



City of San Marino

Advisory Board Members Handbook

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TABLE OF CONTENTS

	Page
Welcome	1
Introduction	2
Form of Government	3
City Council	3
Commissions, Boards, and Committees	3
Planning Commission	4
Design Review Committee	4
Library Board of Trustees	4
Recreation Commission	5
Traffic Advisory Board	5
City Officers, Departments, and Staff	6
City Manager	5
City Attorney	5
City Treasurer	6
City Clerk	6
Departments	6
Advisory Board Members Roles, Authority and Relationships	7
Organization and Selection of Chairperson	7
Council-Advisory Board Member Relationships	7
Staff-Commission Relationship	8
Staff's Responsibilities	8
Relations with Other Boards, Commissions and Committees	9
City Clerk	9

City Attorney	9
Objectives of Commissions, Committees, and Boards	10
Appointments	10
Selection Process	10
Orientation	11
Oath of Office	11
Resignation and Removal	11
Attendance	11
Vacancies	11
Officers	11
Staff	11
Expenses	12
Laws and Regulations Imposed on Commissions, Committees and Boards	13
Ralph M. Brown Act	13
Conflict of Interest	14
Determining if you have a Conflict	15
Public Records Laws	15
Discrimination and Equal Protection	15
Due Process	15
Attorney-Client Privileged Communications.....	15
Code of Conduct	16
Ethics Training	17
Preparation for Meetings	18
Preparation	18
Limits of Authority	18

Objectivity	18
Openness	18
Clarifications	18
Conflicts of Interest	19
Meetings.....	20
Regular Meetings	20
Adjourned Meetings	20
Special Meetings	20
Subcommittees	20
Quorum	20
Agendas	21
Order of Agenda Items	21
Minutes	24
Procedure	24
Meeting Management	25
Proceedings	25
Decorum at Meetings	26
Effective Conflict Management	27
Basis for your Decision	28
Motions.....	29
Phrasing a Motion	29
Role of Chair	30
Responsibilities of Chair	30
Appendix	32

WELCOME

Welcome and thank you for your willingness to serve as a member of an Advisory Board for the City of San Marino. Advisory bodies play an important role in city government by assisting the City Council in addressing specific issues in detail, lending professional expertise, and facilitating community decision-making.

The City of San Marino has several advisory bodies, each with distinct responsibilities. As a new advisory body member, you should familiarize yourself with the documents governing your particular body including City ordinances, City Council resolutions, relevant element(s) of the General Plan, and other documents, all available from your staff liaison. Reviewing these documents will help you get a sense of your responsibilities.

This Handbook is designed to serve as a reference for the basic protocols that apply generally to all City advisory bodies. Orientation is necessarily an active process. As a new member you may want to meet with the chair of your advisory body to get a better sense of your role and the business of the body, as well as with the staff liaison assigned to the body. Along with familiarizing yourself with your advisory body's foundational documents, you may want to review agendas and minutes from recent meetings to see what current issues have been under consideration, as well as the advisory body's work program to familiarize yourself with current goals.

Learning your role and developing an effective voice takes time and familiarity. We hope this Handbook will assist you towards a satisfying and productive experience. Your participation is deeply appreciated by the City Council, City Staff and by your community. The vitality and strength of our community results from the willingness of people like you to serve.

On behalf of the City Council, thank you for your service and commitment. Please feel free to call the City Clerk's office at (626) 300-0705 with any questions you may have.

Sincerely,

Veronica Ruiz, CMC
City Clerk

INTRODUCTION

To assist in the City's policy-making role, the City Council has appointed non-paid citizens to various commissions, boards, and committees (hereafter referred to as "Advisory Board" or "Advisory Body") to serve in an advisory capacity and to review and make recommendations on alternative priorities, policies and legislation affecting specific areas of community life. These citizens serve at the pleasure of the City Council in a volunteer capacity. All meetings are conducted publicly and residents are invited to participate.

Membership on advisory boards requires work and commitment, and is often a rewarding experience. It offers a means of participating in community affairs, helping shape policy decisions, and working with interesting people.

This handbook is part of an effort to make it as easy as possible for you to enjoy the experience of serving on an advisory board. It is also meant to assist you in your role as an advisory board member and provide the authority of each advisory body and the responsibilities of the members.

FORM OF GOVERNMENT

Generally, there are two sources of authority by which California cities govern themselves. Charter cities use the election process to adopt a charter or constitution, which sets forth the basis and authority for all future actions regarding municipal affairs, but still follow the state and federal constitutions and state statutes regarding matters of statewide significance. General Law cities adhere to the provisions and requirements established as general law by the State of California for cities. The City of San Marino is a general law city and follows the provisions set forth in the Government Code and other statutes of the State of California.

CITY COUNCIL

The City Council is the governing body of City Government. The Council in San Marino consists of five (5) members elected at large, in odd-numbered years to staggered four-year terms. The Mayor and Vice Mayor are appointed by the City Council to serve one-year terms on a rotational basis. The City Council serves in a part-time capacity with no compensation or benefits. The Mayor is the presiding officer of the Council and the official spokesperson and representative of the City. The Mayor in San Marino votes as a council member and does not have veto power.

The City Council is vested with the regulatory and corporate power of a municipal corporation. The Council serves as the City's board of directors and legislative body. The Council establishes policies and sets goals and priorities. The Council determines service levels and revenue obligations through the adoption of an annual budget, and authorizes City contracts and expenditures. Members of the Council also represent the City on various intergovernmental organizations to achieve goals, legislation, and programs that are consistent with the needs of San Marino residents.

COMMISSIONS, BOARDS, AND COMMITTEES

There are two types of advisory bodies, one is permanent, and the duties, responsibilities, and scope of authority are set forth in an enabling ordinance. The other type of advisory body is ad hoc, and is created by a resolution or minute order of the Council to serve a particular function during a specified time.

In both instances, the primary purpose of these entities is to gather information, weigh public input, and examine issues in depth to render a recommendation to the Council. The City of San Marino has five permanent Commissions, Boards and Committees:

Planning Commission

Design Review Committee

Library Board of Trustees

Recreation Commission

Traffic Advisory Committee

PLANNING COMMISSION

The Planning Commission is an advisory body of the City consisting of five (5) regular members and two (2) alternates and is charged with such duties and shall be granted such powers as are granted to municipal planning commissions under provisions of the laws of the State and under provisions of the San Marino Municipal Code.

The Planning Commission is responsible for the long-range planning of the City through recommended amendments to the City's zoning code. The Planning Commission conducts hearings and makes decisions and/or recommendations on a variety of land use applications, including use permits, variances, General Plan amendments, rezoning, and subdivision maps. The Planning Commission also reviews and studies other land use and planning issues assigned to it by the City Council.

Commissioners are appointed by the City Council to serve up to two (2) consecutive four (4) year terms beginning on July 1st of year appointed through June 30th of the fourth year. The Planning Commission meets on the fourth (4th) Wednesday of each month at 7:00 p.m. in the City Council Chambers. The staff liaison is the Planning and Building Director.

DESIGN REVIEW COMMITTEE

The Design Review Committee consists of five (5) regular members and two (2) alternates. The role of the Design Review Committee is generally to review building plans for new structures or alterations or additions to existing structures to ensure architectural compatibility with the neighborhood.

Committee members are appointed by the City Council to serve up to four (4) consecutive two (2) year terms beginning on July 1st of year appointed through June 30th of the second year. The Design Review Committee meets on the first (1st) and third (3rd) Wednesday of each month at 7:00 p.m. in the City Council Chambers. The staff liaison is the Planning and Building Director.

