



Commissioner's Handbook



“A Guide for Community Volunteers”

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CITY OF LODI
COMMISSIONER'S HANDBOOK

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INTRODUCTION

Congratulations on your recent appointment to one of the City of Lodi's commissions! Your appointment is an honor and reflects the City Council's confidence in your ability and judgment. The City Council and staff look forward to working with you and to receiving the benefit of your insight and guidance during the process of decision making. As a member of a City commission, you have the opportunity to help mold Lodi's future.

This Handbook has been prepared to help orient you concerning the functions and activities of the commission to which you have been appointed. The Handbook is designed to contribute to your general knowledge and understanding of public affairs and to aid in identifying the scope and parameters of your duties and responsibilities. It is also part of an effort to make it as easy as possible for you to enjoy the experience of serving on a City commission.

We hope that this Handbook will provide you with the necessary information to understand the role of your commission and your responsibilities as a member of the same.

While participation on a City commission is a major responsibility, we hope that it will prove to be a meaningful and rewarding experience for you. City service provides opportunities to gain a greater understanding of the issues facing municipal government and to become actively involved in resolving those issues in a manner that reflects the best interests of the community.

Each description of a law or legal requirement in these materials is intentionally brief. Any questions regarding this information and requests for additional information should be directed first to your Staff Liaison and then to the City Attorney's Office.

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

NOTE: For purposes of this Handbook, the term "commission" shall refer to all City boards, commissions, committees, and task forces and "commissioners" shall refer to members of City boards, commissions, committees, and task forces.

COMMISSION APPOINTMENT PROCESS AND REMOVAL

The City of Lodi commission appointment process and removal of members described below is an excerpt from the City Council Protocol Manual.

Appointment

Resolution No. 2003-156, adopted by the Lodi City Council on August 20, 2003, establishes the policy regarding appointment of persons to membership on a City board, committee, and commission (hereinafter "Commission"). Commission applicants, with the exception of the Greater Lodi Area Youth Commission, must be registered voters of San Joaquin County; Lodi Arts Commission applicants must be registered voters of the City of Lodi (Res. 2017-208); Parks and Recreation Commission applicants must be residents of the City of Lodi (Res. 2019-222); and Site Plan and Architectural Review Committee applicants must be registered voters of the City of Lodi. Pursuant to LMC Section 2.16.010, "Established—Appointment," Planning Commission applicants must be registered voters of the City of Lodi. Those applicants not meeting these requirements will be notified by the City Clerk's Office that their application does not meet specifications and cannot be considered for appointment. Applications are to be accepted by the City Clerk for 30 days and shall remain valid and on file for one year.

Exception: Full-time and part-time City employees are prohibited from serving on a commission.

Those seeking appointment to a commission must submit an application to the City Clerk's Office. Those commissioners whose terms have expired must submit a new application (terms are not automatically renewed), and the City Clerk will notify said commissioners with a letter and new application form. Following the close of the 30-day application period, copies of all applications will be provided to Council Members for informational purposes, as well as to the appropriate staff liaisons, who will be asked to provide feedback on each candidate, including those seeking reappointment.

The Mayor shall conduct interviews and submit recommendation(s) for appointment to the City Clerk's Office for placement on the City Council agenda for motion action. Exception: The Greater Lodi Area Youth Commission may conduct independent interviews of all applicants, providing the Mayor with a ranking of the top ten, which he/she shall use in selecting qualified candidates.

Following Council appointment, the successful candidate(s) will be notified by the City Clerk's Office via letter of the appointment, Conflict of Interest ~ Form 700 filing obligation (if required), mandatory AB1234 ethics training and compliance, AB 1661 sexual harassment training and education* (if required), Oath of Office form, and Commissioner's Handbook. Copies of the letter and completed application form(s) will be forwarded to the appropriate staff liaison, who will contact the successful candidate(s) regarding meeting dates and times and responsibilities. The City Clerk's Office will notify the unsuccessful candidates of the outcome and confirm the status of their application (i.e. currently valid; has or about to expire; etc.). [*AB1661 training is required for any official who receives compensation, salary, or stipend from the agency.]

The appointed commissioners assume office at the time the Oath of Office form is completed and submitted to the City Clerk's Office. Newly-appointed commissioners are not permitted to participate in commission meetings or activities until the Oath is filed. Failure to comply with this requirement within 30 days will cause the seat to be unfilled, and the City Clerk shall post for the vacancy at the next regularly-scheduled Council meeting pursuant to the Council's Protocol Manual guidelines.

