

City of Pacific Grove
Board and Commission Member Handbook

Contents

	<u>Tab</u>
The City’s Governance.....	1
Current Duties of City Boards, Commissions, Panels, and Committees.....	2
Responsibilities, Rights, and Ethical Standards for Board and Commission Members.....	3
Standard Protocols.....	4
Successful Board and Commission Decision Making.....	5
Meeting Guidelines and Procedures.....	6
Motions.....	7
Recommended Procedures for Resolving a Disturbance at a Board, Commission, or Committee Meeting.....	8
Communication Killers and Timeless Tips for Civil Discourse	9
Agenda, Minutes, and Chair's Prompts	10
Work Plan (Sample).....	11
Annual Report(Sample)	12



City of Pacific Grove **The City's Governance**

The City is served by the Council, by volunteer boards and commissions, and by staff. The interrelationship of these three major components is shown on the chart on the following page. The next sections provide a brief description of the responsibilities that each has and the roles each performs.

A. The City Council

Pacific Grove adopted what is known as the Council-Manager form of local government. This system combines the political and policy-making leadership of elected officials with the managerial expertise of an appointed, professionally trained, local government manager. The City Council consists of a Mayor, who is directly elected for a two-year term, and six Councilmembers, who are elected at large for overlapping terms of four years.

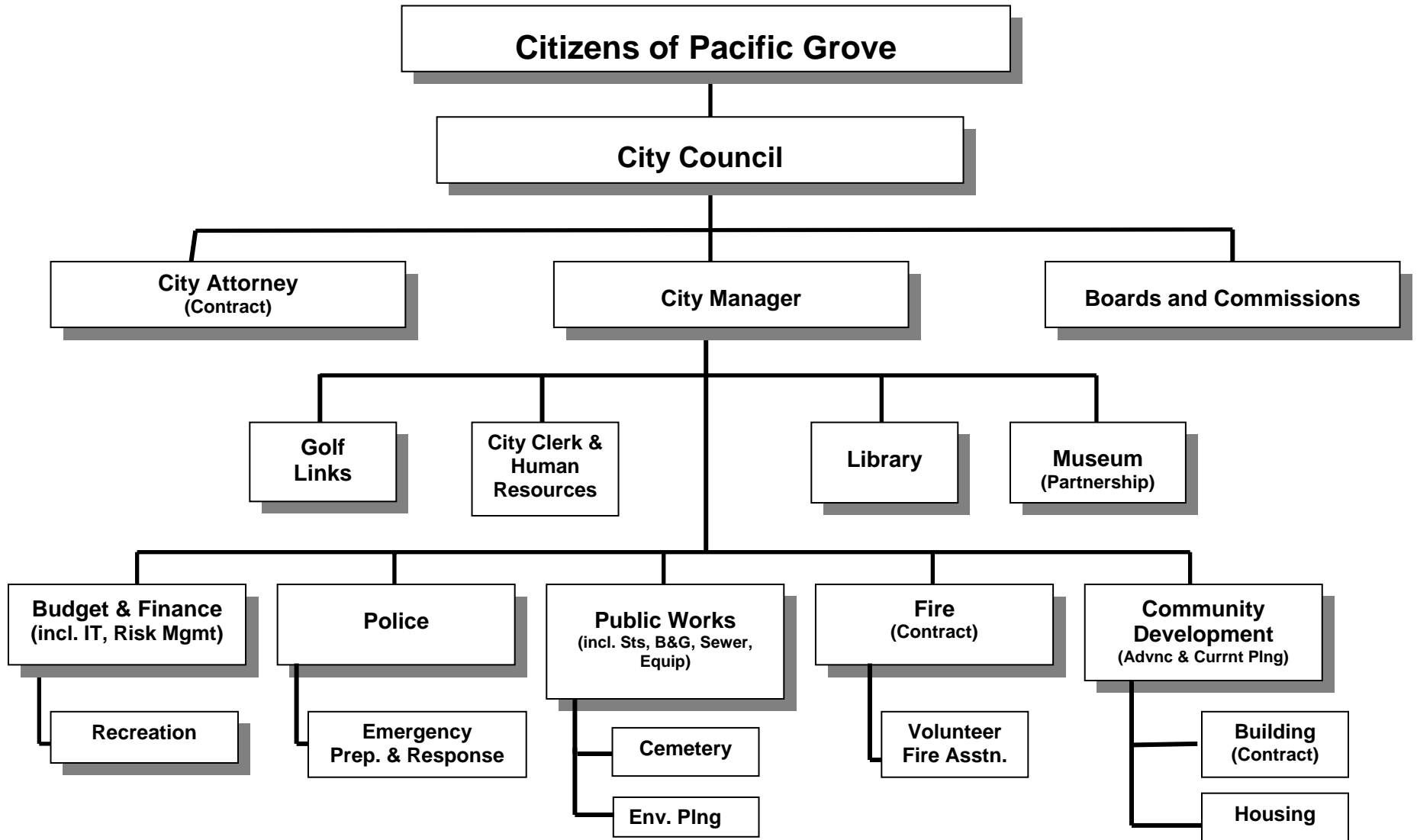
State law places certain powers in the hands of the elected City Council. The Council establishes policy, approves all ordinances and resolutions, and performs other legislative and quasi-judicial functions. The City Council has power over the lives and property of the residents of the community. It can declare the nature of criminal conduct, set costs for services rendered, and regulate the use of private property through its zoning decisions. The Council reviews proposals for community needs, initiates actions for new programs, and determines the ability to provide financing. The Council reviews, modifies as needed, and approves the annual budget.

The City Council appoints a City Manager, who functions as the city's top administrative officer. The City Manager is accountable to the entire Council, and has overall responsibility for hiring staff, conducting the day-to-day administration of municipal affairs, and ensuring the satisfactory implementation of adopted Council policy.

The City Manager ensures that the policy direction set by the City Council is carried out and that the City's delivery of public services is of high quality and provided in an efficient and cost-effective manner. The Manager prepares a recommended budget for City Council review and adoption; recruits, hires, and supervises City staff; and provides the City Council objective information and recommendations regarding the issues and decisions before the Council.

The Mayor appoints, with the Council's concurrence, all commissioners. The Council also adopts a set of responsibilities and duties for each commission. For the four charter commissions—the Planning Commission, Museum Board, Library Board, and Recreation Commission—any such set of adopted responsibilities and duties are in addition to those identified in the City Charter.

CITY OF PACIFIC GROVE



B. Boards and Commissions

The strength and the success of Pacific Grove City government is, to a large degree, reflective of the quality of service performed by City volunteers. In keeping with this philosophy of citizen involvement, the City Council has historically sought the input of its residents in planning for the future of our community. Each year the Mayor appoints and the City Council confirms citizens to various boards and commissions to address key issues and opportunities and to keep abreast of the changing needs of the community. While the nature of decision-making has required the separation of tasks to various commissions, it is recognized that all City volunteers serve a common end.

A few of the boards and commissions have certain areas in which they have been delegated decision-making responsibility by the Council. Thus, the Planning Commission grants use permits and variances; similarly, a member of the Administrative Hearing Panel hears appeals of certain code enforcement actions. The primary function of the City's boards and commissions, however, is to *advise*.

The dictionary defines the word *advise* as "give advice to; counsel; give notice; inform; talk over plans; consult with; caution." In the case of City boards,¹ additional suitable terms might be: to analyze needs, to consider goals, to anticipate future needs and problems, to liaison, to act as sounding board, and to help develop consensus.

To some it might appear that an advisory board, without administrative functions, is a board with little power or responsibility. Not so. An advisory board is an invaluable resource. A board must not be simply a rubber stamp for the staff or City Council. While its advice may not always be taken, the board has the legal responsibility to advise on policies or issues as the law directs.

An advisory board's effectiveness depends to a considerable extent on the depth of the analysis it makes on any issue, the soundness of the reasoning it provides to back up every recommendation, its foresight, and its reasoned persuasiveness in presentation. Diplomacy and patient persistence are often necessary to ensure that important items are not overlooked or sidetracked. In some instances, the law defining the board's functions describes specifically the policies and issues on which the board is to advise. In other instances, the law is more general, simply indicating that the board is to act in an advisory capacity in all matters pertaining to a certain City program or function.

Four commissions are specified in the City Charter.

- ❖ Library Board
- ❖ Museum Board
- ❖ Planning Commission
- ❖ Recreation Board

¹ For ease of use, the words "board" and "commission" are generally used interchangeably throughout.

The City Charter lays out in very broad terms the duties and responsibilities of each. More detailed guidance is left to the Council. Thus, other than the requirement that a vote of the people be needed to change the overall duties and responsibilities for the charter commissions, there are no major differences between a charter commission and any other board or commission.

City Councils recognized over the years that the City could be best served by creating other boards and commissions to serve alongside the four charter commissions. Chapter 3.04 of the Municipal Code specifies the procedures for their appointment. There are currently seven such advisory bodies that have been created by ordinance or resolution, including the:

- ❖ Administrative Enforcement Hearing Officer Panel
- ❖ Architectural Review Board
- ❖ Economic Development Commission
- ❖ Golf Links Advisory Commission
- ❖ Historic Resources Committee
- ❖ Natural Resources Commission
- ❖ Traffic Safety Commission

The City Clerk maintains an up-to-date schedule of meetings, membership, Council liaisons, and lead staff for all 11 boards and commissions that is available to all commissioners.

The Charter also empowers the City Manager to appoint such committees “as the City Manager may deem desirable to advise and assist the City Manager.” The Loan Committee is one such committee, advising the City Manager on low housing loans for low-income residents.



C. City Programs

A primary reason for the existence of municipal government is to provide such services to citizens that they cannot provide for themselves. The services of municipal government can be readily observed in action, but the typical citizen is generally unaware of their scope.

The primary functions currently being undertaken by the City include:

- ❖ Budget and Finance
 - Risk Management
 - Accounting and Audit
 - Information Technology
 - Budget and Management
 - Recreation

- ❖ City Attorney (by contract)
 - Advice to the City Council on all legal matters
 - Impartial legal analysis of ballot measures

- ❖ City Manager
 - City Clerk (including City records and Elections Official services)
 - Human Resources
 - Code Compliance

- ❖ Community Development
 - Zoning and planning
 - Housing assistance
 - Building plan check and inspection (in contract with the City of Monterey)
 - Encroachment permits
 - Economic development

- ❖ Fire and Emergency Medical Services (in partnership with the cities of Monterey and Carmel-by-the-Sea)
 - Prevention/Fire Marshal (including Plan Check, Occupancy Inspections, and Weed Abatement)
 - Response
 - Hyperbaric Chamber
 - Volunteer Fire Department Association

- ❖ Golf Links
 - Pro Shop
 - Club House and Point Pinos Grill
 - Driving Range and Lessons

- ❖ Library

- ❖ Natural History Museum (in partnership with the Natural History Museum Foundation)
- ❖ Police and Disaster Preparedness
 - Patrol
 - Investigation
 - Disaster preparedness, response, and recovery
 - Animal control services
 - Parking enforcement
- ❖ Public Works
 - Sewer Collection System
 - Stormwater management (in partnership with other Peninsula agencies)
 - Street, sidewalk, curb, and gutter
 - Street lighting (in partnership with Caltrans and PG&E)
 - Street sweeping (contract with Waste Management, Inc.)
 - El Carmelo Cemetery
 - Tree and landscape maintenance
 - Buildings and Grounds

The descriptions of the primary programs and services within each function are included in a separate document, “City of Pacific Grove Departments, Offices, and Programs,” available from the City Clerk.

D. Interrelationships

Interrelationships between the commission and City Council, other commissions, staff, and the public are crucial for success.

City Council. There should be a two-way communication between the Council and each commission, so that the commissioners are aware of the short- and long-term goals that the Council has adopted, and the Council is receptive to new ideas that are presented by the commission. This communication is facilitated by several means, including:

- ❖ the Council’s adoption each year of the commission’s charter, and identification by the Council of those areas in which the Council is seek particular advice or attention
- ❖ appointment of a Council liaison for each commission;
- ❖ staff support of both the Council and the commission;
- ❖ formal review and acceptance of commission minutes by the Council; and
- ❖ periodic sessions hosted by the Council with all commission chairs.

The Council highly values the advice it receives from the commissions. However, it is likely that, at one time or another, the City Council will not take the advice of a commission.

In addition, since the Council delegates selected decision-making authority to certain commissions, most of those decisions can be appealed to the Council. Three or more Councilmembers also have the ability to call up a commission decision for reconsideration by the full Council. When this happens, the Council may not always accept the recommendations or agree with the decisions of a commission.

A commissioner may want to ask, “If they won’t take our advice, why ask for it?” Commission members should not be frustrated by this, or think that this in any way reduces the value of their contributions and their advisory role. The Council is not rejecting the quality of the commission’s work; instead, the Council may need to balance commission recommendations against other City priorities. The Council, by definition, must have a broader perspective than any single commission. If a recommendation is rejected, the Council liaison and staff will help the commission by letting the commissioners know why.

Finding a comfortable relationship with all board members and others, when dealing with issues that can become politically charged, can be challenging. However, the following are guidelines for commissioners beginning to find their way around in the political environment:

- ❖ Each commission member has an obligation to “vote his/her conscience” and will have to resolve conflicts he/she may have between a personal viewpoint and what is perceived as the ‘public interest.’
- ❖ The commission should see as one of its primary roles that of developing public trust in the advisory commission system.
- ❖ The commission should be sensitive to Council priorities and know when to not take a stand. There are times when, for the good of the overall City, our personal views need to take a back seat.
- ❖ Should a controversy arise within the commission, counsel and guidance are available from the Council liaison, the City Attorney, and staff.
- ❖ Should a split opinion exist on a commission action, the majority report is to be sent as the recommendation to the Council. This may include an explanation of the reason for any dissent.
- ❖ It is unethical for an individual commissioner to attempt to influence or persuade the Council to make a decision that may be in opposition to the commission’s position as a whole. Once the majority of the commission makes a decision, it becomes the decision of the entire commission.

No board or commission is expected to perform in a vacuum. Each board is assigned a Council liaison and staff to assist it in achieving its goals.

Council Liaison. The Mayor appoints a Council liaison for each board and commission. The liaison is not a member of the board, and does not make or second motions or vote, but answers questions, as needed, about the Council’s intentions and needs.

The Council liaison acts as an advisor and observer, providing updates on Council actions, providing any needed background information on requests of the board made by the Council, and taking back to the Council any needed questions or updates. The liaison acts on behalf of the full Council, rather than sharing personal views.

Other Commissions. The areas of interest of most City commissions are distinct and without significant overlap. As a result, a single issue or opportunity is not likely to be addressed by more than one commission. In these cases, each commission still benefits from understanding the work of the other commissions and how its own work fits in with the whole.

There are a few commissions, however, such as the Natural Resources Commission and the Museum Board, whose responsibilities can indeed intersect (such as, in this case, with respect to the Monarch Sanctuary). In addition, some decisions of the Architectural Review Board and Historic Resources Commission can be appealed to the Planning Commission. Thus, in these cases, it fully behooves each commission to understand the charter and philosophy of the other, to best serve the public on issues of mutual concern.