LIBRARY BOARD OF TRUSTEES

The Library Board of Trustees functions as an autonomous body pursuant to Sections 18900 through 18965 of the California Education Code. Trustees advise and inform the Council on matters pertaining to the programs, materials, and services provided by the library and advise the City on library budgetary matters.

The Library Board of Trustees consists of five (5) regular members and two (2) alternates. Board members are appointed by the City Council to serve up to two (2) consecutive three (3) year terms beginning on June 1st of the year appointed through May 31st of the third year. The Library Board meets on the fourth (4th) Monday of each month at 7:30 a.m. at the Crowell Public Library (Thornton Room). The staff Liaison is the Community Services Director.

RECREATION COMMISSION

The Recreation Commission advises and informs the City Council on matters pertaining to public recreation programs, and advises the City Manager and Community Services Director on recreation budgetary matters.

The Recreation Commission consists of thirteen (13) members; ten (10) members are appointed by the City Council at large. One member shall be a member of the San Marino City Council; one member shall be a member of the San Marino Unified School District Board of Trustees; and one member shall be a student appointed by the School District. Members, other than the student representative, serve up to two (2) consecutive four (4) year terms beginning on July 1st of the year appointed through June 30th of the fourth year. The student representative serves a one (1) year term beginning on July 1st of the year appointed through June 30th of the first year.

The Recreation Commission meets quarterly on the fourth (4th) Monday of January, April, July and October at 7:00 p.m. at the Crowell Public Library. The staff Liaison is the Community Services Director.

TRAFFIC ADVISORY COMMISSION

The Traffic Advisory Commission acts as an advisory board to the City Council with respect to traffic, parking and transportation matters and any other matters that may be assigned to it from time to time by the City Council. The Traffic Advisory Board makes investigations and recommendations as to such matters directly to the City Council in an advisory capacity.

The Traffic Advisory Commission consists of five (5) regular members and one (1) alternate who are appointed by the City Council to serve up to two (2) consecutive four (4) year terms. The Commission meets on the third (3rd) Monday of each month at 7:00 p.m. in the City Council Chambers. The staff liaison is the Assistant City Manager.

CITY OFFICERS, DEPARTMENTS, AND STAFF

The City Council appoints the City Manager, City Attorney, and City Treasurer.

City Manager

The City Manager serves at the pleasure of the City Council and has complete responsibility and authority for the administration of the City's government. The City Manager has appointing authority for most City employees and provides overall planning, supervision, direction and control of all City programs and services.

City Attorney

The position of City Attorney is established by state law, and is the City's legal counsel and advises Council and Planning Commission on questions of law in those matters coming before them and to represent the City in other actions to which it is a party, or as

otherwise may be requested. The City Attorney advises the City Council and Commissions, Committees and staff on legal matters affecting the City. The City Attorney's client is the City and not any officer or employee.

City Treasurer

The position of the City Treasurer is established by state law and is responsible for maintaining an adequate cash balance in the various funds, disbursements upon order of the City Council and for investing available funds.

City Clerk

The position of the City Clerk is also established by state law, and has responsibility for conducting all municipal elections, maintaining all official City records, maintaining a complete and accurate record of City Council proceedings and such other duties as may be delegated.

Departments

The administration of San Marino's government is provided by the City Manager and the following departments: Administration which includes the Finance Department, the City Clerk's office and the Assistant City Manager; Planning and Building which includes the Building Division and Planning Division; Community Services which includes library and recreation services; Parks and Public Works which includes streets, parks and sewers; Police; and Fire.

The department directors, by virtue of their technical training and experience, are assigned by the City Manager to provide staff assistance as needed to the various commissions. However, the commissions have no authority to supervise or direct the work of City staff. This is done only by the City Manager.

ADVISORY BOARD MEMBERS ROLES, AUTHORITY AND RELATIONSHIPS

ORGANIZATION AND SELECTION OF CHAIRPERSON

Each advisory body will organize annually by electing one of its members as a chairperson and another as vice-chair, as soon as practical, following an appointment of new or returning members. The chair and vice-chair serve at the pleasure of such advisory body.¹

The chairperson is responsible to ensure meetings run effectively and efficiently. The chairperson must keep the meeting moving by holding members, applicants, the public and City staff to the subject at hand. Advisory board members should select a chairperson based on leadership abilities and tactfulness. The chair should not be selected as a result of political influence; or based solely on rotation, ability or hard work. Some members, regardless of their other talents, simply are not suited to the job of chair.

COUNCIL-ADVISORY BOARD MEMBER RELATIONSHIPS

The primary purpose of all advisory bodies is to provide judicious advice to the City Council, the elected policy-making body of the City. The advisory body's role can include hearing public testimony on the Council's behalf, building community consensus for proposals or projects, reviewing written material, facilitating studies of critical issues, guiding the implementation of new or regulating established programs, assessing the alternatives regarding issues of community concern, and ultimately forwarding recommendations to the Council for consideration. There are times when the advisory body's recommendation will not be sustained or will be modified by the City Council. It is important to recognize this as an inevitable part of the process of community decision-making, not a rejection of the integrity of the recommendation.

Throughout this process, the form and formality of the relationship between advisory body members and council members will vary. Some advisory body members will have regular contact with individual council members, while others may serve solely in the group context. This relationship will depend on your advisory body as much as on you and the Council. For example, there are times when the chair may address the Council formally on behalf of the advisory body, and other times when an advisory body member may meet with a council member individually. At all times it is important to aim for clarity and mutual respect for the different responsibilities and roles.

Members should avoid discussing the recommendations of the advisory body with individual council members once the vote is taken. It must be remembered that final authority and responsibility for public policy decisions rests with the City Council. The Council has appointed commissioners and board members as advisors to them. This underlying philosophy makes it improper for an individual commission member to try to

¹ Regarding Library Board of Trustees: Education Code Section 18917 states the board shall appoint one of its number president, who shall serve for one year and until his successor is appointed, and in his absence shall select a president pro tem.

persuade the Council into the acceptance of a recommendation other than that voted by the majority. The role of all advisory board members is to assist the City Council in the formation of policy.

STAFF-COMMISSION RELATIONSHIP

Staff is assigned by the City Manager to assist and act in a technical advisory capacity to the various advisory boards. It is not expected that every staff recommendation will be followed; however, because of staff's technical knowledge, full consideration should be given to their recommendation. Just as the advisory board is held accountable to the City Council, so is the staff to the City Manager. After the staff makes a report or recommendation to an advisory board (which recommendation may or may not be followed), they are at liberty to make the same recommendation to the City Council through the City Manager, even though the advisory board may have taken a different position. Staff has been employed by the Manager to provide technical guidance. Staff members make objective recommendations without consideration of personal or political consequences. Failure of a staff member to provide expected or promised service to the advisory board is a basis for a complaint to be brought to the attention of the City Manager. Since staff personnel are directly responsible to the City Manager, it is his responsibility alone to allocate their time and resources in the interest of total City government.

The relationship of the advisory body and staff is an active and continuous one. Both advisory body and staff are motivated by the shared goal of furthering the City's best interests. Yet while the goal is shared, there are times when the approach and responsibility toward implementing the goal can be different. Because the distinctions in responsibility are not always explicit, cultivating a balanced understanding of your role is essential. The interaction need never be adversarial, but rather can promote respect for different perspectives, and appreciation for each other's strengths.

Since City staff works for and is accountable to the City Manager, advisory board members should not attempt to direct or decide the priority of work for departments or individual staff persons. Advisory board members' goals and work programs must be consistent with the City Council's goals.

STAFF'S RESPONSIBILITIES

Important staff responsibilities include:

- Being informed about the latest developments in their field.
- Providing background and expressing views to the advisory body on important Issues.
- Providing administrative support, including agenda preparation and taking of minutes at meetings.
- Maintaining a professional position on all topics.