Appointed commissioners serve without compensation except as Council may prescribe from time to time by resolution or ordinance. (EXCEPTION: Planning Commissioners receive compensation pursuant to LMC Section 2.16.020 – Compensation.)

Appointees to all City boards and commissions are required to receive mandatory AB1234 ethics training within 30 days of appointment (and by December 31 of even-numbered years thereafter) and submit a completed Proof of Participation Certificate to the City Clerk (EXCEPTION: Greater Lodi Area Youth Commissioners ~ Student Appointees). The City Clerk shall notify appointed commissioners via letter of available training opportunities. Appointees cannot receive compensation, stipend, or training reimbursement until AB1234 ethics training is completed. Failure to comply with the mandatory ethics training will result in the appointee's removal from the commission.

Some appointees will be required to complete a Conflict of Interest ~ Form 700 ~ Assuming Office Statement within 30 days of taking office. The City Clerk shall notify appointees of this filing requirement and provide the necessary forms. Those who do not comply with the Form 700 obligation will be subject to applicable rules, penalties, and fines as set forth by the Fair Political Practices Commission. Filers have the option to file electronically through the City's electronic filing system, NetFile; however, to ensure reporting continuity, once a statement, report, or other document is filed electronically on behalf of any filer, all future reports and other documents filed on behalf of that filer must be filed electronically.

Commissioners appointed to a vacated seat or unexpired term shall serve out the remainder of the term, unless said term is due to expire within six months of the appointment date. In that case, the term shall automatically be extended by the commission's stated term limit.

Removal

An individual appointed by the City Council to a commission shall continue to serve as a member thereof except when:

1. The individual's term of office expires and a different individual has been appointed. If the incumbent individual applied for reappointment, he/she may continue to serve in the office until appointment of a different individual is made, even after the term expires. If not, the incumbent may only serve until the expiration date of the term of office.
2. The individual voluntarily resigns from the commission.
3. The individual no longer resides and/or is a registered voter within the required jurisdiction.
4. The individual fails to attend three (3) consecutive meetings of the commission and does not have prior approval for said absences by way of a majority action of the commission. In such case, the commission shall vote to recommend that Council remove the member and post for the vacancy, which the City Clerk will submit to Council at its next regularly-scheduled meeting.
5. The individual fails to comply with the mandatory AB1234 ethics training by December 31 of even-numbered years. In such case, a non-compliance letter will be mailed the first week of January by the City Clerk to the individual providing 30 days to conform and submit the certification. At the conclusion of the 30-day period, the City Clerk will notify the individual that if the required training and certification is not completed within 10 days, the seat will be vacated and the City Clerk will place an item on the next regularly-scheduled City Council agenda to declare the position vacant and post for the open seat.

A majority vote of the City Council may remove any member of a commission for any reason including, but not limited to, incompetence, inability to work productively with fellow commissioners, conduct unbecoming a public official, violating the City's Conflict of Interest Code, failing to comply with statutory requirements, or failing to attend fifty percent (50%) of commission

meetings in a calendar year. Conduct unbecoming a public official includes the conduct that any reasonable commissioner would know is incompatible to public service, would indicate a lack of fitness to perform the functions of a commissioner, or would discredit or cause embarrassment to the City.

Any member of the City Council may initiate an individual's removal from a commission by requesting that consideration of the individual's removal be placed on the Council's agenda at a regular or special meeting for discussion and potential action. The City Clerk shall notify the person affected of the time and place of the meeting. When the item is on the City Council agenda, the City Council may, by majority vote, remove the individual from a commission.

At the beginning of each year, the City Clerk will place an item on the Council's agenda to report on attendance, AB1234 ethics training and compliance, and Statement of Economic Interest ~ Form 700 compliance for each commissioner.

CODE OF ETHICS AND VALUES

The proper operation of democratic government requires that decision-makers be independent, impartial, and accountable to the people they serve. The City of Lodi adopted a Code of Ethics and Values (Resolution No. 2004-115) on June 2, 2004, to promote and maintain the highest standards of personal professional conduct in the City's government. Commissioners shall value and recognize the importance of the trust invested in them by the public to accomplish the business of the City and shall accord the utmost courtesy to each other, to City employees, and to the public appearing before them. At all times, commissioners in the minority on an issue shall respect the decision and authority of the majority.

