



# ***Board, Commission, and Committee Orientation***

# Welcome City Council Appointees

- Board, Commission, and Committee Handbook
- Sacramento City Code Chapter 2.40 – Boards and Commission Generally
- Ralph M. Brown Act
- Parliamentary Procedure / Rosenberg's Rules of Order
- Council Rules of Procedure
- Public Records Act
- Political Reform Act / Conflicts

# Requirements Upon Appointment

- Read the Board, Commission, and Committee Handbook
- Sign Your Oath of Office
- Required Training
- Statement of Economic Interests (FPPC Form 700)
- Conflict of Interest Disqualifications
- Disqualification or Removal

# Commission Functions / Authority

The primary role of a City commission is to increase public input and participation in the determination of City policies and operating procedures. The specific role of many commissions is to review and make recommendations to City staff and/or the City Council on matters within its scope of authority and responsibility.

## Types of Commissions:

- Quasi-Judicial
- Complaint Review
- Appeal Board
- Advisory to the City Council

# Commitment to Attend Meetings

As an appointed representative of the City, appointees are expected to maintain an impeccable level of personal integrity and responsible conduct.

This is imperative to an appointee's success, reputation, and effectiveness.


- Attend meetings
- Notify of absences

# Sacramento Ethics Commission

The purpose of the Sacramento Ethics Commission is to review and consider complaints against elected and appointed city officials.

The commission has the power and duty to review, investigate, and consider complaints alleging violations of:

- Section 35 of the Sacramento City Charter (“Limitation on future employment”);
- Chapter 1.20 (“Code of Fair Campaign Practices”);
- Chapter 2.13 (“Campaign Contribution Limitations”) and chapter 2.14 (“Campaign Spending Limits and Public Campaign Financing”), if the city has not contracted with the Fair Political Practices Commission for enforcement of those chapters;
- Chapter 2.15 (“Lobbyist and Reporting Code”);
- Chapter 2.16 (“Conflict of Interest”);
- Chapter 4.02 (“Code of Ethics”);
- Chapter 4.04 (“Sunshine Ordinance”); and
- Chapter 3 (“Conduct of Members”) and Rule 6.E (“Closed Sessions”) of the Council Rules of Procedure.



# Sacramento City Code Chapter 2.40

## Boards and Commission Generally

# **Ralph M. Brown Act (Open Meetings)**

Public bodies exist to aid in the conduct of the people's business and should conduct deliberation and take action publicly. All meetings of legislative bodies shall be open and public; all persons shall be permitted to attend any meeting of the legislative body.



# **Brown Act – Meetings, continued**

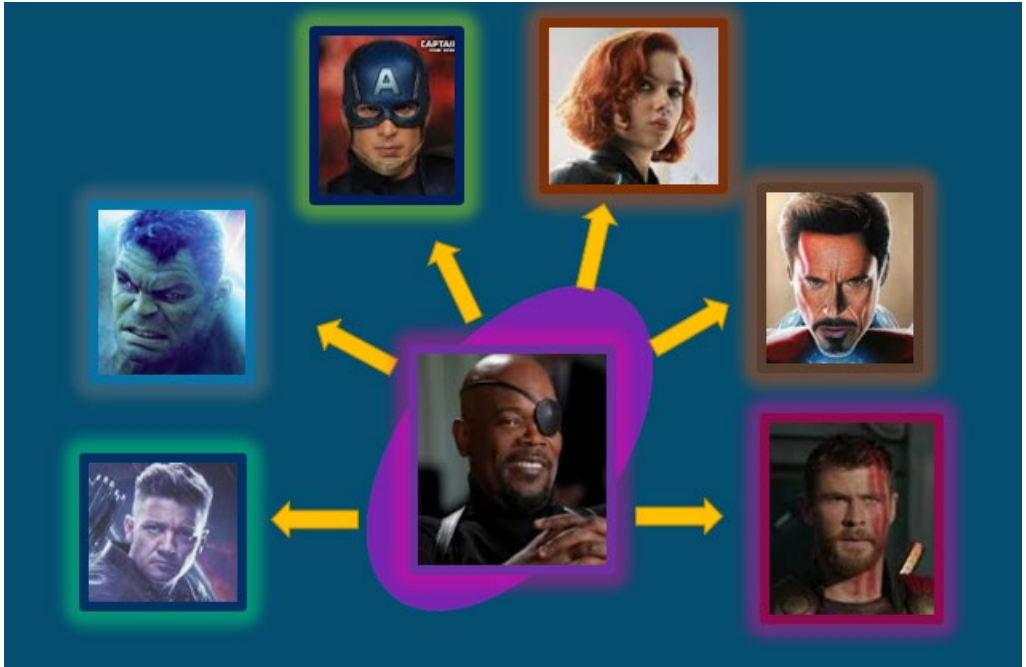
Meeting does not include the following so long as no commission business is discussed or transacted:

- Conferences
- Community meetings
- Meetings of other legislative bodies, e.g., City Council
- Social or ceremonial events
- Informal gatherings

## **Default Approach:**


- Regardless of the kind of gathering, avoid discussion of anything the public could construe as decision-making outside of a properly noticed meeting

# Brown Act – Meetings, continued



# Brown Act – Notices and Agendas

- Regular meeting agenda must be posted 72 hours (Brown Act) in advance. The City’s Sunshine Ordinance extends that deadline to 120 hours in advance.
- In a location accessible to the public
- Meeting time, place, and brief description of each business item
- Commission cannot take action on items not on the agenda



UPCOMING MEETINGS		
Name	Date	
Law and Legislation Committee	Jan 4, 2022 - 01:00 PM	<a href="#">Agenda</a>
Budget and Audit Committee	Jan 4, 2022 - 03:00 PM	<a href="#">Agenda</a>
5PM City Council	Jan 4, 2022 - 05:00 PM	<a href="#">Agenda</a>
Sacramento Disabilities Advisory Commission	Jan 5, 2022 - 06:00 PM	<a href="#">Agenda</a>
CANCELLED - Sacramento Heritage, Inc. Board of Directors	Jan 6, 2022 - 12:00 PM	
Parks and Comm...		

# Brown Act - Public's Place on the Agenda

- Every agenda must allow for public comment on any item within body's jurisdiction
- Members of the public have the opportunity to speak on an item before it is voted on
- Cannot prohibit criticism
- Body can set time limit for speakers and the Chair has the authority to limit or extend time limits as long as it is consistently applied
- eComments

The image shows two overlapping screenshots from a city website. The top screenshot is titled "UPCOMING MEETINGS" and contains a table with columns for "Name", "Date", "Agenda", and "eComments". The table lists a meeting: "2PM City Council (Closed Session Begins @ 1:00 p.m.)" on "Oct 12, 2021 - 02:00 PM". The bottom screenshot is titled "Consent Calendar" and lists an item: "1. City Clerk's Log of Councilmember Pending Requests File ID: 2021-01085". Below this item is a link to "Item 01 - City Clerk's Log of Councilmember Pending Requests (PDF-887 KB)" and a "1 Comment" indicator with a "View Comment" button.

Name	Date	Agenda	eComments
2PM City Council (Closed Session Begins @ 1:00 p.m.)	Oct 12, 2021 - 02:00 PM	<a href="#">Agenda</a>	<a href="#">eComment</a>

Consent Calendar

1. City Clerk's Log of Councilmember Pending Requests File ID: 2021-01085

[Item 01 - City Clerk's Log of Councilmember Pending Requests \(PDF-887 KB\)](#)

1 Comment [View Comment](#)

## **Brown Act – Violations**

- Demand to Cure and Correct (aggrieved says fix it)
- Voluntary Resolution (agency corrects proactively)
- Civil Court Action (individual and/or agency is sued)
  - Invalidate the action
  - Prevent future action
  - Costs and attorney's fees
- Criminal Penalties
  - Found guilty of misdemeanor
  - Fines and/or jail time
  - Disqualification from holding office
  - Contract voided