Staff. The City Manager assigns a staff member to provide lead support to each commission. (Such support, however, does not always translate into attendance at the meetings. Staff attend when real-time interaction is necessary; otherwise written reports or interaction with the Chair prior to the meeting can suffice.) Staff are not subject to the direction of the commission; they cannot simultaneously work for, or report to, both the commission and the City Manager. Certainly they will do all within their power to honor commission requests and assist the commission in being successful.

Crucial to the success of the commission is a productive and cooperative working relationship between the commission members and the lead staff—all contributing their special expertise, exhibiting respect for the role of the others, and committed to constructive interaction. Such an effective working relationship also is vital to the success of both the commission and the staff.

Commission and staff roles are different, but can complement each other if they are working together. Their relationship should never be adversarial, and will not be if all are concentrating their energies on the success of the programs rather than on guardianship of their respective authority.

It does simplify and expedite mutually productive action if each has a clearly defined role that the other understands and acknowledges, without attempts to interfere. Should a substantive question arise, a written clarification for the record may be helpful, perhaps developed in consultation with the City Attorney.

Staff provide information, suggest alternatives that the commission can consider, answer questions, and carry forward any recommendations to the Council. Staff works with the Council liaison to let the commission know what is happening in the organization and what issues need commission attention. Staff have day-to-day responsibilities over and

above supporting the board; as a result, additional requests for resources in time or materials shall be requested through the City Manager.

Staff has the following responsibilities:

- Keeping the commission informed. Staff does this by making sure that other employees and all commission members know the purpose and goals of the organization and the Council. The staff person is also responsible for suggesting methods whereby the commission can accomplish these goals.
- Actively listening to commissioners.
- Initiating suggestions so that the commission has an idea how to seek out information or resolution of a problem.
- Being informed about the latest developments in their field.
- Supporting the commitment and achievements of the commission, so that all commissioners can feel good about their participation in the organization. Recognizing commissioner contributions and encouraging involvement are two ways to let individuals know that their ideas are welcome.
- Helping the chair keep the commission on track and focused.
- Taking initiative to inform commissioners about activities, projects, and work taking place elsewhere in the organization and within other commissions.
- Presenting a balanced report on controversial issues, so that both positive and negative aspects can be readily identified. Staff will make recommendations based on what they believe are the best interests of the City as a whole.
- Coaching and helping commission members develop their knowledge, their capabilities, and an appreciation for the nuances of the matters they are being asked to address.

Some of these actions can create friction with commission members. For example, when staff believes that the best alternative is different from the commission's choice, it may be interpreted by some commissioners as intransigence rather than professional responsibility. In these cases, commissioners should remember that conflicts are a normal part of the process. (Staff members must also make sure they are not using the professional mantle to further their own programs. Staff members should ask themselves, is this an issue of professionalism or simply my own preference?)

Staff suggestions and recommendations are not accepted all the time, but it is important that good relationships exist between the commission and staff, so that together a reasonable solution can be derived. The following are some ways to avoid hurt feelings and to keep the channels of communications open:

Contacts should be with the lead staff assigned to the commission rather than to other staff members. When an individual commissioner wants to make contact with another

member of staff, the commissioners should notify the assigned staff person of the desired contact.

- ❖ Contacts with staff members should clearly be in the framework of the commission assignment.
- ❖ Commissioners should not ask for individual reports, favors, or special considerations.
- ❖ Citizen complaints heard by a commissioner should be referred directly to the staff person assigned to the commission.
- ❖ Commissioners should realize that the assigned staff person who works with the commission reports directly to a supervisor and may not be able to carry out every request or recommendation that the commission may have. Staffing the commission is only one fraction of the lead staff's responsibilities.

The interaction between the lead staff and the board or commission is crucial. There must be a mutual understanding and acceptance of roles and responsibilities. Some of the issues that each commission needs to clarify with its Council liaison and lead staff are:

- *What are the reporting relationships?* The staff member report directly or indirectly to the city manager,
- *How are requests made?* The commission can request staff to undertake a study, but if this is in conflict with other work requirements, the staff will need to meet with the City Manager to resolve.
- *How are staff proposals and recommendations handled?* A critical staff responsibility is to give the commission the benefit of the staff's best professional judgment. The commission then has the latitude to accept or reject the proposal. This key staff responsibility should be continuously reinforced and encouraged.
- *How are commission recommendations presented to the City Council?* Staff will forward the commission's recommendations to the Council at the earliest opportunity. If staff recommendations differ, both will be presented. When this occurs, the chair may wish to present the commission position or request that another member do so.
- *How are disputes between commissioners and staff handled?* If a commissioner has a complaint about staff work, then the Chair, the commissioner, and the staff member should request a meeting with the City Manager to address. It is crucial that the commission have full confidence in the quality of staff support being provided. Clarifying beforehand what is the proper procedure to follow when problems occur will help keep communication lines open and hopefully, forestall major eruptions.

The Public. One of the most important functions of a commission is to obtain increased public input and participation. The skillful board, commission, or committee is able to obtain public input by practicing positive encouragement measures. Here are some steps that will increase the public's willingness to participate:

- ❖ Recognize that some people are fearful or anxious at a meeting. It may be the first

time a person has addressed a public group. The chairperson may try to calm and reassure him/her.

- ❖ Show patience - imagine yourself addressing the commission.
- ❖ The chairperson should keep the audience informed of the process and procedures that are being followed.
- ❖ Before each item is considered, the chairperson should describe the item and the possible actions identified.
- ❖ Members should project a feeling of fairness, understanding, and graciousness as circumstances permit. Members should be considerate of all interests, attitudes, and differences of opinion.
- ❖ Members should take care to observe the appearance as well as the principle of impartiality.
- ❖ Members should go through the chairperson and try to avoid speaker-to-audience conversation. The purpose of hearing the public is usually to help the commission to act, not to engage in debate or argument with the public.
- ❖ Do not spend too much quality time on routine items such as correcting the minutes. This is especially important when an audience is present.
- ❖ Board, commission, and committee members are considered by the public to be representatives of and spokespersons for the official City family. Because policy decisions are the sole responsibility of the City Council, it is inappropriate for commission members, as representatives of the City, to publicly criticize established City policies or Councilmembers. This does not in any way preclude a member's responsibility to advocate his/her position on a policy matter prior to the decision on an official policy.

The Media. Members should be aware that any statements or opinions made to representatives of the media could be considered "on the record" by reporters. Such statements always should be made in consideration of the likelihood that they will be printed or broadcasted.

In summary, State laws and local ordinances define the responsibilities of the board or commission. But those words alone do not make a successful board. People and their interrelationships do. It is these multiple, intangible, working relationships that often make the difference between an actively supported and healthy program or persistent problems and stalemates.

These working relationships already exist. The only variables are whether they are productive or non-productive, close or distant, cooperative or uncooperative. A board determined to do its job well will make effective interaction a priority.



City of Pacific Grove
**Current Duties of City Boards, Commissions,
Panels, and Committees**

I. City Charter Commissions and Boards

Library Board

Charter Article 26

1. Act in an advisory capacity to the Council and City Manager in all matters pertaining to the operation of a public library.
2. Recommend to the City Council the adoption of such laws, rules, and regulations as it may deem necessary for the administration and protection of the City Library.
3. Perform such other duties relating to the library services as the Council may require by ordinance or resolution.

In order to provide greater detail and specificity, on August 17, 2011 the City Council adopted by minute action the following additional guidance regarding the powers and duties of the Library Board:

1. Act in an advisory capacity to the City Manager in all matters pertaining to the operation of a public library.
This includes (a) Board review of the annual library budget with opportunity to give feedback as it is being developed; and (b) individual member participation in the selection of staff for senior library positions, including the Head Librarian, when requested by the City Manager. In the interest of effective action in this advisory role, it is expected that the City Manager keep the Library Board informed and involved in a timely manner.
2. Act in an advisory capacity to the City Council in all matters pertaining to the operation of a public library.
This includes (a) providing input to the Council's deliberations and making recommendations regarding the annual budget; and (b) drafting and initiating resolutions pertinent to Library operations.
3. Act in an advisory capacity to the Library Staff in all matters pertaining to the operation of a public library.
This includes helping draft policies and procedures. The Board will work with the Library Staff to ensure that the Library is well managed and that it operates in accordance with the Pacific Grove City Charter as well as with policies established by the Council.
4. Engage in strategic and long-range planning for the Library through analysis of present and future needs.
This includes an annual update of the Library's strategic and long range plans to be presented to the City Manager, City Council, and Library Staff. The Library Board is responsible for development of these final plans.
5. In conjunction with Library Staff, convene an annual Library Summit and/or survey to provide the public at large an opportunity to be involved in defining the future direction

of the Library. The Board will issue a report of recommendations and will discuss them with the City Council and City Manager within 90 days after the annual Library Summit/Survey.

Museum Board

Charter Article 26:

1. Act in an advisory capacity to the Council and City Manager in all matters pertaining to the operation of a public museum.
2. Recommend to the City Council the adoption of such laws, rules, and regulations as it may deem necessary for the administration and protection of the City Museum.
3. Perform such other duties relating to the museum service as the Council may require by ordinance or resolution.

Resolution 11-072 (September 7, 2011): In furtherance of the duties and responsibilities of the City of Pacific Grove Museum Board prescribed by Article 26 of the City Charter, the Museum Board shall:

1. Ensure the Museum serves to benefit the City as a whole, its natural environment, its citizens, and visitors;
2. Advise the City Council and City Manager on matters relating to the Museum;
3. Serve as an informational conduit between the public and the City on matters related to the Museum;
4. Coordinate activities with other appropriate City advisory boards, committees, and commissions on matters of mutual concern; and
5. Perform such other duties relating to the Museum as the Council may require by ordinance, resolution, or minute action.”

Planning Commission (Charter, Article 26)

1. Recommend to the Council the adoption, amendment, or repeal of a General Master Plan, or any part thereof, for the physical development of the City.
2. Exercise such functions with respect to land subdivisions, planning and zoning as may be prescribed by ordinance or resolution.
3. Perform such other duties relating to planning and zoning as the Council may require by ordinance or resolution, or as may be prescribed by the General Laws of the State.

Serving as the City’s Housing Committee, the Planning Commission shall also:

1. Make recommendations concerning Community Development Block Grant (CDBG) applications.
2. Consider other housing matters, including: senior housing development, housing rehabilitation, rental assistance, monitoring programs, housing studies and surveys, and housing element policies.*
3. Support the implementation of the programs and actions identified in the City’s Housing Element.
4. Provide outreach to the community to reflect the City’s commitment of increasing housing opportunities for all citizens.

Recreation Board (Charter, Article 26)

1. Act in an advisory capacity to the Council and City Manager in all matters pertaining to the operation of a City recreation program.
2. Recommend to the City Council the adoption of such laws, rules and regulations as it may deem necessary for the administration and operation of a City recreation program.
3. Promote and stimulate public interest in a recreation program and solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein.
4. Perform such other duties relating to the recreation program as the Council may require by ordinance or resolution.

II. Municipal Code Boards, Commissions, Councils, and Panels

(Administrative) Enforcement Hearing Officer Panel (PGMC 1.19.030, 1.19.090-1.19.290 and 3.30)

Hear contests of Administrative Compliance Orders and Administrative Citations

Architectural Review Board (PGMC 23.73.20)

Grant architectural approval where required under this title in order to promote the orderly and harmonious development of the city and to protect the architectural heritage of the city of Pacific Grove.

Economic Development Commission (PGMC 3.04.070)

- (a) Devise and recommend economic development and enhancement strategies and programs to the city manager and council; and
- (b) Assist the City's businesses and job seekers in their efforts; and
- (c) Help meet the shopping and service needs of local residents by promoting retail business interests; and
- (d) Ensure coordination of efforts by the Pacific Grove Chamber of Commerce, the Pacific Grove Business Improvement District, the Hospitality Improvement District, the Monterey County Convention and Visitors Bureau, and the City; and
- (e) Perform other duties and functions as set out in this chapter or as may be required from time to time by specific direction of the council.

Golf Links Advisory Commission (Reso. 10-38, May 19, 2010)

1. To advise the City Council on matters relating to the Pacific Grove Municipal Golf Links;
2. To ensure the Golf Links is operated to the benefit of the City as a whole;
3. To review an annual operating budget and make recommendations to the City Council;
4. To review the capital improvement program of the Golf Links and make recommendations to the City Council;
5. To review playing fees at the Golf Links to ensure that the revenue received fully finances all costs of the operation and provides adequate resources to fund necessary capital improvements;
6. To work with staff and the community to ensure that the golf links is a responsible neighbor;

7. to accept assignments from the City Council relating to golf links operations and report findings within the time period prescribed by the City Council; and
8. To coordinate activities with the other appropriate City advisory boards, committees, and commissions on matters of mutual concern.

Historic Resources Committee (PGMC 23.76.021)

- (1) Determination of additions and deletions from the historic resources inventory, per PGMC 23.76.030;
- (2) Other duties as set out in this chapter or as directed by the city council.

Natural Resources Commission (PGMC 3.24.010)

- (a) To support, encourage, and facilitate conservation, restoration, beautification, and improvement of natural resources in the city through projects, programs, and activities;
- (b) To advise the council on artistic, beautification, and natural resources matters, and similar matters which may be referred to it from time to time by the council;
- (c) To develop, with the city forester or other expert consultant, an urban forest vegetation and wildlife habitat management program, and to correlate such plan with the city's general plan;
- (d) To promote reforestation and tree preservation in the city;
- (e) As requested by the council, planning commission or architectural review board, to advise on landscaping, beautification projects and design plans in the city's business districts and at City Hall, the police station, fire station, community center and tennis courts, library, museum of natural history, corporation yard, Chautauqua Hall, Elmarie Dyke Open Space, Chamber of Commerce building, youth center, Arnett Park, Caledonia Park, Jewell Park, Platt Park, the Municipal Ball Park, Berwick Park, Lovers Point Park, Perkins Park, Shoreline Park, Andy Jacobson Park, Chase Park, Esplanade Park, Greenwood Park, Higgins Park, Municipal Golf Links, George Washington Park, Lynn Rip Van Winkle Open Space, Monterey Bay Coastal Recreation Trail, Monarch Grove Sanctuary, Hayward Park, Point Pinos Lighthouse Reservation, El Carmelo Cemetery, and other city-owned property;
- (f) To implement plans and programs to further the goals of conservation, restoration and improvement of the city's natural resources;
- (g) To perform the functions prescribed for the beautification and natural resources committee under Chapter 12.16 PGMC, including the preparation and maintenance of the official tree planting list for the city;
- (h) To advise the planning commission and the city council on ordinances and amendments thereto that may be proposed relating to construction and development in the city as regards beautification and natural resources;
- (i) Jointly with the recreation board to make recommendations to the council regarding works of art offered to, commissioned by or purchased by the city and proposed to be placed, erected, or created outdoors on city property designated in subsection (e) of this section; (Direct offerings or bequests to city departments are excepted; works of art commissioned by the recreation department are also excepted.)
- (j) To encourage gifts, bequests and devises to be made to the city in furtherance of any present or future object or project associated with the committee;
- (k) To seek funding to further the goals of conservation, restoration, beautification, and improvement of the city's natural resources;

- (l) To advise the city council and other boards or commissions on the conservation, preservation, improvement, beautification, protection and care of the city's beach and waterfront area;
- (m) To review plans and submit comments to the planning commission or architectural review board as requested by the community development department;
- (n) Upon referral from the council, to review and recommend to the council city positions on proposals in the city, within the city's sphere of influence, or within a wider area that may have a potential impact on the healthy natural environment of the city and the region;
- (o) Upon request of the architectural review board or planning commission to advise on directional signs as regards beautification;
- (p) To establish subcommittees to address specific areas of interest, including without limitation, restoration of monarch butterfly habitats and shoreline improvements;
- (q) To obtain assistance from ex officio, nonvoting members who may possess a certain expertise or knowledge that would be helpful to this committee;
- (r) To obtain assistance from other city boards or commissions in regard to landscape and design issues;
- (s) Upon request, to advise public works and public safety personnel regarding nonemergency matters that will impact natural resources;
- (t) To inform the public in regard to the problems of the urban forest, including public information program concerning care of forest resources, and including cooperation with school programs on conservation and the like;
- (u) To inform the public, and advise the council, on issues relating to the recycling and reuse of paper, plastic, metal and other materials;
- (v) May assist or be assisted by other city boards or commissions in regard to landscape and design issues.

