



Agenda

Sustainability Task Force

A Committee of the Chico City Council

Meeting of Thursday, June 9, 2016 – 5:30 p.m.

Municipal Center - 421 Main Street, Conference Room No. 1 in the Council Chambers

1. **CALL TO ORDER AND ROLL CALL**

2. **APPROVE MAY 12, 2016 MEETING MINUTES**
Draft 05/12/16 minutes attached.

3. **CONTINUE DISCUSSION REGARDING ADDITIONAL GREEN BUILDING CODE OPPORTUNITIES (Principal Planner Vieg and Building Official DePaola)** – At the May 12th STF meeting, City staff provided an overview of how the California Green Building Code is updated by the State and administered by the City, and discussed with the STF opportunities to adopt additional building code requirements that might help the City achieve its greenhouse gas emissions reduction goal. The STF requested that the City Building Official attend its June 9th meeting and provide input and feedback on any STF recommendations, and participate in the STF's July 28th meeting to discuss possible Code amendments with the development community. *Attached are draft recommendations regarding the Building Code for STF consideration.*

4. **DISCUSSION REGARDING A DRAFT MEMO TO BUTTE COUNTY REQUESTING INITIATION OF A MOTOR VEHICLE FUEL TAX TO MITIGATE THE ENVIRONMENTAL EFFECTS OF TRANSPORTATION (STF Member Rubio)** – The topic of a gas tax to generate a reliable revenue source to implement transportation-related GHG emission reduction programs has been a discussion the STF has had over the course of its 2+ year existence. At its last meeting, the STF agendized a discussion of whether to forward a memo to Butte County regarding initiating a local motor vehicle fuel tax to mitigate the environmental effects of transportation throughout Butte County. *Attached is a Draft STF Memo to Butte County Regarding Consideration of a County Gas Tax to Mitigate the Environmental Effects of Transportation.*

5. **ESTABLISHMENT OF STF PROCEDURES REGARDING TERMS OF SERVICE, MEETING ATTENDANCE REQUIREMENTS, AND CHAIR TENURE/SELECTION (Principal Planner Vieg)** – At its last meeting, the STF requested that staff provide current City practices for boards and commissions regarding terms of service, meeting attendance requirements, and chair tenure/selection. *Attached is Administrative Procedure and Policy 10-1 entitled Board, Commission, Advisory Committees and Task Force Rules of Procedure.*

6. **BUSINESS FROM THE FLOOR** - Members of the public may address the STF at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The STF cannot take any action at this meeting on requests made under this section of the agenda.

7. **REPORTS & COMMUNICATIONS** - These items are provided for the STF's information. Although the STF may discuss the items, no action can be taken at the meeting. Should the STF determine that action is required, an item may be included on a subsequent agenda.

Sustainability Task Force Members:

Cheri Chastain
Lucas RossMerz

Dave Donnan
Mike Rubio, Vice Chair

Ryne Johnson
Mark Stemen, Chair

William Loker

8. **ADJOURNMENT** - Next meeting scheduled for Thursday, July 28, 2016

ATTACHMENTS: 05/12/16 STF Meeting Minutes (Draft)
Draft Recommendations Regarding the Building Code for STF Consideration
Draft STF Memo to Butte County Regarding Consideration of a Gas Tax
AP&P 10-1 Board and Committee Procedures

Agenda available from the City's website at www.ci.chico.ca.us under "**Meetings/Agendas**"

Prepared: 06/02/16

Posted: 06/02/16

Prior to: 5:30 pm

Community Development Department

421 Main Street, 2nd Floor, Chico, CA 95928

(530) 879-6800



Please contact the City Clerk at 896-7250 should you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation in order to participate in a meeting. This request should be received at least three working days prior to the meeting in order to accommodate your request.

Sustainability Task Force Members:

Cheri Chastain
Lucas RossMerz

Dave Donnan
Mike Rubio, Vice Chair

Ryne Johnson
Mark Stemen, Chair

William Loker

**CITY OF CHICO SUSTAINABILITY TASK FORCE
MINUTES OF THE MEETING OF
May 12, 2016**

Municipal Center
421 Main Street
Council Chambers, Conference Rm. 1

STF Members Present: Mark Stemen, Chair
 Mike Rubio, Vice Chair
 Cheri Chastain
 Dave Donnan
 William Loker
 Lucas RossMerz

STF Members Absent: Ryne Johnson

Staff Members Present: Brendan Vieg, Principal Planner
 Leo DePaola, City Building Official

Guests Present: Angela Casler, Chamber Representative
 Brigitte Dahrouj
 Skip Noble
 Jessie Lyon

1. CALL TO ORDER

Chair Stemen called the meeting to order at 5:34 pm. STF members, City staff, and guest were present as noted.