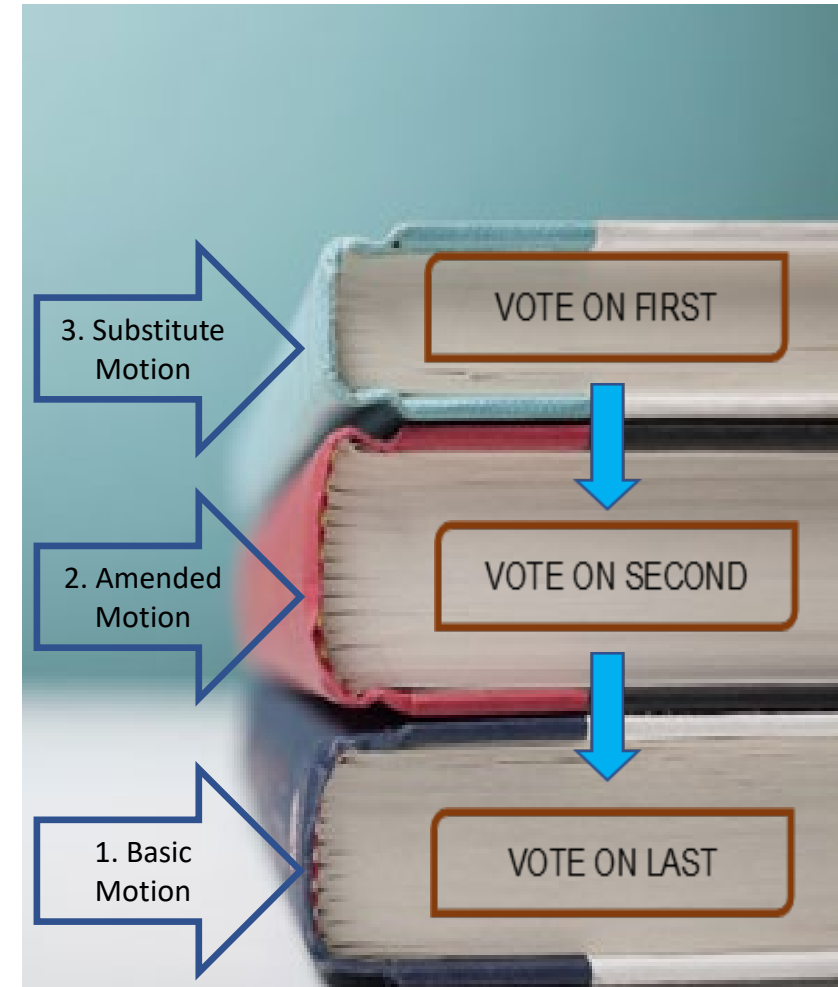
# Parliamentary Procedure

## Rosenberg's Rules of Order



# Parliamentary (Meeting) Procedures

- Quorum
- Role of Chair
  - Order of Discussion
- Three Big Three Motions
  - The basic motion (and second)
  - The motion to amend
  - The substitute motion



# Voting on Motions

- Simple majority - More than half (50% rounded up to the next whole number)
- Set number – important for attendance
- Majority of members present and eligible/qualified to vote
  - Commission of 7 = Quorum is 4
  - 7 are present = Votes needed for passage is 4
  - 4 are present = Votes needed for passage is 3
- Yes or No
- Abstention (no position = no vote)
- Recusal (financial conflict) - Treated as an absence
- Tie vote = Motion denied



# Hearing all Voices

- Rules create efficient, fair, and participative meetings
- One person at a time should speak
- Debate and discussion focused on item
- Time to speak may be limited in interest of time
- Don't interrupt