(Note: this listing has not been updated since the BNRC became the NRC in 2010. The NRC is working on an update.)

Traffic Safety Commission (PGMC 16.08.030)

- (a) To suggest the most practicable means for coordinating the activities of all officers and agencies of this city having authority with respect to the administration or enforcement of traffic regulations;
- (b) To stimulate and assist in the preparation and publication of traffic reports;
- (c) To receive complaints having to do with traffic matters;
- (d) To recommend to the legislative body of this city and to the city traffic engineer ways and means for improving traffic conditions and the administration and enforcement of traffic regulations;
- (e) To appoint a representative to the Transportation Agency of Monterey County (TAMC) bicycle and pedestrian committee; and
- (f) To review and make recommendations to the legislative body of this city regarding bicycle and pedestrian facilities within the city.

City Manager Advisory Committees

Accessibility Board of Appeals (PGMC 18.04.041)

Hear and decide appeals of orders, decisions, or determinations made by the building official concerning handicap accessibility, as provided in Title 24, California Code of Regulations.

Note: A City Manager advisory committee, appointed as needed, per Ord 10-005, February 3, 2010

Housing Advisory Appeals Board – Uniform Building Code Board of Appeals – Uniform Fire Code Board (PGMC 18.04.040)

Hear and decide appeals of orders, decisions or determinations made by the building official concerning handicap accessibility, as provided in Title 24, California Code of Regulations.

[Hear and resolve any conflicts among the uniform codes, including the Uniform Building Code and International Fire Code.]

Note: A City Manager advisory committee, appointed as needed, per Ord 10-005, February 3, 2010

Loan Committee (Ord 10-005, February 3, 2010)

Note: A City Manager advisory committee, appointed as needed



City of Pacific Grove
**Responsibilities, Rights, and Ethical Standards for
Board and Commission Members**

Responsibilities of a Member

Board and commission members (hereinafter referred to as “board members”) shall understand their role as an advisory board and respect the decisions made by the City Council and staff.

Members may not simultaneously hold any paid office in the City government or, with a very few exceptions, serve on any other City board. All terms commence on February 1st and vary from two to four years in length depending on the board. Unexcused absence from three consecutive regular meetings, or conduct detrimental to the City, may be considered as cause for removal by the Council.

Board members have legitimate interests (economic, professional, and vocational) of a private nature. Board members shall not be denied, nor should they deny to other Board members or citizens, the opportunity to acquire, retain, and pursue private interests, economic or otherwise, except when conflicts with their responsibility to the public cannot be avoided. Board members must exercise their best judgment to determine when this is the case.

Board members will understand that the actions of their Board may interfere with, or be counter to, the actions of another Board of the City Council. When this occurs, it is incumbent upon the Board members to properly discuss the issues arising from such conflict and be willing to accept the decisions made by other boards, staff, and the City Council as acting in the best interest of the citizens of Pacific Grove.

Board members have a *fiduciary duty* to the City and board, not their own or other private interests. Any possible fiduciary conflicts shall be disclosed to the board.

A board member is expected:

To Know

- ❖ His or her responsibilities.
- ❖ The services and resources provided by the City in the functional areas related to the
- ❖ His or her local government and its officials
- ❖ The people in our community
- ❖ How to work effectively in a group
- ❖ The workings of the departments or programs that are impacted by the board’s actions.

To Remember

- ❖ That daily operations are staff’s responsibility
- ❖ That working through the staff is the appropriate method for effecting change
- ❖ That his or her personal opinion is important in board meetings, but that s/he must support policies once they are approved by the board.

To Attend

- ❖ Board meetings
- ❖ Other local meetings—including City Council meetings—at which his or her presence may be beneficial to the Board and City

To Fully Participate By

- ❖ Reading agenda materials and other relevant documents before the meeting
- ❖ Asking questions to ensure he or she had a full understanding of the matter(s) under consideration
- ❖ Sharing his/her knowledge and perspective with other board members, to improve the quality of the dialog and the resulting decision

To Plan

- ❖ Future priorities of the board
- ❖ Active community awareness programs
- ❖ Orientation for new board members

To Support

- ❖ The decisions of the board
- ❖ The direction of the Council
- ❖ The public and its right to information

To Act

- ❖ Articulate the needs of the functional programs
- ❖ Promote his or her board and programs whenever appropriate
- ❖ Develop good personal relations with outside stakeholders
- ❖ Make him or herself, his or her board, and his or her program visible in the community

Rights of a Member

Each member has a number of important general rights including, to:

- Participate in the board's deliberations and actions to the same extent as any other member, except for the additional authority bestowed by the board upon its officers.
- Be informed of board business scheduled for consideration at a specific meeting in sufficient time to permit personal study and review, and presentation to citizens before action is required.
- Request changes in minutes before they are approved in order to ensure that they accurately reflect actual events.
- Request additional information on any matter being considered, and, before a vote is called, to personally question anyone who appears before the board.
- Express opinions concerning issues or proposed items of business before they are brought before the board for vote, except when debate time has been limited by board consent in advance.
- Bring any concern about issues within the board's legal purview to the attention of the entire

board, whether that concern is a personal one or originates from the public.

- Ask the chair to clarify the way in which a meeting is being conducted at any time.
- Request that a vote be taken in a specific manner, such as roll call, voice, vote or show of hands, if not inconsistent with the board's written policies, rules, or policy.
- Request that the minutes record a member's opposition to any action approved by a majority vote, or a member's support of any action disapproved by a majority vote.
- Move, with stated due cause, to defer action on any item of business until a later date.
- Vote "No."
- Abstain from voting with reason explained, or to disqualify oneself from voting with reason explained.
- Seek fellow member support during the meeting for or against any issue brought before the board for a vote.
- Seek reconsideration (within the board rules) of any action previously taken.
- Seek support inside or outside the board to review any action previously taken.
- Request placement on an agenda of any relevant business within the board's legal purview for the board's consideration.
- Seek counsel from the city attorney for answers, clarification on an issue, or a review of action taken by the board.
- Request a summary of the policies and procedures that the board has developed since its establishment.
- Review the file of minutes recording previous meetings of the board.
- Obtain a complete and current list of board members.
- Ask questions and make recommendations relating to effective organization of the board or completion of its business.
- Carry out one's duties (and to assist the board in carrying out its legal functions) with the degree of independence from, or cooperation with, the lead staff and other City officers that the law specifies.
- Resist improper coercion, collusion, domination, or legally unauthorized takeover of the member's and the board's legal functions.

All members also retain the rights of any citizen. Such rights include: participating in political activities of their choosing at any level of government and remaining silent concerning personal political affiliation.

Every effort will be made by all committee members to attend all meetings of the committee. Teleconferencing is allowed as long as the member not in attendance can hear and participate in the discussion. The minutes should reflect that they participated by teleconference.

In addition, virtually all board members recognize the value in delineating roles and for selecting

officers with clearly defined duties and powers for each office, all in writing and well understood by everyone.

Ethical Standards for Board Members

The citizens, businesses, and organizations of the City are entitled to have fair, ethical, and accountable local government, which has earned the public's full confidence for integrity. To this end, the City expects adherence to the following ethical standards for members of boards, to ensure public confidence in the integrity of our City government and its effective and fair operation:

Compliance with Law. Members shall comply with the laws of the nation, the State of California, and the City in the performance of their public duties. These laws include but are not limited to: the United States and California constitutions; the City Charter; laws pertaining to conflicts of interest, financial disclosures, employer responsibilities, and open processes of governments; and City ordinances and policies.

Irreproachable Conduct. The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, including verbal attacks upon the character or motives of other members of the board, staff, or the public.

Respect for Process. Members shall perform their duties in accordance with the processes and rules of order established by boards governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of boards by City staff.

Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

Avoiding Conflict of Interest. In order to ensure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.

Not Accepting Gifts or Favors. The acceptance of gifts can convey an appearance of favoritism and conflict of interest. Gifts can be perceived as attempts to influence City operations or as compensation for services rendered and can erode the public confidence in the impartiality of decisions made by board members.

It is contrary to the City's ethical standards for any member to accept gifts or gratuities from any individual, business, or organization doing business, or seeking to do business, with the City or who is seeking permits or other entitlements from the City.

No Use of Public Resources for Personal Gain. Members shall not use public resources, such as City staff time, equipment, supplies, or facilities, for private gain or personal purposes.

No Representation of Private Interests. In keeping with their role as stewards of the public interest, members of boards shall not appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies. Allowable exceptions to this occur for architects, engineers, and contractors representing their clients to receive needed permits and approvals. In these cases, the member shall recuse himself or herself from participating in the board decision making on that project.

Separation of City and Private Advocacy. Members shall represent the official policies or positions of the City to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City, nor will they allow the inference that they do.

Support for Positive Work Place Environment. Members shall support the maintenance of a positive and constructive work place environment for City employees, volunteers, and citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

Board members should avoid the appearance of impropriety. Currently there appears to be less trust of government than ever before. Board members who have business or financial interests that would stand to profit from a decision should obviously not participate in the decision-making and should excuse themselves from the room during the board's entire consideration of that item so that there can be no perception of influencing their colleagues. For specific questions relating to potential or perceived conflicts of interest, contact the lead staff, who will receive advice from the City Manager and/or the City Attorney.

Accepted standards of conduct for members of a board include:

Board members must promote a high level of service while observing ethical standards.

Board members must avoid situations in which personal interests might be served or financial benefits gained at the expense of the public or the City.

It is incumbent upon any board member to disqualify himself/herself immediately whenever the appearance of a conflict of interest exists.

Board members must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the City, acknowledging the formal position of the board even if they personally disagree.

A board member must respect the confidential nature of City business while being aware of and in compliance with applicable laws governing freedom of information.

Board members, by accepting appointment, are expected to perform all of the functions of board members.

Participation in Political Activities - Local government elections in California are nonpartisan. City Council appointments to boards are made without regard to political party affiliation. Acceptance of an appointment to a board does not in any manner restrict citizen participation in political activities of an individual's choosing at any level of government be it local, state, or

federal. However, members should not use their appointed role or title in the conduct of political activity; those activities should, instead, be conducted as a private citizen.

Conflicts of Interests - The Political Reform Act of 1974 (Government Code Sections 81000 et seq.), which was approved by the voters of the State of California, is intended to prevent conflicts of interest by requiring public officials to disclose certain personal financial interests, which could foreseeably cause conflicts. In addition, a public official may be required to disqualify himself/herself from making, participating in, or attempting to influence any government decision which will affect any of his/her financial interests, not just those that are required to be disclosed. If you have any questions about a possible conflict of interest, the City Attorney's Office is available to assist you. The Fair Political Practices Commission (FPPC) Office is also available at their toll free telephone number (866-275-3772), or at www.fppc.ca.gov to explain what a conflict of interest is and when the law requires disqualification.

Prior to a meeting, you should review the agenda to evaluate potential financial conflicts of interest on actions to be taken. If you have a conflict of interest, you should not directly or indirectly influence the proceedings or the vote. Probably the safest way to deal with this is to state the basis for your conflict of interest, immediately after the chairperson announces the time for consideration. For example, "Mr. Chairperson, I have a conflict of interest on this item because ... (state reason) ... and I will not be participating in the deliberations." You should then leave the room until consideration of the item has been completed. The minutes will reflect that you stated the conflict and recused yourself from participation in any way in the proceedings.

The penalties for violating the conflict of interest laws are serious and may include fines.

Disclosure Statements - board members are required to file a Statement of Economic Interests, Form 700, and disclose reportable investments, interests in real property held, income received during the reporting period, and business positions. Statements of Economic Interests are public records. The forms are available in the City Clerk's Office.

A newly appointed board member must file an "Assuming Office Statement" disclosing any investments or interests in real property held by the member on the date office is assumed as well as income received during the 12 months prior to the date the office was assumed. Board members are also required to complete annual statements prior to April 1 of each year.

A board member will not be allowed to participate in meetings if his/her statements are not completed and filed with the City Clerk's Office, and failure to do so in a timely manner may be cause for termination of the position.

Ethics Laws - board members commit to spending significant amounts of time in service to the City; and they also assume a responsibility to work for the betterment of the City. Ethics laws impose rules on the manner in which public officials conduct themselves. The goal of ethics laws is to maximize the likelihood that the decisions of a public agency are made solely with the public's interests in mind. The laws strive to avoid even the appearance of impropriety as well as actual improprieties. Ethics laws represent the minimum standards for the conduct of public officials.

Government Code §11146 requires most local elected and appointed officials to attend ethics training. The basic requirement is two hours every two years. The City Attorney offers a training class. In addition, both the FPPC and the California Attorney General offer on-line training. All allow you to satisfy the requirements of Assembly Bill 1234/Government Code §11146 on a cost-free basis. The on-line training may be accessed at the following links:

- <http://iocalethics.fppc.ca.gov>;
- <http://www.localethics.fppc.ca.gov>; and
- <http://ag.ca.gov/ethics/interactive.php>

A board member cannot participate in meetings if his/her certificate of participation has not been completed and filed in the City Clerk's Office, and failure to do so in a timely manner may be cause for termination of the position.

Grounds for removal of a board member. Board members represent the City in a variety of ways while serving our community. It is not the intent of boards and boards to deny the inherent free speech rights of citizens serving on boards.

If a board member misses more than 25% of the regular meetings within any 12-month period, or has 3 consecutive unexcused absences, the chair will inform the City Manager with a recommendation to either recommend removal or continuance on the committee. Any request for removal must be in writing and include the dates missed and the reasons given. The circumstances of each individual will be taken into account before a recommendation to remove is forwarded to the City Council.

In addition, the Mayor and Council reserve the right to remove any individual from any board at any time for any reason. Examples of behavior that may lead to removal include, but are not limited to, the following:

- Excessive absences from board meetings.
- Verbally or physically abusive behavior toward other board members, the public, or staff.
- Inability to work for the common good of the board and City.
- Violations of ethics and conflicts of interest standards, as outlined in this handbook.

As detailed in several sections of the municipal code, removal may be automatic (for certain actions) or upon majority vote of the Council.



