

RESOLUTION NO. 45-21

**A RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
TO ADOPT UNIFORMED RULES FOR THE CITY OF RICHMOND BOARDS,
COMMISSIONS, AND COMMITTEES**

WHEREAS, the City of Richmond (City) has established a number of City boards, commissions, and committees to review City program areas and special community problems in order to provide a greater public input into the city government of Richmond.

WHEREAS, on February 19, 2019, the City Clerk's Office published a Boards, Commissions, and Committees handbook to provide members with the necessary information to understand the basic functions and responsibilities of their board, commission, and committee as well as their role within the organization; and

WHEREAS, the Boards, Commissions, and Committees handbook, although published, was never formally adopted by the City Council; and

WHEREAS, the City and members agree to abide by the rules and policies established in the Boards, Commissions, and Committees Handbook; and

WHEREAS, the City Council wishes to adopt the Boards, Commissions, and Committees handbook with the understanding that some information in the handbook is subject to change when absolutely necessary.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Richmond adopts the Boards, Commissions, and Committees handbook (**Exhibit A**) as a formal document to provide a general idea of the policies, guidelines, and responsibilities of the board, commission, and committee members.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held April 27, 2021, by the following vote:

AYES: Councilmembers Bates, Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

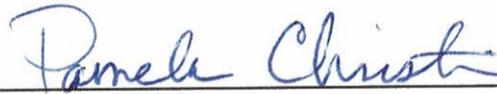
THOMAS K. BUTT
Mayor

Approved as to form:

TERESA STRICKER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 45-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on April 27, 2021.



Pamela Christian, Clerk of the City of Richmond



City of Richmond Boards, Commissions and Committees Handbook



**April 27, 2021
(City Council Resolution No. 45-21)**

THE CONTENTS OF THIS HANDBOOK ARE SUBJECT TO CHANGE

MESSAGE FROM THE CITY CLERK:

Congratulations on your recent appointment to a City of Richmond board, commission or committee!

This handbook has been prepared to help orient you concerning the functions and duties of the board, commission or committee to which you have been appointed. The handbook is designed to contribute to your general knowledge and understanding of public affairs and to aid in identifying the scope and parameters of your role and responsibilities.

Members of boards, commissions or committees provide a positive service that is invaluable to the continued progress of our city. They may advise the City Council on a wide variety of issues by making recommendations on important policy matters. The detailed studies and considered advice of boards, commissions or committees are often catalysts for innovative programs and improved services.

Serving on a board, commission or committee can be a rewarding experience for community service-minded residents. It is an excellent way to participate in the functioning of local government and to make a personal contribution to the improvement of our community. If we are to have, "Government of the people, by the people, for the people", we must have the continued participation of the many dedicated board, commission and committee members. Making local government effective and responsive is everybody's responsibility.

We hope that you will enjoy your tenure as a vital part of the City's team and sincerely thank you for your willingness to devote your time and energy to serve your community.

**Pamela Christian
Clerk of the City of Richmond
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CITY OF RICHMOND

BOARDS, COMMISSIONS AND COMMITTEES HANDBOOK

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BOARD, COMMISSION AND COMMITTEE FUNCTIONS

The activities of boards, commissions and committees are varied but generally fall into four categories (Appendix A). Any particular board, commission or committee may belong to one or more of the types listed below and all boards, commissions and committees belong to the third type, advisory to the council:

Quasi-Judicial

Boards, commissions and committees with authority to make binding decisions that require or restrict the action of individuals are deemed quasi-judicial. For example, the Design Review Board functions as the decision-making body for the design of new development projects and most exterior changes to existing buildings. The Design Review Board also acts as an advisory body to the Planning Commission in cases also involving a land use decision. The Planning Commission acts as an advisory body to the City Council on all planning and development policy issues and is charged with the preparation, maintenance, and implementation of the city's General Plan. The Rent Board establishes base rents, makes adjustments to rents and conducts hearings. Actions of the Rent Board are not appealable to the City Council.

However, actions made by the Design Review Board and Planning Commission may be appealed to the City Council, if the appeal is filed with the city clerk within 10 business days of the board, commission, or committee's action.

Advisory to the City Manager

The Personnel Board conducts hearings on employee grievances for employees in classified service, reviews all proposed changes, additions or eliminations in the personnel rules that may be presented to the City Council, and advises the city manager, on all policies regarding personnel administration. Similarly, the Community Police Review Commission investigates complaints against police officers and advises the city manager and the chief of police of its findings.

Advisory to the Council

All boards, commissions, and committees advise the City Council concerning policies and programs. For example, the Commission on Aging advises the City Council on the needs of senior citizens. The Historic Preservation Commission advises or provides recommendations to the City Council on preserving historic sites but also exercises some quasi-judicial powers where historic resources are involved.

Ad Hoc Committees

Ad hoc or "temporary" committees are treated differently under the Brown Act (see the *Meeting Basics* section for an explanation of the Brown Act). *Ad hoc* committees are *not* subject to the notice and posting requirements of the Brown Act *so long as* the committee:

1. Consists of less than the number of members which would constitute a quorum;
2. Has a defined purpose and a time frame to accomplish that purpose; and
3. Is advisory, *i.e.*, the committee has not been delegated any decision making power and will be returning to the full board with its recommendation. See, *Joiner v. City of Sepastopol* (1981) 125 Cal App. 3d 799. *Ad hoc* committee

Ad hoc committees are commonly used in city government. For example, the chair of a city board/ commission or the board/commission as a whole might choose to appoint three or fewer commissioners (depending upon the size and quorum of the board/commission) to evaluate and report on a particular issue or subject relevant to that board/commission. Once that ad hoc committee has completed its work, the ad hoc committee is then disbanded.

Establishing Ad Hoc Committees

Members of ad hoc committees designed to be advisory to the board/commission may be appointed by the chair, on behalf of the entire board/commission or by an action of the entire board/commission, depending upon the rules under which the board/commission operates. Although, as noted above, the ad hoc committee itself is not subject to the Brown Act, but if the board/commission desires to create an ad hoc committee, the action to create the ad hoc committee must be done at a publicly noticed meeting under the Brown Act and the item placed on an agenda for that purpose.

ROLES

The mayor's role [per City of Richmond Charter, Article III-A, Sec. 2(c)] is as follows:

- The mayor shall have the authority at any regularly scheduled meeting of the City Council to make appointments to or removals from all city boards, commissions, and committees with the concurrence of a least three (3) other members of the Council.

The City Council's roles are as follows:

- Make policy.
- Direct city manager to carry out policy.
- Solicit input from boards, commissions or committees on issues in its various functional areas unless there are legal or time constraints.

The Boards', Commissions', or Committees' roles are as follows:

- Advise the Council on policies that assist the Council in carrying out its responsibilities.
- Provide citizen input by being positive representatives of a board, commission, committee, and the community.
- Committees may differ in their duties and responsibilities. Many are solely and entirely advisory to the elected body.

The City Council Liaison's role (an appointed councilmember) is as follows:

- Serve as a conduit between the board or commission and the City Council.

The Technical Staff's role (a department head) is as follows:

- Research and investigate issues, prepare alternatives and recommendations for review by the applicable board, commission, committee, and/or the Council, and implement the Council's policy decisions.

The Staff Liaison's roles are as follows:

- Provide administrative support to the boards, commissions or committees under the guidance of the department head (and ultimately, the city manager), including preparing agendas and meeting minutes and ensuring both are posted on the City's website in a timely manner.

The Advisory Role

Ad hoc committees are formed for a specific purpose and dissolve after completing their mission. However, standing boards, commissions, and committees are an integral part of the governmental structure.

If the organization is to function effectively, there must be clarity, understanding, and acceptance of the roles assigned to the elected body, boards, commissions, committees, and staff. If advisory board members stray from their original charge and get into areas that rightfully belong to the staff or elected officials, confusion, inaction or destructive conflict can result.

BOARD, COMMISSION, OR COMMITTEE NORMS

As with all working teams, there are written and unwritten rules (norms) that boards, commissions or committees follow. These norms have been established over time and have an original basis that continues to be valid for boards, commissions or committees today.

Some examples are as follows:

- Do your homework.
- Explain actions in concise thoughts.
- Compliment colleagues and staff whenever an opportunity arises.
- Where applicable, try to involve residents in a solution.
- Work for consensus on important issues.
- Always be on time for meetings.
- Be attentive.
- Do not criticize staff or others in public.
- Only speak on issues if we have something to add.
- Our actions, including voting practices, are governed by ethical and moral principles and beliefs.

RESPONSIBILITIES OF BOARD, COMMISSION, OR COMMITTEE MEMBERS

While specific duties of each board, commission, or committee member vary widely with the purpose for which they are formed, there are certain responsibilities that are common to all members. The following is a summary of those responsibilities:

1. Understand your role and scope of responsibility and be informed of the objectives, scope of responsibility and operating procedures of your individual board, commission, or committee.
2. If you represent yourself as a member of a board, commission or committee, you should represent the majority views of your individual board, commission, or committee. Individual "opinions" to the public and press, should be identified as such.
3. Members should represent the public interest and not special interest groups.
4. Members are in a unique position of serving as a liaison between the city and its citizens and can help to reconcile contradictory viewpoints and to build a consensus around common goals and objectives. Members serve as a communication link among the community, staff, and City, presenting city programs and recommendations and providing a channel for citizen expression.
5. Do your homework and be thorough in recommendations by reviewing items prior to the meeting to be fully prepared to discuss, evaluate, and act on all matters scheduled for consideration. Conclusions based on the same facts will strengthen the value of the group's recommendations.
6. Supportive relationships with the City Council and city staff are essential for successful operation of any board, commission, or committee. The proper channel to contact city personnel on items of consideration is through the designated city staff liaison providing staff support for your group.

7. Establish a good working relationship with fellow members of your board, commission, or committee. Respect individual viewpoints; allow other members time to present their views fully before making comments; be open and honest; welcome new members and strive to minimize political action on issues.

City Council appointments to boards, commissions or committees are made without regard to political party affiliation. Members are not restricted from participating in political activities. However, members may not use or involve their membership on their respective board, commission or committee in the conduct of political activities.

RELATIONSHIPS

Working Relationships

In public statements or interactions, individual board, commission or committee members should present views and recommendations representing the board, commission, or committee as a body -- not personal individual views. Members expressing views not approved by the majority of a board, commission, or committee should clearly express that their opinions reflect their personal perspective as 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 board, commission, committee, City Council or staff. When making a public statement, if applicable, members should indicate that board, commission or committee actions are recommendations and that final action will be taken by the City Council. Members may be selected on the basis of representing defined groups; however, each member should represent the overall "public good," not an exclusive group, or special interest.