# Council Rules of Procedure

# Council Rules of Procedure

- Duties and Conduct of Members and Staff
- Conduct of the Public
- Meeting Agendas
- Conduct of Meeting
- Requests for Future Agenda Items (Comments - Ideas and Questions)



# Public Records Act

# Purpose of the Public Records Act

- Commitment to open government
- Provides access to information on the conduct of the people's business
- Provides a fundamental and necessary right to the people
- Gives the public access to information that enables them to monitor the function of their government
- What does this mean to you as a council appointee?
  - Commission records (aka writings) are public, are subject to inspection, must be retained and accessible, and made promptly available to the public on request
  - The law applies to you

# What is a Public Record?

- Any document (aka “writing”) created by the Mayor, Councilmembers, Council Appointees, or Staff that is about the conduct of City business.
  - Agenda
  - Agenda report
  - Speaker slips
  - Paper document; spreadsheet; database
  - Email; text message; voice mail message
- Exceptions: transitory communications and copies





# Political Reform Act

## Conflicts

# Political Reform Act

- The Political Reform Act prohibits appointees from making, participating, or attempting to influence the making of any City decision if appointee knows or has reason to know or it is **reasonably foreseeable** that a decision will have a material financial effect on the appointee, or a appointee's family member, that is distinguishable from the effect on the public generally.
- Statement of Economic Interest – Fair Political Practices Commission (FPPC) Form 700



# I Have a Conflict, Now What?

- If conflict confirmed
  - Disqualify yourself (aka RECUSAL) from the specific item
  - State conflict openly for record
  - Physically exit the meeting room until item concluded
- If conflict is perceived
  - Consider excusing yourself voluntarily
  - May refrain from participating, and “abstain” from voting on specific item
  - Ask City Attorney’s Office in advance of meeting for proper course of action



# Board, Commission, or Committee Scope

# Scope of Your Legislative Body

[https://  
boards.  
cityofsacramento.  
org/](https://boards.cityofsacramento.org/)

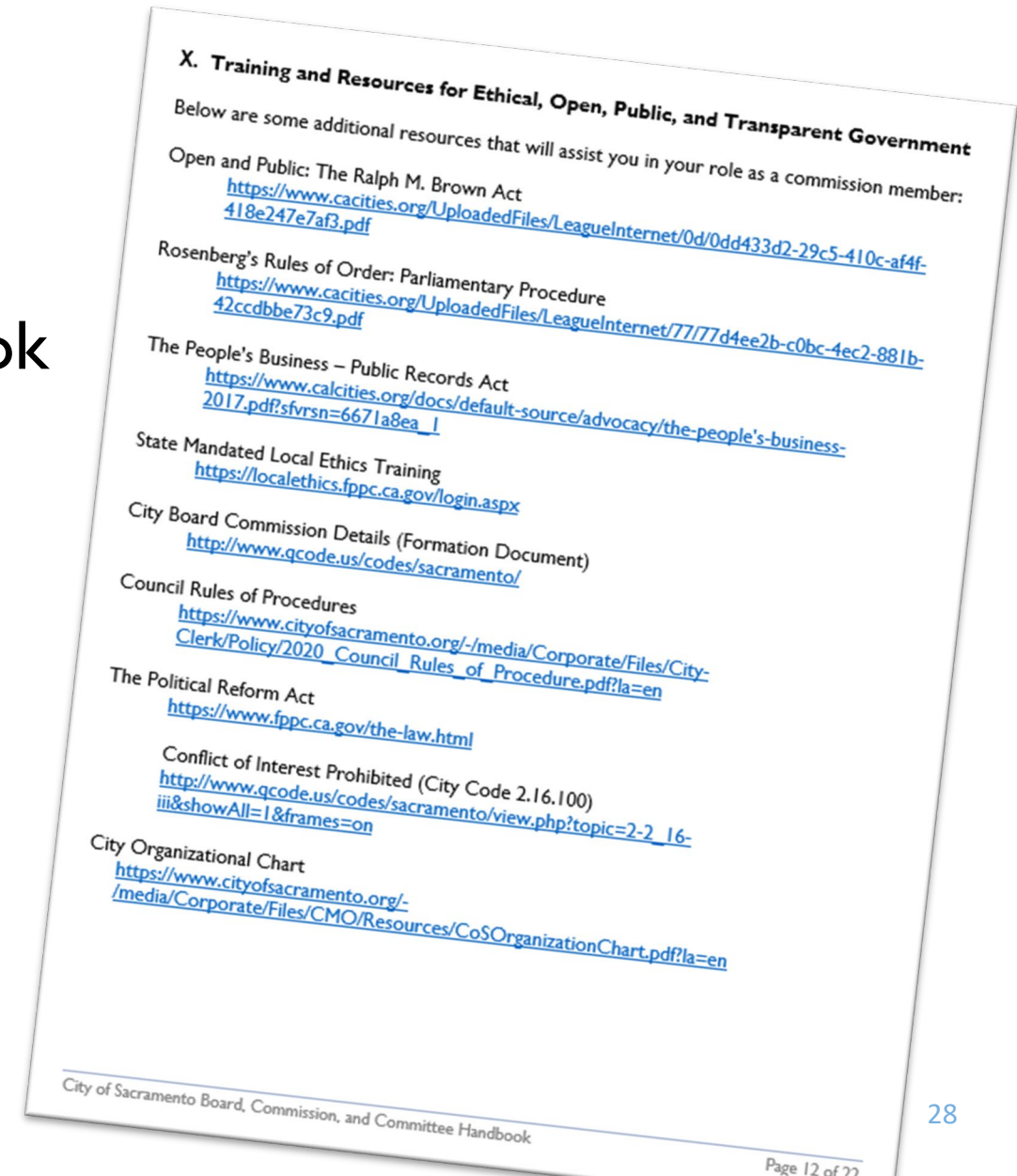
**Title 2 ADMINISTRATION AND PERSONNEL**