City of Lodi commissioners vow to be:

Ethical ~ Act with utmost integrity and moral courage; be truthful, making impartial decisions; be fair, extending equal opportunities and due process to all parties; and be respectful for persons, confidences, and information designated as "confidential" to the extent permitted by California law.

Professional ~ Apply knowledge and expertise to assigned activities and interpersonal relationships; approach the job and work-related relationships with a positive attitude; and keep professional knowledge and skills current and growing.

Service-oriented ~ Provide friendly, receptive, courteous service; care about the needs and issues of citizens, public officials, and City workers; and be interested, engaged, and responsive.

Fiscally responsible ~ Make decisions after prudent consideration of financial impact, long-term financial needs of the City, and its financial stability; demonstrate concern for proper use of City assets and follow established procedures; and make good financial decisions that seek to preserve programs and services for City residents.

Organized ~ Act in efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short- and long-term goals; keep others informed and respond in a timely fashion; and be respectful of established City processes and guidelines.

Communicative ~ Convey City's care for and commitment to citizens; be approachable, open-minded, and willing to participate in dialog; and engage in effective two-way communication.

Collaborative ~ Act in a cooperative manner with groups and other individuals; work together in a spirit of tolerance and understanding; work toward consensus-building and gain value from diverse opinions; and accomplish goals and responsibilities, while respecting role as a member of a team.

Progressive ~ Exhibit proactive, innovative approach to setting goals and conducting the City's business; display a style that maintains consistent standards, but is also sensitive to the need to compromise and "thinking outside the box"; and promote intelligent and thoughtful innovation in order to forward the City's policy agenda and services.

MANDATORY AB1234 ETHICS TRAINING

Government Code sections 53235 and 53235.1 state that, if a local agency provides compensation, salary, or a stipend to a member of a legislative body or reimbursement for expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive two-hour training in ethics. The City of Lodi provides a training opportunity in December of even-numbered years; the League of California Cities and other agencies offer training opportunities through conferences; and on-line training is available through sources such as Fair Political Practices Commission and the Institute of Local Government.

The City Council mandates that the following positions, commissions, and/or individuals are required to receive ethics training upon being hired or appointed and by December 31 of even-numbered years thereafter: City Council Members; City Council Appointees (i.e. City Manager, City Attorney, City Clerk); Executive Managers; members of all boards and commissions (EXCEPTION: Greater Lodi Area Youth Commissioners ~ Student Appointees).

To view Government Code Article 2.4, Ethics Training [sections 53234-53235.2], in its entirety, visit www.leginfo.legislature.ca.gov/.