Basic Guidelines

Board, commission or committee members should work to establish good relationships with other board, commission or committee members. The success or failure of board, commission, or committee efforts may be dependent upon the degree of cooperation evident among the individual members of the body.

Relationships with Other Board, Commission, or Committee Members

The association with other board, commission or committee members is very important. Before talking about relationships, it may be well to point out a few facts about board, commission and committee members. Members come from various backgrounds - education, occupational, religious, social, economic, physical and cultural - and differences do exist. It is important to recognize that the reasons for serving on a board, commission, or committee will vary and perhaps some will have a special interest. Each member will contribute in his/her own way and is an important part of the decision-making process. Do not expect every member to give of his/her time, talent and knowledge to the same extent. Some will give more, and others will give less, but in the end, the community will benefit. Bearing this in mind, the following may serve as a guideline:

1. Always respect other individuals' viewpoints even though they may be the opposite of your own.
2. Allow the other individual to articulate his/her own views and then attempt to make an objective evaluation of those views.
3. Evaluation of other members' viewpoints should be based on what is best for the total community and for all concerned.
4. There will be times when political action among the board, commission, or committee is apparent; strive to minimize whenever possible.
5. Be open and honest at all times.

6. Each member has a responsibility to see that new members are made welcome, become oriented, and receive training.

Relationships with City Council Members

The purpose of boards, commissions or committees is to expand the opportunity for citizen input and participation, study issues, and make recommendations to the City Council. As an advisor to the City Council, members must be continually aware that the decisions formed by the Council, even after receiving and evaluating the recommendations from the various advisory bodies, are not easily made.

The City Council possesses the ultimate political and legal responsibility for the conduct of local government and the overall welfare of the community. It is important to recognize that not all of the recommendations made by the various boards, commissions, and committees will be accepted by the City Council. City Council actions that vary from board, commission and committee recommendations do not imply a lack of confidence or disinterest in the advisory bodies' decisions. Councilmembers must weigh the advice provided by advisory bodies against a broader scope of considerations as they reach the decisions for which they are responsible.

Although a board, commission, or committee may disagree with the final decision that the City Council makes on an issue, it should not act in any manner contrary to the established policy adopted by the Council.

Members are expected to recognize the following items:

1. The board, commission or committee should assist the City Council in developing public trust in an advisory system; and
2. Be sensitive to City priorities and know when to take a stand.

Relationships with Council and Staff Liaisons

The **council liaison** (a councilmember) assigned to a board, commission or committee may provide advice, direction, and guidance. The council liaison also facilitates placing board, commission, or committee recommendations on the City Council agenda for council consideration.

The staff liaison handles administrative duties, prepares meeting agendas, and records minutes. Members may not direct the staff liaison to initiate programs, conduct major studies or establish official policy without the approval of the City Council.

Members should feel free to contact the assigned staff liaisons for inquiries and/or support purposes. It should be understood, however, that members are responsible for all work for its board, commission, or committee. Staff liaisons may provide clerical and administrative support to boards, commissions or committees on an as-needed basis.

Relationships with the Public

Members serve as a liaison between the city and the general public. Thus, each member functions as a communication link between the community and the city, explaining city programs and recommendations, as well as providing a channel for citizen expression.

Board, commission or committee meetings should be conducted in a manner that is conducive to a productive exchange of ideas and perspectives. A non-threatening atmosphere should be prevalent, and steps should be taken to ensure that members of the public are free to express their views without fear of ridicule or belittlement by anyone with an opposing viewpoint.

Members should conduct themselves in a manner that demonstrates fairness and professionalism. Members should be considerate of all interests and value differences of opinion. Additionally, members should remain open-minded, objective and make no judgment or engage in any partisan position until all of the available evidence pertaining to an issue has been submitted. Common courtesy is expected from city representatives at all levels of the organization.

It is important to recognize that, as a member, your actions and comments are often interpreted to be that of the entire board, commission, committee, the staff, or the city. A member's comments to the press or other public utterances are sometimes misinterpreted even though you state that you are speaking for yourself. They may also be at odds with the board's, commission's, or committee's goals, objectives, or overall policy. It is very important that an individual be clear when stating an opinion.

Members of the public are also expected to conform to an acceptable standard of conduct. Any person who willfully interrupts a public meeting or acts to render the orderly conduct of the meeting infeasible may be barred from the meeting by the Chair. An individual so barred may not return for the remainder of the meeting unless permission is granted by a majority vote of the board, commission, or committee.

The following guidelines are offered:

1. There should be no promises made to the public that are binding on the board, commission, committee, staff, or City Council.
2. Comments to the public and the press must be factual.
3. Members have an obligation to listen to comments or complaints of the public.

City boards, commissions, and committees are not involved in the administration or operation of city departments. The city's staff reports to the department head, who in turn reports to the city manager. It is, therefore, the responsibility of the department head and/or the city manager to allocate staff time and efforts and direct the priority of work.

The staff liaisons are not considered members of a board, commission or committee and have no power to vote on matters. Because of their support position, staff does not respond to questions from the public at a meeting unless requested to do so by the chairperson.

City staff liaisons serve boards, commissions and committees in an advisory capacity – much the same as the board, commission, or committee serves the Council. Staff liaisons are selected on the basis of their technical and professional abilities and are expected to provide recommendations based on their professional analysis of the situation, regardless of personal opinion or consideration of political consequence. It is not expected that every staff recommendation will be followed; however, because of staff's technical expertise, full consideration should be given to the staff liaison's recommendation.

Members should be aware of staff's responsibility to also provide professional advice to the City Council. In instances where a staff liaison disagrees with a recommendation of the board, commission, or committee he/she serves, he/she is obligated to advise the City Council of his/her recommendation through the city manager or a subsequent staff report. The City Council values both the opinion of the board, commission, or committee as well as staff since staff expresses its opinion from a strictly technical perspective, and boards, commissions, and committees may provide counsel and advice on the issue's practical application.

All communications from the board, commission, or committee to the public are transmitted through the staff liaison. Similarly, arriving communications are received by the staff liaison and relayed to the board, commission, or committee through the agenda.

MEMBERSHIP

Member Privacy

The City Clerk's Office does not release the personal contact information of board, commission or committee members without their consent. Requestors will be directed to the staff liaison to verify consent with the member.

Application, Appointments, and Reappointments

All residents interested in serving on a City of Richmond board, commission, or committee must complete and submit the appropriate application form (Appendix H) to the city clerk. *Employees cannot serve on any city board, commission, or committee.* Recommendations for appointment are made by the mayor and approved by the City Council, with the exception of the Richmond Fund for Children and Youth Oversight Board, appointed by the mayor and City Council.

Any person who has served on a board, commission or committee for a period of less than one full calendar year may be appointed to the same body for a full term.

Reappointment is not automatic; therefore, board members, commissioners, and committee members are required to submit a new application to the city clerk prior to each term expiration date (Appendix B), to be considered for reappointment. Members with expired terms may continue to serve until a replacement appointment has been approved (Appendix C, Resolution 24-14).

Oath of Office

Before new board members, commissioners, and committee members can participate as voting members of their respective body, they must complete and file an Oath of Allegiance form (Appendix E) with the city clerk. Failure to take the oath of office within 30 days of the date of the appointment letter shall be cause for automatic termination. Staff liaisons must check with the City Clerk's Office prior to the first meeting of the board, commission, or committee following the appointment to verify that all newly-appointed members have taken the oath.

Fair Political Practice Commission (FPPC) Filing Requirement and Ethics Training

Pursuant to the City of Richmond's Conflict of Interest Code (Appendix G), members of certain boards, commissions, and committees must complete a FPPC, Statement of Economic Interests, Form 700 upon assuming or leaving office and annually during their term. Form 700 filers must also complete mandatory ethics training (AB 1234) every two years. Failure to comply with the FPPC filing and training requirements can result in automatic resignation. **The city clerk will notify the specific board members, commissioners, and committee members that are subject to this provision.** It is the responsibility of the board member, commissioner, or committee member to notify the City Clerk's Office immediately upon any changes to their mailing and/or email address.

Attendance

Board members, commissioners, and committee members should inform the staff liaison in advance if they are unable to attend a meeting. Failure to comply with the following attendance rules can result in automatic resignation:

- a. **Absence from more than three regular meetings within a twelve-month period shall be deemed an automatic resignation, with the following exception:**

The absence of any member from more than eight regularly scheduled meetings of the Design Review Board within any twelve consecutive-month period constitutes an automatic resignation from the Design Review Board.

Within one week of the third absence (eighth absence for Design Review Board members), the board, commission, or committee staff liaison shall remind the board member or commissioner of the absence rule. Upon the fourth absence (ninth absence for Design Review Board members), the staff liaison shall notify the city clerk to issue a notice of automatic resignation and post the vacancy.

- b. A member must be present at least one hour, or 50% of the entire meeting, whichever is less, to be counted as present for purposes of attendance.**

Excused Absences

Board members, commissioners, and committee members may make a written request to the chair and staff liaison in advance of a meeting to excuse an absence due to scheduling conflicts and religious or cultural holiday. Requests for all other excused absences may be considered on a case-by-case basis by the staff liaison, with consultation from the city clerk (or his/her representative), as necessary.

Automatic Resignation

The following can result in automatic resignation:

- a. Failure to comply with the membership requirements outlined in this handbook.
- b. Failure to meet any eligibility requirements of the ordinance, resolution or other law establishing the board, commission, or committee or regulating its membership.

Automatic resignation from a board, commission, or committee does not disqualify an individual from subsequently being appointed to the same or any other board, commission or committee. However, if a member is automatically resigned more than two times due to any of the aforementioned reasons or any combination thereof, he/she may not be appointed again to any board, commission, or committee for one year. No board member, commissioner, or committee member shall be appointed to any board, commission, or committee if there are outstanding Conflict of Interest statements or fines; and no board member, commissioner, or committee member shall be appointed to any board, commission, or committee for a period of one year if automatically resigned more than once for failure to file such statements.

Resignation Procedure

A board member, commissioner, or committee member wishing to resign shall submit a letter or e-mail of resignation directly to the city clerk stating his/her effective date of resignation. Once submitted and the Clerk's Office acknowledges acceptance, a letter of resignation may not be withdrawn. The city clerk shall notify the mayor and staff liaison of such vacancy.

Leaving Office Statement (Form 700)

Within 30 days of an automatic or voluntary resignation, a board member, commissioner or committee member serving on a board, commission or committee subject to annual Fair Political Practice Commission, Statement of Economic Interests, Form 700, will be required to submit a Form 700 leaving office statement.