- Helping the advisory body to stay on track and focused.
- Interpreting City Council, City department and relevant local, state, and federal actions and policies.
- Alerting advisory body members of possible detrimental actions.
- Presenting advisory board recommendations to the City Council.
- Describing precedents or operating procedures which affect the decisions.

RELATIONS WITH OTHER BOARDS, COMMISSIONS AND COMMITTEES

In areas where there is overlap of jurisdiction between various commissions, it is important that a liaison be developed to insure proper consideration of the different viewpoints that may occur, and to minimize duplications or conflicts. Further, joint meetings with the City Council and other boards, commissions and committees may be mutually beneficial whenever two bodies are simultaneously addressing the same topic.

CITY CLERK

The City Clerk plays an important role for advisory bodies. The City Clerk accepts and maintains applications, processes appointments, updates membership rosters, bylaws, informational booklets and yearly attendance records. The City Clerk is also a resource with respect to the Brown Act, agenda processing, and meeting procedural questions. The City Clerk is the filing officer for Statements of Economic Interests, and any other required filing as identified by the City Council and the State.

CITY ATTORNEY

The City Attorney is a resource for understanding compliance with the Brown Act, agenda legality issues, meeting process questions, conflict of interest determinations, and other legal issues regarding the advisory bodies' roles.

OBJECTIVES OF COMMISSIONS, COMMITTEES, AND BOARDS

Commissions, committees, and boards help determine overall City goals. Resident members advise and assist the City Council in areas of special concern. Opening lines of communication between the general public and the City Council, such groups help assure that City government is responsive to citizens. Each commission, committee or board makes recommendations to the City Council; it does not determine or establish City policy or provide administrative direction.

The benefits of commissions, committees and boards include:

- Focusing of attention on specific areas of concern
- Encouraging citizen participation in formulating proposed goals
- Providing a view point in addition to professional staff
- Making recommendations based on thorough and in depth analysis of alternatives.

APPOINTMENTS

Appointments are recommended by the Council liaisons appointed to the respective commission, committee or board and appointed by the full City Council. After applications are received, the Council liaisons interview the applicants and recommend their selection for appointment to the City Council. Once appointed, each member must be administered the oath of office by the City Clerk prior to being seated. All Commission, Committee and Board members must complete Statements of Economic Interest forms (Form 700) making financial disclosures and identifying interests in real property that may result in a conflict of interest.

SELECTION PROCESS

Appointment to an advisory board is generally based on the following:

- A broad viewpoint and concern for the City of San Marino
- A familiarity with the community's history and goals
- An interest in and a recognition of the importance of the function of the particular commission
- Readiness to devote time and effort to carrying out the duties of the office
- A willingness to accept and support the policies of the City Council
- A willingness to serve as chairperson of the board or commission

ORIENTATION

All newly seated advisory board members participate in an orientation process. The orientation process is intended to acquaint advisory board members with city goals, advisory board responsibilities, current status of advisory board business, meeting schedules, meeting procedures and city hall contacts.

OATH OF OFFICE

Upon appointment to a City of San Marino advisory body, members shall take and sign an Oath of Office administered by the City Clerk.

RESIGNATION AND REMOVAL

If a Member is unable to continue serving because of health, business requirements or personal reasons, a letter of resignation should be submitted to the City Council. The position of any member is automatically vacated when the member ceases to meet the qualifications for office, when Council accepts the member's resignation, or when the Council removes the member.

ATTENDANCE

For advisory bodies to function effectively and accomplish their goals, all members must be active participants. This means all members should be present at all meetings. Advisory board members should inform the staff liaison prior to the meeting if they will be unable to attend. Three unexcused absences in one calendar year may be grounds for removal from the advisory board.

VACANCIES

All vacancies are filled by appointment as set forth above. An appointment made to fill an unscheduled vacancy is for the unexpired portion of that term.

OFFICERS

Each year, every advisory board will elect from its membership a chairperson and a vice-chairperson who serve at the pleasure of the advisory board. The term is for one year. It is the chairperson's duty to preside over meetings and to present such reports as are required or requested by the City Council, and to act as the formal commission representative in communications with the Council. The vice chairperson acts in the chairperson's capacity when the chairperson is not available.

STAFF

Each commission, committee and board is assigned a Staff liaison who is usually the department director responsible for the services for which the advisory board is appointed to make recommendations to the City Council. Advisory boards are not delegated with work assignments and are not provided with staff or clerical assistance.

The agenda for advisory board meetings is prepared by the department liaison or delegate, and minutes are prepared by the department director's staff.

EXPENSES

All advisory board members serve in a volunteer capacity and do not receive a stipend for their services. However, mileage and personal expenditures associated with mandatory attendance at approved conferences, hearings and outside meetings may be reimbursed according to City policy.

LAWS AND REGULATIONS IMPOSED ON COMMISSIONS, COMMITTEES AND BOARDS

Certain limitations have been placed upon the powers of the City Council and its appointed advisory board members by both statutory and case law.

It is not appropriate for individual members to present their personal views or recommendations as representing the advisory board unless such body has voted on such action. Members expressing views not approved by the majority of an advisory board should indicate their opinions are offered from the perspective of a “private citizen.” Individual opinions must be identified as such.

Public statements should not include promises that may be construed to be binding on the advisory board, City Council or City staff. When making a public statement, members should indicate that advisory board actions are recommendations and that final decision will be taken by the City Council.

Members of advisory boards should represent the overall “public good” and not an exclusive group or special interest.

The following is a brief overview of the most important laws affecting advisory boards as a whole and individuals who are appointed to an advisory board.

RALPH M. BROWN ACT

The Ralph M. Brown Act (the Brown Act) (Government Code Section 54950, et. seq.) provides that all meetings of local legislative bodies, which includes advisory boards, be noticed and held in public. A “meeting” takes place whenever a majority of the legislative body is present at the same time and location and official business is discussed or considered. In addition, the Brown Act prohibits deliberations and actions from being taken by “a serial meeting.” A serial meeting is where a member of an advisory board or staff calls, meets or emails members of the respective advisory board such that at least a majority of the members discuss an item of advisory body, regardless of the significance of the item being discussed. A serial meeting also includes one member of the advisory board calling (or emailing) another member and then that member calls (or emails) a third member and so on, such that at least a majority of the members discuss the item or obtain consensus on any items of advisory body business to be deliberated upon by the advisory body.

It is important to remember that if discussion, deliberation or action is taken on an item through a series of telephone calls or emails by and between a majority of individual members of the advisory board, even if no formal meeting has occurred, this action is considered an unnoticed meeting that is not public in violation of the Brown Act. A majority of Advisory Board members are permitted to socialize in a non-meeting setting but must refrain from discussing any commission/ committee/board business. Care should be taken to make sure that if a majority of an advisory board is gathered at a public or private place, no public business is discussed so that the gathering will not be interpreted as a meeting.

The Brown Act requires an agenda for every meeting be posted in three public places at least 72 hours in advance for a regular or adjourned meeting and at least 24 hours in advance for a special meeting. The City of San Marino posts all agendas at the following locations: City Hall, 2200 Huntington Drive; Crowell Public Library, 1890 Huntington Drive; and Stoneman School, 1560 Pasqualito Drive. In addition, the City posts all agendas on the City's website at www.cityofsanmarino.org.

CONFLICT OF INTEREST

Conflict of interest law is designed to assure that public officials perform their duties impartially and not participate in decisions, including regarding any contract, sale, purchase, finding or transaction, in which the official has a financial interest. Conflict of interests may disqualify the advisory board member, cause the member to incur a fine or criminal penalty, or invalidate any advisory board action where such conflict exists. Any interest, whether personal, private, general or sentimental that would tempt an advisory board member to act in any manner other than the best public interest should be examined to determine if official action should be restricted. An interest that is common to the public generally may not disqualify an official from participating in an action.