City of Pacific Grove
BOARD and COMMISSION
Standard Protocols

Every City board and commission needs basic protocols by which it operates. The standard protocols presented here are to be observed by all Pacific Grove boards and commissions (hereinafter referred to as “boards”). An individual board may append to these protocols additional standards relating to its specific needs.

I. Term, Council Charges, and Annual Work Plan/Calendar

Purpose. Generally, the City’s 11 boards advise the Council on matters within their jurisdiction. The City Charter and the Council have also delegated some decision-making authority to some of the boards. The City can achieve its overall goals only if all 11 boards function effectively. The specific responsibilities of all 11 boards are provided in *Current Duties of City Boards, Commissions, Panels, and Committees*.

Term. The term of each board shall be February 1 through January 31 of the following year.

Calendar and Annual Work Plan. The generalized annual board calendar is as follows:

Date	Task
Feb 1	Start of new term
Feb	Orientation of new member(s)
1 st Mtg in Feb	Organizational meeting: review City Council approved charter; elect officers; approve operating rules and procedures
Mar	Adopt work plan; AB 1234 training to be completed (biennial requirement) by all members
Apr	Secretary turns certificates of completion into City Clerk
June	First of two meetings of City Council with all chairs
Nov 1	Last date for City Clerk to publish vacancies
Nov	Second of two meetings of City Council with all chairs
Nov 30	Annual report due to City Council
Early Dec	Applications for vacant seats due
Jan	Mayor fills vacancies, with approval of City Council

At its first meeting after the February 1 start of the new term, each board shall agendaize organizational actions and decisions. These actions include:

- ❖ Welcoming and installing new members.
- ❖ Electing officers.
- ❖ Starting the process of developing the effective relationships necessary for the members of the board or commission to work effectively together and with staff.

- ❖ Accepting or recommending updates to its duties, responsibilities, and authority.
- ❖ Reviewing and updating norms and standard procedures.
- ❖ Working with staff to continuing developing members' knowledge of the involved professional disciplines and current issues.

- ❖ Planning its year by developing its annual work program.

The annual work program is the commission's expressed joint effort for the year. It addresses the important problems, challenges, and opportunities that need to be addressed during the year. The work program should be developed within the framework of the City Council's adopted strategic plan (available on the City's website or from the Council liaison and lead staff) to ensure consistency.

In addition to each board's ongoing duties, it may from time to time, receive a specific request from the Council. Such requests will be in writing, specifying the exact request of the Council, and such details as the requested completion date.

II. Organization, Officers, and Responsibilities

Organization. The board shall consist of voting and, in some cases, non-voting members, appointed by the Mayor, with the approval of the City Council. Any member may be removed at the pleasure of the City Council. Terms are for two or four years and are generally staggered, to provide continuity. A board shall report to the Council the unexcused absence of any member from three or more consecutive meetings.

Officers. Following the installation of any new board members, a Chair, Vice-Chair, and Secretary shall be elected annually from among the board's membership at the first meeting in February, to serve at the pleasure of the board. Each officer is elected to serve a one-year term, which starts on February 1 of each year and is renewable in subsequent years.

The Vice-Chair shall succeed the Chair if s/he vacates his or her office before the term is completed, and shall serve the unexpired term. A new Vice-Chair shall be elected at the next regular meeting.

In the absence of the Chair and Vice-Chair, any other member shall call the board to order, whereupon a temporary Chair shall be selected from the members present, to preside over that meeting. In the event that an officer cannot serve due to resignation or other reasons, the committee shall select an interim officer to fill the position until the next organizational meeting.

The board Chair or, if there is no Chair, the person who called the meeting to order, will ask for nominations for the office of Chair. Any member of the board may nominate himself/herself or any other member of the board; no second is required. Once nominations are complete, the Chair will close nominations, announce the slate of nominees, and ask for a vote on the nominees in the order of nomination. Each voting member of the board shall have one vote. The nominee receiving votes from a majority of the members in attendance shall be declared the winner. If no member receives a majority, the process shall be repeated, except in the event of a tie between the top two vote-getters, in which case a run-off shall be held. The winner shall assume the office of Chair immediately. Using the same procedure, the new Chair shall secure the election of a Vice Chair and Secretary.

Responsibilities

The responsibilities and powers of board officers shall be as follows:

Chair

- In consultation with staff, determine the agenda.
 - Call special meetings of the board.
 - Preside at all meetings.
 - Fully participate in the board's deliberations.
 - See that all actions of the board are properly taken.
 - Act as parliamentarian, applying and enforcing these protocols and parliamentary procedures.
-
- Sign all documents of the board.
 - Report to the Council, at scheduled times and as needed, on matters of interest.

All process decisions by the chair are final unless overruled by a majority of the board.

As a member of the body, the chair has full rights to participate in dialogue and decision making, and to make and second motions. The chair often strives to be the last to speak during any round, and generally does not make or second a motion unless he or she is convinced that no other member of the body will do so.

Vice Chair

During the absence, disability, or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all responsibilities of the Chair.

Secretary

- Repeat motions prior to a vote.
- Prepare and attest to approved minutes.
- Forward meeting recordings to staff.
- Forward draft minutes to the members and the City Clerk as soon as possible after the meeting.
- Keep track of AB 1234 ethics training requirements and training sessions completed, for each member, and forward those to the City Clerk.

III. Committees

The board may appoint committees of less than a quorum of its members to address specific matters within its purview. In certain instances, a committee may be formed with members of two or more boards, to address issues crossing boundaries of normal responsibilities. Board committees have narrowly defined discretion and shall not stray from the board direction.

IV. Meeting Types

All board meetings shall be held in full compliance with all provisions of the Brown Act (California Government Code, Section 54954.2) the Municipal Code, and Council Policy. At a minimum, this shall include:

- Posting of the agenda a minimum of 72 hours prior to regularly scheduled meetings, with a listing of agenda items in terms adequate to advise the public of the business to be considered. (A catchall for "miscellaneous" or "new business" items is not permissible; new matters raised shall be placed on future agendas.) In the case of special meetings, notice and agenda posting shall occur a minimum of 24 hours prior to the meeting.
- Agenda and packet materials shall be available prior to meetings at a location to be designated by the board and indicated on the posted agenda. Materials presented at

meetings shall also be available to the public in attendance.

- Provision for public comment shall be made at all meetings for items on the agenda as well as matters not on the agenda that are under the purview of the board.
- Open and public meetings shall be the rule; all business of the board is to be conducted at such meetings. Closed sessions may be held only under Brown Act restrictions and upon approval of the city attorney.

Regular Meetings. Regular meetings shall be held at a regular date and time, either once or twice a month. Regular meetings shall also be held at a regular place, generally in Council Chambers or the City Manager's Conference Room. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day or canceled by motion adopted by the board.

In the event it is the wish of the board to adjourn its meeting to a certain hour on another day, a specific date, time and place shall be set by the board, as part of the motion to adjourn.

If unable to attend a meeting, members should announce their upcoming absence prior to the adjournment of the prior meeting. If they become aware of their inability to attend after that, they should notify the Secretary immediately.

Meetings may be cancelled by the chair due to a lack of business, or if the Chair determines a quorum will not be met. Such cancellations shall be posted.

Special Meetings. Special meetings for the purpose of conducting study sessions or workshops, or for other purposes, may be held at any time upon the call of the Chair, a majority of the voting members of the board, or the City Council, following notice as required by law. The time and place of the special meeting shall be determined by the convening authority.

Meetings of Individual Members with Applicants or the Public. Meetings and other communication between a board member and members of the public interested in the outcome of an agenda item can be a valuable method for the board member to determine what decision will be best for the community. The board member should share useful information with the full board in open session.

When the board is acting on a given item in a quasi-judicial capacity, the member shall report on any such *ex parte* communications at the beginning of the meeting at which the item is considered (see *Meeting Rules and Procedures*).

Agendas and Posting. The agenda for each meeting of the board shall be prepared by the Secretary or staff, and approved by the Chair. The number of items to be considered on each agenda will be determined based on the nature and complexities of the items and what can reasonably be considered in the two or three hours set for the meeting.

The agendas for all regular and special meetings shall be posted at the Library, the outdoor display cabinet at the City Hall, and on the City's web site. In addition, if the meeting is held somewhere other than at City Hall, the agenda shall be posted at that facility, in a location that is accessible by the public for a full 72 hours prior to a regular meeting, or a full 24 hours prior to a special meeting.

Any item within the board's purview may be placed on a future agenda when requested by a board member through the Chair. (An exception to this rule is reconsideration of a decision; see *Meeting Rules*

and Procedures.)

Conduct of Meetings. Board meetings shall follow the meeting rules and procedures approved by the Council and provided in *Meeting Rules and Procedures*.

Recordings. Meetings shall be recorded on an audio tape or digital audio recorder, and kept by the Secretary or designee. The recording is to be erased after one year or upon approval of the minutes, whichever comes second.

Minutes. Minutes shall be kept, are to be limited to a report of actions taken at the meeting, and shall note either consensus or a record of the vote on items. The draft minutes of all meetings shall be forwarded to the members and the City Clerk, so they can be included in the packets of the next available City Council meeting. Approved minutes shall be signed by the Chair and filed with the City Clerk.

Matters Needing the Attention of Others. Each board shall ensure that the Council or staff is notified promptly of matters needing the attention of Council, staff, or another board. Such matters can be noted clearly in the minutes, carried forward by staff, forwarded to the City Manager by the Council liaison, or presented to the Council by a member of the board at the next available Council meeting. If the matter needs prompt Council action, then the chair of the board shall ensure that the City Clerk is notified as soon as possible, to ensure the matter is agendaized and any additional necessary analysis can be undertaken.

Ethics. Each member of a board is a representative of the City and the board on which he or she serves. Each member has a duty to represent the City to the best of his or her ability, and to take those actions that the member believes are for the benefit of the City as a whole.

Each member shall take the required AB 1234 ethics training at least biannually and notify the Secretary upon completion. Each member shall adhere to the standards of ethics established by the City Council and file with the City Clerk on a timely basis all appropriate FPPC reports.

Annual Report. Each board shall forward to the Council, prior to January 1 of each year, a report on matters of interest. Such reports are not to repeat what is contained in the meeting minutes, but address those matters and suggestions that are designed to assist the Council and to improve the effectiveness of the board or the system of advisory boards in future years.

Adoption and Amendment of Board-Specific Protocols. A board may adopt board-specific protocols consistent with these standards. They shall be adopted and amended by a majority vote of the members present and voting, shall be reviewed annually by the board, and may be suspended at any meeting of the board by a majority vote of the members present and voting.



City of Pacific Grove Successful Board and Commission Decision Making

The Challenge. We are used to making decisions in our personal lives. Most of us are used to working in a hierarchical organization, in which unity of command ensures all understand who makes the decisions. We are also used to voting in a representative democracy, in which our vote is symbolically important, but has very little chance of making the difference.

Decision making in a small board or commission requires an entirely different set of skills and norms than does decision making in all of these other situations. In order to do that effectively, all members of a given board or commission will need to ensure they have developed and practiced those skills and norms.

Meeting the Challenge. High-quality decision making is the primary means by which small groups in a knowledge-intensive field can move towards its goals. Research shows that, under the right conditions, small groups can consistently make sound decisions, even better decisions than the most-capable individuals in them would make on their own.ⁱ Decisions should be made in good faith and only after receiving all input and completing due deliberation. “Coming together” can result when the board or commission members share the facts, take the time to understand each other’s perspective, and utilize an agreed-upon joint reasoning process.

To make the consistently wise decisions of which it is capable, the board or commission members will need to create and continue to meet five basic conditionsⁱⁱ:

- ❖ **Diversity**—bringing the greatest possible variety in the levels and types of knowledge, experiences, contacts in the constituency, and perspectives;
- ❖ **Collaborative norms**—adopting and adhering to norms that stimulate its members’ creativity and intuition, and aggregate their knowledge in beneficial ways;
- ❖ **Reasoned analysis guided by informed intuition** —using sound techniques to define and understand a problem, develop a broad range of alternative solutions, determine the pros and cons for each alternative, and select the best alternative or alternative mix;
- ❖ **Blended interdependence and autonomy**— taking advantage of the individual experiences and expertise of every member, while ensuring that each member makes up his or her mind independently;
- ❖ **Mutual gain**—making decisions that best serve the entire constituency’s common interests.

To achieve and sustain these five conditions, and thereby produce the high-quality decisions that the City deserves, requires spending effort not only on *what* to decide (the

content), but *how* to decide (the process). It is useful to examine in turn key practices vital to a small group's ability to meet each condition.

Further explanation of these five factors for the success of small group decision making is provided below.

Diversity

A mix of perspectives—small groups should, to the extent possible, reflect the diversity of knowledge and experience available. Research shows that five may be the optimum-sized small group for most situations, for several reasons:

- ❖ Five is about the maximum number of members that still allows every member to fully participate in the dialogue or discussion and find enjoyment in it;ⁱⁱⁱ
- ❖ There are enough members to represent virtually all major perspectives on most issues;
- ❖ Each person can develop an appreciation and understanding of the other four members' perspective, tendencies, and style;
- ❖ All members can develop trust in each other and in the group;^{iv}
- ❖ A five-member group is large enough so that members can usually find others with whom to cooperate in the achievement of their respective objectives.^v

Reach out and listen to citizens and other stakeholders on an ongoing basis—the small group needs to constantly solicit input from other staff and recruit perspectives that otherwise would not be heard. Building these links can help keep the City's constituencies from becoming fragmented,^{vi} mend previous fractures, and ensure that all perspectives have been taken into consideration. Take advantage of as much knowledge as possible, seeking information and counsel from outside sources. Routinely find out what others have tried in addressing similar problems, as well as the level of success they have had.

Surveys and polls are expensive, but can be extremely helpful. Holding town hall meetings can also provide an effective way to garner a sense of public views.

Collaborative norms

Collaborative norms are practical guidelines for productive group meetings when decision-making responsibilities are shared. To be effective, small groups require mutual trust and respect, both of which are built over time, reinforced by interactions based on such principles as the "platinum rule" and actions that match our words. As with individual virtue, group excellence is developed by reinforcing good habits and learning from our mistakes.

Be hard on the issue and easy on the person. Practice empathy and respect. Each member can assertively seek to persuade the other members while also being empathetic with their perspectives. Empathy requires only the willingness to view the issue from the other person's perspective, to stand in his (or her) shoes. A useful technique is to occasionally require that members argue each other's position on an issue. It sounds like

a time luxury we don't generally have; it often ends up, however, saving time, as it rapidly advances members' overall understanding of an issue.

Everyone participates enough, but no one dominates—some group members love to talk, have much they wish to share, and prefer to frame the discussion by being the first to speak. Others make up their minds more slowly, are naturally quiet, and usually want to wait and hear what others have to say before sharing their views. Both extremes pose equal risks to small group success. Therefore, it is important to vary the order of when people speak, letting those who are uncertain and not as far in their thought process, speak first. They are more likely to ask questions and identify uncertainties. This helps ensure the group doesn't go far down one road, not realizing until much later that it is headed towards a dead end, and must then back up to get it right.