Use of City Business Cards, Logo, and Insignia

Board, commission, and committee members may request city business cards, **at their own expense**, to be used only for official City of Richmond business or promoting the city. The City Clerk's Office is not responsible for ordering business cards; this is the responsibility of the staff liaison to order business cards from the city's approved printing vendor. **The City Attorney's Office advises against individual board members, commissioners, and committee members privately printing their own business cards using the city logo or insignia.**

CONFLICT OF INTEREST PROHIBITED

Board members, commissioners, and committee members provide advice to the City Council, study various projects and, in the case of certain boards, commissions, and committees, function in a quasi-judicial capacity. Precise relationships vary in that certain of these quasi-judicial determinations may be appealed to the City Council; others may not be. All board members, commissioners, and committee members should be aware of the need to avoid any instances of conflict of interest (Appendix G). Conflict of interest standards are generally applicable to all boards, commissions, and committees. Additional requirements may be applicable to particular boards, commissions, and committees.

Influencing the Making of Contracts and Affecting Other Financial Interests

The State Political Reform Act, Government Code Sections 81000 et. seq., and the Fair Political Practices Commission (FPPC) Regulation 2 California Administration Code Section 18730 prohibit a board member, commissioner, or committee member from making, participating in making, or attempting to influence the making of any city decision if the board member, commissioner, or committee member knows or has reason to know that it is reasonably foreseeable that the decision will have a material financial effect on specified interests of the board member, commissioner, or committee member or a member of their family distinguishable from its effect on the public generally. A board member, commissioner, or committee member may seek the advice of the City Attorney as to whether he/she should recuse themselves. However, only a formal advice letter from the FPPC will insulate you from enforcement actions by the FPPC. Be sure to seek the advice of the City Attorney or FPPC well before you are required to participate in a matter which would create a possible conflict of interest.

In addition to filing required disclosure statements described below, any such conflict of interest should be publicly disclosed and noted in the official record of the board, commission, or committee. In such cases it is not sufficient simply to abstain from voting; the positive act of verbal disclosure is required.

Disclosure Statements Required

The Government Code of the State of California requires that designated commissions file Fair Political Practices Commission (FPPC), Statements of Economic Interests (Form 700), in which they disclose specified financial interests. The latest City of Richmond Conflict of Interest resolution, located on the City Clerk's website, specifies each board, commission, or committee which is subject to this requirement and the interests which must be disclosed.

Board members, commissioners, and committee members specified in the current Conflict of Interest resolution must file a Form 700, with the city clerk annually and within thirty days of assuming or leaving office.

If a member has been auto-resigned more than thirty days from a board, commission, or committee for any reason, and the mayor wishes to reappoint that person, the member must first file a "Leaving Office" statement prior to the new appointment. He/she is then required to file another "Assuming Office" statement within thirty days of the new appointment date.

Any board member, commissioner, or committee member who fails to file any required Form 700 within the time specified for such statement will be fined and may be automatically resigned. No board member, commissioner, or committee member shall be appointed to any board, commission, or committee if there is an outstanding Form 700 or fines; and no board member, commissioner, or committee member shall be re-appointed to any board, commission, or committee for one year if auto-resigned for failure to file such disclosure statements.

Incompatible Public Offices

The common law doctrine of incompatible public offices prohibits a public official from occupying two public offices which are incompatible in terms of their duties and/or the likelihood of divided loyalties. **Effective immediately, board members, commissioners, and committee members may no longer be appointed to multiple Richmond boards, commissions or committees.** Board members, commissioners, and committee members may apply for appointment to other Richmond boards or commissions in their current position prior to term expiration. However, upon appointment to the new board, commission, or committee, he/she shall immediately submit written notification to the city clerk resigning from their former appointment. Board members, commissioners, and committee members appointed to more than one Richmond board, commission, or committee prior to the date of this handbook, may continue to serve on multiple boards, commissions, and committees to complete each term.

Incompatible Activities for Compensation

Government Code Section 1126 prohibits a public official from engaging in activities for compensation incompatible with their public office. If you are engaged in compensated activities which may be incompatible with your duties as a board member, commissioner, or committee member, please consult the city attorney.

BOARD, COMMISSION, AND COMMITTEE ORGANIZATION

Officers Election and Term of Office

The election of board, commission, and committee officers shall occur annually pursuant to the resolution, ordinance, or bylaws that govern each body. The chairperson and vice chairperson are elected by the majority of the board, commission, or committee for a one-year term and hold office until their successors are elected. No board member, commissioner, or committee member shall serve as chairperson for more than two consecutive years. The results of the vote shall be publicly announced and the vote recorded in the minutes.

Duties of Officers

The chairperson, or in her/his absence, the vice chairperson, performs the following duties:

- Presides at all meetings of the board, commission, or committee and ensures that the work of the board, commission, or committee is accomplished. To this end, the chairperson must exert sufficient control of the meeting and ensure that all viewpoints are heard and are considered in a fair and impartial manner.
- Approves and signs correspondence and reports on behalf of the board, commission, or committee.
- Represents the board, commission, or committee before the City Council with the approval of the board, commission, or committee.
- Performs other duties necessary or customary to the office.

Transfer of Chair

In the absence of the chairperson or his/her inability to act, the vice chairperson presides in place of the chairperson. In the event of the absence or the inability to act of both the chairperson and the vice chairperson, the remaining members elect one of their members to act as temporary chairperson.

Vacancies

Board, commission, and committee vacancies as a result of final term expiration and resignations are publicly announced by the mayor at City Council meetings and posted on the city's website. On or before December 31st of each year, a Notice of Expiration of Terms and Vacancies is published in a newspaper of general circulation, in compliance with the requirements of the Maddy Act, Government Code Section 54972.

DEVELOPMENT OF A WORK PROGRAM

Many boards, commissions, and committees find it effective to establish an optional yearly work program or goals statement. A work program is a planning document that specifies how and when the objectives (outcomes) which the board, commission, or committee expects to accomplish during the fiscal year will be achieved. Goal statements explain the nature and scope of the work to be performed and the time needed to accomplish the goal. The nature of the duties of specific boards, commissions, and committees may determine which method is most suitable.

Designing yearly work programs or goal statements may be done in conjunction with the development of the relevant departmental work plan so that the department and board, commission, or committee's work will complement each other throughout the year.

MEETING BASICS

Requirement to Meet in Public – Ralph M. “Brown Act”

The Ralph M. Brown Act, commonly referred to as the “Brown Act,” is codified in the California Government Code beginning at Section 54950. The Brown Act mandates that local government business be conducted at open and public meetings, except in certain limited situations (i.e. closed sessions). The central provision of the Brown Act requires all “meetings” of a “legislative body” to be open and public. The Brown Act broadly defines the term “meeting” to include any congregation of a majority of the members of a particular legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body. Richmond boards, commissions, and committees are a “legislative body”. Under the Brown Act, a majority of the members of the legislative body are prohibited from discussing, deliberating about or developing a collective concurrence regarding any item that is within the legislative body's jurisdiction except as part of a duly noticed public meeting. The purpose of these provisions is to ensure that local governing bodies deliberate in public.

The Brown Act also requires that the public be given notice of the time and place meetings are to be held. As a general rule, a legislative body may not act on or discuss any item that does not appear on the agenda posted for the meeting.

Public Meetings and Public Hearings Notice Requirements

The staff liaison will handle all noticing requirements including posting the agenda at City Hall and on the city's website. The Brown Act does not apply to ad hoc committees.

- Regular meetings must be posted seventy-two (72) hours prior to the meeting time.
- Special meetings must be posted twenty-four (24) hours prior to the meeting time.
- Where a public hearing is mandated by law, it may vary and the form and timing of the advance notice is most often specified by the law (i.e., land use public hearings).

Public Access Requirement

All public meetings must be held in a wheelchair accessible location. Disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, may be requested by contacting the City Attorney's Office Americans with Disabilities Act coordinator at (510) 620-6509 at least three business days before the meeting date.

Communication and Public Participation Requirement

The Brown Act protects the public's right to attend and participate in meetings and requires that agendas for legislative bodies provide an opportunity for the public to address the body. Consult the city clerk for specific requirements and procedures for establishing public comment procedures and time limits for speakers. Boards, commissions, and committees can also conduct public hearings on specific subjects.

The Brown Act requires that an agenda allow for two types of public comment periods. The first is a general audience comment period (i.e., "Public Forum" or "Open Forum"), where the public can comment on any item of interest that is not on the agenda within the jurisdiction of the legislative body. The second type of public comment period specifically pertains to items on the agenda.

Types of Meetings

Public Hearings

Public hearings are held when required by law or when the board, commission, or committee determines that such a hearing would be desirable. When a hearing is required by law, the procedure for that hearing may also be specified by that law. Most hearings and board, commission, and committee matters are quasi-legislative; the board, commission, or committee is making policy or programmatic recommendations to the City Council. Some hearings are quasi-judicial, such as hearings or permits before the Planning Commission, or Design Review Board. In such quasi-judicial proceedings, special rules may apply. Refer to the specific law or consult the City Attorney's Office.

Study Sessions and Workshops

Study Sessions are designed to elicit community input and participation in an informal manner, allowing maximum interaction between citizens and board members, commissioners, or committee members to work on issues in an in-depth manner. Study sessions and workshops do not culminate in action at that meeting. Actions or recommendations should be taken at either the next regular meeting or at another publicly announced date and time. In both cases, the board, commission, or committee, when establishing the time and place for the study session or workshop, should determine the period of time available and establish the portion of time to be devoted to comments or presentations by the public. Public access and communication access requirements must be met for all public hearings, study sessions, and workshops.

Preparation for Meetings

- Be prepared. Thoroughly review the agenda packet, including agenda reports, and any other materials before the meeting. The issues that come before advisory bodies are important to the community as a whole and demand your undivided attention. In agreeing to serve on an advisory body, you make a commitment to put in the time required to be fully prepared for

each meeting.

- Understand the recommended action you are being asked to take for each agenda item.
- If you have questions regarding the agenda or an agenda report, contact your staff liaison before the meeting to clarify questions or request further information.
- Know the responsibilities of your advisory body, as well as the limitations of your individual authority. As a member of an advisory body, you will among other things, be asked to provide recommendations to the City Council about specific issues. Keep in mind that your appointment does not empower you to supervise city staff.
- 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 aspects of an issue before you make a judgment or take a position.
- Strive to appreciate differences in approach and point of view. 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.
- 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 staff liaison to provide information to assist the members throughout the decision-making process.
- E-mail communications can ultimately lead to the exchange of information intended to create collective concurrence among a quorum of advisory body members in violation of the Ralph M. Brown Act. Therefore, e-mail communications between advisory body members relative to advisory body business should be avoided. While less than a quorum, for example, may appropriately communicate with one another by way of e-mail, the “forwarding” of such an e-mail message on to an additional member could result in a Brown Act violation.
- The applicant has the right to an efficient process. Unreasonable delay or lack of action is unacceptable. If necessary, make an alternate or additional recommendation that may help to move the item along.

