptions, linked to the applicable advisory body website, provide a brief overview of the membership, roles, and responsibilities.

[Downtown Revitalization Committee \(Ad-Hoc\)](#)

The purpose of the Downtown Revitalization Committee is to help institute guidelines to improve the heart of our diverse and unique Downtown Core. Members of the Downtown Revitalization Committee make recommendations to staff liaison and the City Council regarding the promotion, economic restructuring, and Master Plan advancement of the City of Patterson's downtown.

Economic Strategic Commission

The purpose of the Economic Strategic Commission is to research issues which affect the economic and business climate of the City of Patterson and make recommendations to staff liaisons and City Council. The commission makes recommendations which help attract and maintain business, incorporating business environment and resources of the City of Patterson, which include but are not limited to location, freeway access, cost of available land.

- Members of this committee shall have a basic knowledge of economic development and shall have a strong desire to be active in the work of the commission.

Parks, Recreation & Beautification Commission

The purpose of the Parks, Recreation & Beautification Commission is to promote and make recommendations regarding parks, recreation, beautification, and aesthetics for the enrichment of the City of Patterson and thereby contributing to the quality of life.

Planning Commission

The purpose of the Planning Commission is to serve as the planning agency for the city, by advising staff liaison and City Council on matters of land use and the General Plan. The commission makes recommendations for approval on planning projects and policies. The commission also holds hearings on planning and zoning matters and serves as the decision-making body in certain circumstances as required in the California planning and zoning law, or by the Patterson Municipal Code.

- Members of this commission must reside within the City of Patterson city limits.

Senior Commission

The purpose of the Senior Commission is to serve in an advisory capacity to the City Council in matters affecting people aged fifty (50) and older in the City of Patterson, including health, housing, transportation, recreation, education and employment.

- Members of this commission must reside within the City of Patterson city limits.
- Members of this commission must be 50+

GENERAL MEMBER PROVISIONS

General provisions for members of city advisory bodies, in large part are contained in the City's municipal code [Title 2](#). This includes the appointment process, terms, vacancies, absences, removal of members, quorum, minutes, staff assistance, and meeting schedules. If a resolution or separate ordinance is in place for a specific advisory body, the provisions in those documents would prevail.

Term Length and Limits

Unless otherwise specified in the formation documents, term lengths are for a period of two years. At the end of the term, the incumbent shall reapply for their seat if they wish to continue serving on the advisory body. The term of the individual seat is fixed. Therefore, if a seat is vacated before the end of the term, the new member would serve the remainder of the current term.

All City advisory bodies have staggered terms so that an entire advisory body is not replaced at any given time. Generally, membership expires for two seats on even years and membership expires for three seats on odd years. This allows the advisory body to function with a continued level of continuity and institutional knowledge as members are replaced.

City officers, employees and staff, whether they are compensated or serve as volunteers, are not eligible for membership on a City committee.

Filling Vacancies

The City Clerk's Office manages the application process to fill expired and/or vacated advisory body seats. All applicants (including applicants for re-appointment) for boards, commissions, and the committees will be invited to interview with the City Council. Incumbents interested in re-appointment shall submit a new [application](#). After all candidates have been interviewed, the City Council will take action to make an appointment to fill the vacancies at the next regular City Council meeting. Per City Ordinance No. 718, all newly appointed/reappointed members will be required to pass a Department of Justice (DOJ) fingerprint (background) test before participating in meetings.

Attendance

Meeting attendance is essential as it establishes a quorum of the membership and permits the advisory body to conduct business. Regular and continued attendance also allows an advisory body to progress without having to continually bring absent advisory body members up to speed.

Unless specified in formation documents, the following attendance rules apply (PMC § 2.40.030(J), PMC § 2.48.030(E), PMC § 2.50.040(L))

- Members who fail to attend three consecutive regular meetings or four meetings within any six-month period, without clearance from the advisory body, will automatically be terminated.

Resignation

At any point, if a member wishes to resign from their position on the advisory body, it shall be provided in writing. This is necessary as the seat cannot be filled until a resignation is on file with the City Clerk's Office. A Leaving Statement of Economic Interest - Form 700 also needs to be filed with the City Clerk's Office within 30 days of resignation.

Filing and Training Requirements

When the appointment of a member is confirmed, the City Clerk's Office will send formal notification as well as instructions for any applicable filing or training requirements.

Department of Justice Background Clearance (DOJ)

Per City Ordinance No. 718, all newly appointed/reappointed members will be required to pass a Department of Justice (DOJ) fingerprint (background) test before participating in meetings.

Ethics and Harassment Training

Advisory body members are required to complete harassment training and two hours of local ethics training pursuant to GC §53235.1(b). Members are also required to take an additional two hours of training every two years thereafter for the duration of their term.