The chair can help ensure that presentations are short and to the point, and that contributions of all members are valued equally. Make sure the room is conducive to creative and free-flowing discussion and meeting aids such as flip charts or white boards are readily available. The table should not focus attention on one person, but all members equally. Move empty chairs out of the way, as they are energy sinks and send a message of separation, not group integrity.

Don't stifle positive dissent; ensure all perspectives have been heard and, even more importantly, considered—There is often great real and perceived pressure on the small group as a whole or on individual members to make a decision quickly, to avoid “analysis to paralysis.” It is certainly important that decisions be made on a timely basis, even if there is no crisis. The small group's decision, however, has little chance of being sustainable if all perspectives have not been considered and incorporated into the recommended approach.

Don't end the dialogue too soon—Insights and understanding do not come according to a pre-set schedule. Just as with brainstorming, it is often after the first round of contributions is over when the true insights appear. As we said on the ranch where I once worked, “A chicken doesn't stop scratching just because worms are scarce.” An experienced chair or facilitator can often sense when to wait, letting members extend their thoughts, before closing off discussion.

Reasoned analysis guided by informed intuition

Look where you want to go, not where you are going. Bicyclists know that if they focus on a pinecone or rock in the road, they are likely to hit it. Instead, they look beside it, where they need to ride. So too, with small groups. Keep the agreed-upon vision for the City on the wall, visible to all. Make sure the discussion of every issue moves you toward, not away from, the achievement of your vision.

Dig deep to surface the real problem to be solved or opportunity to be addressed—an issue as it is first raised may in fact not be the true problem deserving of attention. As humans, when confronted with an apparent problem, most of us will tend to immediately jump to solutions. Highly functioning small groups, however, take a few minutes to

ensure they identify and truly understand the real problem that needs attention, and look at it from the perspective of each of the constituency's interests. Asking "Why?" several times in succession often helps a small group drill down to the real problem.

Use emotions and intuition productively—Many counsel that emotions have no place in decision making. Not true. Our emotions are often based on an entire lifetime of experiences, much of which can be very relevant. By ignoring our emotions, we waste much of what we have learned from those experiences. The problem arises when we let those emotions get in the way of the process, rather than contribute to wiser decisions.

Diverge first; then converge—once the small group has identified the real problem, it should next brainstorm or otherwise elicit a range of alternative solutions. If you would get three different bids for a paving contract as a matter of course, why not analyze at least three different options for solving other problems you face?^{vii} Discussion of each option opens up people's thinking and increases the likelihood that the small group will implement a solution that truly addresses the problem or opportunity. Only once a set of strong options has been identified, should the small group start winnowing down to those actions best able to satisfactorily address the issue at hand^{viii}.

Analyze options simultaneously, not sequentially. Many small groups fall into the trap of discussing one option at a time, deciding whether to accept or reject it. This often means that the small group selects the first reasonable-sounding alternative presented, not the best alternative. Instead, wise small groups recognize that decision making is choosing between alternative courses of action. They consider the pros and cons of the leading set of alternatives simultaneously, which allows them to select the one alternative (or mix of alternatives) that best meets the constituency's interests.

A great technique here is posting one flip chart page for each option, and listing in two columns, the pros and cons for that option. This "+/- T chart" creates an analysis, combining everyone's ideas in a way that is visible to all, that may help the best option become readily apparent. (In addition, by using the flip charts, everyone is focused on the creative process, rather than also trying to take their own notes.) It also helps to upload photos of each chart into a folder on a shared drive, so that all members can refer to the analysis and, for example, re-examine it if problems arise later with the selected option.

Conduct two or more sessions—Contentious issues should be considered over at least two meetings. This ensures all information that is elicited can be included in the analysis, which often will require research between the meetings. Both meetings do not need to be at the small group level. Even better is for the small group to not address a contentious issue until it has first been addressed by a committee, a task force, or another group taking public input, as long as this group operates its meetings by these same principles.

Blended interdependence and autonomy

Some decisions can be based on the hard evidence. Others, however, require a judgment call. The best small group judgment calls take advantage of the individual experiences

and expertise of every member, while ensuring that each member makes up his or her mind independently.

Separate facts and opinions in time—Sharing information helps each individual in the group make a better decision. Sharing opinions too early in the process, however, can inhibit members from making their own judgment. After hearing the basic issue to be addressed, the small group should first ask any and all questions, ensure the full set of facts are in the open, available for all members to consider, before beginning their deliberations. Even then, initial deliberations should conduct reasoned analysis before sharing their opinions. As Colin Powell instructed his subordinates, “Tell me what you know. Then tell me what you don’t know. And only then can you tell me what you think. Always keep the three separated.”

Resist the illusion of unanimity—Powerful pressures arise in any cohesive group when a non-member voices objections to the group’s direction. These pressures tend to bolster morale and cohesiveness at the expense of critical thinking, and can result in “groupthink,” the mode of thinking that makes concurrence so important that it overrides a realistic appraisal of the options.^{ix} As Alfred P. Sloan noted, when we are all in agreement on a decision we should probably take the time to talk to others in order to gain an understanding of what the decision is really all about. Different backgrounds and different knowledge bases lead to different perspectives, which lead to different understandings of the problem, which then lead to very different solutions. In support of this, every member should be willing to play the devil’s advocate.^x

Make simultaneous individual decisions—one of the paradoxes of a sound group process is that, in making their individual decisions, members should not be initially concerned about what the group decision will be. Each member must make up his or her own mind, based on all of the information that has been developed and analyses that have been conducted. The entire group conducts the analysis; each member makes the decision.

In those cases where no one has any greater expertise than anyone else does—such as deciding on what day to hold a major event—it is best if members do not even know each other’s preferences before deciding on their own. Every member must be willing to keep his or her mind open until the very end, or even change it as many times as it takes to get it right.

For most boards and other small groups, some decisions should be made by consensus and others by voting. The challenge is knowing when to use which.

Consensus means reaching a decision that all members can actively support, even if the chosen option was not their preferred choice. Thus, each member needs to be able to recognize that, given the needs of the City and the differing perspectives represented on the board, he or she agrees that this is the best choice at this time. Consensus may require full discussion, but it assumes that members are prepared to cooperate. When trying to achieve consensus, the people at the meeting discuss each topic until the chair believes that all are in agreement. If the members have one purpose, plenty of time, and a shared

goal of cooperation, consensus works very well. Consensus tends to yield greater solidarity around the final choice. Although it may take more time to reach a decision, earnestly laboring for clarity and agreement through the consensus process very often results in profound leaps of commitment and group growth.

However, if the board consists of very busy people with strong opinions and varied interests, if the issue under discussion is complex and of many facets, you will probably find that most members will want to make decisions by voting.

Be flexible. Flexibility isn't a weakness; changing your mind isn't giving in or losing. Instead, it is an acknowledgement that, in a complex world with many different perspectives, our community has a multiplicity of interests to be balanced and, as we learn more about these interests, we may come to agree that another way of achieving those interests may be more effective or more acceptable.

If there is an instance in which you have to vote, don't count votes; weigh views—the normal process of up-or-down voting elicits very little information. It does not tell us how strongly each small group member may support or oppose a given alternative. Instead, each member can indicate the strength of support (or opposition) he or she has for each option being considered by rating all options rather than just selecting the apparently preferred option. Members can vote by rating the level of support for the alternative, using a scale of 1 to 10 (or 1 to 100, or A through F, etc.)^{xi}. Options not rated highly by any member can be eliminated, allowing the discussion to focus on just those presenting the dilemma.

The confidence each member has in the alternative, based on the degree of knowledge, expertise, and insight that has been brought to bear, determines the weight that vote should carry. If the preferred option garners only weak support, and strong reservations, the entire matter needs further consideration. Ask two questions: Can everyone support this decision (or course of action)? Is there anyone who cannot? Ensure everyone answers; don't assume that silence means assent.

Mutual Gain

Seek what is best for the entire community. Members have a duty to maintain undivided loyalty to the entire community, in order to further Pacific Grove's overall interests, not just a part of it.

Within that, the small group should select the course of action that its reasoned analysis and dialogue has indicated will provide the greatest net benefit for the entire constituency over the long term. This may be what a clear majority of citizens want, but not always.

Create winners, not losers—all too often, majority rule means the winners take all and the losers get nothing. That is seldom the best decision for a City of such diverse interests and perspectives. Optimally, the costs of a decision should be borne proportionately to the gain. People generally do not make decisions that are best for the overall City, when they receive the benefits but others bear the costs of those decisions.

Most citizens will accept—and even support—a decision they don’t agree with, as long as they know that their perspectives and concerns were heard and considered (as discussed above). Ensure program staff and interested constituency members understand the logic used in making the decision. Detail the criteria. Share how each person’s and each interested group’s perspective helped shape the decision. If appropriate, develop “findings” and make them available.

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- ⁱ Much of the research is becoming readily available on the internet. See, for example: <http://search.rand.org/>; or <http://welch.som.yale.edu/cascades/>
- ⁱⁱ See: Surowiecki, James, *The Wisdom of Crowds: Why the Many Are Smarter than the Few and How Collective Wisdom Shapes Business, Economies, Societies, and Nations*, New York: Doubleday, 2004 and at <http://www.randomhouse.com/features/wisdomofcrowds/Q&A.html>; Susskind, Lawrence E. and Jeffrey L. Cruikshank, *Breaking Robert’s Rules: The New Way to Run Your Meeting, Build Consensus, and Get Results*, Oxford: Oxford University Press, 2006; Buchanan, J. M. and Tullock, G., *The Calculus of Consent: Logical Foundations of Constitutional Democracy*, Ann Arbor, MI: University of Michigan Press, 1962; Axelrod, Robert, *The Evolution of Cooperation*, New York: BasicBooks, 1984.; Panel on the Nonprofit Sector, *Principles for Good Governance and Ethical Practice: a Guide for Charities and Foundations*, Convened by Independent Sector, Washington, D.C., October, 2007, <http://www.nonprofitpanel.org/report/principles/> Principles_Guide.pdf, principles 9-11.
- ⁱⁱⁱ Macionis, John J., *Society: The Basics* (10th Edition) New York: Prentice Hall, MySocLab Series, 2008, p. 107
- ^{iv} Begley, Sharon, “Critical Thinking: Part Skill, Part Mindset and Totally Up to You,” *Wall Street Journal*, October 20, 2006, p. B1.
- ^v Axelrod, Robert, *The Evolution of Cooperation*.
- ^{vi} Buchanan, Mark, *Nexus: Small Worlds and the Groundbreaking Theory of Networks*, New York: W. W. Norton & Company, 2002, p. 37.
- ^{vii} Martirosian, Jasmine, *Decision Making in Communities: Why Groups of Smart People Sometimes Make Bad Decisions*, Alexandria, VA: Community Associations Press, 2001, p. 81.
- ^{viii} Fisher & Ury, *Getting to Yes: Negotiating Agreement without Giving in*, Boston: Houghton Mifflin Company, 1981, pp. 3-14, 41-52.
- ^{ix} Janis, Irving, *Groupthink: Psychological Studies of Policy Decisions and Fiascoes*, Boston: Houghton Mifflin Company, 1982.
- ^x De Bono, Edward, *Six Thinking Hats*, Boston: Little, Brown and Company, 1985.
- ^{xi} Poundstone, William, *Gaming the Vote: Why Elections Aren’t Fair (and What We Can Do about It)*, New York: Hill and Wang, 2008, pp. 231-249.



City of Pacific Grove Board and Commission Meeting Guidelines and Procedures

The best board meetings are an appropriate mixture of formality and informality, process and substance. Too much structure can prevent effective decision-making; too little structure enables those who do not agree with the majority to stifle progress. In order to strike the right balance, Pacific Grove boards and commissions use simplified rules of parliamentary procedures for conducting their meetings.



Parliamentary procedures are the body of commonly accepted rules, and customs governing meetings and other operations of deliberative assemblies. Such groups follow parliamentary procedure to deliberate and reach group decisions with the least possible friction.

Fundamentally, parliamentary procedures assist groups effectively meet and make decisions in a fair and consistent manner—and make good use of everyone's time. The procedures provide a mechanism whereby: 1) only one subject may rightfully claim group attention at one time; 2) every proposal properly presented for consideration is due a free and full deliberation; and 3) the will of the majority is determined in orderly procedure, while preserving the rights of the minority. The guidelines provided in the next few pages have been developed and tested over time. They work best when they become second nature.

Many new members might initially assume that a City board or commission must operate under *Robert's Rules of Order*¹. The City Code requires the City Council to adhere to Robert's Rules (PGMC §2.04.010) but is silent as to boards and commissions. As a result, we use a simpler set of procedures, featuring group-friendly norms. These norms allow the use of well-accepted meeting facilitation tools that enable all members of the board or commission to engage in a more productive dialogue to address constituency problems and opportunities. Boards and commissions benefit from a shared sense of inquiry, trust, empathy, and collaboration, which are often inhibited by the use of rigid rules.

Parliamentary procedures should assist a board in being successful; never get in the way of success. To the extent that meeting facilitation techniques (detailed in several documents, see the list of sources, at the end) can augment or supplant rules, the board benefits. More formal use of these guidelines is appropriate for items with greater importance, greater legal strictures, and greater conflict.

Boards and commissions (hereinafter referred to as “boards”), and their committees, shall adhere to these guidelines and procedures for notice, conduct of meetings, reporting to the Council, and other matters, to the end that all deliberations are conducted and actions taken openly, that the public is well informed in a timely manner, and that the work is performed for the entire community's benefit.

The failure of a board or its committees to conform to these guidelines shall not in any instance invalidate the action taken.

I. Quorum

A quorum shall consist of a majority of the board's voting member positions. On a 5-member board, the quorum is 3; on a 7-member board, the quorum is 4. There is no meeting when a quorum is not present. Either an ex-officio member or a vacancy reduces the number of voting member positions.

II. Order of Business

The order of items shall be based on the complexity and importance of the items. Generally, the order of business shall be as follows:

1. **Call to Order.** The presiding officer shall take the chair at the hour appointed for the meeting and call the meeting to order. Members present and absent shall be recorded; the Secretary shall announce if a quorum has not been achieved.

2. **Approval of Agenda.** Items to be continued, withdrawn, or reordered.

3. Public Comment

a. **Written communications.** Receive written correspondence related to a matter within the board's purview not but on that meeting's agenda. Such communications have been included or listed in the agenda packet or, if received after the distribution of the packet, placed at the members' positions. Note: correspondence from members of the public relative to an item on that meeting's agenda are noted during the board's consideration of that item.

b. **Oral communications.** Receive oral input from members of the public on any item within the board's purview but not on that meeting's agenda. Comments are generally limited to three minutes and will not receive board action. Note: comments from members of the public relative to an item on that meeting's agenda are normally taken during the board's consideration of that item. However, the chair may accept public comment at the beginning of the meeting on items on the agenda, in the case of schedule conflicts, site visits, or other appropriate reasons.

4. Member and Staff Announcements

a. **Attendance at meetings with relevance to the board**

b. **Ex Parte Meetings and Communications.** It is the responsibility of each member of a decision-making or advisory body to be as well informed as is feasible on matters that are to be addressed by the body. If a member of a decision-making or advisory body is contacted by a member of the public on such a matter, and provided information that is germane in developing his or her position on an issue, that information is also of value to other members of the body and should be shared.