Conduct of Hearing

The procedure to be followed for a public hearing may vary depending, again, on the subject matter and the time available for the hearing. In the instances where a board, commission, or committee acts in quasi-judicial fashion, certain standards of receiving testimony must be met. These would include, but not necessarily be limited to:

- Announcement or reading of the subject into the record by the secretary.
- An overview of the subject and recommendation by the chairperson, board member, commissioner, committee member or staff requesting the public hearing.
- Public comment from affected parties or interested citizens and receipt of any pertinent documentation.

The hearing shall be formally declared open by the chairperson prior to public comment and formally closed by the chairperson at the conclusion of public comment. If findings are required as a part of the board, commission, or committee action, such findings should be clearly stated for the record. If a board member, commissioner, or committee member must abstain or recuse oneself from participation

due to a potential conflict of interest, or has a disclosure of interest which does not prevent participation, a statement shall be given at the commencement of the hearing.

Action

Any action resulting from the hearing shall be clearly stated in the form of a motion, properly seconded and voted upon. The record should in such cases identify those voting "aye", those voting "no", those abstaining, and those absent.

Action must be by an affirmative vote of at least a quorum of the board, commission, or committee. Under State law, action is prohibited on any matters which have not been properly noticed.

If no action is to be taken the chairperson should announce this fact, and, if possible, advise the public of the date when action may be expected.

Recordings of Hearings

All hearings should be audio recorded (whenever possible) in addition to the required written set of summary and action minutes that must be provided for every meeting. The minutes once approved by the board, commission, or committee, shall constitute the legal record. Audio recordings of public hearings of quasi-judicial boards, commissions or committees where the minutes have been approved, shall be retained by the staff liaison for at least one year following the decision of the board, commission, or committee or following the final decision of the City Council.

Hearing from the Public

At public meetings, boards, commissions, and committees have the responsibility to hear all viewpoints of the public. In order to ensure all parties are adequately heard, it is necessary to follow the rules of procedures which are often established by the bylaws of the boards, commissions and committees.

These rules most commonly include:

- Limiting the time of speakers.
- Establishing strict rules regarding rebuttal, if it is decided that rebuttal is permitted.
- Requesting board, commission, and committee members to hold questions and comments to the end of the public presentation portion of the hearing.

Impartiality and Standards of "Fair Play"

Boards, commissions, and committees shall be aware of the need to maintain basic standards of fair play and impartiality. This awareness must also speak to the need to avoid the appearance of bias. The chairperson has the primary responsibility to ensure that the varying points of view are heard, that the hearing or workshop proceeds in a timely manner, and that the options for future action by the board, commission or committee are clearly stated. Awareness of the varying interests within the Richmond community is essential, and the City Council depends on its boards, commissions, and committees to provide thoughtful advice based on the fullest possible study of the subject and contact with all relevant segments of the community to obtain their input.

No Quorum – Meeting Cancellation

When a quorum cannot be assembled at the time of a meeting, the meeting must be cancelled and those members who are absent will have an absence counted against them. Those members that are present shall wait a maximum time limit of 20 minutes for a quorum prior to cancelling the meeting.

Board members, commissioners, and committee members should inform the staff liaison as far in advance as possible if they are unable to attend a meeting. If it is known in advance that a quorum will not be achieved, the staff liaison should notify all members that the meeting will be cancelled and no

absences will be recorded. The staff liaison must also post a meeting cancellation notice for the public at the meeting location.

MEETING PROCEDURES

Establishment of Meeting Rules

Richmond boards, commissions, and committees follow Rosenberg's Rules of Order for public meeting proceedings (Appendix F). Each board, commission, or committee may establish additional rules and limit debate. It is the responsibility of the chairperson to control public debate so that everyone has an opportunity to speak and to expedite the business at hand.

Rules of Debate

Chairperson

The chair may debate and may make or second motions. The chair is subject to the limitations of debate that are imposed on all members and shall not be deprived of any of the rights and privileges of a member.

Advisory Body Members

Every advisory body member desiring to speak shall address the chair. Upon recognition by the chair, the member shall confine comments to the question under debate, avoiding all undignified language and references to personalities and abiding by the following rules of civil debate. A member, once recognized, shall not be interrupted except according to rules of parliamentary procedure (e.g., for a point of order, parliamentary inquiry, question of privilege, or appeal of the chair's procedural ruling).

Public meetings will proceed smoothly if all participants keep the following tenets in mind:

- (1) We may disagree, but we will be respectful of one another.
- (2) All comments will be directed to the issue at hand.
- (3) Personal attacks shall be avoided. They are unacceptable and may result in termination from an appointed position.

Addressing the Advisory Body from the Floor

Securing Permission to Speak - Any person desiring to address the advisory body shall first secure permission from the chair. Any advisory body member may also request of the chair that a member of the public be recognized to speak. Remarks should be directed to the matter being considered.

Individuals addressing the advisory body are requested to give their name in an audible tone of voice for the record and fill out a speaker card if provided. They are not, however, required to provide their name or complete a speaker card. Any applicable time limit shall be as stated in the agenda, or as directed by the chair.

All remarks shall be addressed to the advisory body as a whole and not to any individual member or to members of the audience. Without the permission of the chair, only members and the person addressing the advisory body shall be permitted to enter into any discussion. However, while advisory body members may ask speakers questions, they should not debate matters with them. All remarks shall be delivered in a respectful manner.

Addressing the Advisory Body after Motion Made - After a motion is made by the advisory body, no person shall address the advisory body in regard to that topic except upon the request of the chair, or a

member of the advisory body through the chair.

Order and Decorum in Meetings

Board, Commission, and Committee Conduct

While the board, commission, or committee is in session, the members shall not interrupt the proceedings of any other member or any member of the public who has the floor.

Conduct of Public in Attendance

Persons attending the meeting should observe the rules and procedures of the board, commission, or committee and should not disrupt the business at hand. For example, no one should disrupt the meeting by shouting, making disruptive noises, such as “boos” or hissing sounds; creating or participating in a physical disturbance; speaking out of turn or in violation of the meeting's procedures or rules; preventing or attempting to prevent others who have the floor from speaking; preventing others from observing the meeting; entering into or remaining in an area of the meeting room that is not open to the public; or approaching the advisory body without consent. Any message to or contact with any member of the advisory body while it is in session should be through the staff liaison.

All public comments shall be addressed to the advisory body as a whole and not to any specific member. No one other than the advisory body and the person having the floor may enter into any discussion, either directly or through a member of the advisory body, without the permission of the chairperson. No question may be asked of a member of the advisory body except through the chair. After being recognized for this purpose by the chair, any member of the advisory body may briefly respond to comments made during the public comment period or may pose a question to the person speaking at public comment or during a public hearing but may not discuss the matter.

Interested persons may address the advisory body on any issue concerning city business and items on the agenda during the period assigned to public comment on the agenda. Members of the advisory body may ask questions but should not discuss or act in connection with such citizen comment, if the subject is not on the agenda for action. A member of the advisory body may, however, refer a subject to staff or other resources for factual information or for action, if appropriate. The public may also comment during a public hearing on the subject of the public hearing in accordance with any procedures established by the advisory board for this purpose.

Rules of Debate

Presiding Officer May Debate. The presiding officer may debate from the chair, subject only to such limitations of debate by rules imposed on all members of the advisory board, and should not be deprived of any of the rights and privileges of any other member by reason of his/her acting as the presiding officer.

Getting the Floor. Improper references are to be avoided. Every member desiring to speak should address the chair, and upon recognition by the presiding officer, should confine him/herself to the question under debate.

Interruptions

A member of the advisory board, once recognized, should not be interrupted when speaking unless it is to call him to order, or as herein otherwise provided. If a member, while speaking, is called to order, he/she should cease speaking until the question of order can be determined, and if, in order, he/she should be permitted to proceed.

Proceedings

- Start meetings on time and keep the size of 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 or explain technical terms or verbal acronyms and abbreviations.
- Listen to audience concerns and do not 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 questions can most effectively focus discussion and direct decision- making. For example,

For staff:

- What is the history behind this item?
- What are the benefits and drawbacks?
- What other alternatives did you consider?
- Is it within this advisory body's scope of responsibility? If not, would it be best referred to another advisory body or staff?

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?

For the public (at a hearing):

- What are your concerns?
- How will this proposal affect you?
- What specific, constructive, alternatives can you recommend?
- How does the public comment or question relate to the decision at hand?

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?
- 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 body exists to take actions and/or make recommendations. It is not simply a discussion group or debating society.
- Endeavor to end meetings at a reasonable hour. Extending the meeting beyond an

appointed hour may be subjected to a vote when that hour nears.

Managing Difficult Meetings

From time to time, boards, commissions, and committees are faced with conducting highly charged controversial meetings. These meetings may involve one unified group or two or more conflicting groups. The group demeanor may be characterized by aggressiveness and hostility. Such meetings really test the mettle of the advisory body and staff. Consider the following:

Before the Meeting

- Make agendas and back-up reports easily available to participants.
- Make sure adequate seating is available. Consider moving to a larger venue if necessary.
- Make sure audio and visual equipment are adequate and operational, if applicable.
- Chairperson and staff should engage in contingency planning before the meeting.

During the Meeting

- Establish and announce rules at the beginning of the meeting.
- Before public comment, ask the participants to designate one or more spokespersons, if possible. This may help reduce redundancy and make sure that all sides of the issue will be heard.
- Explain the issues, the possible actions, and the procedures that will be followed at the meeting.
- Have speakers address the advisory body and not the audience. Some speakers are very adept at inciting audiences; especially if they are permitted to face the audience.
- Stop shouting. Explain the reasons why such actions are disruptive and counterproductive. For instance: the meeting should provide a forum for all points of view and such displays of support or opposition could intimidate those with an opposing point of view from speaking. In addition, such displays delay the discussion.
- Do not hesitate to use recesses to help diffuse hostility or aggressiveness.
- Strongly consider limiting speakers to a set time such as two to three minutes. If such a procedure is used, make sure it is applied fairly and consistently.
- Consider using speaker cards. These can help identify how many people wish to speak and also whether they support or contest an issue. They also are invaluable in recording the names and addresses of speakers. Recognize, however, that if a person does not wish to fill out a card or give their name, they still have the legal right to speak.
- Continue items to a date certain that cannot be decided at the meeting. Items on the agenda that do not get addressed before the meeting adjournment time will automatically be held over to the next regularly scheduled meeting.

CONCLUSION

There is no desire on the part of the City Council or city staff to control a board, commission or committee member's independent thought or judgment. The City Council appoints only those persons who have the knowledge, ability, and interest in the specific advisory body's purposes so that their contributions will be of assistance. All suggestions and ideas are most welcome, whether presented as a citizen, member of an advisory body, or as a majority vote of an advisory body. However, board,

commission, and committee membership limits a member's freedom of advocacy before the City Council or other advisory bodies on those issues that are to be considered by the member's advisory body so that the member can hear the item with an impartial mind. The recommendation of the board, commission, or committee to the City Council should include the position of the body 'as a whole' based on the majority vote.