2. APPROVE MARCH 10, 2016 MEETING MINUTES

The 03/10/16 minutes were approved (6-0-1; Johnson absent).

3. PRELIMINARY DISCUSSION REGARDING CALIFORNIA'S VOLUNTARY GREEN BUILDING CODE

Building Official DePaola provided an overview of how the California Green Building Code is updated by the State and administered by the City, and discussed with the STF opportunities to adopt building code requirements that might help the City achieve its greenhouse gas emissions reduction goal.

There were a number of group discussions, including, but not limited to:

- The ability of the development community to keep up with the regularly updated State Building Code requirements.
- The fact that energy efficiency requirements in the California Building Code have increased 55% over the past 3 Code update cycles (9 years).
- Concerns associated with the City's existing housing stock and its lack of energy efficiency, including insulation, single pane windows, weather stripping, etc.
- Opportunities to retrofit existing homes with energy efficiency requirements or to install fire sprinklers during remodels. There is an economy of scale that reduces the burden of requiring additional energy efficiency requirements during a larger remodel. The City could adopt a remodel retrofit ordinance requiring some level of improvements depending on the percentage of the home remodel. This approach could help address the City's inefficient older residential and non-residential building stock. One approach could require "key" upgrades (e.g., windows, insulation) throughout the house if the remodel was to greater than 50% of the home.
- The timing of adoption of the next State-required update to the Building Code and when additional amendments would need to be forwarded to staff to be included in that update. In all instances, proposed amendments would need to be equal to or greater than existing Code requirements. The STF would need to provide its recommendations in July in order to have them considered by Council in the Fall.
- There was a discussion about whether cool roofs are required by the current Green Building Code, or whether they would be required under the State's new Code update.
- There is an effort to improve the City's hazard profile for insurance purposes, which includes consideration of a fire sprinkler retrofit program during remodels.
- There was a general discussion about what type of Code amendments might be supported by the City Council, including solar/thermal infrastructure, pre-wiring for solar, whole house fans, zero step requirements, home orientation, E/V fueling infrastructure, inclusion of valves for laundry to landscape, etc. These ideas were considered achievable and beneficial.
- Potential amendments to the City's RECO ordinance to capture more energy efficiency upgrades through window upgrades and insulation.
- The group discussed the fact that there would likely be support to subsidize solar thermal installations through expediting the City's permit process.
- The City could consider a Time-of-Sale Housing Inspection Program to help address energy efficiency problems in the existing house stock. These types of programs generally provide a potential purchaser with information about the condition of a dwelling and can require the correction of immediate concerns. The reporting offers a limited overview of the condition of a building's components and fixtures. They are not technically extensive, and prospective buyers still often seek additional evaluation from independent housing inspectors prior to purchasing a dwelling.
- There was general agreement that for new construction, the State's Code requirements are

aggressive and enhanced on a regular cycle. The STF agreed that its focus should be on improving the City's existing building inventory.

The STF requested that Building Official DePaola return to its next meeting and provide input and feedback on any STF recommendations, and then again at the STF's July meeting to discuss possible Code amendments with the development community.

Skip Noble provided background regarding himself and his efforts to develop and market solar generators, as well as the availability of electric trucks for the community. He offered himself up as a resource to the Task Force.

Angela Casler, representing the Chamber Board of Directors, shared concerns with subsidizing sustainability programs.

4. STF CHAIR DISCUSSION

STF Chair Stemen shared that the City's boards and commissions have regular schedules for choosing a new Chair. He shared that he is enjoying his role as Chair, and that he would likely run again if there was a new election.

The group discussed whether the STF should hold an election at an upcoming meeting.

The STF also discussed what protocol should be used to remove members who are regularly absent, and inquired how a new STF member would be designated.

Staff was directed to bring back current City practices for boards and commissions regarding terms of service, meeting attendance requirements, and choosing a chair.

5. PRIORITIZING UPCOMING AGENDA ITEMS

The STF prioritized agenda items for upcoming meetings.

The STF agreed to agendaize the following topics for its June 9th meeting: 1) continue the discussion regarding green building code opportunities; 2) discuss the draft county gas tax memo prepared by STF members Rubio and Loker; and 3) establish protocols regarding STF terms of service, meeting attendance requirements, and choosing a chair.

The STF agreed to agendaize the following topics for its July 28th meeting: 1) the City's Sustainability Website, including an invitation to webmaster Chuck Lungren; and 2) creating a Facebook presence for the City's sustainability efforts.

6. BUSINESS FROM THE FLOOR

Jessie Lyon provided background on the biofuel company he works for and that the company is considering coming to Chico. He also shared that the company plans to give back some of its

profits to the community in order to support sustainability efforts.

7. REPORTS & COMMUNICATIONS

STF member Chastain attended the County’s solar array ordinance meeting and shared the goals of the proposed program. The County’s meeting was an opportunity to seek public feedback.