To assist advisory board members and legislative bodies in knowing whether a conflict of interest exists, the Fair Political Practices Commission ("FPPC") has implemented rules and regulations pertinent to the deliberations and actions of advisory board members and legislative bodies. The City Council is required to adopt a Conflict of Interest Code pursuant to Government Code Section 87300, et. seq. specifying disclosure requirements for all advisory boards, except the Planning Commission. The Planning Commission and City Council are subject to the disclosure requirements of State law and their Statements of Economic Interests are filed directly with the FPPC.

All advisory board members are required to complete a Statement of Economic Interests form (Form 700) when initially appointed to a position on an advisory board; annually thereafter while serving as an appointed official; and upon leaving office.

Assuming Office Statement: Filed within 30 days of being appointed

Annual Statement of Economic Interest: Due every year on the 1st business day of April.

The City Clerk will distribute the Annual Form 700 to the Advisory Board Members by March 1 each year. The period will cover January 1 through December 31 of the previous calendar year.

Leaving Office Statement: Filed within 30 days of leaving office.

The City Clerk is charged with the duties of ensuring that advisory board members receive the Conflict of Interest forms and filing and maintaining each advisory board member's Conflict of Interest Statement. Failure to file a Statement of Economic Interests form completely and accurately is a violation of state law or the City's Conflict of Interest Code and can result in fines being levied by the FPPC or prosecution by the District Attorney for a misdemeanor.

DETERMINING IF YOU HAVE A CONFLICT OF INTEREST

All members of City advisory bodies should avoid the appearance of bias in pending City Matters at all times. Any advisory board member who has doubt as to whether or not there is a financial interest in any decision before the advisory body should contact the City Attorney's office prior to the time requested to make a decision. The member can also ask the legal division of the Fair Political Practices Commission for formal advice. Requests for formal written advice are generally answered within 21 working days, although telephone advice may be given more quickly in urgent situations. If the FPPC formally advises an official in writing that recusal is not necessary, the official is protected against legal or administrative action arising from conflict of interest charges; no other advice immunizes an official.

PUBLIC RECORDS LAWS

The Government Code of the State of California provides that all public records of the City are open to inspection to any interested person at all times during City Hall hours. Exceptions to this law are only those records specified in the Public Records Act. All advisory board minutes and supporting documents are public records and must be disclosed. In addition, your emails or other correspondence relating to your role as a board member or regarding specific topics that come before your board may need to be disclosed in response to a public records request.

DISCRIMINATION AND EQUAL PROTECTION

The City may not impermissibly discriminate. All laws and ordinances of the City must afford equal protection to various members of the community.

DUE PROCESS

All governmental procedures and processes must allow an affected party in particular situations notice and a right to be heard, which usually includes the ability to present controverting fact or testimony on the question of right in the matter involved. Certain determinations made without due process may invalidate an action taken by an advisory board.

ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS

The City Attorney's office represents the City, so in the rare instances where the City Attorney or his assistants advises one of the advisory boards, this falls under the attorney-client relationship. The California Supreme Court has recognized that a city,

like any other client seeking legal representation, needs freedom to confer with its lawyers confidentially in order to obtain adequate advice. As such, you may occasionally be given correspondence from the City Attorney's office, either in response to a question you posed or as initiated by the City Attorney or staff. That correspondence is attorney-client privileged unless stated otherwise, and it is highly confidential. It is inappropriate for any one advisory board member to disclose attorney-client privileged documents or information obtained from such documents, as the City is the holder of the attorney-client privilege rather than any one board member. If you are unsure of whether you may discuss a topic that arose in an attorney-client privileged correspondence, please ask the City Attorney or his assistant before you disclose the information.

CODE OF CONDUCT

The City adopted Resolution No. R-00-30 establishing a Code of Conduct for City advisory bodies (See Appendix). The Code of Conduct governs the actions and deliberations of the advisory bodies so that public deliberations and actions can be conducted in an atmosphere free from personal animosity and hostility and that all actions serve to increase public confidence in the City of San Marino's government.

Each advisory board member has the duty to:

- A. Adhere to a high level of ethical conduct in the performance of public duties;
- B. Represent and work for the common good of the City;
- C. Pursuant to state law, refuse to accept gifts or favors or promises of future benefits which might compromise or tend to impair independent judgment or action;
- D. Provide fair and equal treatment for all persons and matters coming before the advisory body whether in person, in writing, or in an e-mail communication;
- E. Faithfully perform all duties of office;
- F. Learn and study the background and purpose of important items of business before voting;
- G. Be tolerant of all views expressed at public meetings; and
- H. Refrain from abusive conduct, personal charges or verbal attacks made upon others.

ETHICS TRAINING

The City adopted Resolution No. R-14-30 establishing a policy for ethics training for members of the San Marino Planning Commission, Design Review Committee, Traffic Commission, Library Board of Trustees, and Recreation Commission (See Appendix). Appointees to any City Advisory Body shall complete one (1) hour of ethics training within one year of their appointment date and every two years thereafter for those continuing service. The training shall include the Ralph M. Brown Act, conflicts of interest, and meeting management.

PREPARATION FOR MEETINGS

PREPARATION

Be prepared. Thoroughly review the agenda packet, including agenda reports, and any other materials before the meeting. The issues that come before commissions are important to the community and demand your consistent attention. In agreeing to serve on an advisory body, you are making a commitment to put in the time required to prepare fully for each meeting.

Understand what action you are being called upon to take for each particular agenda item. If you have questions about the agenda, agenda report, or recommended action, contact the chair or your staff liaison before the meeting to clarify questions or request further information. In order to facilitate a timely meeting, advisory board members are encouraged to call or meet with staff prior to the meeting in order to get clarification on questions. By doing so, more time will be available for public input and for discussion by the advisory body.

LIMITS OF AUTHORITY

Know the responsibilities of your advisory board, as well as the limitations of your individual authority. As a member of an advisory body you will be asked to provide recommendations to the City Council about specific issues. Keep in mind that your appointment does not empower you to make promises to the public, or to supervise or provide direction to City staff.

OBJECTIVITY

Keep an open mind. An objective, balanced, and receptive approach will help you assess the facets of a given issue, and evaluate new ideas. When receiving written and oral public testimony it will be necessary to discern between fact and opinion, as well as between those concerns which are relevant and those which are secondary to the issue at hand. Keeping an open mind will make it easier for you to understand all sides of an issue before you make a judgment or take a position.

OPENNESS

Strive to appreciate differences in approach and point of view. Diversity of ideas sustains a thoughtful dialogue and a vibrant community. Likewise, take care to articulate your own ideas: remember that your individual voice is a critical part of the whole dialogue. Again, furthering common goals takes cooperation, flexibility, and a broad-based view of the public interest. If in doubt, return to the foundational documents to guide your understanding of the complexities of an issue.

CLARIFICATIONS

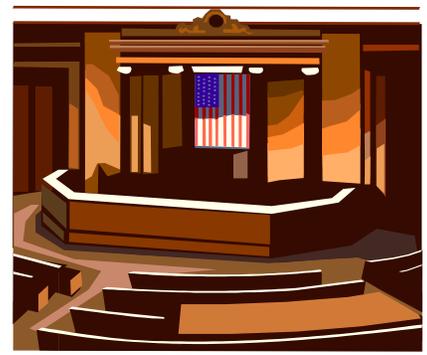
If you are unsure about something during the meeting, ask for clarification. On behalf of the public, your understanding of issues is important. Each advisory body has a City

staff liaison to provide information to assist the members throughout the decision-making process.