A board, commission, or committee is created as an advisory arm of the City Council as the result of a policy decision. Each has been charged with responsibilities in specified areas. It may be that a member may disagree with an established policy. This is part of the democratic process, as is the expression of that disagreement in a minority vote. In spite of conflicting viewpoints, however, it is the process of addressing the issues that are served by the board, commission, or committee action.

The City of Richmond is proud of its citizen participation and extends a hearty welcome to all board, commission, and committee appointees.

APPENDICES

APPENDIX A: Purpose and Function of each City of Richmond Board, Commission and Committee

APPENDIX A
PURPOSE AND FUNCTION OF EACH
CITY OF RICHMOND
BOARD, COMMISSION, AND COMMITTEE *

ARTS AND CULTURE COMMISSION - promotes and encourages the interest in and development of fine and performing arts, while acting in an advisory capacity to the city concerning its artistic and cultural development including the preservation of Richmond's heritage.

COMMUNITY POLICE REVIEW COMMISSION (formally known as the Police Commission) - advises the City Council, City Manager, and Chief of Police on all matters pertaining to the administration of the Richmond Police Department. This commission also receives, investigates, and hears complaints against Richmond police officers alleging the use of excessive or unnecessary force or racially abusive treatment and submits recommendations to the Chief of Police.

COMMISSION ON AGING - improves and develops programs, services, and opportunities for senior citizens within the City of Richmond.

CONTRA COSTA MOSQUITO & VECTOR CONTROL DISTRICT (CCMVCD) BOARD OF TRUSTEES - the CCMVCD protects public health by providing free services for mosquitoes, rats and mice, ground-nesting yellow jackets, ticks, and skunks. Board members from various jurisdictions within the county are appointed by their respective city councils to govern the CCMVCD knowledgeably and effectively.

DESIGN REVIEW BOARD - reviews, approves, or recommends the design of exterior construction or modifications for which a building permit or discretionary planning approval are required, including any variances from the Richmond sign ordinance.

ENVIRONMENTAL COMMUNITY AND INVESTMENT AGREEMENT GRANT REVIEW AD-HOC COMMITTEE - reviews grant applications and recommends grant funding awards for Richmond-serving organizations with a focus on the Richmond community, youth, and youth sports programs.

ENVIRONMENTAL COMMUNITY AND INVESTMENT AGREEMENT TRANSPORTATION OVERSIGHT COMMITTEE - reviews and prioritizes funding allocations for transit and transportation, Electric City, and Easy Go projects identified in the Chevron Refinery Modernization Project community-based Greenhouse Gas Reduction Program.

ECONOMIC DEVELOPMENT COMMISSION - recommends long term economic development goals as it concerns the overall economic development of the city.

GENERAL PENSION BOARD - administers pension systems for active and retired employees of the City of Richmond.

** Refer to the City of Richmond's Boards and Commissions webpages for detailed ordinances and resolutions that govern each board, commission, or committee.*

HISTORIC PRESERVATION COMMISSION - recommends public policy related to historic resources and conducting historic resources surveys or studies.

HOUSING ADVISORY COMMISSION - advises the Richmond Housing Authority Board of Commissioners on all matters concerning the administration of the housing authority.

HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION - reviews and investigates complaints of discrimination and violations of basic human rights.

LIBRARY COMMISSION - serves as an advisory board to the City Council on all matters pertaining to the administration of the Richmond Public Library and its branches, including rules, regulations, operations, capital expenditures and improvements, and policies for the selection of materials purchased for circulation.

CONTRA COSTA COUNTY NORTH RICHMOND MITIGATION FUND COMMITTEE - helps prevent and combat illegal dumping in North Richmond through the preparation of recommended funding plans and oversees the North Richmond Disposal Voucher and Bulky Item Pick Up Program as well as the Community Based Funding Request Program. Members of this committee are councilmembers and community members nominated and approved by the Council as a whole.

PERSONNEL BOARD - oversees personnel administration, whereby effectiveness in the personal services rendered to the city, and fairness and equity to the employees and the taxpayer, alike, may be promoted.

PLANNING COMMISSION - serves as an advisory body on all planning and development policy issues and is charged with the preparation, maintenance, and implementation of the City of Richmond's General Plan. The Commission functions as the decision-making body for many land use related proposals including land use permits, variances, and major subdivisions.

POINT MOLATE COMMUNITY ADVISORY COMMITTEE - provides advice and input on all Point Molate matters, reviews proposed Point Molate development budgets, and makes Point Molate development expenditure recommendations, in conjunction with staff. (Currently not functioning)

POLICE AND FIREMEN'S PENSION BOARD - administers the pension fund that serves for the benefit of the officers and members of the police and fire departments of the City of Richmond prior to October 16, 1964.

PUBLIC ART ADVISORY COMMITTEE - reviews and oversees public art project designs on City-commissioned pieces, and makes recommendations concerning their visual appeal, structural integrity, and safety to the Richmond Arts and Culture Commission.

RECREATION AND PARKS COMMISSION - serves as an advisory body on all matters pertaining to parks and public recreation, in collaboration with other governmental agencies and civic groups, for the advancement of sound recreation services.

* Refer to the City of Richmond's Boards and Commissions webpages for detailed ordinances and resolutions that govern each board, commission, or committee.

REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE - transition accountability task force composed of twenty-one members of the public, including community organizations, individuals who were impacted by law enforcement, and law enforcement appointed to help prepare a plan to transition from Richmond's current "community policing" model to a plan conducive to a reduced police force.

REVOLVING LOAN FUND - oversees the administration of the city's Revolving Loan Fund and Administrative Plan for servicing of loans to small businesses to stimulate economic development. (Currently no longer functioning in the City of Richmond)

RICHMOND FUND FOR CHILDREN AND YOUTH OVERSIGHT BOARD - guides funding for youth-serving organizations by developing policies, monitoring, and ensuring that the Fund is managed in a manner accountable to the community.

RICHMOND RENT BOARD - responsible for the implementation and administration of the Richmond Rent Program, which is regulated by The Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance to promote neighborhood and community stability, healthy housing, and affordability for renters in the City of Richmond.

RICHMOND-SHIMADA FRIENDSHIP COMMISSION - initiates and conducts approved exchange activities with organizations, groups and citizens of Richmond's sister city Shimada in Japan to cultivate economic cooperation and cultural interchange between the cities.

RICHMOND YOUTH COUNCIL - serves as an advisory body expanding the ability of youth from Richmond's schools, youth-serving organizations, and all walks of life to collaborate and provide advice and input to the city on all matters affecting youth.

RICHMOND-ZHOUSHAN FRIENDSHIP COMMISSION - initiates and conducts approved exchange activities with organizations, groups and citizens of Richmond's sister-city Zhoushan in China to cultivate economic cooperation and cultural interchange between the cities.

URBAN FOREST ADVISORY COMMITTEE - creates plans for urban forestry to expand the City of Richmond's tree canopy through tree planting and tree care initiatives, and recommends programs, policies and ordinances to implement and promote the City's Urban Greening Master Plan and the General Plan.

WORKFORCE DEVELOPMENT BOARD - (formally known as the Richmond Workforce Investment Board) provides policy direction and governance to create and support an efficient, effective customer-centered workforce development system.

** Refer to the City of Richmond's Boards and Commissions webpages for detailed ordinances and resolutions that govern each board, commission, or committee.*

**APPENDIX B: Boards, Commissions and Committees Contacts, Terms/Term Limits, Expiration Dates,
Meeting Dates/Locations**

26 BOARDS, COMMISSIONS, AND COMMITTEES
CONTACTS, TERMS/TERM LIMITS, EXPIRATION DATES, MEETING DATES/LOCATIONS

BOARD/COMMISSION	ADMIN STAFF LIAISON and DEPARTMENT	TECHNICAL STAFF LIAISON	TERM and LIMIT	TERM EXPIRATION (Month/Day)	MAXIMUM NO. OF MEMBERS	FORM 700 REQUIRED**	MEETING DAYS and TIMES	MEETING LOCATIONS
Arts and Culture Commission	Winifred Day City Manager's Office (510) 620-6952	Winifred Day City Manager's Office (510) 620-6952	Four/Two	1/31	11	Yes	Every 4 th Tuesday 7:00 p.m.	Richmond Room 450 Civic Center Plaza
Citizens Police Review Commission	Dominique Roache-Green Mayor's Office (510) 620-6502	Bruce Soublet Assistant City Attorney (510) 620-6509	Three / Three	11/1	9	Yes	Every 1 st Wednesday 7:00 p.m.	Conference Room One 330 25 th Street
Commission on Aging	Kymerlyn Carson-Thrower Community Services (510) 620-6789	Ranjana Maharaj Administrative Manager (510) 620-6972	Four / No Limit	5/19	13	No	Every 1 st Friday 10:00 a.m.	Richmond Room 450 Civic Center Plaza
Design Review Board	Soco Montore Planning and Building Services (510) 620-6705	Hector Lopez Senior Planner (510) 620-6702	Two / Four	8/1	7	Yes	Every 2 nd & 4 th Wednesday 6:00 p.m.	Multipurpose Room 440 Civic Center Plaza
Environmental Community Investment Agreement Grant Review Ad-Hoc	Patrick Seals City Attorney's Office (510) 620-8016	LaShonda White City Manager's Office (510) 620-6828	Two / No Limit	3/31	5	No	No regular schedule Contact staff liaison	Contact staff liaison
Environmental Community Investment Agreement Transportation Oversight	Lori Reese-Brown Library & Community Services (510) 620-6869	Lori Reese-Brown Transportation Manager (510) 620-6869	Three/Three	7/25	5	No	No regular schedule Contact staff liaison	Contact staff liaison
Economic Development Commission	Gabino Arredondo City Manager's Office (510) 620-6606	Thomas Omolo City Manager's Office (510) 620-5560	Three / Three	3/30	15	Yes	Every 2 nd Wednesday 11:30 a.m.	Multipurpose Room 440 Civic Center Plaza
General Pension Board	Pamela Christian City Clerk's Office (510) 620-6513	Pamela Christian City Clerk (510) 620-6513	Five	7/1	5	Yes	No regular schedule Contact staff liaison	Contact staff liaison
Historic Preservation Commission	Soco Montore Planning and Building Services (510) 620-6705	Jonelyn Whales Senior Planner (510) 620-6785	Four / Four	7/31	7	Yes	2 nd Tuesday of every other month (Feb-Dec) 5:00 p.m.	Richmond Room 450 Civic Center Plaza
Housing Advisory Commission	Gabino Arredondo City Manager's Office (510) 620-6606	Nannette Beacham Housing Authority (510) 621-1303	Two / No Limit	11/1	7	Yes	Every 2nd Monday 3:30 p.m.	Housing Authority Board Room 2400 Nevin Avenue
Human Rights and Human Relations Commission	Debra Amerson Community Development (510) 307-8141	Bruce Soublet Assistant City Attorney (510) 620-6509	Three / Three	3/30	9	No	Every 4 th Monday 6:30 p.m.	Council Chamber 440 Civic Center Plaza
Library Commission	Jane Pratt Library & Community Services (510) 620-5452	Jane Pratt Library & Community Services (510) 620-5452	Three / Two	7/1	5	No	1 st Thursday of every other month (Jan-Nov) 6:30 p.m.	Madeline F. Whittlesey Community Room 325 Civic Center Plaza

**Boards and commissions shaded in gray require annual Fair Political Practices Commission Form 700 filings by boardmembers and commissioners.