STF member Chastain also shared that the national bike challenge is underway and highlighted ways to participate.

Principal Planner Vieg shared with the STF that he had resubmitted an application for the CivicSpark program and that the application was approved.

8. ADJOURNMENT

There being no further business from the STF, the meeting adjourned at 7:15pm to the meeting of **Thursday, June 9, 2016.**

Date Approved

Brendan Vieg, Principal Planner

Recommendations Regarding Building Code for STF Consideration

- 1) Adopt a remodel retrofit ordinance that would require more comprehensive energy efficiency upgrades at the time of a remodel. The level of improvements required would depend on the percentage of the home remodel. This approach could help address the City's inefficient older residential and non-residential building stock. As an example, one approach could be to require "key" upgrades (e.g., windows, insulation) throughout the building if the remodel was to greater than 50% of the building.
- 2) Explore a Time-of-Sale Housing Inspection Program at an upcoming meeting with the realty folks in attendance. This type of program would help address energy efficiency problems in the City's existing house stock. The program could provide a potential purchaser with information about the condition of a dwelling and could require the correction of immediate concerns. Generally, these types of programs offer a limited overview of the condition of a building's components and fixtures. They are not technically extensive, and prospective buyers still seek additional evaluation from independent housing inspectors.
- 3) At an upcoming meeting, agendize and celebrate the long list of changes that have been made to California's Green Building Code that mirror actions identified in the City's CAP to reduce GHG emissions.



CALIFORNIA
STATE BOARD
OF EQUALIZATION

BETTY T. YEE
First District
San Francisco

BILL LEONARD
Second District
Ontario/Sacramento

MICHELLE STEEL
Third District
Rolling Hills Estates

JEROME E. HORTON
Fourth District
Los Angeles

JOHN CHIANG
State Controller

RAMON J. HIRSIG
Executive Director
Sacramento

*California
Local Motor
Vehicle Fuel
Taxation Law*

*Revenue and Taxation Code
Part 4 of Division 2*

January 2010

*Laws Enacted Through
December 31, 2003*

*Note: This publication was reviewed on
December 29, 2009, and is current as of
that date.*

Publication No. 59 • LDA



LOCAL MOTOR VEHICLE
FUEL
TAXATION LAW

LOCAL MOTOR VEHICLE FUEL TAXATION	3
-----------------------------------	---

CONTENTS

PART 4.	LOCAL MOTOR VEHICLE FUEL TAXATION	Page
Section	9501	Imposition of tax 5
	9502	Requirements; Voter approval..... 5
	9502.5	Allocation of Proceeds; Los Angeles County 6
	9503	Administration; Required Contract with Board 6
	9504	Board Authorization to Adopt Rules and Regulations 6
	9505	Transmittal of Taxes to County and Cities..... 7
	9506	Required Provisions 7
	9507	Expenditure of Net Revenues 7
Index	 9

LOCAL MOTOR VEHICLE FUEL TAXATION

(Part 4, Division 2, Revenue and Taxation Code *)

Enacted by Statutes of 1981, Chapter 541, amended Statutes 1981, Chapter 790, Statutes 1982, Chapters 1085 and 1589.

PART 4. LOCAL MOTOR VEHICLE FUEL TAXATION

- § 9501. Imposition of tax.
- § 9502. Requirements; voter approval.
- § 9502.5. Allocation of proceeds; Los Angeles County.
- § 9503. Administration; required contract with Board.
- § 9504. Board authorization to adopt rules and regulations.
- § 9505. Transmittal of taxes to county and cities.
- § 9506. Required provisions.
- § 9507. Expenditure of net revenues.

9501. **Imposition of tax.** (a) Except as specified in subdivision (c), in addition to taxes imposed pursuant to Chapter 5 (commencing with Section 99500) of Part 11 of Division 10 of the Public Utilities Code, Part 2 (commencing with Section 7301), Part 3 (commencing with Section 8601), and Part 31 (commencing with Section 60001) of this division, on motor vehicle fuel, a tax may be imposed by a county on a countywide basis in accordance with this part.

(b) The tax shall be imposed in increments of one cent (\$0.01) per gallon or, in the case of compressed natural gas, one cent (\$0.01) per 100 cubic feet as measured at standard pressure and temperature.

(c) No tax shall be imposed under this part on fuel used in propelling an aircraft or a vessel.

History.—Stats. 1995, Ch. 555, in effect January 1, 1996, added a comma after "Public Utilities Code" and after "Section 7301" and added ", and Part 31 (commencing with Section 60001)" after "Section 8601" in subdivision (a); and added "\$0.01" after "of one cent" and after "gas, one cent" in subdivision (b).

9502. **Requirements; voter approval.** (a) Prior to imposition and collection of any tax under this part, a proposition granting authority to the county to impose the tax shall be submitted to and approved by the voters at an election. The proposition shall specify the maximum tax to be imposed and may specify the period for which the tax will be imposed.