The City schedules periodic training opportunities to ensure all commission or committee members have access to the required training.

The City Clerk's Office monitors this program and informs members of the requirement to take this training. Completion is required within 30 days of appointment. Once complete, a signed copy of the certificate shall be submitted to the City Clerk, an original signature is not required.

Statement of Economic Interests Filings (Form 700)

Advisory bodies designated by the city's Conflict of Interest Code have a requirement to file the Statement of Economic Interests Form 700 (Form 700). The COI Code is adopted every two years, with the current version available online at <https://www.ci.patterson.ca.us/509/Conflict-of-Interest-Code>.

The Form 700 is required within 30 days of appointment (assuming), annually by April 1st (annual) and within 30 days of leaving the advisory body (leaving). The City Clerk's Office is the official filing officer for this form and communicates directly with advisory body members regarding this requirement. The signed statements shall be filed with the City Clerk, **an original signature is required**. These documents are public records and are subject to public review.

The City Clerk's Office is always available to assist members with filing resources but cannot provide legal advice. In the event a member is late or refuses to file, the City Clerk's Office has an obligation to forward the case to the Fair Political Practices Commission (FPPC) for enforcement.

All efforts will be taken to avoid enforcement referrals. In addition, failure to file may lead to imposition of fines, and potential removal from membership on the advisory body.

The following advisory body members are currently subject to this requirement:

1. Economic Strategic Commission
2. Parks, Recreation & Beautification Commission
3. Planning Commission
4. Senior Commission

ROLES AND RESPONSIBILITIES

Most roles and responsibilities are common to all advisory body members. The following are guidelines to assist members in realizing their full potential as a member of a city advisory body. This section is also intended to provide a better understanding of specific roles played by some advisory body members, and certain city staff.

Common Member Responsibilities

Understand your role and the scope of your responsibility. Generally, the role of advisory body members is to advise the City Council on specific City program areas and related policies. Members should not become involved in the administrative or operational matters of City departments unless specifically provided in the statement of the powers and duties of the Board, Commission or Committee. Members should take every opportunity to learn about related City programs and be sure to read any and all material that City staff provides.

Follow rules and procedures. All advisory body members are governed by city rules and procedures that apply to their area of assignment. Members must also adhere to the Brown Act, which is discussed in a subsequent section, and follow any adopted procedural rules for the conduct of meetings.

Represent the community rather than any special interest. In making appointments to citizen advisory bodies, the City Council often seeks to ensure that there is a diversity of backgrounds and interests. All advisory body members should welcome citizen input and strive to serve the broader community. Members should be committed to promoting, listening, and giving serious consideration to a full range of opinions. Decisions should be fair and impartial and be based on the greater public good.

Maintain good working relationships with all advisory body members. Although the members often represent divergent interests, they must work as one to accomplish the goals of the advisory body. Cooperation is crucial to the success or failure of the advisory group. To build consensus and reach common goals and objectives, members should demonstrate a willingness to give objective consideration to matters before them and an ability to work to reconcile contradictory viewpoints to the extent feasible.

Understand your relationship to the City Council and City staff. The ability of any advisory body to accomplish its goals depends in part upon establishing and maintaining good working relations with the City Council and City staff. Members should never portray themselves as responsible for a decision or recommendation that rightfully belongs to the advisory group as a whole. When a member of an advisory body addresses the City Council on a matter, the member must represent the viewpoint of the advisory group as a whole (not a personal opinion), unless a proper qualification is made. Advisory body members occasionally make recommendations or decisions that ultimately are reversed by the City Council. It is important to show respect for the authority of City Council members, who in their capacity as elected officials are charged with making decisions for the community. City staff may have authority to make administrative decisions or recommendations, with which you may disagree. In this case, staff's authority should also be recognized. Advisory body members should be careful to avoid the appearance of influencing a staff member or placing a staff member in a compromising position. Staff have technical expertise that may be made available to the advisory body. It is especially important that members do not ask staff to commit to work that has not been budgeted or approved, or in any way try to direct the priority of work for the department, providing technical advisory staff.

Conflict of Interest

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

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

A Commission member who has a conflict of interest shall, immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address is not required.
2. Recuse himself or herself from discussing and voting on the matter.
3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded.

Notwithstanding this, a Commission member, not in the member's capacity as a commissioner, may speak on the issue during the time that the general public speaks on the issue.

Political Reform Act

The basic prohibition under the Political Reform Act ("PRA") is that public officials are disqualified from participating in government decisions in which they have a financial interest.

Generally, a public official or employee has a disqualifying conflict of interest when all of the following occur:

1. The official makes, participates in, or uses his or her official position to influence a government decision;
2. It is foreseeable that the decision will affect the official's economic interest;
3. The effect of the decision on the official's economic interest will be material;
4. The effect of the decision on the official's economic interest will be distinguishable from its effect on the public generally.