CONFLICTS OF INTEREST

Review each agenda item ahead of the meeting to determine if you may have a conflict due to property or monetary interests.

MEETINGS



REGULAR MEETINGS

Advisory boards are required to hold regular meetings open to the public. Meeting locations for the advisory boards are held in the City Council Chambers or at the Crowell Public Library depending on the advisory board. An agenda for each advisory board meeting must be posted at least 72 hours in advance of the meeting. The Advisory Board staff liaison is responsible for preparing and posting the agenda.

ADJOURNED MEETINGS

If the business to be considered at a regular meeting cannot be completed, the advisory board then may designate a time and date for an adjourned meeting. This must be announced to the members of the public who are present at the time of adjournment, and so recorded in the minutes. A Notice of Adjournment must be posted within 24 hours of the adjournment.

SPECIAL MEETINGS

A special meeting may be called by the chairperson or a majority of the members. A Special Meeting Notice must be delivered to all advisory board members and to any news media that have made a request for such notification. The notice must contain the time and place for such a meeting and the subject matter to be considered, and the notice must be received at least 24 hours prior to the meeting. Introduction of other items at a special meeting is prohibited.

SUBCOMMITTEES

The chairperson may appoint special subcommittees of less than a majority of the advisory board who then may meet at their convenience to carry out the purpose of the subcommittee. If the subcommittee has a continuing subject matter or a regularly scheduled meeting time, it may qualify as a Brown Act committee and public notice provisions will apply.

QUORUM

A quorum consists of a majority of the members of the advisory board. A quorum is required to conduct business at any meeting whether it is a regular, adjourned, or special meeting. While it is expected that members be present at all meetings, the chair and staff liaison should be notified if a member knows in advance that he/she will be absent.

AGENDAS

Each advisory board has a staff coordinator responsible for preparing an agenda and distributing the agenda and supporting documents prior to each meeting. Items to be heard before an advisory board should be submitted to the Staff Liaison well enough in advance to assure placement on the desired agenda.

The title of each item on the agenda shall be descriptive and understandable to the public. The posted agenda also shall indicate when opportunity is provided for members of the public to address the advisory board. If an advisory board member or staff intends to bring up an item for discussion or action, the item must be included on the agenda. Members of the advisory board may request that the chair or staff place any item within the purview of the advisory board on a future agenda. Information items placed on an agenda may not be acted upon at the meeting. Any member may, however, request that the informational item be placed on a future agenda for action.

Only those items appearing on an agenda may be considered at each meeting, with some brief exceptions. In cases of extreme emergency, the board may take action on an item not appearing on the agenda upon a vote by the majority of the board than an emergency situation exists or upon a determination by two-thirds of the members of the board present at the meeting, 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 action before the next regular meeting and the that need for action came to the attention of the City subsequent to the agenda being posted.

ORDER OF AGENDA ITEMS

The business of the advisory body at its meetings will generally be conducted in accordance with the following order of business unless otherwise specified in an agenda.

- Call to Order and Pledge of Allegiance
- Roll Call
- Public Comment
- Special Presentations and Announcements
- Approval of Minutes
- Continued Business
- New Business
- Public Hearings
- Written Communications Received
- Advisory Board Member and Staff Reports
- Consideration of Future Agenda Items
- Adjournment

The chair may give special consideration on the order of scheduling items when circumstances so warrant, including but not limited to: 1) families and children;

2) veterans and seniors; 3) items with an anticipated large audience; and 4) consultants paid on an hourly basis.

Call to Order and Pledge of Allegiance: The chair will call the meeting to order and may announce policies regarding public speaking, submission of information, special assistance, and public testimony.

Roll Call: A quorum must be present to conduct the meeting.

Public Comment: Members of the public are entitled to speak on matters of municipal concern not on the agenda during consideration of that portion of the meeting agenda entitled "Public Comment." Each person is entitled to speak on any item within the purview of that board, except at special meetings, when members of the public may only publicly speak regarding an item on the agenda. Brief questions by Advisory board members for clarifications on questions pertaining to items not on the agenda may be posed and answered. Advisory board members may make requests that items be placed on future agendas, but in accordance with State Law, (Government Section 54954.2) no substantive discussion may take place on items not appearing on the agenda.

Speaker Sign Up – Persons wishing to speak under Public Comment are requested to sign up on the sheet provided for public comment prior to the start of the public comment portion of the meeting. When called upon, the person should come to the podium. He or she may state his or her name, provide his or her address for the record, and if speaking for an organization or other group, identify the organization or group represented.

Special Presentations and Announcements: May be scheduled as necessary in recognition of persons or groups for their service in the Community.

Approval of Minutes: Minutes of the advisory board will be at a minimum action minutes recorded by the staff liaison or designee. Action minutes include at a minimum, any direction by the advisory board and motions with votes. The minutes will reflect the names of public speakers and a synopsis of their comments.

Continued Business: These are items which have been considered at an earlier meeting but required either additional work or research and are brought back for further consideration of the advisory board with the new or additional information as needed.

New Business: These are items provided to the advisory board which have not been previously considered as a part of the Agenda but require action or consideration.

Public Hearings: Public Hearings may be required on certain items as prescribed by the San Marino Municipal Code or by state or federal law. Notices for public hearings shall be posted prior to the meeting as required by law. The general procedure for public hearings is as follows:

- a. Advisory board members disclose any conversation(s), meetings or communication with applicants and/or other party(ies) that might influence the discussion of the item.
- b. Staff presents its report. Advisory board members shall only ask questions of staff and defer any opinion on the item(s) until after the public comments section of the meeting.
- c. The chair opens the public hearing.
- d. Applicant(s) present their request/proposal subject to time limits established by the chair and subject to public testimony rules under meeting conduct within this document.
- e. Members of the public are provided with the opportunity to present their comments, testimony or argument for the record. The chair will take speakers in the order in which they signed up to speak. If anyone wishes to speak who has not signed up, they may do so if recognized by the chair.
- f. Applicant(s) shall be permitted time (generally 5 minutes) at the end of other comments for rebuttal.
- g. The chair closes the public input portion of the public hearing with the consensus of the advisory board. The chair will then ask for discussion and consideration from the advisory board members. In this discussion, there may be further questions and or comments by staff, appellant or proponent or members of the public.
- h. The vote occurs and the chair announces the decision.

Time for Consideration: Matters noticed to be heard by the advisory board will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and will continue until the matter has been completed or until other dispositions of the matter has been made.

Continuance of Hearings: Any Public Hearing being held or noticed or ordered to be held by the advisory board at any meeting may, by order or notice or continuance, be continued or re-continued to any subsequent meeting.

Materials for Public Record: All persons interested in the matter being heard by the advisory board shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained as part of the record of the hearing.

Written Communications Received: Written communications received by the advisory board may be noted, read aloud, or summarized by the chair.

Future Agenda Items: May include a brief list of items to be considered by the advisory board at upcoming meetings and serves as an opportunity for Members to request items to be placed on a future Agenda.

Adjournment: Upon consensus of the advisory board the chair will adjourn the meeting.

MINUTES

The Minutes are the official document of record of all advisory board meetings. The City uses the action minute format for all City Council and all advisory body meetings. The staff liaison assigned to the advisory body is responsible for preparation of the action minutes of each meeting. Action minutes shall reflect the action taken by the advisory body, including the maker and second of motions and the vote on each motion. The action minutes shall also list the names of those persons speaking during the public comment period. Minutes of the meeting shall be submitted to the advisory body for approval at its next meeting. Once the Minutes have been approved they are filed and maintained by the City as a permanent record of the advisory board's deliberations and actions.