(b) A proposition may be submitted to the voters under subdivision (a) only if (1) it is approved by the board of supervisors and a majority of the city councils of the cities having a majority of the population in the incorporated areas of the county, as provided in subdivision (c), and (2) the county and the majority of the cities having a majority of the population in the incorporated areas of the county have a written agreement with respect to allocation of the revenues between the county and the cities.

* The provisions of this part, except as otherwise noted, became effective September 17, 1981.

(c) If the board of supervisors approves the proposition prior to the approval of a majority of the city councils of the cities having a majority of the population in the incorporated area of the county, the approval of the other city councils to secure both of those majorities shall be secured within one year of the approval of the board of supervisors. If the board of supervisors approves the proposition after the approval of the city councils with both of those majorities, the approval of the board of supervisors shall be made within one year of the date of the approval of the city council which results in the proposition being approved by the city councils with both of those majorities.

History.—Stats. 1982, Ch. 1085, in effect September 16, 1982, substituted "the majority . . . areas of" for "the cities within" after "county and" in subdivision (b).

9502.5. Allocation of proceeds; Los Angeles County. If the countywide tax is imposed within the County of Los Angeles, the portion of the proceeds of the tax allocated and spent within the boundaries of the San Fernando Valley Statistical Area, as defined in Section 11093 of the Government Code, shall be not less, on a percentage basis, than the percent that the population of the San Fernando Valley Statistical Area is of the total population of Los Angeles County.

History.—Added by Stats. 1981, Ch. 790, in effect January 1, 1982.

9503. Administration; required contract with board. (a) The county shall contract with the State Board of Equalization for the administration of any tax imposed under this part, and the state board shall be reimbursed for its cost in the administration of the tax.

(b) The county shall also reimburse the state board for its cost of preparation to administer the tax.

9504. Board authorization to adopt rules and regulations. The State Board of Equalization shall adopt the necessary rules and regulations to administer the tax.

9505. **Transmittal of taxes to county and cities.** After deducting its cost in administering the tax, the State Board of Equalization shall transmit the net revenues to the county periodically as promptly as possible for distribution in accordance with the allocation agreement between the county and cities. The transmittals from the Board of Equalization to counties and the transmittal from counties to cities shall be made at least twice in each calendar quarter.

History.—Stats. 1982, Ch. 1589, in effect January 1, 1982, deleted "and cities" before "periodically" and added "for distribution" after "possible" in the first sentence, and added "from the . . . to cities" after "transmittal" in the second sentence.

9506. **Required provisions.** The ordinance shall include provisions identical to those contained in Part 2 (commencing with Section 7301), Part 3 (commencing with Section 8601), and Part 31 (commencing with Section 60001), except that the name of the county as the taxing agency shall be substituted for that of the state.

History.—Stats. 1995, Ch. 555, in effect January 1, 1996, added a comma after "with Section 7301" and added "an Part 31 (commencing with Section 60001), after "with Section 8601),".

9507. **Expenditure of net revenues.** The net revenues received by counties and cities from taxes imposed under this part shall be expended only for the purposes authorized by Article XIX of the California Constitution.

INDEX

Administration
 by board . . . 9503
 rules and regulations . . . 9504
 transmittal of taxes to county and cities . . . 9505
Allocation of proceeds; Los Angeles County . . . 9502.5

Expenditure of net revenues . . . 9507


Imposition of tax . . . 9501

Required provisions . . . 9506
Rules and Regulations . . . 9504

Transmittal of taxes to county and cities . . . 9505

Voter approval . . . 9502

CITY OF CHICO
Administrative Procedure and Policy Manual

Subject: BOARD, COMMISSION, ADVISORY COMMITTEES AND TASK FORCE RULES OF PROCEDURE	Number: 10-1 Effective Date: September 16, 2014
Department(s) Affected: All Departments	Supersedes: 10-1 dated 07/06/10
Authority: The Charter of the City of Chico, Article X; Council Motion 1/15/08, Council Motion 4/01/08, Council Motion 11/04/08, Council Motion 1/08/09, Council Motion 12/15/09; 07/06/10, 9/16/14	File Reference: DNA Approved: 

I. PURPOSE

To set forth the policy of the City Council regarding procedures for all advisory bodies, including boards, commissions, committees, task forces and/or any other form of committee that the City Council may create as established within this policy and the policies contained in AP&P 10-10, City Council Rules of Procedure.

II. ELIGIBILITY

- A. Shall be resident of the City.
- B. Shall be qualified voter as defined by the California Elections Code.