APPENDIX B

BOARD/COMMISSION	ADMIN STAFF LIAISON and DEPARTMENT	TECHNICAL STAFF LIAISON	TERM and LIMIT	TERM EXPIRATION (Month/Day)	MAXIMUM NO. OF MEMBERS	FORM 700 REQUIRED**	MEETING DAYS and TIMES	MEETING LOCATIONS
Personnel Board	Dorothy Mandujano Human Resources Mgmt. (510) 620-6600	Anil Comelo Dir. Human Resources Mgmt. (510) 620-6600	Five / No Limit	12/31	5	Yes	Every 4 th Thursday 5:15 p.m.	Council Chamber 440 Civic Center Plaza
Planning Commission	I Kuan Choi Planning & Building Division (510) 621-1231	Lina Velasco Dir. Community Development (510) 620-6706	Two / Four	6/30	7	Yes	Every 1 st Thursday 6:30 p.m.	Council Chamber 440 Civic Center Plaza
Point Molate Advisory Commission (<i>INACTIVE</i>)	Craig Murray City Manager's Office (510) 307-8188	Craig Murray Project Manager (510) 307-8188	Two / Four	5/30		No	Every 2 nd Monday 6:30 p.m.	Multipurpose Room 440 Civic Center Plaza
Police & Firemen's Pension Board	Pamela Christian City Clerk's Office (510) 620-6513	Pamela Christian City Clerk (510) 620-6513	Five	7/30	4	Yes	No regular schedule Contact staff liaison	Contact staff liaison
Public Art Advisory Commission	Winifred Day City Manager's Office (510) 620-6952	Thomas Omolo City Manager's Office (510) 620-5560	Two / Two	2/20	Min=5 and Max=7	No	Second Tuesday 6:45 p.m.	Point Molate Room 450 Civic Center Plaza
Recreation and Parks Commission	Ranjana Maharaj Library & Community Services (510) 620-6950	Ranjana Maharaj Administrative Manager (510) 620-6950	Three / Three	10/26	9	No	Every 1 st Wednesday 6:00 p.m.	Council Chamber 440 Civic Center Plaza
Reimagining Public Safety Community Task Force	Johann Fragd Library & Community Services (510) 620-6950	TBD Library & Community Services (510) 307-8006	N/A	N/A	21	No	Every 2 nd Wednesday 5:30 p.m.	Via Zoom Teleconference
Richmond Fund for Children and Youth Oversight Board	David Padilla City Manager's Office (510) 620-6523	LaShonda White City Manager's Office (510) 620-6828	One-Two / No Limit	11/5	15	No	Contact staff liaison	Contact staff liaison
Richmond Rent Board	Cynthia Shaw Rent Program (510) 620-5552	Paige Roosa/Nicholas Traylor Deputy/Executive Directors (510) 620-6537	Two / Four	3/21	5	Yes	Every 3 rd Wednesday 5:00 p.m.	Council Chamber 440 Civic Center Plaza
Shimada Friendship Commission	Trina Jackson City Council Offices (510) 620-6581	Trina Jackson City Council Liaison (510) 620-6581	Three / Three	12/31	11	No	Every 1 st Wednesday 7:00 p.m.	Shimada Room 440 Civic Center Plaza
Urban Forest Advisory Committee	Janice Lee Parks & Landscaping Div. (510) 231-3004	Greg Hardesty Superintendent (510) 231-3004	Three / Three	11/17	Min=7 and Max=11	No	Every 3 rd Monday 6:00 p.m.	Richmond Room 450 Civic Center Plaza
Workforce Development Board	Itza Gonzalez Library & Community Services (510) 307-1835	Charita Patterson Library & Community Services (510) 307-8018	Four / No Limit		35	Yes	2 nd Thursday every other month (Feb-Dec) 11:30 a.m.	Richmond Works Conference Room 330 25 th Street
Youth Council	Trina Jackson City Council Offices (510) 620-6581	Trina Jackson City Council Liaison (510) 620-6581	One / No Limit	10/1	Min=5 and Max=11	No	Every 3 rd Monday 5:30 p.m.	Council Chamber 440 Civic Center Plaza
Zhoushan Friendship Commission	Trina Jackson City Council Offices (510) 620-6581	Trina Jackson City Council Liaison (510) 620-6581	Two / No Limit	7/22	11	No	Every 3 rd Wednesday 2:00 p.m.	Shimada Room 440 Civic Center Plaza

**Boards and commissions shaded in gray require annual Fair Political Practices Commission Form 700 filings by boardmembers and commissioners.

APPENDIX C: Resolution No. 24-14 Continuation of Board, Commission and Committee Member Terms

APPENDIX C

RESOLUTION NO. 24-14

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA
AUTHORIZING BOARD MEMBERS AND COMMISSIONERS THAT HAVE
REACHED THEIR TERM LIMITS TO CONTINUE SERVING UNTIL A
REPLACEMENT APPOINTMENT HAS BEEN APPROVED**

WHEREAS, term limits are set to allow other interested members of the public and private sector an opportunity to apply for an upcoming vacancy on one of the boards and commissions; and

WHEREAS, several vacancies on a board or commission may prevent the body from establishing a quorum to conduct the business of the respective board or commission; and

WHEREAS, to prevent the ineffectiveness of a board or commission due to the non-establishment of a quorum, board members and commissioners should be able to continue serving on the board or commission until a replacement appointment has been approved.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Richmond hereby authorizes board members and commissioners that have reached their term limits to continue serving on their respective boards and commissions until a replacement appointment has been approved.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on **March 18, 2014**, by the following vote:

AYES: Councilmembers Bates, Boozé, Rogers, and Vice Mayor Beckles.

NOES: Councilmembers Butt and Myrick.

ABSENT: None.

ABSTENTION: Mayor McLaughlin.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 24-14**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 18, 2014.

APPENDIX D: Code of Ethics

APPENDIX D

**CITY OF RICHMOND
CODE OF ETHICS**

We shall be professional, courteous and respectful.

We shall serve with honesty and with integrity.

We shall be good stewards of the public's resources by providing quality services in the most responsive and cost effective manner.

We shall recognize and honor the diversity of our community and our workplace.

We shall be adaptable, accountable and capable of embracing change.

We shall be fair, objective and responsive in our interactions with the public, residents, employees, board members, commissioners, and Councilmembers.

We shall maintain positive relationships cultivating an environment of collegiality and trust.

APPENDIX E: Oath of Allegiance

CITY OF RICHMOND

OATH OF ALLEGIANCE TO THE UNITED STATES OF AMERICA, THE STATE OF CALIFORNIA, AND THE CITY OF RICHMOND, CALIFORNIA

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, the Constitution of the State of California, and the Charter of the City of Richmond, California, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States, the Constitution of the State of California, and the Charter of the City of Richmond, California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Signature

Title or Department

SUBSCRIBED AND SWORN TO BEFORE ME THIS

_____ day of _____, 20_____.

CLERK OF THE CITY OF RICHMOND

APPENDIX F: Rosenberg's Rules of Order



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

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

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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APPENDIX G: Resolution No. 117-19 Amended Conflict of Interest Code

RESOLUTION NO. 117-19

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
AMENDING CONFLICT OF INTEREST CODE FOR THE CITY OF RICHMOND**

WHEREAS, the Political Reform Act, Government Code section 81000 *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes; and,

WHEREAS, the Fair Political Practices Commission has adopted a regulation (Title 2, Division 6, California Code of Regulations section 187302) which contains the terms of a standard conflict of interest code that meets the requirements of the Political Reform Act; and

WHEREAS, the terms of Title 2, Division 6, California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference; and

WHEREAS, the City of Richmond's Conflict of Interest Code includes, in addition to Title 2, Division 6, California Code of regulations section 18730, appendices of those positions that are required to disclose financial information ("designated positions") and disclosure categories; and

WHEREAS, said appendices of Resolution No. 136-17, which include designated positions and disclosure categories, have been reviewed by the City Attorney's Office; and

WHEREAS, based on this review and necessary consultation, the City Attorney's Office determined that the City of Richmond's Conflict of Interest Code should be amended to reflect current positions and duties.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Richmond, as follows:

- A. Resolution No. 136-17, adopted on November 21, 2017, is hereby rescinded and is of no further force and effect.
- B. City council members, the mayor, the city manager, the city attorney, members of the planning commission, public officials who manage public investments, and any other officer who may be subject to the provisions of Government Code section 87200, shall electronically file one original Statement of Economic Interest (Form 700) with the City Clerk who shall make and retain a copy and forward the original to the Fair Political Practices Commission which shall be the filing officer.
- C. This Resolution, including the attached Appendix A (Designated Positions), Appendix B (Disclosure Categories), and Appendix C (Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations section 18730) shall constitute the City of Richmond's Conflict of Interest Code.
- D. The terms of Title 2, Division 6, California Code of Regulations section 18730 and any amendments adopted by the Fair Political Practices Commission, are hereby incorporated by reference as Appendix C.
- E. City Clerk as Filing Officer: An individual holding a designated position shall file his or her Statement of Economic Interest (Form 700) with the City Clerk to whom the Richmond City Council hereby designates the authority to carry out the duties of the filing officer.
- F. Point of Contact for each Department: No later than March 1, every department head shall designate an individual in his or her department whose duty it is to notify each designated employee by March 1 that he or she must electronically transmit a Form 700 to the City Clerk by April 1. No later than March 15, the department head shall also notify the City Clerk who he or she assigns as the department point of contact.

The point of contact point should remind individual filers to electronically submit a completed Form 700 to the City Clerk by April 1.