PROCEDURE

The guidelines on parliamentary procedure contained in Roberts' Rules of Order are used to conduct advisory board meetings.

MEETING MANAGEMENT

The City of San Marino is committed to operating efficient, effective and accessible government operations. The following material outlines techniques you can use to ensure that your advisory board meetings are efficiently run and give all residents an equal opportunity to address the issues.

PROCEEDINGS

- Start meetings on time. Keep the agenda in mind in order to give each item the appropriate time.
- Announce at the start of a meeting if the order of agenda items is to be rearranged for convenience, for response to those attending only for certain items, or for better pacing of the agenda.
- Let the chair run the meeting.
- Be fair, impartial, and respectful of the public, staff, and each other. Give your full attention when others speak.
- Learn to trust your own good judgment on decisions.
- Remember that people may be attending a meeting for the first time, and may be unfamiliar with the procedures. In your discussion, either avoid using verbal shorthand, such as acronyms, and explain technical terms to the public.
- Listen to audience concerns. Don't engage in side conversations or otherwise be distracted during public testimony. The opportunity for public testimony is central to the strength of democracy, and is therefore encouraged. Active listening, however, does not mean engaging the public in debate. Your response is appropriately saved for after the public testimony is closed.
- Close the public testimony before you begin serious deliberation on an issue.
- Sometimes asking questions can most effectively focus discussion and direct decision-making. For example:

Questions for staff:

- What is the history behind this item?
- What are the benefits and drawbacks?
- What other alternatives did you consider?

Questions for other advisory body members:

- What do you think about this item?
- What have you heard from the residents?

- What would it take for you to support this?

Questions for the public (at a hearing):

- What are your concerns?
- How will this proposal affect you?
- What specific constructive, alternatives can you recommend?

Questions for yourself

- What are we trying to accomplish?
- What are the long-range interests of the community?
- What guidance can be found in our foundational documents?
 - San Marino Municipal Code
 - Budget
 - Capital Improvement Program
 - General Plan
 - Specific Plans
 - Park Master Plans
 - Council Goals
 - Council and Commissions
 - Brown Act
- Often you must balance multiple views, neither favoring nor ignoring one individual or group over another. Your obligation is to represent a broad-based view of the community's long-range interests.
- Remember that your advisory board exists to make recommendations. It is not simply a discussion group or debating society.
- Endeavor to end meetings by a certain time. Short breaks may be helpful during long meetings. Meetings that go beyond three hours reduce the quality of the advisory board's work.
- Advisory boards may meet in different types of meeting formats including the conventional public meeting, and study sessions. Please contact your staff liaison for a detailed explanation of these formats and when they are appropriate.

DECORUM AT MEETINGS

- Limit speakers to ten minutes for a group and three minutes for other members of the public.
- Discourage outward signs of agreement or disagreement from the audience such as applause or statements from the floor. Such demonstrations can intimidate those with an opposing view and unintentionally discourage open public discussion of all the issues and points of view.

- Limit your own comments to the issues before the advisory board. Avoid the appearance of straying from the subject or “grandstanding.”

EFFECTIVE CONFLICT MANAGEMENT

Public hearings or citizen input meetings can be difficult to manage. Participants are sometimes highly motivated and often nervous. When there is a group of potential adversaries in one room, the possibility of conflict is high. As an advisory board member, your role is to guide opposing views to positive results, not to eliminate them.

The following suggestions may help you manage conflict and confrontation effectively:

- Anticipate differences by learning about the topic beforehand so you can concentrate on the meeting’s purposes.
- Set meeting rules early and make sure everyone abides by them without exception.
- Explain carefully the purpose of public hearings and what action is expected at the conclusion of the hearing. Insistence on playing by the rules is your best tool for conflict management in public hearings.
- Set an acceptable time limit for testimony by members of the public (generally three minutes) and stick to it.
- Make decisions as promptly as possible. Many bodies get so bogged down in procedural distractions, petty details and endless searches for more information that the issue never seems to get resolved.
- Don’t overreact to inflammatory comments. Most are expressions of frustration and do not require answers. Turn frustration to constructive avenues. Ask questions. Be as specific as you can. Refer to the speaker by name if you know it. Reinforce areas where you agree. Do not return insult for insult. Very often, the primary audience for your response is not the person who raised the issue.
- Avoid speaker-to-audience conversation. The purpose of a hearing is to help your commission arrive at a decision, not to engage debate with the audience.
- If other members have questions for the speaker, permit these questions only during the speaker’s time at the podium.
- Be careful not to prejudge the action of the advisory board. Use the hearing to gather necessary information about the project and individual desires concerning the proposal. Members should not express their views on the proposal until after testimony has ended. Their comments and questions should not suggest a position one-way or the other.

- Once testimony has ended, each member should be invited to discuss individual views on the proposal.
- View the public hearing as an example of participatory government in action at the local level. Make it your personal goal to make the public hearing work and ensure that everyone is fairly heard.

BASIS FOR YOUR DECISION

Generally:

Advisory board decisions should be based principally on the information presented to you in the open public meeting process. If you collect pertinent information outside of the public process through a meeting with stakeholders or site visits, you should share that information with your fellow advisory board members in the public meeting. This sharing of information will ensure that board members benefit from the same information and that members of the public have a better understanding of the rationale for your decision.

Advisory board members are free to meet or refuse to meet with residents, resident groups, developers or prospective contractors or any persons outside of the public meeting process concerning issues before the advisory board. If you meet with any individuals outside of the public meeting you are required to disclose the content of that meeting in the public meeting to ensure that everybody is aware of the facts and have similar information on which to base their decision.

Findings:

From time to time your advisory body may be called upon to exercise its quasi-judicial function. In other words, the body will sit as a “judge” in determining whether a particular land use entitlement, such as a variance, subdivision map or a conditional use permit, is appropriate for a particular piece of property. When the body acts in this role, it is important to make findings.

As defined by the California Supreme Court, findings are legally relevant subconclusions which expose the agency’s mode of analysis of facts, regulations, and policies, and bridge the analytical gap between raw data and ultimate decision. In other words, findings are the legal footprints local administrators and officials leave to explain how they applied the facts to established standards and arrived at a decision. For example, the Planning Commission may need to find that a particular land use approval is consistent with the City’s General Plan. In such a case, it is insufficient merely to state that the approval is consistent with the General Plan; the finding needs to explain *how* or *why* the approval is consistent with the General Plan.

In some cases, staff may prepare proposed findings for the body to consider use, revise or reject. This is typical in many cities, and it is done for the purpose of efficiency. The suggested findings – usually included in a “draft resolution” attached to the staff report for a particular item – can help the members of the advisory body identify the

appropriate information, policies, and regulations governing the proposed project and guide them in making the necessary findings. Of course, before adopting any staff-prepared findings, the advisory body's members must objectively review and, where necessary, revise the findings to make sure that they accurately reflect both the evidence in the record (which is likely to be supplemented in the hearing after the presentation of the staff report and draft resolution) and the members' own conclusions. In some other cases, the advisory body may want to take tentative action and then direct staff to draft a written statement of the findings based on the evidence and the deliberative discussion that took place during the public hearing. The staff draft can then be reviewed for adoption as the agency's findings at a later meeting. This method of preparing findings often provides staff with a better opportunity to carefully review the entire record, including the evidence presented during the public hearing before preparing proposed findings for the decision-making body. However, this method also delays the final decision on projects until the advisory body reconvenes to consider the findings. In any case, staff will help you determine when findings are required, and the City Attorney's office can answer questions as well.