III. RECRUITMENT

- A. A Biennial Recruitment shall be conducted in the fall of even-numbered years for four-year appointments to positions with terms commencing in January of odd-numbered years.
- B. Procedure
 - 1. Advertisements – Display ads will be placed by the City Clerk at least 60 days prior to the expiration of the terms seeking applications from City residents interested in serving on a board or commission. Advertisements will include wording indicating that the City of Chico supports workforce diversity and that women, minorities and persons with disabilities are encouraged to apply to serve in these volunteer positions.
 - 2. Application Form – The City Clerk will provide interested applicants with an application form and instructions for completing and a copy of this Administrative Procedure and Policy. Once filed, applications become a public record and will be made available to the public. Following the biennial recruitment appointment process, applications will not be kept on file. In the event of a vacancy, the City Clerk will conduct a recruitment and all interested parties must re-apply.
 - 3. Application Deadline – When advertising for applications, the City Clerk will establish a deadline for filing not less than 15 days prior to the meeting at which the Council will receive the applications. Applications received after the filing deadline will not be submitted to the City Council.
 - 4. Interviews – A separate City Council meeting will be scheduled solely for applicant interviews prior to making appointments. The City Clerk will notify applicants of the date/time/place of the meeting. At this meeting, the Council will be provided with a staff overview of each board and commission. The Council will also be provided with time to discuss the criteria for appointment to each specific commission. Following that discussion, the Council will conduct the interviews. No formal action will be taken at this interview meeting.
 - 5. Nomination Process – A nomination form listing the number of positions to be completed for the Airport Commission and Architectural Review and Historical Preservation Board will be provided to the Council for completion. Each Councilmember will nominate one citizen for each open position. Nominations are due to the City Clerk by 10:00 a.m. six days before the meeting where the appointments will be made. Following receipt of the nominations, the City Clerk will consolidate the information into one form representing the nominees who will be voted on. Individual Council appointments to the Arts Commission, Bidwell Park & Playground Commission and Planning Commission will be made by Councilmembers with coinciding terms of office and confirmed by the full Council at the same meeting with the other appointments.

IV. APPOINTMENT

- A. Appointments to serve on a board and commissions are for the length of term specified and appointees serve at the pleasure of the City Council.
- B. Appointments to serve on advisory committees or task forces where the appointments do not conflict with Charter, Municipal Code Provisions, or the Brown Act will be determined by Council at the time of creation. The Council will establish its policy for soliciting applications and making appointments for advisory committees or task forces at the time it determines the need for and purpose of any advisory committee or task force.
- C. Appointment Process – As required by State Law, appointments will be considered by the Council in an open public meeting.

The Council will confirm all final appointments to its board and commissions. Using a balloting method of voting, both the Airport Commission and Architectural Review & Preservation Board, individuals receiving a majority vote of Council will be appointed. Should there be more applicants than the number of vacant positions, then following discussion of the criteria for appointment, Council will vote on the nominees in additional voting rounds until such time an applicant receives four or more affirmative votes.

For members being individually selected for the Arts Commission, Bidwell Park & Playground Commission and the Planning Commission by incoming Councilmembers, a final confirmation of those appointments are required by the full Council.

The City Clerk will notify appropriate City staff members of appointments in order that appointees can be provided with appropriate information to carry out the duties and responsibilities of the board of commission to which they were appointed. Appointees are required to execute on Oath of Office prior to attending any meetings.

- D. Economic Disclosure/Conflict of Interest – As required by State Law and the City's Conflict of Interest Code, an appointee may be required to disclose certain financial information on an Assuming Office Statement of Economic Interests Form 700 and advise the Council of any potential conflict of interest which may arise if he/she is appointed. The City Clerk will provide appointees with forms and instructions following their appointment. Those appointees that are required to file, must file these forms within 30 days of appointment.

In addition, the following "Statement of Economic Interests - Form 700's" may be required: (1) annual filing of Form 700 for the duration of appointees tenure; and (2) Leaving Office Statement - Form 700 filed within 30 days of leaving office. The City Clerk will provide the forms and instructions for all Statement of Economic Interest forms. If forms are not filed in a timely manner, late filing penalties may be assessed. Failure to meet the deadlines may result in a late penalty, or removal from office.

- V. ORIENTATION AND TRAINING – All appointed board and commission members shall attend an orientation training provided by the City Clerk's Office and any additional training as may be required pursuant to State Law, City Council direction, or staff recommendations.
- VI. RESPONSIBILITIES – The primary role of the advisory body is to provide judicious advice to the City Council, the elected policy-making body of the City.

- A. The advisory body's role can include:

1. Hearing public testimony on the Council's behalf;
2. Building community consensus for proposals or projects;
3. Reviewing written material, facilitating study of issues;
4. Guiding implementation of new or regulating established programs;
5. Assessing the alternatives regarding issues of community concern; and
6. Ultimately forwarding recommendations to the Council for its consideration.