If the answer to all of these questions is yes, a conflict of interest exists and disqualification is required. Disqualified public officials are also required to leave the meeting room during action on the item; however, the law also permits them to remain in the room if they intend to participate in the matter as a member of the public, once they have left the dais. Each matter must be determined on a case-by-case basis. Because of the complexity and potential consequences of conflicts issues, it is critical that if any member becomes aware of even a possibility of a conflict, they should immediately contact the City Clerk, the staff liaison for the commission or commission they serve on, or the City Attorney for guidance.

COMMISSION ORGANIZATION

Each Commission consists of five members. Each member has an equal voice and vote on the Commission.

Chair and Vice Chair Roles

To facilitate meetings and the work of the Commission, each Commission appoints a Chair and Vice Chair from the members of the Commission.

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

Staff Liaison

Staff liaisons are responsible for several areas including generating meeting materials, management of advisory body records, facilitating meetings, advising members, and ensuring compliance with the Brown Act and Parliamentary Procedure.

MEETING PROCEDURES

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

The Ralph M. Brown Act

All city advisory bodies are subject to the provisions of the Ralph M. Brown Act (Brown Act). The Brown Act provides statutory rules for how meetings are conducted, how advisory body members conduct themselves, as well as agenda and posting requirements.

The Brown Act defines a meeting as “any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location (as permitted by GC § 54953), to hear, discuss, deliberate, or take any action on any item that is within the subject matter jurisdiction of the legislative body.” The Brown Act is clear that the body does not need to take action in order for the gathering to be defined as a meeting.

Definition of a meeting does not extend to individual contact by members, attendance at conferences and seminars, attending an open meeting of another public agency, community meetings, social or ceremonial events; even if a quorum of members are present, provided that they are not discussing or taking action on any item within the subject matter jurisdiction. There are several types of meetings defined under the Brown Act.

Regular Meetings

Regular meetings are defined as meetings held on the dates, times and in the location set by resolution, ordinance, or other form of action by the legislative body. At least 72 hours prior to a regular meeting, all pages of the agenda must be physically posted at the meeting location. The agenda shall contain a brief general description of each item to be discussed or transacted at the meeting. The Brown Act makes it clear that discussed items must be placed on the agenda, as well as items which may be the subject of action.

The agenda shall specify the time, date and location of the regular meeting and shall be posted in a location that is freely accessible to the members of the public for the full 72 hours immediately preceding the meeting. No action or discussion shall be had on any item not appearing on the posted agenda, except that members or staff may briefly respond to statements made or questions posed by persons commenting under the Public Comment-Matters Not on the Agenda section of the agenda.

Special Meetings

Special meetings are those meetings that have not been pre-approved by the advisory body as a regular meeting. A meeting not held at the regular meeting location is also considered a special meeting and requires that the agenda be posted both at the regular location and the current location. A *Public Comment-Matters Not on the Agenda* section is **not** to be included on a special agenda.

All other requirements regarding the content of a special meeting agenda are the same as the requirements of a regular meeting.

At least 24 hours prior to a special meeting, the agenda must be posted, containing a brief general description of each item to be discussed or transacted at the meeting.

Common Violations

It is important to understand what a serial meeting is in order to avoid inadvertently violating the Brown Act.

A serial meeting occurs when a majority of members of a legislative body “uses a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.” This can happen when discussions and opinions are expressed with only a portion of a legislative body, but eventually involves a majority. There are two scenarios in which this commonly occurs.

1. **Daisy Chain** - Member A contacts Member B, Member B contacts Member C, Member C contacts Member D and so on, until a quorum has discussed, deliberated, or taken action on an item within the legislative body’s subject matter jurisdiction.
2. **Hub and Spoke** - Member A (the hub) sequentially contacts Members B, C, and D and so on (the spokes), until a quorum has been contacted.

Each of these scenarios violates the Brown Act. Legal action may be sought to nullify an agency decision because of any violation of the Brown Act. Some easy ways to ensure that you are not inadvertently violating the Brown Act in communications outside of a public meeting, is to send any communication directly to the Chair and staff liaison only. If you receive any communication which includes all other members of your advisory body, ensure that if you have a need to respond, you do so without using the “reply all” feature. In any verbal conversation with another member, do not share the opinions of or conversations with other members.

Meeting Agenda and Discussion

Discussion at each meeting is limited to what is on the agenda. Brief responses to statements or questions, announcements, request for report back, or future agenda items is the limited acceptable dialogue for items not on the agenda.