If the issue is quasi-judicial ("adjudicative"), members should seek to avoid receiving any such information outside of the meeting. Quasi-judicial matters are applications and hearings that determine rights or obligations of named individuals or of specific

property, such as requests for variances, appeals, and similar matters. These matters require a decision based upon notice and a hearing record. If a member does receive a communication on a pending quasi-judicial matter, the member shall announce such *ex parte* communication at the beginning of the body's consideration of the item and shall share the information received with the other members. Copies of the communications, including but not limited to electronically transmitted communications such as email, email attachments, and facsimile transmissions, shall be included in the public record.

b. Consent Agenda

- a. **Approval of Minutes of Prior Meetings.** As a general rule, the minutes of one meeting should be available for approval at the start of the next meeting. This helps every member be fully up to speed on the board's actions, whether they attended the prior meeting or not. It also helps get people's minds in gear.
- b. **Other routine and non-controversial items**, including receiving the minutes of other bodies.

Any member of the board or public has the right to pull an item from the Consent Agenda. If an item pulled from the Consent Agenda can be handled quickly, it can be addressed immediately following approval of the remaining Consent Agenda items. If the item now appears to be controversial or otherwise time consuming, then it often best addressed later in the meeting, in its correct spot on the Regular Agenda.

c. Regular Agenda

- a. Public Hearings
- b. Unfinished Business
- c. New Business
- d. Reports from Subcommittees

- d. **Adjournment.** The Secretary shall announce the date and time of the next meeting. It is helpful if any member who will be unable to attend announces that now.

Depending on the board, meetings should be scheduled to last either two or three hours. As a convenience to members and the public, meetings shall generally be kept within the scheduled time limits.

The board will not normally consider any new items after a set time, to be determined by the board. Affirmative vote on a motion to extend the meeting is required. Any items remaining on the agenda shall be continued to either the next regular meeting or a special meeting, at the discretion of the board.

III. Adding an Item to the Published Agenda

Items not included on the posted agenda may be considered only if they fall within any of the below exceptions:

- In advance of the meeting—by creating an amended agenda, circulating the agenda and item to the board members, and posting all materials on the City's website at least 72 hours prior to the meeting.

- At the meeting—there are two possibilities. First, when a majority of the members decides an emergency exists; an emergency includes a work stoppage, crippling disaster, or any other activity that impairs public health and safety. Second, when two-thirds of the members present and voting (or, if less than two-thirds of the members are present, a unanimous vote of those members present) decide that there is a need for immediate action that cannot reasonably wait until the next regularly scheduled meeting and the matter came to attention only after the agenda had been posted².

If an item does not fall within one of these exceptions it may not be discussed and acted upon, but may be added to a subsequent agenda.

IV. The Process for Consideration and Action on an Agenda Item

The agenda constitutes the body's agreed-upon road map for the meeting. Most regular agenda items can be handled by the board and chair in the following 4-phase process. Reasonable variations are acceptable; on simple items, several steps are often combined.

A. Presenting Item

1. **Opening Item.** The chair should clearly announce the agenda item number and should state what the subject is. The chair should then announce any special procedures to be followed (e.g., if the item is a public hearing.) This is also when any member would announce his or her recusal, if a conflict of interest exists, and leave the room.

2. **Receiving Report.** Following that announced procedure, the chair should invite the appropriate people to report on the item, including any recommendations they might have. The appropriate person may be a member of the governing body, staff, or the chair of a committee that was charged with examining the matter in depth prior to its consideration by the board. Verbal presentations should be short, so as to not repeat the basic information that should have been included in the agenda packet. (By including all key information in the packet, members of the commission and the public can be informed about the item before the meeting, and have already requested any additional information they desire.) The prepared information should include the purpose of the item, all needed background information, options considered, the results of any analysis, and the recommended action, if any.

B. Taking Public Input. The chair should open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the total amount of time available for public comment in order to ensure all items set for consideration may be heard at that meeting. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed). A challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The chair should not allow any person to go over the limit, stray from the topic, or become disrespectful or abusive.

C. Considering—the chair then brings the matter to the board for a collaborative, less formal deliberation.

1. **Developing a Common Knowledge Base and Understanding.** The chair should ask members of the body if they have any questions of the person(s) making the report or others with knowledge relevant to the issue. Questions should go through the chair.

2. **Identifying Options.** The chair should invite members to identify all alternative solutions to the questions and issues at hand. It is important to get all options on the table early in the deliberations, so they can be addressed simultaneously, not sequentially.
3. **Deliberating.** Once the options have been identified, unless the path forward is clear to all, the chair should ensure that the board undertakes deliberations that analyze all the options in full. As we do not follow Roberts' Rules, but instead more collaborative norms, the chair has great flexibility in how this is to be conducted. Initial discussion should focus on identifying all relevant facts, ensuring the full range of alternatives has been identified, and inquiry, not advocacy. An analysis of the advantages and disadvantages of all identified alternatives should be undertaken. This can often be facilitated by the creation of a visual record, such as a separate flip chart for each alternative, with separate space for the pros and cons. Time committed to this step should be adequate to allow the sense of the commission to emerge.

D. Deciding—the matter stays at the board, but more formality is introduced.

1. **Motion and Second.** The chair should then invite a motion from the members. When a motion is made, the chair should ask for or accept a second. If there is no member willing to second, the motion would stand little chance of passage. If no other motion is offered, the board is probably not ready to make a decision. Thus, the chair should ask the members what additional information needs to be presented, or what other steps need to be undertaken, for them to be ready.
2. **Discussing the Motion's Merits.** Once a motion is made and seconded, and the chair believes all members understand the motion, the chair should allow any additional desired discussion. This allows those supporting the motion, and those who may be opposed, to give their reasons. Now is the time for opinion and persuasion; advocacy not inquiry.

Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal or emotional.

3. **Voting.** If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, the Chair should ask the secretary or staff to repeat the motion.
4. **Announcing Action Taken.** Upon the completion of the vote, 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, 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. The board has approved the proposed work plan for the year, with two adjustments."

Public Hearings. For public hearings, there are a few additional guidelines. After receiving the staff report, the Chair opens the public hearing and accepts testimony in the following order:

1. Statement of the applicant and/or his/her agents.
2. Public input on the matter.

The Chair shall then close the public hearing.

The public input portion of the public hearing may be reopened before voting on the item if a new issue is raised. It is not necessary to re-open a public hearing to ask questions of the project applicant. If the public hearing is reopened, all interested parties may be heard, but the chair can limit the input to the new issues and can further limit the time per comment.

Rules of Testimony. No person or member shall address the board without first securing the permission of the Chair to do so. All comments shall be addressed to the board as a whole. All questions shall be placed through the Chair.

Speakers are not required to give their name or address, but it is helpful (though not required) for speakers to state their name in order that the secretary may identify them in the minutes of the meeting.

If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesperson should be encouraged to speak for the entire group. The spokesperson will then have the opportunity of speaking for ten minutes and of presenting a complete case.

To avoid unnecessary cumulative evidence, the Chair may limit the time of testimony to not more than three minutes on a particular issue by each individual. However, an applicant and designated opponent are generally allowed ten minutes of comment and an opportunity to rebut at the end of public comment.

V. 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. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. In the absence of informal facilitation of dialogue, it is best for only one person at a time to have the floor, and it is 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 focus on the item and the policy in question, not on 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 or too emotional.

Getting the floor. Every member desiring to speak shall address the chair and, only upon recognition by the chair, confine contributions to the matter at hand, avoiding all indecorous language and personal attacks.

In general, a member may not interrupt the speaker except 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, “Let's 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; and any other member may make the motion, once recognized.

VI. Motions

Motions are the vehicles for decision making. As indicated above, a motion should be introduced on a matter after general information is shared and options have been identified, but before members share their opinions and seek to persuade.

The chair shall ensure that all motions are clearly stated and commonly understood before allowing deliberations to begin.

The types of motions, and the hierarchy of motions, are described in an accompanying document, *Motions*.

VII. Voting

Voting Requirements. The City Code requires the affirmative vote of a majority of the total members of a board or commission (excluding any non-voting members), on any item, for any action by a board³, unless otherwise provided. In addition, proxy votes for absent members are not allowed.

Disqualification from Voting; Recusal. A board member shall disqualify him/herself from deliberation and voting on any matter before the board, prior to the board's consideration of the matter, when there is a conflict of interest requiring disqualification as a matter of law.

Upon the chair's announcement of an item, the member shall state that he/she is disqualifying him/herself due to a conflict of interest, state the nature of the conflict (e.g., financial), and leave the voting area until the completion of that item. A member may also disqualify him or herself due to personal bias or the appearance of impropriety.

Should the number of members recusing themselves as a result of a conflict of interest disrupt the quorum, the "rule of necessity" allows the random selection of the fewest number of conflicted members to vote as is needed to enable a quorum to participate and reach a decision.⁴

If a member is in doubt as to whether or not a conflict of interest exists, s/he should consult with the City Attorney prior to the meeting.

Abstentions. Abstentions are discouraged; full participation and voting by all members is necessary to represent the diverse interests in the community and contributes to better decisions. A member should abstain from voting only because of lack of participation in an evidentiary proceeding before the board if the member had not had opportunity to review the record on the matter; such member will be recorded as absent for that item.

A member present for consideration of a motion who opposes the motion must vote against it. In the event of an abstention the abstainer in effect, "consents" that a majority of the quorum of the members present may act for him or her. Thus, a member who abstains (for any reason other than lack of opportunity to review the record) is deemed to acquiesce in the action taken by the majority of members who voted.⁵ As an example, on a 5-member board, if the vote is 2 in favor, 1 against, with 1 absence and 1 abstention, the motion is approved, since a quorum was present and a majority of the total membership is judged to have voted in favor.

Voting Methods. When a motion is not likely to be opposed, the chair says, "If there is no objection, ...". The members show their agreement, called "general consent," by their silence. If a member says, "I object," the item is put to a vote. Most votes shall be by voice vote. The chair asks those in favor to say, "Aye," and those opposed to say "No." If the outcome is unclear by voice, a hand vote may be taken. Any member may move for an exact count. In some cases, a roll call vote is required, with each member answering "yes" or "no" as his or her name is called. The order of voting for roll call votes shall be random. Secret ballots are allowed, but not required, only for elections of officers.

Tie votes. Tie votes may be reconsidered during the time permitted by these guidelines on motion by any member of the board voting aye or nay during the original vote. Before a motion is made on the next item on the agenda, any member of the board may make a motion to continue the matter to another date. Any continuance for this purpose suspends the running of any time in which action of the board is required by law. In addition, any member may agendaize a matter that resulted in a tie vote for a subsequent meeting.

Recording of Votes. The minutes of the board's proceedings shall show the vote of each member, including whether they were absent or failed to vote on a matter considered.

Members may change their votes before the next item on the agenda is called. A short recess called immediately after a controversial vote can sometimes help give members time required for reflection and needed second thoughts.

Silence constitutes an affirmative vote. Members who are silent during a voice vote shall have their vote recorded as an affirmative vote, except when individual members have stated in advance that they will not be voting.

VIII. Majority and Super-Majority Votes

Unless a super-majority is required (addressed in the accompanying document, *Motions*), a simple majority determines whether each motion passes or is defeated. 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.

IX. Deciding to Move on

Items may be continued by a board to a continuation (or subsequent) meeting for the following types of reasons:

- The board requires additional information during the meeting.
- New information or issues come to light during the meeting that need further study.
- Other reasons deemed appropriate and substantial by the board.

In addition, a board that has been delegated authority to act on submitted applications (e.g., ARB, NRC, TSC, Planning Commission) may continue an item when:

- The applicant cannot appear at the meeting and has requested that the item be continued.
- The application is revised by the applicant during the meeting.
- The board requests that the application be revised.

X. When Action Is Necessary

Once there is a defeated motion, the chair needs to decide how to proceed, based on the type of issue being addressed, and the reason the motion was defeated. The chair can, for example, facilitate additional fact-finding, analysis of the issue, or dialogue that can lead to a motion able to garner a majority. Before positions become hardened, it is frequently helpful to step back and explore shared interests. Such efforts should be continued until action is achieved or it becomes clear that the body is not likely to become “unstuck.” In most circumstances, the chair should then move the group on to the next agenda item.

In certain circumstances—a permit application, for example—the lack of any action is not acceptable (e.g., an application must ultimately be approved or denied). There are four primary options here:

- ❖ *Continuing the item.* This is often undertaken if one or more members of the body are absent or if new information can be developed. Continuance can also provide the applicant time to consider his/her options, develop a project more likely to receive approval, etc. Continuance is normally undertaken only with the concurrence of the applicant, and generally requires a super majority.

- ❖ *Technically denying the application.* This option is based on the philosophy that, for a project that has been proposed, approval requires a majority of members to vote in favor. Anything less than the required majority is thus considered a denial. One option under “technical denial” is to allow any applicant or other party to appeal the matter (assuming an appeal would otherwise have been available) on the grounds that the matter was “deemed denied.” This option avoids the need for the body to take further action (e.g., if the body is unable to achieve a majority vote to forward the matter to the next higher body).
- ❖ *Denying the application without prejudice.* This option may, in some situations, require at least one member of the body to switch his or her vote, in order to vote to deny for procedural reasons only. Such reasons should be stated in the motion, so the record is clear. It allows the applicant to either: 1) appeal to the next higher body; or 2) resubmit the same project or a modified project reflecting board or City input, without paying fees, waiting a minimum number of months, etc. (such a delay could be for any number of possible reasons, including awaiting turnover on the board). This option is in addition to the provisions exclusively for the Planning Commission detailed in PGMC Section 23.70.080.
- ❖ *Forwarding the matter to the next higher body for a de novo hearing.* This is similar to an appeal, but since it is an action of the body (and therefore takes a majority vote) requires no fees or other action by the applicant. [Note: this option is generally not available for land use issues. Before any board takes such action, staff supporting the board should check with the City Attorney.]

XI. Special Notes about Public Input

The guidelines outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is often wise to apply three general guidelines that apply to each agenda item:

1. Tell the public what the body will be doing.
2. Keep the public informed while the body is doing it.
3. When the body has acted, tell the public what the body did.

Public participation in public meetings is an important element of our community’s decision-making process. One challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

In summary, the guidelines presented here for conducting a meeting are offered as tools for effective meetings and as a means of developing sound public policy. When these guidelines are silent, the chair shall decide all questions of order, subject to appeal by a member. When in doubt, the chair may submit the question to the board, in which case a majority vote shall prevail.

Notes

- ¹ Robert III, Henry M. et al., *Robert's Rules of Order*, 10th Edition, Cambridge, MA: DaCapo Press, 2009, Introduction and Chapter 1.
- ² California Government Code §54954.2(b)
- ³ PGMC §3.02.070 and §3.04.080
- ⁴ Pursuant to the Political Reform Act.
- ⁵ This protocol is based on several California Appellate Court decisions, an opinion of the Attorney General, and common law.