There may be times when the advisory body's recommendations will not be sustained or will be modified by the City Council. It is important for the advisory body members to recognize that this is not a rejection of the integrity of the recommendation but as an inevitable part of the process of community decision-making.

- VII. WORK PLANS – In order to ensure that the work that is being carried out by each advisory body reflects the vision, mission, or priorities of the City Council, each board or commission is required to develop a two-year work plan following the appointment of newly appointed members in January of odd numbered years. The plan must be presented to the City Council within six months of the newly appointed commission being seated. Once approved by Council, this plan guides the advisory body for the life of the plan. At the end of the work plan, a status report is provided to Council on the work that was completed.

When preparing its work plan, the Commission must identify any potential impact on staff resources, costs, and if the item is already mandated by state, federal, or local law. Proposed subcommittees, whether standing or ad hoc, must also be identified in the plan.

- VIII. CODE OF CONDUCT – The Code of Conduct governs the actions and deliberations of City commissions, committees and boards 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 Chico's government.

A. Each member of all City's commissions, committees and boards shall:

1. Adhere to a high level of ethical conduct in the performance of public duties;
2. Represent and work for the common good of the City;
3. Pursuant to State Law, refuse to accept gifts of favors or promises of future benefits which might compromise or tend to impair independent judgment or action;
4. Provide unbiased fair and equal treatment for all persons and matters coming before the commission, committee, or board whether in person, in writing, or in an E-Mail communication;
5. Understand and faithfully perform all duties of office as defined by the Chico Municipal Code, State Law, Council action and all applicable AP&P's;
6. Refrain from any actions where there may be a conflict of interest;
7. Learn and study the background and purpose of important items of business before voting and in order to facilitate a timely meeting, board or commission members are asked to work with staff prior to the meeting on questions of clarifications;
8. Be tolerant of all views expressed at public meetings;
9. Refrain from abusive conduct, personal charges or verbal or written attacks made upon others; and
10. Most importantly, advisory bodies shall not be involved in administration or operation of City departments. Advisory body members shall not direct administrative staff to initiate programs or create policies and may not conduct major studies without the approval of the City Council. City staff members are available to provide general staff assistance to the advisory body. Budgetary items are operational and not part of the responsibilities of a board or commission member. The City Manager is responsible for providing the Council with a proposed budget that is reviewed and approved by the City Council and implemented by staff.

B. Complaint Process – All complaints received regarding board, commission or committee conduct, the complaint, along with any other relevant material, will be forwarded to the full Council for review.

C. Any violation or disregard for the Code of Conduct shall result in one or more of the following actions being taken:

1. Verbal Admonishment – Least severe form of action and may be directed to one or all members of the board, commission, or committee.
2. Written Sanction – Official written reprimand which the City Council directs the Mayor to sign and send out.
3. Censure – Severe form of action taken by Council in open session directing the Mayor to send a letter of censure to the board, commission, or committee member expressing the Council's strong displeasure and/or disappointment of the action(s) taken.
4. Removal from Office – Any appointee to a City of Chico board, commission or committee serves at the pleasure of the City Council and may be removed at any time by a majority vote of the City Council.

- IX. SELECTION AND RESPONSIBILITIES OF CHAIR AND VICE-CHAIR – At its first regular meeting of the calendar year, members of the board, commission or committee shall select a chair and vice-chair with it noted that the Chair may serve no more than two consecutive years as the presiding officer. In the chair's absence, the vice-chair serves as the Presiding Officer. In the event of both being absent, the staff liaison will call the meeting to order and the commissioners shall select a temporary chair to serve until adjournment or the arrival of the chair or vice-chair.

Role and Responsibilities – The Chair or Presiding Officer shall preserve order and decorum at all meetings of the advisory body. The Chair is responsible for ensuring the effectiveness of the group process and to guide the advisory body by adhering to the code of conduct contained in this policy and in the Brown Act. In the absence of the Chair, the Vice Chair shall act as the Presiding Officer.

- A. The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Commission members, and he/she shall not be deprived of any of the rights and privileges of a Commission member by reason of his or her acting as Presiding Officer.
 - B. The Presiding Officer shall preserve order and decorum and confine members in debate to the question under discussion.
 - C. The Presiding Officer shall state all questions submitted for a vote and announce the results of that vote. A roll call vote shall be taken when requested by a member.
 - D. The Presiding Officer shall determine, based on the meeting agenda, a schedule for consistent breaks for the advisory body. He or she should strive to call for a 10-minute recess at regular intervals of approximately one hour at appropriate points in the meeting agenda.
 - E. The Presiding Officer shall ensure that he/she, as well as the balance of the advisory body, refrains from commenting or entering into conversation with speakers during public comments or during public hearings, until all speakers have been heard. The Presiding Officer shall determine points of order, subject to the right of any member to appeal to the advisory body.
 - F. The Presiding Officer shall ensure that members of the public who address the advisory body from Business from the Floor address matters “**not appearing**” on the agenda which is of interest to such person and which is within the jurisdiction of the advisory body. Speakers shall not use Business from the Floor to make additional comments regarding an item that has already been heard earlier in the meeting.
- X. ATTENDANCE REQUIREMENTS – When appointed, it is expected that members will attend all regular and adjourned meetings of their respective board or commission.