- G. Departing Designated Employees: The point of contact shall notify departing designated employees that he or she must submit a Form 700 no later than his or her last day of service. The point of contact must also provide the name of the departing designated employee to the City Clerk before his or her last day of employment.
- H. New Designated Employees: When a new employee starts in a department, the point of contact shall determine if the employee is a designated employee, and if he or she is a designated employee, the point of contact must notify the City Clerk within 10 days of his or her starting date. The point of contact must also notify a new designated employee within the department that he or she must electronically transmit a Form 700 to the City Clerk within 30 days of his or her initial start date.
- I. Individuals holding designated positions shall file their Statement of Economic Interest no later than April 1 with the City Clerk, who will retain the statements and make them available for public inspection and reproduction.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held December 17, 2019, by the following vote:

AYES:	Councilmembers Bates, Johnson, Martinez, Myrick, Willis, Vice Mayor Choi, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

PAMELA CHRISTIAN

 CLERK OF THE CITY OF RICHMOND
 (SEAL)

Approved:

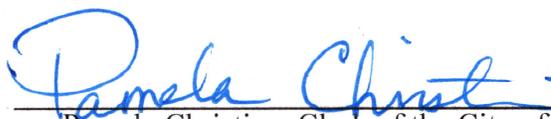
TOM BUTT
 Mayor

Approved as to form:

BRUCE GOODMILLER
 City Attorney

State of California	}	
County of Contra Costa	}	: ss.
City of Richmond	}	

I certify that the foregoing is a true copy of **Resolution No. 117-19**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 17, 2019.



 Pamela Christian, Clerk of the City of Richmond

APPENDIX A - DESIGNATED POSITIONS

City Attorney's Office

Designated Positions	Disclosure Category
Assistant City Attorney	1, 2
City Attorney (87200 Filer)	1, 2
Senior Assistant City Attorney	1, 2
Supervising Office Assistant	6

City Clerk's Office

Designated Position	Disclosure Category
Assistant City Clerk	1, 2
City Clerk (87200 Filer)	1, 2

City Council

Designated Position	Disclosure Category
Members of the City Council (8200 Filer)	1,2
Staff Assistant to City Council	1,2
Senior Administrative Analyst	1,2

City Manager's Office

Designated Position	Disclosure Category
Administrative Chief	1, 2
City Manager (87200 Filer)	1, 2
Code Enforcement Superintendent	2, 5
Community Affairs Coordinator	5
Development Project Manager II	2, 3
Economic Development Administrator	5
Environmental Manager	5
Management Analyst I, II	5
Para-transit Coordinator	5, 6
Project Manager II	5
Senior Management Analyst	5

Community Services

Designated Position	Disclosure Category
Accountant	1, 2
Administrative Aide	6
Community Services Administrative Manager	6
Community Services Director	1, 2
Community Services Program Manager	6
Finance Manager	6
Neighborhood Safety Director	5
Office Assistant II	6
Office Specialist	6
Recreation Program Coordinator	6

Employment and Training Department

Designated Position	Disclosure Category
Employment and Training Director	1, 2
Employment Program Manager	6
Employment Program Specialist (I,II)	6
Finance Manager	6
Project Coordinator	1, 2
Senior Employment Program Specialist	6

Engineering & Capital Improvement Projects

Designated Position	Disclosure Category
Construction Inspector I	2, 3, 5, 7
Development Project Manager II	2, 3
Office Assistant II	6
Director of Engineering and Capital Improvement Projects	1, 2
Public Works Streets Maintenance Superintendent	1, 2
Senior Civil Engineer	2, 5
Office Assistant II	6

Finance Department

Designated Position	Disclosure Category
Accountant (1, II, Senior)	1, 2
Accounting Manager	1, 2
Budget Administrator	1, 2
Budget Analyst (I, II, Senior)	1, 4
Budget and Financial Service Agency Director / Treasurer	1, 2
Buyer (I, II, Senior)	5
Investment Analyst	1, 2
Payroll Supervisor	1, 2
Revenue Manager	1, 2
Senior Accountant	1,2

Fire Department

Designated Position	Disclosure Category
Administrative Services Analyst (Senior)	6
Battalion Chief	1
Deputy Fire Chief	1, 2
Deputy Fire Marshal	1, 2
Emergency Services Manager	1
Fire Chief	1, 2
Project Manager I	1
Fire Inspector I, II	1, 2

Housing Authority

Designated Position	Disclosure Category
Accountant I, II	1, 2
Assisted Housing Manager	2, 7
Executive Director of Housing Authority	1, 2
Finance Manager	1, 2
Housing Program Analyst	2, 6, 7
Housing Program Specialist (I, II, III)	2, 6, 7
Project Manager (I, II)	1,2
Management Analyst II	1,2
Resident Services Executive Officer	1, 2

Housing & Community Development

Designated Position	Disclosure Category
Development Project Manager (II)	6
Senior Accountant	1, 2
Senior Administrative Analyst	6

Human Resources Management Department

Designated Position	Disclosure Category
Benefits Analyst	5
Employee Benefits Analyst	5
Finance Manager	1
Human Resources Management Director	1, 2
Human Resources Personnel Officer	1
Labor Relations /Training Manager	1
Principal Personnel Analyst	1
Risk Manager	1, 2
Senior Employee Benefits Analyst	1
Senior Personnel Analyst	1
Project Manager I	1

Information Technology Department

Designated Position	Disclosure Category
Business Systems Manager	6
Cable Television Administrator	6
Cable Television Programming Coordinator	6
Cable Television Coordinator	6
GIS Coordinator Administrator	6
Information Technology Director	1
Network & Systems Manager	6

Infrastructure Maintenance & Operations

Designated Position	Disclosure Category
Code Enforcement Officer (I, II)	2, 5
Code Enforcement Supervisor/Superintendent	2, 5
Director of Infrastructure and Maintenance Operations	1, 2
Electrical Supervisor	6
Equipment Services Superintendent	1, 2
Parks Supervisor	2, 6
Parks & Landscaping Superintendent	6
Public Works Administrative Manager	6
Public Works Facilities Maintenance Superintendent	1, 2
Public Works Street Maintenance Superintendent	1, 2

Library and Cultural Services

Designated Position	Disclosure Category
Administrative Librarian – Adult Access Services	6
Administrative Librarian – Children and Extension Services	6
Arts and Culture Manager	6
Director of Library and Cultural Services	1, 2
Executive Secretary	6
Head of Reference	6
Learning Center Manager	6
Librarian (I, II)	6
Library Access Services Manager	6
Family Literacy Specialist	6
Literacy Program Manager	6

Office of Neighborhood Safety

Designated Position	Disclosure Category
Community Services Program Manager	6
Neighborhood Safety Director	1
ONS Program Manager	6
Project Coordinator	6

Mayor's Office

Designated Position	Disclosure Category
Admin Trainee	1,2
Assistant to the Mayor	1,2

Mayor (87200 Filer)	1,2
Management Analyst	5

Planning and Building Services Department

Designated Position	Disclosure Category
Accountant II	1, 2
Associate Planner	1, 2
Senior Administrative Analyst	1, 2
Building Inspector Supervisor	1, 2
Building Inspector	1, 2
Building Official	1, 2
Permit Technician (II)	1, 2
Plan Check Engineer	1, 2
Planning and Building Services Director	1, 2
Planning Manager	1, 2
Senior Building Inspector	1, 2
Senior Planner	1, 2

Police Department

Designated Position	Disclosure Category
Accountant II	6
Assistant Police Chief	1, 2
Communications Manager	6
Internal Affairs Lieutenant	1,
Police Captain	1, 2
Police Chief	1, 2
Project Manager	1, 2
Senior Accountant	5

Port Department

Designated Position	Disclosure Category
Executive Director	1, 2
Executive Secretary II	6
Port Marketing/Operations Manager	1
Operations Administrator	2, 6

Rent Control

Designated Position	Disclosure Category
----------------------------	----------------------------

Executive Director	1, 2
Deputy Director	1, 2
Program Services Analyst I, II	5
Hearing Examiner	1, 2
Management Analyst II	5
Staff Attorney	1

Water Resource Recovery

Designated Position	Disclosure Category
Engineering Infrastructure Administrator	6
Management Analyst II	5
Office Assistant I/II	3, 6
Project Coordinator	6
Environmental Compliance Inspector	2, 3, 5, 7
Director of Wastewater Recovery	1, 2

Design Review Board

Designated Position	Disclosure Category
Members of the Design Review Board	1, 2

Economic Development Commission

Designated Position	Disclosure Category
Members of the Economic Development Commission	1, 2

General Pension Board

Designated Position	Disclosure Category
Members of the General Pension Board	1

Historic Preservation Advisory Committee

Designated Position	Disclosure Category
Members of the General Pension Board	1, 2

Housing Advisory Commission

Designated Position	Disclosure Category
Members of the Housing Advisory Commission	1, 2

Personnel Board

Designated Position	Disclosure Category
Members of the Personnel Board	1

Planning Commission

Designated Position	Disclosure Category
Members of the Planning Commission (87200 Filer)	1, 2

Police Commission

Designated Position	Disclosure Category
Investigative Appeals Officer	1
Members of the Police Commission	1

Police and Firemen's Pension Board

Designated Position	Disclosure Category
Members of the Police and Firemen's Pension Board	1

Rent Board

Designated Position	Disclosure Category
Members of the Rent Board	1, 2

Revolving Loan Fund

Designated Position	Disclosure Category
----------------------------	----------------------------

Members of the Revolving Loan Fund

1, 2

Workforce Investment Board

Designated Position

Disclosure Category

Members of the Workforce Investment Board

1

Miscellaneous

Designated Position

Disclosure Category

Consultant*

TBD

*The City Manager, in consultation with the City Attorney, may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirement above. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the Disclosure Category required. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as Statements of Economic Interests filed pursuant to this conflict of interest code.

APPENDIX B - DISCLOSURE CATEGORIES

Individuals holding designated positions must report their interests according to the following corresponding disclosure category(ies) to which their position has been assigned.

Category 1: All management positions and investments in business entities, and all sources of income, including gifts, loans, and travel payments.

Category 2: All interests in real property which are located in whole or in part within, or within two (2) miles of, the jurisdiction of the City of Richmond. (Do not include primary residence)

Category 3: All investments and management positions in, and sources of income from, business entities that are engaged in land development, construction, or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and management positions in, and sources of income from, business entities that are banking, savings and loan, insurance, or other related financial institutions.

Category 5: All investments, management positions and sources of income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the City of Richmond.

Category 6: All investments, management positions and sources of income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the Designated Employee's Department.

Category 7: All investments and management positions in, and sources of income from entities which are or could reasonably be expected to become subject to the regulatory, permit, or licensing authority of the Designated Employee's Department.

Appendix C

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

§ 18730. Provisions of Conflict of Interest Codes.

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

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

(1) Section 1. Definitions.

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

(2) Section 2. Designated Employees.

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

(3) Section 3. Disclosure Categories.

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

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

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

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

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

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

are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

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

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

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

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

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

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

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

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

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

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

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

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

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

(A) Contents of Initial Statements.

