



















(2) **Public Comment**

- a. Agenda Items: Any interested member of the public may comment on agenda items during regular or special ADVISORY GROUP meetings. (Brown Act section 54954.3(a))
- b. Non-Agenda Items: Each agenda for a regular ADVISORY GROUP meeting shall allow for a public comment period at the beginning of the meeting for items not on the agenda, but that are within the scope of the group. (Brown Act section 54954.3(a)) MEMBERS may respond by asking for more factual information, or by asking a question to clarify, and also may schedule the item for a future agenda. However, no discussion, debate, or action may be taken on such items. (Brown Act section 59454.2).
- c. An ADVISORY GROUP may adopt time limits for individual items and for individual speakers to ensure operational efficiencies but such time limits must be reasonable and give competing interests equal time. (Brown Act section 54954.3(b))

- (3) **Adjournments and Continuances.** In accordance with Brown Act section 54955, ADVISORY GROUP meetings may be adjourned to a future date. Within 24 hours, a notice of adjournment must be clearly posted on or near the door of the place where the original meeting was to be held.

If a meeting is adjourned because less than a quorum was present, a new regular meeting agenda must be prepared. If a meeting is adjourned because no MEMBERS were present, the subsequent meeting, if not a regular meeting, must be noticed as if a special meeting.

In accordance with Brown Act section 54954.2, if a subsequent meeting is held more than 5 days from the original meeting, a new regular meeting agenda must be prepared; otherwise if shorter, the original meeting agenda is adequate.

- (4) **Continued Items.** In accordance with Brown Act section

54955.1, if an item is continued from a prior regular meeting to a subsequent meeting more than 5 days from the original meeting, a new agenda must be prepared as if a regular meeting; otherwise the original meeting agenda is adequate.

- (5) **Consent Agenda.** For items to be considered for a "Consent Agenda" all of the following are required:
- a. A subcommittee of the ADVISORY GROUP has discussed the item at a noticed subcommittee meeting,
  - b. All interested members of the public were given an opportunity to address the subcommittee, and
  - c. The item has not substantially changed since the subcommittee's consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. Any interested member of the public may comment on a Consent Agenda item. Any interested member of the public may take a Consent Agenda item off the Consent Agenda by request.

- (6) **Quorum and Public Attendance.** It shall be the duty of each MEMBER to attend all ADVISORY GROUP meetings. The minimal amount of MEMBERS in attendance at each ADVISORY GROUP meeting in order to constitute a quorum shall be stated in the Bylaws, but such quorum shall not be less than the greater of either twenty-five percent (25%) or three (3) MEMBERS. In accordance with Brown Act section 54952.2, a quorum must be present in order to conduct business, to vote on projects, and to take actions at regular or special group meetings.

In accordance with Brown Act section 54953.3, no member of the public shall be required, as a condition of attendance at any meeting of an ADVISORY GROUP, to register or provide any other information. Any attendance list or request for information shall clearly state that completion of such information is voluntary. No member of the public shall be charged a fee for admittance.

**Development Project Review.** When considering proposed park development projects for ADVISORY GROUP recommendation, ADVISORY GROUP shall allow participation of all members of the public, including those from other areas as directed by the DEPARTMENT, and with special emphasis on obtaining participation from property owners, residents, and business establishments in proximity to the proposed development. The ADVISORY GROUP shall inform the project applicant or representative each time such review by the ADVISORY GROUP will take place, and provide the applicant with an opportunity to present the project.

**(7) Action on Agenda Items.**

- a. In accordance with Brown Act section 54954.2(b)(2), an item not noticed on the agenda may be added if either two-thirds of the voting members of an ADVISORY GROUP, or every MEMBER if less than two-thirds of the voting MEMBERS of an ADVISORY GROUP are present, determine by a vote that there is a need to take an immediate action, but only if the need for action came to the attention of the ADVISORY GROUP subsequent to the agenda being posted.
- b. Voting requirements vary by subject of the action:
  - i. Removing an elected or appointed MEMBER in accordance with Article III of this Policy requires a two-thirds vote of the voting MEMBERS. An ADVISORY GROUP may adopt into its bylaws a substitute method to remove an appointed member.
  - ii. Approving an amendment to adopted bylaws requires a two-thirds vote of the voting MEMBERS.
  - iii. A ratifying vote to remove a MEMBER due to ineligibility in accordance with Article III, Section 5 of this Policy requires a majority vote of the voting MEMBERS.