In order that the Council is kept advised of attendance of board and commission members, a report is provided by the City Clerk to the City Council at the end of each calendar year. The Council is also advised if a board or commission member misses two consecutive regular or adjourned regular meetings (pursuant to this AP&P), and removal of a member may occur at Council's discretion (Charter Section 1001.c)

Missed meetings – If an appointed member of a board or commission misses two consecutive regular or adjourned regular meetings of such board or commission, the chair of such board or commission, or in the absence of the chair, the vice-chair, shall report to the City Clerk the name of the member having missed such meetings, together with the dates of the meetings at which such member was absent and the reason for such absences, if known. The City Clerk shall forward the information to the City Council and removal of the member may occur at Council's discretion (Charter Section 1001.c).

- XI. VACANCIES – If an appointed member of a board or commission is convicted of a crime involving moral turpitude or ceases to be an elector of the City, his/her office shall become vacant and shall be so declared by the Council. (Charter Section 1005.) If an unscheduled vacancy occurs whether due to resignation, death, termination, or other cause, a special vacancy notice shall be posted pursuant to Government Code Section 54974 in the Office of the City Clerk, and in the Chico Branch of the Butte County Library within twenty days after the vacancy occurs. Final appointment to the board or commission shall not be made for at least 10 working days after the posting of the notice. At such time the City Clerk will move forward with a recruitment as outlined in Section III.B when applicable.
- XII. REMOVAL FROM POSITION – All appointees to the board and commissions, advisory committees and task forces, including ad hoc committees serve at the pleasure of the City Council and may be removed at any time by a majority vote of the Council. (Also referenced under Code of Conduct, Section VIII.)

XIII. MEETINGS

A. Scheduling

1. Regular Meetings – Held for each board or commission as currently scheduled, or as determined by Board/Commission action.
2. Adjourned Regular Meetings – When workload requires, additional meetings may be scheduled as necessary.
3. Meeting Times – It is the intent of the City Council that all meetings of the advisory bodies be conducted in a timely and efficient manner. Evening meetings are to end at 10:00 p.m., in accordance with AP&P 10-10. By majority vote of the Commission, the meeting can be extended to 10:30 p.m. with no new items considered by the body following the 10:00 p.m. deadline. Items may need to be deferred to a future meeting. Commission or 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.

Change in meeting time – Whenever a majority of the members of a board or commission wishes to change the date and/or time of its regular meetings in accordance with the provisions and within the limitations set forth in the Municipal Code specifically applicable to such board or commission, it shall submit its request in writing to the City Manager, giving the current date and time of its regular meetings and its requested date and time for regular meetings. After review, the City Manager will either approve or deny the request, in writing, based on the: (1) availability of a meeting room and any conflicts with other City meetings; (2) ability to televise or videotape meetings, if appropriate; (3) impact on City staff that normally prepare for and/or attend the meetings; and (4) any other issues that the City Manager deems pertinent.

In order to adequately notify the public of an approved change to a regular meeting schedule, that Board or Commission shall include the City Manager's approval letter on the next agenda acknowledging the change in meeting times.

4. Recording/Televising – All recording/televising requests will be reviewed and approved by the City Manager based on the needs of the City including: (1) current fiscal situation; (2) availability of staff, and (3) resources needed to fulfill the request. Audio taping will be encouraged whenever feasible.

B. Rules During Meetings and Public Participation

1. Time Limits for the Public – Each member of the audience speaking to the board or commission shall limit their comments to no more than three minutes and speak one time only on each agenda item. Time limits may be waived or reduced due to the number of speakers by the Presiding Officer or majority of the board or commission on any specific item. A speaker may not defer his/her time to other speakers. Commission members will refrain from asking questions of a speaker until that speaker has concluded his or her comments.

The Presiding Officer will encourage groups or organizations to select a spokesperson to speak on their behalf.

The Presiding Officer will also encourage speakers to not repeat comments made by prior speakers, but rather only to indicate their agreement with such comments.

Speakers must address their comments to the Presiding Officer rather than individual Commission members, staff, a project applicant or anyone else involved in the proceedings.

Speakers may file copies of their remarks or supporting information with the staff liaison. If requested, the liaison will make the information available to the commission and staff.

If a formal "presentation" by an outside group is approved by the Presiding Officer, the group will be represented by one presenter and will be required to submit a list of individuals the speaker is representing. Individuals listed as part of that group will not be given an additional three minutes to address the board or commission again. Their comments will be considered as part of the presentation.