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

(B) Contents of Assuming Office Statements.

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

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

(D) Contents of Leaving Office Statements.

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

(7) Section 7. Manner of Reporting.

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

(A) Investment and Real Property Disclosure.

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

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

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

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

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

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

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

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

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

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

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

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

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

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

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

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

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

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$500.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$500 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

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

(8.2) Section 8.2. Loans to Public Officials.

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

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

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected

officer has been elected or over which that elected officer's agency has direction and control.

This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

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

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

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

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

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

(8.3) Section 8.3. Loan Terms.

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

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

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

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

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

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

(8.4) Section 8.4. Personal Loans.

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

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

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

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

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

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

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

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

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action.

Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

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

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

(9) Section 9. Disqualification.

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

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

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

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

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

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$500 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The

fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

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

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

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

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

(10) Section 10. Disclosure of Disqualifying Interest.

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

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

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

(12) Section 12. Violations.

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

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

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

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

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

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

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

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

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2018, No. 50).

APPENDIX H-1: Board or Commission Application

APPENDIX H-2: Community Police Review Commission Application

APPENDIX H-3: Personnel Board Application

APPENDIX H-4: Rent Board Application

APPENDIX H-5: Youth Council Application

APPENDIX H-6: Workforce Development Board Application



BOARD OR COMMISSION APPLICATION FORM

Name of Board or Commission _____

Your Name _____

Home Address _____ City _____ Zip _____

E-mail _____ Phone (H) _____ Phone (W) _____

Occupation _____ Business Name _____

Business Address _____ City _____ Zip _____

WIOA implementation also requires a smaller and more active Board. The criteria for Board membership includes:

- Business representatives (majority)
- Representatives of Labor, joint-management apprenticeship programs, Community-based organizations, and youth-serving organizations
- Representatives of entities administering education and training
- Representatives of governmental, economic development, and community

Reasons for Interest in Appointment _____

Fraternal and/or Civic Organizations _____

Education _____

REFERENCES (Minimum 3/List Name, Address, Phone Number, and Email Address)

- 1) _____
- 2) _____
- 3) _____

DELIVER OR MAIL TO: Richmond Workforce Development Board
330 - 25th Street
Richmond, CA 94804

OR EMAIL TO: CityClerkDept@ci.richmond.ca.us



Richmond Youth Council Application

Date of Application:		Check one:	New Appointment: <input type="checkbox"/>
			Re-Appointment: <input type="checkbox"/>
Applicant Name:			
E-mail address:			
Date of Birth:	Age at date of application:	Years living in Richmond:	
Home Address (Street Address, City, and Zip Code):			
Primary Phone:		Secondary Phone (optional):	
Name of School (if applicable):			
Work Experience / Volunteer Experience:			
Organizations, Honors, affiliations:			
References (List Name, Address, Phone Number, and Email Address):			
1)			
2)			
3)			

To the best of my knowledge the information provided is true and correct:

Signature: _____

Date: _____

Submit to: City Clerk, 450 Civic Center Plaza, Richmond, CA 94804 OR Email to: CityClerkDept@ci.richmond.ca.us

Stamp Received:



RENT BOARD APPLICATION FORM

DATE: _____

Check one: **New Appointment**
Re-Appointment

NAME: _____

HOME ADDRESS: _____ E-MAIL ADDRESS _____

ZIP CODE: _____ HOME PHONE: _____ WORK PHONE: _____

OCCUPATION: _____

HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF RICHMOND: _____

PLACE OF EMPLOYMENT: _____

REASONS FOR INTEREST IN APPOINTMENT:

FRATERNAL AND/OR CIVIC ORGANIZATIONS:

EDUCATION:

REFERENCES (Minimum 3 – List Name, Address, Phone Number, and Email Address)

- 1. _____
- 2. _____
- 3. _____
- 4. _____

To the best of my knowledge the information provided is true and correct:

Signature _____

Date _____

Deliver or Mail to: City Clerk, 450 Civic Center Plaza, Suite 300, Richmond, CA 94804 OR Email to: CityClerkDept@ci.richmond.ca.us

For Office Use Only: New Appointment: Reappointment: 1st 2nd 3rd

RENT BOARD APPLICATION FORM

The following restrictions and requirements for Rent Board members are in the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance:

- 11.100.060(b): **Eligibility.** Duly qualified residents of the City of Richmond are eligible to serve as Members of the Board. There shall be no more than two members that own or manage any rental property or who are realtors. Anyone nominated to this board must be in compliance with this Chapter and all other local, state, and federal laws regulating the provision of housing.
- 11.100.06(c): **Full Disclosure of Holdings.** Nominees for the position of Board Member shall submit a verified statement listing all their interests and dealings in real property, including but not limited to its ownership, sale or management during the previous three (3) years. The Board may promulgate additional regulations.

In order to determine your eligibility, please complete the requested information below under **ELIGIBILITY AND DISCLOSURE OF HOLDINGS**, listing your interests and dealings in real property, including but not limited to its ownership, sale or management during the previous three (3) years. If you have owned, sold, or managed real property in the last three years, you do not have to provide any details other than the address of the properties owned, rented out or managed, or the name of the brokerage business.

If appointed to the Rent Board, you may be required to submit a Form 700 - Statement of Economic Interest.

Eligibility and Disclosure of Holdings

I, _____ (print name), submit this as a verified statement of interest and eligibility in accordance with my application to the Rent Board established in the City of Richmond under the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance.

Answer **yes** or **no** to the following statements:

I have owned, sold, or managed real property in the last three (3) years. **If yes, please include a full list of interests and dealings**, including addresses of properties owned, sold or managed during the previous three (3) years.

Yes / No

I am a realtor.*

Yes / No

I own or manage rental property.**

Yes / No

* **Note:** The term “realtor” includes anyone who is professionally involved in brokering real estate sales, rentals or leases, not just members of the National Association of Realtors.

****Note:** The term “rental property” includes both residential and commercial property.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature

Date



PERSONNEL BOARD APPLICATION FORM

(Council Appointed Seat Only – see page 2)

DATE: _____

Check one: **New Appointment**
Re-Appointment

NAME: _____

HOME ADDRESS: _____ E-MAIL ADDRESS _____

ZIP CODE: _____ HOME PHONE: _____ WORK PHONE: _____

MUST BE REGISTERED TO VOTE IN THE CITY OF RICHMOND FOR AT LEAST THREE YEARS: Yes No

OCCUPATION: _____

HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF RICHMOND: _____

PLACE OF EMPLOYMENT: _____

REASONS FOR INTEREST IN APPOINTMENT:

FRATERNAL AND/OR CIVIC ORGANIZATIONS:

EDUCATION:

REFERENCES (Minimum 5 – List Name, Address, Phone Number, and Email Address)
1. _____
2. _____
3. _____
4. _____
5. _____

I have read page 2 of this application (Article XIII, Sec. 6), and to the best of my knowledge the information provided is true and correct

Signature Date
Deliver or Mail to: City Clerk OR Email to: CityClerkDept@ci.richmond.ca.us
450 Civic Center Plaza
Richmond, CA 94804

For Office Use Only: New Appointment: Reappointment: 1st 2nd 3rd

ARTICLE XIII

Personnel Administration

Sec. 6. Creation of a Personnel Board:

(To read the entire Section 6, please refer to the Charter on the City's website – www.ci.richmond.ca.us)

Members of the Board shall have been qualified electors of the City of Richmond for at least three years and shall be persons sympathetic to the principles of modern personnel administration. No person shall be appointed to said Board who holds any salaried public office or employment in the service of the City of Richmond, nor is a retired city employee, nor shall any member, while a member of the board or for a period of one year after he has ceased to be a member of the board, for any reason, be eligible for appointment to any salaried office or employment in the service of the city, or for appointment to any elective office in the City.

The members of this board shall serve without pay, and shall hold regular meetings monthly at such time and place as designated by the chairman of the Board. The Board, in addition, may hold such special meetings as the affairs of the Board may require. Such special meetings shall be held upon the call of the chairman or any two members of the Board. Three members shall constitute a quorum for the transaction of business, provided that all members of the Board shall have been officially notified under the rules established by said Board for such notification.

(Added at election May 13, 1975, and amended at election November 6, 1984) The unexcused absence of any member of the Personnel Board from more than three regularly scheduled meetings of the Board within any twelve-consecutive-months period shall constitute an automatic resignation from the Board. Such a resignation shall not, however, disqualify an individual from subsequently being appointed to the same or any other City board or commission.



COMMUNITY POLICE REVIEW COMMISSION APPLICATION

DATE: _____

Check One: **New Appointment**

Re-Appointment

YOUR NAME & EMAIL: _____

HOME ADDRESS: _____

HOME PHONE: _____ WORK PHONE: _____

OCCUPATION: _____

HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF RICHMOND? _____

REASONS FOR INTEREST IN APPOINTMENT: _____

FRATERNAL AND/OR CIVIC ORGANIZATIONS: _____

EDUCATION: _____

REFERENCES (Minimum 5 - List Name, Address, Phone Number & Email Address)

1) _____

2) _____

3) _____

4) _____

5) _____

NOTE: All Community Police Review Commissioners are required to complete an eight (8) hour Police Department orientation and a minimum of twenty (20) hours participation in the Ride Along program. Please call (510) 307-8032 for additional information regarding these requirements.

Applicant's Signature: _____

DELIVER OR MAIL TO:

CITY CLERK'S OFFICE
450 Civic Center Plaza
Richmond, CA 94804
Phone: (510) 620-6513

OR EMAIL TO: CityClerkDept@ci.richmond.ca.us



BOARD OR COMMISSION APPLICATION FORM

DATE: _____

Check one: **New Appointment**

Re-Appointment

NAME OF BOARD OR COMMISSION: _____

NAME: _____

HOME ADDRESS: _____

ZIP CODE: _____ HOME PHONE: _____ WORK PHONE: _____

OCCUPATION: _____ EMAIL ADDRESS: _____

HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF RICHMOND: _____

PLACE OF EMPLOYMENT: _____

REASONS FOR INTEREST IN APPOINTMENT:

FRATERNAL AND/OR CIVIC ORGANIZATIONS:

EDUCATION:

REFERENCES (Minimum 5 – List Name, Address, Phone Number, and Email Address)

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

To the best of my knowledge the information provided is true and correct:

Signature

Date

Deliver or Mail to: City Clerk Or Email to: CityClerkDept@ci.richmond.ca.us
450 Civic Center Plaza
Richmond, CA 94804

For Office Use Only:	New Appointment:	<input type="checkbox"/>	Reappointment:	<input type="checkbox"/>	<input type="checkbox"/> 1st	<input type="checkbox"/> 2 nd	<input type="checkbox"/> 3rd
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