Sources

- Doyle, Michael and David Straus, *How to Make Meetings Work: The New Interaction Method*, New York: Berkley Trade, 1993.
- Institute for Local Government, *An Ounce of Prevention: Best Practices for Making Informed Land Use Decisions*, Sacramento, CA, 2006.
- League of California Cities, *Parliamentary Procedure Basics Relating to League Policy Committees*, Sacramento, CA: League of California Cities, 2006.
- National Association of Parliamentarians, <http://parliamentarians.org/procedure.php>.
- Robert III, Henry M. et al., *Robert's Rules of Order*, 10th Edition, Cambridge, MA: DaCapo Press, 2009.
- Rosenberg, Dave, *Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century*, Sacramento, CA: League of California Cities, 2003.
- Susskind, Lawrence E. and Jeffrey L. Cruikshank, *Breaking Robert's Rules: The New Way to Run Your Meeting, Build Consensus, and Get Results*, Oxford: Oxford University Press, 2006.



City of Pacific Grove
**BOARD AND COMMISSION
MOTIONS**

The chair usually initiates a motion by:

1. Inviting the members to make a motion: "A motion at this time would be in order."
2. Suggesting a motion to the members: "A motion would be in order that we approve and forward to the Council the annual report, as drafted."
3. Making the motion.

Once recognized, a member makes a motion by preceding the member's desired approach with the words: "I move ..." A typical motion might be: "I move that we accept the staff recommendation that..."

A second is not strictly required for most motions within a small group, such as a City board. It is the City's norm, however, primarily since motions follow discussion, rather than preceding it, to require a second for all substantive motions. A second does not require, but normally implies, support for the motion; a motion unable to garner a second is not apt to pass.

Often, a member will prefer a variant of the motion on the floor. He or she can ask the maker and seconder if they are willing to reword their motion. If they agree, the motion is so amended.

If one or both is not amenable to the suggested rewording, a member may propose an amendment or wait until after the vote on the original motion and propose a different motion. Up to three principle motions—the basic motion and two amendments—may be considered at one time:

1. **The basic motion.** The basic motion proposes a decision for consideration. A basic motion might be: "I move that we create a two-member committee to study this matter in depth."
2. **The motion to amend.** A motion to amend proposes to change the basic motion under discussion. A motion to amend might be: "I move that the committee focus on just two options."
3. **The motion to amend an amendment.** A motion to amend an amendment proposes a further change to the motions under discussion. A motion to amend the amendment might be: "I move that one of options for the committee to analyze be reasonable options."

No further motion to address the substance of the matter is in order. (Incidental or privileges motions, which deal with procedural issues, may still be raised.) Each motion is subject to deliberation.

Motions to amend or to amend an amendment are at times labeled a "substitute

motion.” Whether considered as an amendment or a substitute, they are handled exactly the same.

When Multiple Motions Are before the Board

When two or three substantive motions are on the floor (with each having been seconded) at the same time, the *first* vote resolves the *last* motion made. If the amendments deal with alternative approaches to the same question, and a majority votes to approve the third motion, the remaining motions are then moot, and action on the agenda item would be complete. If the third motion *fails*, the chair then proceeds to consider the second motion.

If an amendment deals with a different aspect of the same matter (as in the examples above), then the motions would be considered in turn, in reverse order (second amendment, first amendment and original motion).

Limits to Deliberation

While the basic rule of motions is that they are subject to discussion and debate, some exceptions limit debate on a motion. Examples of motions that are *not* debatable include:

- **A motion to adjourn.** This motion, if passed by simple majority, requires the body to immediately adjourn to its next regularly scheduled meeting.
- **A motion to recess.** This motion, if passed by simple majority, requires the body to immediately take a recess for the time set by the chair.
- **A motion to fix the time to adjourn.** This motion, if passed by simple majority, requires the body to adjourn the meeting at the specific time set in the motion.
- **A motion to table.** This motion, if passed by simple majority, places the matter on “hold” and ends discussion of the item. The motion may state a specific time when the item shall return on the agenda, but it need not.

When these, or other incidental or privileges motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion.

Most motions require a simple majority; but a few exceptions apply when the body limits a minority from acting on or discussing an item. These motions require a two-thirds majority to pass:

- **Motion to close nominations.** A motion to close nominations limits the right of a minority to nominate officers.
- **Motion to suspend rules.** This motion is debatable, but requires a two-thirds vote to pass.

Division of a Motion

If a motion contains two or more divisible propositions, each of which is capable of standing as a complete proposition, the chair may, and upon request of a member shall, divide the same. The chair’s determination shall be appealable by any member.

Withdrawal of a Motion

A motion may be withdrawn by the maker at any time prior to the vote, without the consent of the member seconding it. Any other member may choose to make the same motion.

The Motion to Reconsider

A motion to reconsider any action taken by the board may be made only during the meeting, at an adjourned meeting, or at the next meeting of the board following the meeting at which the action was taken. A motion to reconsider requires a second, is debatable, and is not amendable. The motion must be made by one of the prevailing side, but may be seconded by any member. A motion to reconsider shall have precedence over all other motions, or while a member has the floor, providing that no vested rights are impaired.

The purpose of reconsideration is to bring back the matter for review. If a motion to reconsider fails, it may not itself be reconsidered. Reconsideration may not be moved more than once on the same motion. If the motion to reconsider passes, the original matter is back before the body. A new original motion is in order. The matter may be discussed, debated, and amended as if it were on the floor for the first time.

Nothing herein shall be construed to prevent any member from making a motion to rescind such action at a subsequent meeting of the board, provided the agenda for that meeting includes the proposed action to rescind.



City of Pacific Grove
**Recommended Procedures for Resolving a
Disturbance at a Board, Commission, or Committee Meeting**

Issues addressed by boards and commissions can be emotion-laden and contentious. An effective chair can, in most cases, ensure that decorum is maintained, by wise use of the available tools, including:

- ❖ Adoption and consistent use of the parliamentary rules provided in *Meeting Guidelines and Procedures*;
- ❖ Development of the collaborative norms provided in *Successful Board and Commission Decision Making*;
- ❖ Increasing the degree of formality and structure for matters more likely to lead to a loss of decorum; and
- ❖ Immediate and decisive action when these rules and norms are not adhered to, as when a speaker engages in verbal attacks of another person's motives, comments, or actions;

There may be times, however, when even the most experienced and effective chair cannot prevent the meeting from getting out of hand, due to the actions of one or more individuals. In such situations, the following steps should be followed:

First Occurrence

Chair: States required standard of decorum

Asks offending person(s) to adhere to the standard at all times, and ensures a positive response. If the person(s) do not respond positively, states that this is the standard required of all persons present; this is not optional standard.

Second Occurrence (or continuation)

Chair: Reminds offending person(s) that s/he has been: 1) informed of the required decorum; and 2) asked to adhere. Warns person(s) that, if such behavior continues, the Chair will request the Council Liaison/Staff/Vice-Chair to take all appropriate actions, including calling the Police (9-1-1).

Third Occurrence (or continuation)

A. If presence of individual(s) alone is not disruptive.

Council Liaison/Staff/Vice-Chair: Informs offending person(s) that he or she may remain in the chambers only if s/he does not speak or otherwise act. Any overt conduct will result in his/her removal by Police. The individual must acknowledge and agree to this requirement. If there is no agreement, proceed to B, below.

B. If continued presence of individual(s) is disruptive.

Council Liaison/Staff/Vice-Chair addresses individual:

Sir/Madam - You have a right to express your beliefs, but your actions and conduct are substantially and unlawfully interfering with this public meeting. You have been warned [two] times by this Chair. You have been asked to stop. You are warned that the Police will be contacted if you continue your actions.

I must inform you that willful disturbance of this meeting is a basis for criminal prosecution under Penal Code § 403. I must further inform you that threats or intimidation that willfully hinders this assembly is a basis for criminal prosecution under Elections Code § 18340.

Option A (allowed to stay). Your continued presence in this chamber will be disruptive if you make sounds or demonstrate other behavior. Do you agree to cease and desist making any and all disruptive sounds or behaviors during this meeting?

Yes or No? [Please state your name for the record.]

Any conduct or action by you other than observing these proceedings shall result in your removal.

Option B (immediate expulsion). Your continued presence in this chamber is disruptive. If must leave immediately. If you do not leave, this meeting will be temporarily disrupted and adjourned. Your presence constitutes a continuing threat. Your decision to remain in this chamber is an act of intimidation. It will hinder this assembly.

For these reasons, I am now required to request law enforcement intervention.

Chair: Calls 10-minute recess

Note: if, at any point in this process, any member of the board (as well as staff or the Council liaison) is concerned about the personal safety of himself or any other member, he or she should state a pre-arranged key word or phrase, all members should immediately arise and leave the room, and someone should call 9-1-1.

Timeless Tips for Civil Discourse

As a community, Pacific Grove can sometimes seem, polarized. At these times, few seem willing to talk across the divide. Both parties shout across the moat—"If you would just stop yelling and listen, you'd learn why I'm right." Of course, when both parties think that, no learning and no agreement can take place.

"Many argue; not many converse."—Louisa May Alcott

Free and open political discussions will always help make Pacific Grove strong. There is a value in facing differences. Good dialogue becomes the fire that tests the metal of our convictions and the depth of our understanding. We can't truly grasp a truth until we have explained and contested it. Constructive debates that involve strong opinions and heartfelt convictions are not then to be avoided; they are to be harnessed in a way that risks influence without demonizing our adversaries.

"The test of courage comes when we are in the minority. The test of tolerance comes when we are in the majority." —Ralph Stockman

Rest assured that the differences that face us are not going away. In a strange way, the truths that sustain our City are somehow best experienced by partaking in the healthy tension differences create. In a free society, finding clarity is often as important as convincing others. Americans reap the blessings of the freedoms we have; we need to undergo the fatigue and the work of sustaining them. As we sit down to tackle some of our tougher issues, it may be wise to try to establish a few ground rules for *talking with* instead of just *talking at* those with whom we disagree.

"I have always believed that a lot of the troubles in the world would disappear if we were talking to each other instead of about each other." —Ronald Reagan

Here are twelve tips on how to disagree without being disagreeable:

1. Manners are the lubricating oil of good political discussions. Never underestimate the power of a ready smile, simple courtesy, and civility. Your courtesy may not be remembered or returned, but discourtesy will never be forgotten.

"When you shoot an arrow of truth, dip its point in honey." —Arab proverb

2. Show empathy and tolerance for differences. Tolerance and empathy do not require approval or agreement—they do require a cordial and positive attempt to understand another's feelings, beliefs, and positions. If you're doing all the talking, you are probably boring somebody. To lead others to your side on any issue it helps to see the road they must travel through *their eyes, not your own*.

"When you want to convert someone to your view, you go over to where he is standing, take him by the hand (mentally speaking), and guide him. You don't stand across the room and shout at him; you don't call him a dummy; you don't order him to come over to where you are. You start where he is, and work from that position. That's the only way to get him to budge." —Thomas Aquinas

3. Do your homework to build depth behind your convictions. The journey to wisdom takes you from simple truths to a deeper understanding and then back to an informed simplicity that communicates depth. Be humble and fair with your "facts." Statistics are only temporary snapshots in a stream of reality and far too many quotes are often taken out of context. There is value in doing your homework; it is quite another thing to tell people everything you know about a subject and call it dialogue.

"It is easier to be critical than to be correct."—Benjamin Disraeli

4. When caught off guard, take time to think before engaging in speech, sending e-mails or leaving phone messages. The real art of political dialogue is not just saying the right thing at the right moment; it is the ability to leave unsaid the wrong thing at the tempting moment. When you write with strong emotion, you may rally the faithful, but those who disagree with you won't read past the first attack. Put your mind in gear before you put your tongue or your computer into action. Edit those tirades into clear statements designed to influence instead of inflame.

"I have never been hurt by anything I didn't say."—Calvin Coolidge

5. Avoid name-calling, "you" statements, and "should" talk! Instead of putting down others or their positions, share your opinions in the form of "I" statements—"I find...; I feel...; I think..." Find that assertive middle-ground where you can express opinions without demeaning those with whom you disagree. Remember, over 28 million people will probably vote for the "other guy!" to be President no matter what names you call him.

"I tolerate with the utmost latitude the right of others to differ from me in opinion without imputing to them criminality... Both of our political parties, at least the honest part of them, agree conscientiously in the same object—the public good; but they differ essentially in what they deem the means of promoting that good.... Which is right, time and experience will prove.... With whichever opinion the body of the nation concurs, that must prevail."—Thomas Jefferson

6. Seek first to understand by mastering the art of listening and the use of engaging questions. Instead of imparting wisdom, too many settle for a strong wind—we blow in, blow hard, and blow out! If you're doing all the talking, you are probably boring somebody. Master some timely questions: What are the most important issues to you? Help me understand your position? What would you do differently? What evidence do you have of that? Do you see any unintended consequences?

"It is better to know some of the questions than all of the answers."—James Thurber

7. Use the power of a positive pause to surface more understanding and deeper insights. It is an encouraging pause that gives others the time to get beyond their own self-imposed obstacles to see different positions without being rushed to defend their position.

"The right word may be effective, but no word was ever as effective as a rightly timed pause." —Mark Twain

8. When it is your turn to speak, be focused more on *what you are for* rather than *what you are against*. Anger over the past does not a vision make! Participating in the *blame game* only traps your eyes to the rearview mirror looking at things that can't be changed while new obstacles and challenges are rapidly approaching out the front window! Both political parties have made and will continue to make mistakes. Let people save face and learn from mistakes by focusing on working to invent a better future.

"It is true that we have more semi-structured Crossfire-style debates than ever before, but much of this is rigidly preprogrammed sniping. Even when the sniping is downplayed, TV demands sharp sound bytes, which pushes all talking heads toward more vehemence and simplemindedness. Instant certainty becomes mandatory.... Where is the real debate?"—John Leo

9. Be able to admit your own mistakes and the mistakes of your own party. "My party right or wrong!" seldom impresses the independent-thinking people you want to influence. If you can't confront your own when in the wrong, you won't be respected. Stand for what you believe and admit when you are wrong. Even when you cannot honestly concede a mistake, at least admit that the issue is a difficult one.

"Man does not live by words alone, despite the fact that sometimes he has to eat them."—Adlai Stevenson

10. Use humor to diffuse the tension conflict creates and to keep issues in perspective. Making fun of others seldom wins point in political conversations. The safest target for your humor is always yourself. When Lincoln was accused of being "two-faced" in his debates with Stephen Douglas, he replied, "Obviously I am not two-faced, or I would not have used this one!" When George Washington faced a Constitutional Convention that wanted to pass a law limiting the size of the army to 5,000 troops, he agreed as long as they would limit the size of the enemy to 3,000 troops. The resulting laughter ended the debate and the threat of the unwise legislation.

"I do not seek applause...nor to amuse the people. I want to convince them. I often avoid a long and useless discussion by others or a laborious explanation on my own part by using a short story that illustrates my point of view." —Abraham Lincoln

"Every one of his stories seems like a whack upon my back. Nothing else—not any of his arguments or any of his replies to my questions—disturbs me. But when he begins to tell a story, I feel that I am to be overmatched." —Stephen Douglas

11. Instead of hammering your position home, be ready to take distance from a difficult conversation and give others time to think. The most powerful impact from a thoughtful conversation is often experienced after the parties have left each other's presence. Forcing closure may only harden views that might have changed if the information shared had been given time to percolate.