2. Time Limits for Commission members – In order to ensure that all speakers are treated equally and in a fair and consistent manner, Commission members shall refrain from interrupting the speakers before the end of their allotted three minutes.

Questions by members of the board or commission may be addressed following the conclusion of the speaker's comments and responses are limited to one minute. In addition, members of the board or commission shall be recognized by the Presiding Officer and are encouraged to limit their comments to three minutes each.

3. Time Limits for Staff Presentations – Staff members will strive to keep their presentations brief and to the point thereby allowing more time for public input and time to address questions by the board or commission.
4. Meeting Decorum – Commission members and staff shall work earnestly to preserve appropriate order and decorum during all meetings. Side conversations, disruptions, interruptions, or delaying efforts are discouraged.
 - **Electronic Communications** - Communication by Commission members via cell phones, laptops, or other electronic devices by sending or receiving e-mails and/or text messages during board or commission meetings, with the exception for personal emergencies is **prohibited**.
 - **Personal Attacks** - Under Government Code Section 54954.3, the public has the right during presentations to criticize the City's policies, procedures, programs, or services, including acts or omissions of the board or commission. However, a board or commission meeting is not a public forum for personal attacks or disruptive presentations or demonstrations.
 - **Signs & Banners** - As signs and banners block audience members from being able to see and can cause a disruption of the meeting when held up for the Council or cameras, signs and banners at meetings shall only be displayed along the back wall of the Council Chamber.
 - **Role of the Presiding Officer** - It is expected that the Presiding Officer will request the public to follow this protocol and will have the full support of the board or commission to do so. If a member of the public fails to follow these rules after being warned once, the Presiding Officer may declare a recess or take other appropriate action. Commissioners or Board members may assist the Presiding Officer by raising a Point of Order.
5. Written Material – Any person wishing to have their written comments included in the agenda packet will need to submit those comments to the staff liaison eight days in advance of the meeting. Written materials received after that date will be included in the additional information packet provided to the advisory body at the time of its meeting. Any person providing written material at a meeting shall provide a copy to the staff liaison for the record.
6. Consent Agenda – Items removed from the Consent Agenda will be considered immediately following the approval of the Consent Agenda. Any routine questions of the Commissioners concerning items on the Consent Agenda should be discussed in advance with the appropriate staff for clarification in order to minimize delay during board or commission meetings.
7. Hearings – Any person may speak on items scheduled for hearing before the board or commission at the time the Presiding Officer declares the hearing open. Once the speakers are finished, the Chair must close the hearing to further public comment.
8. Regular Agenda – Items on the Regular Agenda are those that require consideration, direction and/or action by the board or commission.
9. Items Added after Posting of the Agenda – are permitted as set forth Government Code Section 54956.5. and as defined as an “emergency situation.”
10. Business From the Floor – ***Speakers shall not use “Business from the Floor” to make additional comments regarding an item heard earlier in the meeting.***

A member of the general public may address the board or commission on any matter “**not appearing**” on the agenda which is of interest to such person and which is within the jurisdiction of the board or commission. Where a member of the general public seeks to address the commission under Business From the Floor, the commission may briefly respond to statements made or questions posed. However, Commission members should not engage in inter-Commission discussions. On their own initiative or in response to questions posed by such person, Commission members may ask questions for clarification, provide a reference to staff or other resources for factual information, or request staff to report back at a subsequent meeting.

11. Reports and Communications – Citizen requests shall be placed under reports and communications. However, no action shall be taken on these matters unless a majority of the commission directs staff to place the item as an action item at a subsequent meeting and it is included on the posted agenda as such.
 12. Agenda Items Taken Out of Order – The board or commission will follow the order of items as listed on the agenda, unless the Presiding Officer or a Commission member requests a change in the order of items and a motion to that effect passes by a majority vote.
 13. Ex Parte Communications – An ex parte communication is a communication made outside of a noticed public meeting between a board or commission member and any person in the public concerning a quasi-judicial proceeding to be heard by the board or commission. When a board or commission member has an ex parte communication, the member shall state for the public record: (a) the nature of that communication, (b) with whom the ex parte communication was made, and (c) a brief statement as to the substance of the communication.
- C. Agendas & Staff Reports – Board or commission agendas will be prepared by staff liaisons in accordance with the format approved by the Council (see AP&P 10-10) and in accordance with the requirements set forth in the Brown Act. The format of the staff reports is determined by the City Manager and City Clerk in order to meet the needs of the City Council. Standardized reports also ensures a consistent approach in providing critical information necessary to make an informed decision.
- D. Minutes – Per Council direction at its meeting of 11/7/00, staff is to provide "action-only" minutes for board and commission meetings. Draft minutes will not be released unless they are part of an agenda packet being provided to the full Commission or Board for review and approval at a regularly scheduled meeting.