MOTIONS

When a member wishes to propose an idea for the body to vote on, the member must make a motion. This is the only way an idea or proposal from a member may be presented to the body for discussion and possible action. The following are the steps taken to make a motion:

- Member asks to be recognized by the chair.
- After being recognized, the member makes the motion (I move . . .).
- Another member seconds the motion. No discussion should occur until the chair determines whether there is a second to the motion on the floor.
- The chair states the motion and asks for discussion.
- When the chair feels there has been sufficient discussion, the chair requests that debate be closed (i.e., "Are you ready for the question?" or "Is there any further discussion?").
- If no one asks for permission to speak, the chair puts the question to vote through consensus or roll call vote.
- After the vote, the chair announces the decision ("The motion is carried" or "The motion fails," as the case may be).

PHRASING A MOTION

Phrasing a motion is often difficult and corrections may be necessary before it is acted upon. Until the chair states the motion, the member making the motion may rephrase or

withdraw it. A motion may be amended, and if so, the amended motion must also receive a second before being voted upon. It is particularly important when a motion is amended that the chair restates the motion in order that all members and the public are clear as to what is being voted on.

In making a motion, members should try to avoid including more than one proposal in the same motion. This is especially important when members are likely to disagree. If a member would prefer to see a motion divided and voted upon separately, the member should ask the chair to divide the motion. If a majority of the members do not object, the chair may proceed to treat each proposal as a distinct motion to be acted upon separately. The request to divide may also be made by motion.

ROLE OF CHAIR

The chair shall preserve order and decorum at all meetings of the advisory body, announce the advisory body decisions, and decide questions of order. The chair is responsible for ensuring the effectiveness of the group process. A good chair balances moving the discussion forward with due process, involving all members, and allowing for adequate public participation. In the absence of the chair the vice chair shall act as presiding officer.

RESPONSIBILITIES OF CHAIR

- Ensure that the public understands the nature of the issue being discussed (i.e. reason for discussion, process to be followed, opportunities for public input, timeline for decisions).
- Keep discussion focused on the issue at hand.
- Solicit opinions from advisory board members. Encourage evaluation of new, tentative, or incomplete ideas. Discourage overly dominant advisory body members from having disproportionate control over the discussion.
- Protect advisory body members, staff, and the public from personal attacks.
- Provide structure for addressing complicated issues.
- For major items, delay analysis and action until the full range of alternatives is on the table.
- Attempt to reach decisions expeditiously on action items. At those times when action would be premature, guide discussion toward a timeline or framework for responsible action.
- Maintain order and ensure respect for all opinions.



We hope that these guidelines will assist you in your role as an advisory board member. While this handbook is not all inclusive, it covers those issues you, as an advisory board member will most often be confronted with.

If you have any questions or require any clarifications be sure to contact your advisory board's staff liaison who will be happy to assist you.

APPENDIX

1. San Marino Resolution No. R-00-30 – Code of Conduct
2. San Marino Resolution No. R-14-30 – Ethics Training
3. San Marino Conflict of Interest Code

RESOLUTION NO. R-00-30

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN MARINO, CALIFORNIA, ADOPTING A CODE OF
CONDUCT FOR MEMBERS OF CITY BOARDS AND
COMMISSIONS**

WHEREAS, the City Council desires to formalize a Code of Conduct for Board Members and Commissioners appointed by the City Council, and

WHEREAS, the Code of Conduct describes the expectations of the City Council related to meeting participation and comportment.

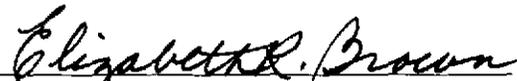
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That the attached Code of Conduct is incorporated herein by reference.

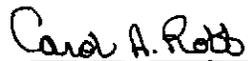
SECTION 2. That the Code of Conduct will be distributed to current and future appointees by the City Council.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 8th day of November, 2000.


ELIZABETH R. BROWN, MAYOR

ATTEST:



CAROL A. ROBB, MMC
CITY CLERK

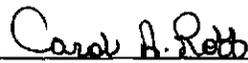
CITY OF SAN MARINO RESOLUTION NO. R-00-30
PAGE TWO

I HEREBY CERTIFY that the foregoing Resolution No. R-00-29 was duly adopted by the City of San Marino at a Regular Meeting of the City Council held on the 8th day of November, 2000, by the following vote:

AYES: COUNCILMEMBERS BAYLE, DRYDEN, FILUTZE, VICE MAYOR
COTTON, AND MAYOR BROWN.

NOES: NONE.

ABSENT: NONE.



CAROL A. ROBB, MMC
CITY CLERK

CITY OF SAN MARINO APPOINTED BOARDS & COMMISSIONS

Code of Conduct

1. Attend all meetings. Once appointed, post regular meeting dates and times on your calendar. Consider tendering your resignation if changing circumstances interferes with meeting attendance. It is better to resign with the request for reappointment at a later date, than to create problems achieving a quorum and conducting business.
2. Be on time—in fact, be 5-10 minutes early. Stay until the end of the meeting. Avoid scheduling other appointments that interfere with the meeting. If you absolutely must leave at a particular time, please advise the chairman prior to the start of the meeting.
3. Create a good impression of city government. Remember that this may be the first contact that many of the audience members have had with the running of their city. Your actions will directly influence their opinion regarding the effectiveness of their city government and the fairness by which constituents are treated.
4. Be polite and show respect for applicants, meeting participants, fellow commissioners, and city staff at all times. Your actions reflect on the fairness with which constituents feel they are treated, and on the view of San Marino as held by outside communities.
5. Be prepared and do your homework. Become thoroughly familiar with each matter that is to come before you.
6. Politely avoid discussion of any cases or action items privately with an applicant or other meeting participant. Remember that you are a single member of the body, and your feelings may not necessarily reflect those of the majority; furthermore, such action is in violation of State “open meeting” laws.
7. Be prepared and do your homework. Become thoroughly familiar with each matter that is to come before you.
8. Participate in the meetings with the intent to develop consensus and/or resolution. Work to resolve issues or clearly define why a resolution is not possible by stating your reasons for voting a particular way. Act and support the consensus of the body of which you are a member. The consensus may not completely reflect your view; however, the best service to the community occurs by a team effort, where the entire body strives to achieve a collective result.

9. Work with the city staff. Call the appropriate staff member in a timely manner prior to the meeting with any questions regarding items on the agenda. Request additional information allowing adequate staff response time if an issue is unclear. Refer technical questions to the staff and avoid criticism of staff in public.
10. Address requests for major staff studies or detailed analyses to the City Manager, not to another city employee. Direction of city employees is delegated to the City Manager by the City Council, and this delegation of authority should be respected.
11. Be impartial. Disqualify yourself if either directly or indirectly you have any financial interest in the outcome of the hearing. Avoid even the perception of a conflict of interest by stepping down from a hearing when it is conceivable that a moral, ethical, political or other consideration would hinder fair and impartial decision-making.
12. Be attentive and refrain from interrupting a presentation until the question period, except for very short and necessary clarifying remarks or queries. All meeting participants should leave with the feeling that they have been treated fairly, and their issue has been carefully heard, considered, and resolved in the best possible manner.
13. Maintain an appropriate level of formality in formal meetings, such as using last names when addressing applicants or fellow board members. During meetings, defer to the chairman.
14. Contacts between appointed boards and the City Council should normally be conducted through the chairman, on behalf of the board as a whole. To do otherwise, subverts the entire organizational structure of the boards and the City.
15. As a member of a city board, you have been granted a special privilege. Don't abuse it by asking for special favors or actions by your board, or other boards or organizations of the city.