[Expand List](#)

- Chapter 2.04 ADMINISTRATIVE SERVICES GENERALLY
- Chapter 2.08 CITY OFFICERS AND EMPLOYEES GENERALLY
- Chapter 2.12 ARREST AND CITATION AUTHORITY
- Chapter 2.13 CAMPAIGN CONTRIBUTION LIMITATIONS
- Chapter 2.14 CAMPAIGN SPENDING LIMITS AND PUBLIC CAMPAIGN FINANCING
- Chapter 2.15 THE CITY OF SACRAMENTO LOBBYIST REGISTRATION AND REPORTING CODE
- Chapter 2.16 CONFLICT OF INTEREST
- Chapter 2.18 OFFICE OF THE CITY AUDITOR
- Chapter 2.20 POLICE DEPARTMENT
- Chapter 2.22 OFFICE OF PUBLIC SAFETY ACCOUNTABILITY
- Chapter 2.24 FIRE DEPARTMENT
- Chapter 2.28 DEPARTMENT OF COMMUNITY SERVICES
- Chapter 2.32 DEPARTMENT OF FINANCE
- Chapter 2.40 BOARDS AND COMMISSION GENERALLY
- Chapter 2.48 CONSTRUCTION CODE BOARD OF APPEALS
- Chapter 2.53 DISABILITIES ADVISORY COMMISSION
- Chapter 2.56 SACRAMENTO RELOCATION APPEALS BOARD
- Chapter 2.58 PRESERVATION COMMISSION
- Chapter 2.60 PLANNING AND DESIGN COMMISSION
- Chapter 2.62 PARKS AND COMMUNITY ENRICHMENT COMMISSION

# Resources

- City of Sacramento Board, Commission, and Committee Handbook





# ***Thank You!***

commissions  
[@cityofsacramento.org](mailto:@cityofsacramento.org)

916.808.7200

*City of*  
**SACRAMENTO**  
Office of the City Clerk