- iv. All other group actions, including subcommittee votes, only require a simple majority of the voting MEMBERS in attendance when a quorum is present.

In accordance with Brown Act section 54953(c), ADVISORY GROUPS shall not engage in, or allow, secret ballot or proxy voting on any agenda item. Other methods of absentee voting on agenda items, such as by telephone or by e-mail are also prohibited.

In accordance with the Brown Act section 54953(c), all actions taken by ADVISORY GROUPS, including votes, must be taken in public.

Positions on agenda items shall be established only by the votes taken by the voting MEMBERS as identified in Article III, Section 1 of this Policy.

- (8) **Collective Concurrence.** In accordance with Brown Act section 54952.2, any attempt to develop a collective concurrence of the MEMBERS as to action to be taken on an item by MEMBERS of the group, either by direct or indirect communication, by personal intermediaries, by serial meetings, or by technological devices, is prohibited, other than at a properly noticed public meeting.
- (9) **Special Meetings.** In accordance with Brown Act section 54956, the chair of an ADVISORY GROUP, or a majority of the MEMBERS, may call a special meeting. An agenda for a special meeting shall be specified as such, and shall be prepared and posted at least 24 hours before a special meeting. Each MEMBER shall receive the written notice of the meeting at least 24 hours before the time of the meeting as specified in the notice unless the MEMBER files with the group secretary a written waiver of notice at, or prior to the time of, the meeting.

The notice shall identify the business to be transacted or discussed at the meeting. No other business shall be considered at this meeting.

Public testimony on agenda items must be allowed; however, the non- agenda public comment period may be waived.

- (10) **Emergency Meetings.** Brown Act section 54956 describes emergency meetings for matters related to public health and safety. These matters are outside of the purview of ADVISORY GROUPS and are prohibited under this Policy.
  
- (11) **Right To Record.** In accordance with Brown Act sections 54953.5 and 54953.6, any person attending a meeting of an ADVISORY GROUP must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the group that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.
  
- (12) **Disorderly Conduct.** In accordance with Brown Act section 54957.9, in the event that any ADVISORY GROUP meeting is willfully interrupted by a person or group of persons, so as to make the orderly conduct of the meeting infeasible, the group may first cause removal of the individual or individuals.

If that is unsuccessful then the ADVISORY GROUP may order the meeting room cleared and continue in session on scheduled agenda items without an audience, except that representatives of the media shall be allowed to remain. The ADVISORY GROUP may also readmit an individual or individuals who were not responsible for the disruption.

**(b) Subcommittees**

ADVISORY GROUPS are encouraged to establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular group meetings.

- (1) **Standing Committees.** Standing subcommittees are on-going subcommittees tasked with reviewing specific issue areas. In accordance with Brown Act section 54952(b), all standing subcommittees of an ADVISORY GROUP are subject to Brown Act public noticing and meeting requirements as set forth in Article VIII, Section 4(a) of this Policy.

- (2) **Ad Hoc Subcommittees.** Ad hoc subcommittee meetings are established for a finite period of time to review more focused issue areas and are disbanded following their review. While the Brown Act does not impose requirements upon ad hoc subcommittees when made up entirely of members of the ADVISORY GROUP and constituting less than a quorum of the group (Brown Act section 54952), this Policy requires all subcommittee meetings be noticed and open to the public by inclusion of the meeting announcement on a regular meeting agenda, by an electronic notice, or by announcement at a regular ADVISORY GROUP meeting.
- (3) **Committee Composition.** The majority membership of any committee or subcommittee shall consist of elected or appointed MEMBERS. Any member of a committee or subcommittee who is not a member of the ADVISORY GROUP shall have completed formal training by the City in the duties and responsibilities of ADVISORY GROUPS before serving on any such committee or subcommittee.
- (4) **Recommendations.** All committee and subcommittee recommendations must be brought forward in writing for an ADVISORY GROUP vote at a noticed public meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the DEPARTMENT as the official recommendation of the ADVISORY GROUP without a vote taken at a scheduled group meeting.