"A fanatic is one who can't change his mind and won't change the subject." —Winston Churchill



CITY OF PACIFIC GROVE

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Regular Meeting Agenda

PLANNING COMMISSION

Date & Time: Thursday, June 16, 2011 – 6:00 p.m.

Location: City Hall, Council Chambers – 300 Forest Avenue, Pacific Grove, CA

Color Code:

Black = original agenda

Green = amplifying of agenda

Blue = as called for in a given situation

Brown = reminders, special notes, etc.

MEETING AGENDA:

1. **Call to Order** Welcome to all. I'm Linda Bailey, and I call to order this June 16th, 2011 meeting of the Pacific Grove Planning Commission. The time is 6:00.

2. **Roll Call** All commissioners are present [except for...]

Planning Commission Members: Robin Aeschliman, Linda Bailey (Chair), Bill Bluhm (Vice-Chair), Jeanne Byrne, Bill Frederickson (Secretary), Andrew Passell, Mark Travaille

3. **Approval of Minutes**

a. May 19, 2011 Planning Commission Regular Meeting

Recommended Action: Approve minutes as presented.

Note: The May 17, 2011 Planning Commission Site Review Meeting was cancelled due to a lack of items requiring a site visit.

Does staff have any changes or corrections to the minutes?

Do commissioners have any changes or corrections to the minutes?

Could I have a motion to approve the minutes as presented/as amended? Second?

It has been moved and seconded that we approve the minutes as presented/as amended. Is there any discussion?

All in favor say Aye. All opposed say No. The motion passes/fails.

4. Public Comments We've now reached Item 4, the Public Comment section of our agenda.

[This is a chance for the public to weigh in on matters not on our agenda tonight, either by writing in advance or by coming before us to speak. Matters addressed should be under the jurisdiction of the Planning Commission. We are not able to act on such comments at this time. There will be an opportunity to speak about items on our agenda later in the meeting.]

Have we received any letters or emails regarding matters not on this agenda?

Is there anyone wishing to speak about a matter that is not on our agenda? [Please come forward, state your name, and try to limit your comments to three minutes.]

Items to be Continued or Withdrawn

None

5. Consent Agenda

[The Consent Agenda consists of routine items for which a staff recommendation has been prepared. Anyone may request that an item be moved from the consent agenda to the Regular Agenda for further discussion. One motion will cover all items on the Consent Agenda. A motion to approve will authorize the action or recommendation indicated.]

We have one item on the consent agenda tonight:

Schedule of Planning Commission-Requested Informational Reports

CEQA Status: Not a "project" under CEQA

Staff Reference: Ashley Hefner, Assistant Planner

Recommended Action: Approve as presented.

Is there any planning commissioner or member of the public who would like to see this item moved to the regular agenda, so that it may be discussed, or so that the public can comment?

Does any commissioner wish to move any items from our regular agenda onto the consent agenda?

Then I'll accept a motion to approve the consent agenda. All in favor say Aye. Opposed? The motion passes/fails by a vote of __ to __.

6. Regular Agenda

a. Project Address: 620 Ocean View Boulevard/Old Bath House

Application: Use Permit Amendment 2988-08

Applicant: Robert Enea, Enea Properties LLC

Project Description: Proposed change in hours of operation from 5:00 p.m. through 10:00 p.m., seven days per week, to 4:00 p.m. through 12:00 a.m., seven days per week.

Zone District: Open Space (O)

General Plan/LCP Designation: Open Space Recreational (OS-R)

Assessor's Parcel Number: 006-155-099

CEQA Status: Mitigated Negative Declaration

Staff Reference: Ashley Hefner, Assistant Planner

Recommended Action: Approve as presented, subject to recommended findings and conditions.

Is there a staff report for this item?

Do commissioners have any questions of the staff?

Other questions? Then I'll open up the public hearing. GAVEL

Is there anyone else wishing to speak on this item? Please come forward and state your name, and keep your comments to three minutes.

Anyone else? Seeing no one, I will close the public hearing and bring the matter back to the planning commission for discussion.

GAVEL

Discuss Bath House use permit amendment.

Sounds like we're ready for a motion on this use permit amendment.

It has been moved and seconded that we approve/disapprove the use permit amendment, including the staff-recommended findings and conditions, as amended.

Any further discussion? All in favor say Aye. Opposed, say no.

The motion [passes/fails](#)

b. Uses in Parcels Zoned (O) Open Space Informational Report, Follow-up

CEQA Status: Not a “project” under CEQA

Staff Reference: Ashley Hefner, Assistant Planner

Recommended Action: Receive staff presentation and public comments, and hold discussion.

May we have the staff report?

Do commissioners have any questions of the staff?

Other questions? Then I’ll open this up for public comment. GAVEL

Is there anyone else wishing to speak on this item? Please come forward and state your name, and keep your comments to three minutes.

Anyone else? Seeing no one, I will close public comment and bring the matter back to the planning commission for discussion.

GAVEL

Discuss Open Space Informational presentation

Do we need a vote to receive the report? **If so, take vote**

c. Preliminary Technical/Regulatory Lighting Informational Report

CEQA Status: Not a “project” under CEQA

Staff Reference: Ashley Hefner, Assistant Planner

Recommended Action: Receive staff presentation and public comments, and hold discussion.

May we have the staff report?

Do commissioners have any questions of the staff?

Other questions? Then I’ll open up this up for public comment. GAVEL

Is there anyone else wishing to speak on this item? Please come forward and state your name, and keep your comments to three minutes.

Anyone else? Seeing no one, I will close public comment and bring the matter back to the planning commission for discussion.

GAVEL

Discuss Lighting Informational presentation

Take vote to receive report?

7. Acceptance of Minutes from Other Bodies

- a. Historic Resources Committee May 11, 2011 Regular Meeting
- b. Architectural Review Board May 24, 2011 Regular Meeting
- c. Zoning Administrator May 26, 2011 Hearing

Recommended Action: Accept minutes.

Any concerns about the minutes? May I have a motion to accept the minutes as presented/amended?

All in favor? Opposed?

The minutes have been accepted.

8. Reports of Planning Commission Subcommittees

(Subcommittees of the PC will provide a summary report of their recent activities.)

9. Reports of Planning Commission Members

(PC members may ask a question for clarification, make a brief announcement or make a brief report on his or her activities. In addition, PC members may provide a referral to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning a City matter or direct staff to place a request to agendaize a matter of business on a future agenda (G.C. 54954.2).)

10. Reports from Council Liaison**11. Reports from Staff****12. Adjournment**

Note: [Thanks to Craig Riddell and Linda Bailey, who developed, use, and shared this approach.]

Planning Commission's Work Plan

January 9, 2012

On December 8, 2011, the Planning Commission held a discussion on items to include in its Report to the City Council. This report is not intended to recap the Planning Commission's 2011 accomplishments, as those are well documented in the meeting minutes throughout the year.

This report addresses those topics and suggestions that will assist the Council and will improve the effectiveness of the Planning Commission in future years. The Planning Commission identified the following issues and suggestions for improvement:

1. **Project scheduling** – The Commission is concerned about scheduling changes made to projects partway through the hearing process. Either the projects are not ready, or new Council or staff direction arises midstream in the process. Examples are the golf course clubhouse use permit amendment, variance for a home business on Adobe Lane, vehicle storage regulations, commercial changes to downtown and Forest Hill, and fast food franchise ordinance review. This makes it very difficult for the public to follow along and effectively participate in the process. It also impacts the efficiency and effectiveness of the Planning Commission when projects are started and stopped, reshuffled, then restarted. The Commission feels that they could have completed some of these items in the past year if their work had been allowed to continue uninterrupted.
2. **Zoning Code updates/clean-ups** – The Zoning Code updates and clean-ups are substantial in scope and require attention to detail and careful consideration of unintended consequences. In order for the Planning Commission to effectively review these changes, it would be helpful to further break them down into smaller, less complex, portions, so that even a single item might be addressed at each meeting.
3. **Early input** – The Commission would like to see more opportunity to provide early input into the process for projects of a more complex nature. For example, when staff began considering a possible Zoning Code amendment as an option to the variance for a home business on Adobe Lane, the Planning Commission would like to have weighed in on this decision at its conceptual stage.
4. **Council liaison** – The Commission finds the Council liaison to be very helpful in keeping the Commission updated on Council matters and providing insight into Council decisions related to planning. The Commission greatly appreciates the time and helpful input provided by the Council liaison, and supports continuing this practice.

5. **Project priorities** – The Commission is not always clear on the City’s overall priorities for planning issues and projects. The Commission would find it helpful to have more clarity on priorities, in order to schedule hearings and deliberations in an expedient manner. For some major projects (golf course use permit amendment and fast food changes, for instance) it is difficult and counterproductive to multitask, and one project may need to take priority.

Thank you for this opportunity to submit our comments and suggestions. We appreciate your ongoing support of our efforts.

TO: Mayor Garcia and Members of the City Council
FROM: Molly Laughlin, Recreation Board Chair
THROUGH: City Manager Thomas Frutchey
MEETING DATE: January 18, 2012

Meet the 2011 Recreation Board:

Molly Laughlin, Chair (First appointed in 2008, filling the unexpired term of Matt Bell)
Prebble Potter, Vice Chair (First appointed in February 2008, up for reappointment in February 2012)
Gary Anderson, Secretary (Appointed in 2009, filling the unexpired term of George Cullinan) *
Bill Peake (Appointed in February 2011)
Chris Balog (Appointed in February 2011)

** Gary Anderson previously served on the Recreation Board for the 12-year term maximum—he returned after being off for several years.*

2011 Meetings

During the calendar year of 2011, the Recreation Board met 11 times and conducted one site review to inspect the condition of the Recreation Trail on Ocean View Boulevard between the Acropolis turnout and Esplanade Park. The meeting time was changed during the year from the traditional 7:00 p.m. start time to 5:00 p.m. by unanimous vote of the Board. The Rec Board met normally at the Community Center, but relocated to the Youth Center for several months to accommodate a City employee fitness class.

Notable Projects

- Two Rec Board members, Bill Peake and Prebble Potter, should be hugely applauded for undertaking the Board’s biggest project of 2011 -- the extensive work to review, map, and create a plan to improve the safety and aesthetics of the walking path between Point Pinos and Esplanade Park. Although grant money is not currently available for this, and the fruits of their labor have not come to fruition yet, their work has helped the City recognize a serious need, especially one large area of significant structural danger where the wave action has undermined a portion of the trail leading to the street. In addition, these two have joined with two members of the Natural Resources Committee to create a subcommittee to further this work.
- At the request of the PGUSD and PG PONY Baseball/Softball, the Recreation Department was successful in recommending Council’s amendment to the Master Plan for the Municipal Ballpark to expand the permissible days and hours of ballpark use for high school and youth play. This required a public hearing with the neighbors who were concerned that expanded use could create problems with trash, noise, light and traffic. These concerns were met and details were worked out the user groups. Additionally, Public Works added plantings along the perimeter fence to mitigate noise and light spillage. Members of the Rec Board also attended meetings of the Traffic Commission to address a plan to make the street around the ballpark safer for pedestrians, especially children.

- The Board recognized local resident Robert Gruber as the annual honoree at the California Parks and Recreation Association District VI awards dinner. Gruber, of Baptista Construction, was instrumental in working on a number of Recreation projects, donating his time, materials and expertise.
- The Board pushed for a new contract with the tennis professional at the Morris Dill Tennis Courts. Since the Morris Dill Courts were improved in 2005, the tennis professional has been working under what could be considered an informal agreement. In these six years, the Recreation Board and City officials have heard many remarks that although the courts are in pristine condition, there is surprisingly low use of the courts by the general public. In an effort to get greater use and to heighten the public awareness of an underutilized, but nice City recreational facility, the Recreation Board reissued a Request for Proposal to see if a new vendor could work to increase use, raise visibility, and to strengthen the ties with the local PGUSD schools. Three proposals were submitted, including that of the current operator, and a new vendor was recommended to Council. Council received the recommendation of the Recreation Board on January 19, 2011, but continued this item. At the continued meeting of March 9, 2011, Council approved modifications to Tennis Policy 200-3, but the recommended individual subsequently withdrew his proposal. The Recreation Board was unsuccessful in increasing the annual \$3,600 rent paid by the Zenopians, the current vendor, which it believed to be too low a rate for the quality of the facility.
- The Recreation page on the City's Website was updated and improved to provide more information about programs and facility/park rentals, and more importantly, accurate information. The Recreation Board, however, is disappointed that the project to improve the overall City Website has been languishing for such a long time and that the look of the site is outdated and much of the information is obsolete and, in some cases, inaccurate.
- In late fall 2011, two recommendations were forwarded to City Council regarding the Municipal Ballpark. One, was to rename the field in honor of long-time Recreation Director John Miller, and the other to consider allowing naming rights to the ballpark facility, with money from this endeavor earmarked for ongoing ballpark maintenance and improvements. At this time, it does not appear that either of these recommendations will move forward.
- The Recreation Board approved the slate of special events for FY 2012-13 and recommended to Council that the event planners for the "traditional" events pay 40% of the actual costs for City services. Until now, the City has absorbed costs for Police, Fire and Public Works.

Council Liaison

The Recreation Board has been fortunate to have Council Member Rudy Fischer as its liaison for most of 2011. While he was unable to attend several of our full meetings (due to a schedule conflict with another board) he has been interested, attentive, and helpful at providing us with information and insight about how our actions matched Council's goals, directions and objectives.

Council Member Fischer has been careful to remain an observer, rather than a participant in Board discussions, but has provided comment when asked.

We believe it is best left as a decision of the City Manager and Council whether or not to continue having Council Members serve as board liaisons.

Conclusion

The five members of the Recreation Board have worked hard to fulfill the Board's mission: "to promote and stimulate public interest in a recreation program and solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein... to perform such other duties relating to the recreation program as the Council may require by ordinance or resolution."

Speaking as the chair, but I believe I reflect the views of all of the members, at least at some moments, there has been some degree of disheartenment that despite being a Charter Board, there is so little of the "recreation programs" remaining from what was a once robust, full-service department. Indeed, the citizens of Pacific Grove lost much when the Recreation Department was so drastically reduced in scope four years ago, a comment heard frequently.

I also believe that despite making some progress in areas such as amending the Ballpark Master Plan, the Council has at times been dismissive of our efforts. An example of this was the Recreation Board's earnest attempt to do as we are charged, to "**promote and stimulate interest**" in the Morris Dill Tennis Courts by finding a way to increase use of the courts by the public and to make the public even aware that the City has such a fine facility. Two of our members plus a representative from the public held several subcommittee meetings to put together a model for the City's interests, then thoroughly screened the applicants and drafted a well considered recommendation for Council. When Council took up this item, we were most disappointed to discover that some members of Council were not only rather rudely dismissive of our best intentions, but appeared to express no appreciation or interest in understanding the viewpoint of its advisory body on recreational matters.

While I am stepping down as a member of the Recreation Board – the January 2012 meeting is my last-- I am confident the remaining members and my replacement will continue to work hard for the betterment of the City in the upcoming year and beyond. They are a creative bunch.

Finally, I would like to express the deep appreciation and admiration we all have for Senior Recreation Coordinator Don Mothershead. Don represents all that is good and right and for many people is the face of Pacific Grove as he is so well known and so well respected and loved. We are all fortunate to have him!