RESOLUTION NO. R-14-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, ESTABLISHING AN ETHICS TRAINING POLICY FOR MEMBERS OF CITY ADVISORY BODIES

WHEREAS, Assembly Bill No. 1234 requires that all local agencies provide ethics training to members of the San Marino City Council and members of advisory bodies that receive compensation, salary, a stipend, or expense reimbursement from the City within one year of their assumption of office, and every two years thereafter; and

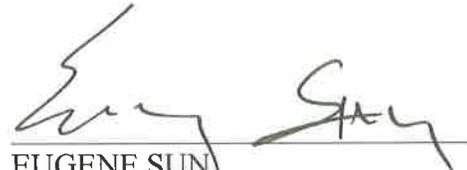
WHEREAS, members of the San Marino Planning Commission, the Design Review Committee, the Traffic Commission, the Library Board of Trustees and the Recreation Commission (“Advisory Bodies”) exercise substantial authority and should receive ethics training notwithstanding the fact they receive no remuneration for their important services.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

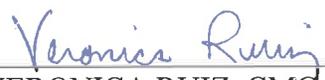
SECTION 1. Appointees to any City Advisory Body shall complete one (1) hour of ethics training within one year of their appointment date and every two years thereafter for those continuing service.

SECTION 2. All City Advisory Bodies shall, within the next twelve months, agendize at a regularly scheduled meeting at least one hour of training relevant to that Advisory Body to be presented by the City Attorney’s office. The training shall include the Ralph M. Brown Act, conflicts of interest, and meeting management.

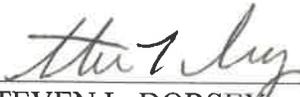
PASSED, APPROVED AND ADOPTED this 8th day of October, 2014.


EUGENE SUN,
MAYOR

ATTEST:


VERONICA RUIZ, CMO
CITY CLERK

APPROVED AS TO FORM:



STEVEN L. DORSEY,
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SAN MARINO)

I HEREBY CERTIFY that the foregoing Resolution No. R-14-30 was duly adopted by the City Council of the City of San Marino at a Regular Meeting held on the 8th day of October, 2014, by the following vote:

AYES: COUNCIL MEMBERS: DENNIS KNEIER, RICHARD SUN, RICHARD WARD,
 VICE-MAYOR ALLAN YUNG, AND MAYOR EUGENE SUN

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



VERONICA RUIZ, CMC
CITY CLERK



City of San Marino

CONFLICT OF INTEREST CODE

Adopted: 12/12/2012

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. The regulation and the attached Appendix designating positions, and establishing disclosure requirements, shall constitute the conflict of interest code for the City of San Marino.

Individuals holding designated positions shall file their statements with the Office of the City Clerk, pursuant to Section 5 of the Model Code, which will retain the statements and make the statements available for public inspection and reproduction. (Gov. Code Section 81008)

APPENDIX A

SCHEDULE OF DESIGNATED EMPLOYEES

<u>DESIGNATED EMPLOYEES</u>	<u>DISCLOSURE CATEGORIES</u> (see Appendix B for Description)
<u>Administrative Services</u>	
Assistant City Manager	1
City Clerk	2
Administrative Analyst	2
Finance Director	2
<u>Planning and Building Department</u>	
Design Review Committee Member	3,4
Planning and Building Director	2,3,4
Senior Planner	3,4
Assistant Planner / Associate Planner	3,4
Planning and Building Assistant	3,4
Plan Checker	3,4
Building Inspector / Building Inspector II	3,4
Permit Technician I / II	3,4
Environmental Services Manager	3,4
City Engineer	2,3,4
<u>Parks and Public Works Department</u>	
Parks & Public Works Division Manager	2,3,4
Public Works Foreman	2
Parks Foreman	2
Shop Foreman	2
<u>Police Department</u>	
Member, Traffic Advisory Commission	2
Police Chief	1
Captain	1
Lieutenant	1
<u>Fire Department</u>	
Fire Chief	1
Division Chief	1

DESIGNATED EMPLOYEES

DISCLOSURE CATEGORIES

Community Services/Library Division

Member, Board of Trustees	2
Community Services Director	2,3,4
City Librarian	2

Community Services/Recreation Division

Member, Recreation Commission	2
Community Services Director	2,3,4
Recreation Manager	2

Consultants as defined in Title 2 California Code of Regulations Section 18700 (a)(2)
(see Appendix C)

Note: The Mayor, City Council, City Manager, City Attorney, City Treasurer and Planning Commission positions are already required to submit disclosure statements pursuant to state law (Government Code Sections 87200, et. seq.) and do not need to be designated under the City's Code.

Appendix B

DISCLOSURE CATEGORIES

DISCLOSURE CATEGORY 1 (full disclosure – broad and indefinable duties)

Designated employees in this category shall disclose all reportable interests in real property.

Designated employees in this category shall also disclose all reportable investments, business positions, and income.

DISCLOSURE CATEGORY 2 (disclosure relating to services and supplies associated with job assignment only)

Designated employees in this category shall disclose all reportable investments and business positions in business entities and sources of income of the type which:

Provide services, supplies, materials, machinery or equipment of the type utilized by the Designated Employee's Department.

DISCLOSURE CATEGORY 3 (disclosure for those approving, issuing, or regulating permits or licenses)

Designated employees in this category shall disclose all reportable investments and business positions in business entities and sources of income of the type which:

Are subject to the regulatory, permit, or licensing authority of the Designated Employee's Department.

DISCLOSURE CATEGORY 4 (disclosure for those who make decisions affecting real property interests)

Designated employees in this category shall disclose all reportable interests in real property.

Designated employees in this category shall also disclose all reportable investments and business positions in business entities and sources of income of the type which:

Engage in land development, construction, or the acquisition or sale of real property in the jurisdiction of the City.

Appendix C

CONSULTANTS

With respect to Consultants performing work for the City of San Marino, the City Manager shall specify in writing the duties a particular consultant is hired to perform. Such written determination shall include a statement of the extent of disclosure under this Conflict of Interest Code. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Commission Regulation 18700 defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule or regulation;
 - (ii) Adopt or enforce a law
 - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 - (v) Grant City approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in 18702.2 or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code Section 87302.



City of San Marino

ADVISORY BOARD MEMBERS HANDBOOK MANDATORY REVIEW REQUIREMENT

The Advisory Board Members Handbook is a reference of basic protocol that applies to advisory bodies. It is intended to provide some guidance and overview of basic laws and procedures that require compliance during a member's term and to clarify the role of Board, Commission and Committee members in relation to other citizens, City Staff and to the City Council. The latest version of the Handbook is always located on the City's website www.cityofsanmarino.org.

I _____, confirm that:

Print name

- I was provided with a copy of the Advisory Board Members Handbook upon my appointment to a San Marino Advisory Board.
- I have read the handbook, including any updates as of the signing of this document, in its entirety, reviewing each section, listed below.
 - Form of Government
 - Advisory Board Members Roles, Authority and Relationships
 - Objectives
 - Legal (Brown Act, Conflict of Interest, Political Reform Act)
 - Preparation for Meetings
 - Meeting Decorum
 - Meeting Management
 - Appendixes
- I agree to follow the guidelines and regulations provided in this Handbook, as required by California Government Codes (including the Brown Act), FPPC (Fair Political Practices Commission) regulations, and the San Marino Municipal Code, as well as any other required policies/statutes.
- I understand that the Advisory Board Members Handbook is intended as a tool to provide guidance on processes and procedures as well as to draw my attention to the primary rules of serving on a San Marino Advisory Board, a legislative body under the guidance of the City Council.
- It is my responsibility to re-visit this handbook throughout my term to review protocol, regulations, and for guidance.
- It is my responsibility to consult with the Staff liaison, City Clerk, and City Attorney regarding questions or concerns I may have relating to these guidelines and my service as a member of an Advisory Board.

Signature

Date

This document is due to the City Clerk's department within 60 days of your appointment.

Thank you for your attention to this important information and your responsibility as an Advisory Board Member.