(c) **Abstentions and Recusals**

- (1) **Recusals.** Any MEMBER with a direct economic interest in any item that comes before the group or its committees or subcommittees must: (1) disclose to the group that economic interest, (2) must recuse himself or herself from voting, and (3) must not participate in any manner as a MEMBER of the group for that item on the agenda. Situations requiring recusals are described in the Administrative Guidelines.
- (2) **Abstentions.** In limited circumstances, from time to time, MEMBERS may abstain from either voting on an action item, or from participating and voting on an action item. The MEMBER must state, for the record, the reason for the abstention.

Situations allowing abstentions are described in the Administrative Guidelines.

(d) **Meeting Documents and Records**

- (1) **Agenda by Mail.** In accordance with Brown Act section 54954.1, requests to mail copies of a regular agenda, and any accompanying material, shall be granted. Such materials shall be mailed when the agenda is posted, or upon distribution to a majority of the MEMBERS, whichever occurs first. A request to receive agendas and materials may be made for each calendar year and such request is valid for that entire year, but must be renewed by January 1 of the following year.
- (2) **Agenda at Meeting.** In accordance with Brown Act section 54957.5, any written documentation, prepared or provided by City staff or MEMBERS that is distributed at a group meeting shall be made available upon request for public inspection without delay. If such material is distributed at an ADVISORY GROUP meeting, then it shall be made available upon request at the meeting. If such material is prepared by someone other than City staff or MEMBERS, or is received from a member of the public during public testimony on an agenda item, then the material shall be made available for public inspection at the conclusion of the meeting. Further, the City may charge for the cost of reproduction of any materials requested by an individual or individuals.
- (3) **Minutes.** For each ADVISORY GROUP meeting, a report of member attendance and a copy of approved minutes shall be retained by the group, and shall be available for public inspection. The draft minutes shall be available to the public at a publicly-accessible area at the location where the ADVISORY GROUP regularly conducts its meetings as soon as reasonably possible, but no later than 72 hours prior to the next ADVISORY GROUP meeting. A copy of the draft minutes shall also be delivered to the DEPARTMENT designated representative by the same time.

The minutes of each ADVISORY GROUP's meetings shall include the MEMBERS who constituted a quorum at that meeting. In accordance with the Brown Act section 54953(c)(2), the votes

taken on each action item shall include: MEMBERS who voted for, against or abstained on the item. In addition, for each action item the record should include the names of the speakers and the nature of the public testimony that appeared before the group.

Any changes to the draft minutes shall be discussed and adopted by a majority vote of the MEMBERS present at that next ADVISORY GROUP meeting.

Copies of approved minutes shall be available to the public within 72 hours of the next scheduled ADVISORY GROUP meeting, and shall be kept for a minimum of thirty (30) calendar days at the location where the ADVISORY GROUP regularly conducts its meetings.

ADVISORY GROUPS are not required to audio or videotape their meetings but if they do then, in accordance with Brown Act section 54953.6, they are subject to a public request to inspect without charge. A cost-recovery fee may be charged for copies of recordings.

- (4) **Records Retention.** In accordance with Brown Act section 54957.5, ADVISORY GROUP records, as described below, must be retained for public review. ADVISORY GROUP records are meeting agendas and any other writings that are distributed to at least a majority of the MEMBERS in connection with a matter subject to consideration at an open meeting of the ADVISORY GROUP. Records do not include writings that are required to be submitted to the City in accordance with this Policy to substantiate and document a group's operation and compliance. ADVISORY GROUPS also receive materials that do not qualify as records. The Administrative Guidelines discuss categories of material that are City records, ADVISORY GROUP records, and non-records.

Section 5. ADVISORY GROUPS may develop a policy for financial contributions from the citizens of the community for the purposes of furthering the efforts of a group to promote recreation activities. However, no membership dues shall be required and no fee may be charged as a condition of attendance at any ADVISORY GROUP meeting. All contributions must be voluntarily made, and no official ADVISORY GROUP correspondence may be withheld based on any individual's desire to not make a voluntary contribution.