Agendas

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

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

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

Meeting Minutes

Written minutes of all regular and special meetings are kept as the official record of business transacted and are taken by the staff liaison. Minutes are modeled after the City Council form of minutes known as “action minutes” and include a record of the legislative actions from the meeting. They do not include summaries of comments or discussions made by Commissioners or members of the public.

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

Quorum

A quorum is the number of members required to be present in order to hold the meeting. A majority is established as more than half.

If a quorum is not established, the meeting must be cancelled. The advisory body chair or vice-chair shall call for a quorum and wait a reasonable length of time to determine if a quorum can be established. Each advisory body may establish a reasonable waiting time based on the logistics of the particular advisory body. If a quorum cannot be established, the meeting is adjourned.

Motions

Motions are a way that advisory body members communicate their ideas and/or positions. Motions also allow the advisory body to progress through popular ideas and get past unpopular ideas without excessive discussion on ideas that are not supported by the majority.

Unless otherwise noted, when a member makes a motion, another member should verbally “second” the motion in order for the advisory body to vote on the proposed action.

No more than **three** motions shall be on the floor at any given time. When there are two or three motions to consider at the same time, the vote shall first be on the most recent motion made. The three basic motions are as follows:

- **Basic Motion**– This motion is the first idea introduced for consideration by the advisory body. A main motion cannot be made when another motion is before the advisory body. Main motions are introduced with “I move that....”
- **Motion to Amend** – This motion amends a basic motion and seeks to change it in some way but does not change the basic premise of the motion. This motion may also be referred to as a friendly

amendment and may be handled informally. If the members who make and second a motion agree with the minor change (and state so verbally), then a motion may be amended without a vote. Amended motions can be introduced with **“I move to amend that motion by adding/removing/modifying”**

- Substitute Motion – This motion introduces a second idea for consideration that is completely different from the main motion. Substitute motions are introduced with **“I move a substitute motion to...”**

- Withdrawal of a Motion - A motion may be withdrawn by the member who moved it and is introduced with **“I move to withdraw my motion.”** This does not require the consent of the member who seconded and can only be done **before** the motion is voted on.

Rules of Debate

The basic rule of motions is that they are subject to discussion and debate. The debate can continue as long as advisory members wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. A motion to adjourn, motion to recess, motion to table or motion to limit debate are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion).

- Motion to adjourn - This officially ends the agenda after all business has been heard. If there are no items of business left on the agenda, an official motion is not required. The chair simply calls the meeting to adjournment by stating **“This meeting is now adjourned.”** If items remain on the agenda, a motion and second is required and can be introduced with **“I move to adjourn”**

- Motion to recess - this motion, if passed, requires the body to immediately take a recess. Normally, the Chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote. This can be introduced with **“I move that we recess until...”**

- Motion to table - this motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific date/time in which the item can come back to the body or no specific time, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. This can be introduced with **“I move that we table this item until....”**

Majority Vote

An issue must receive a majority of affirmative votes to pass. A majority is more than half of the members present and voting. This is the same math that is used to establish a quorum but is not necessarily the same number. For example: A majority **quorum** of a five-member advisory body is three ($5 / 2 = 2.5$ or 3 rounding up). A member cannot be split in half, so the majority is always rounded up to the next whole number.

Tie Vote

A tie vote is not a vote in the affirmative. A tie is when an even number of members vote yes and no. Tie votes may also occur when there are an odd number of members voting, but one member abstains. Motions with tie votes fail.

Abstention

A vote of abstention is counted as a no vote. For example: in the scenario above, 5 members **present and voting** receives 2 yes, 2 no, and one abstention, the vote is not a vote in the affirmative. It is the same as 2 yes and 3 no.

CONCLUSION

The City Council and staff appreciate your service as a City of Patterson advisory body member. The time and energy you expend helps to make the City of Patterson the wonderful community it is. If at any time during your service you have questions or concerns, do not hesitate to contact your staff liaison or the City Clerk's office who can help address any issue which may arise.

ORIENTATION TRAINING AND HANDBOOK ACKNOWLEDGEMENT FORM

Instructions:

By submitting this Acknowledgement Form you confirm the following:

1. Completion of Orientation
2. Receipt and understanding of the Board, Commission, and Committee Member Handbook

This form may be submitted to the City Clerk's office via email to cityclerk@cpattersonca.gov
An original wet signature is not required.

First Name: _____ Last Name: _____

Advisory Body Appointed to:

Date Orientation Training Completed:

By typing my name below and submitting this form, I confirm that I attended the Orientation and Handbook training (or watched the training video in its entirety) on the date indicated above.

I further acknowledge that I have received a copy of the City of Patterson Board, Commission and Committee Member Handbook and understand that it is my responsibility to read and comply with the policies and procedures contained in this handbook and any revisions made of it.

Signature: _____