MISSION STATEMENT / GOALS AND PRIORITIES

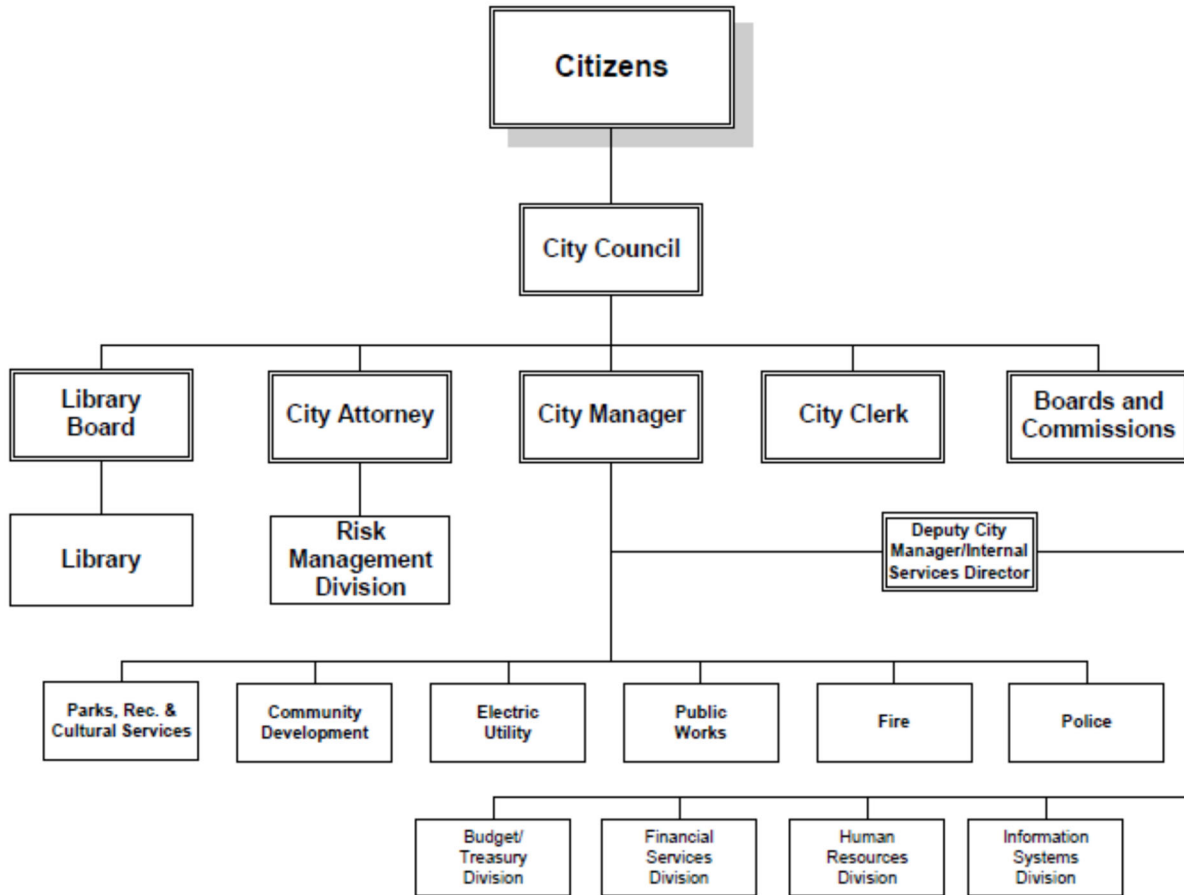
City of Lodi Mission Statement

“The City of Lodi’s purpose is to enhance the quality of life for Lodi residents reflecting our high community standards.”

City Council Goals and Priorities

- Economic Development, including "shovel-ready" land and incentive program to focus on underutilized parcels
- Public Safety, Gang Reduction Intervention Program, training, and increase in staffing
- Fiscal sustainability, asset preservation, CalPERS and Other Post-Employment Benefits
- East Side Rehabilitation, incentive programs, and infrastructure
- Addressing homelessness issues
- Providing Downtown WiFi internet and music
- Beautification of highway overpasses

City of Lodi



CITY DEPARTMENTS AND COMMISSION LIAISONS / CONTACT INFORMATION

DEPARTMENT HEADS

TITLE	NAME	PHONE NO.	E-MAIL
City Manager	Stephen Schwabauer	209-333-6700	sschwabauer@lodi.gov
City Attorney	Janice D. Magdich	209-333-6701	jmagdich@lodi.gov
City Clerk	Jennifer M. Ferraiolo	209-333-6702	jferraiolo@lodi.gov
Deputy City Manager	Andrew Keys	209-333-6700	akeys@lodi.gov
Public Works Director	Charlie Swimley	209-333-6706	cswimley@lodi.gov
Community Development Director	Stephen Schwabauer	209-333-6711	sschwabauer@lodi.gov
Police Chief	Tod Patterson	209-333-6725	tpatterson@lodi.gov
Fire Chief	Gene Stoddart	209-333-6739	estoddart@lodi.gov
Electric Utility Director	Jeff Berkheimer	209-333-6762	jberkheimer@lodi.gov
Parks, Recreation, and Cultural Services Director	VACANT	209-333-6742	
Library Services Director	Anwan Baker	209-333-5566	abaker@lodi.gov

COMMISSION LIAISONS

TITLE	NAME	PHONE NO.	E-MAIL
Greater Lodi Area Youth Commission	Jennifer Winn Recreation Manager	209-333-6891	jwinn@lodi.gov
Library Board of Trustees	Anwan Baker Library Services Director	209-333-5566	abaker@lodi.gov
Lodi Arts Commission	Jennifer Winn Recreation Manager	209-333-6891	jwinn@lodi.gov
Lodi Improvement Committee	Patrice Clemons CDBG Program Specialist	209-333-6711	pclemons@lodi.gov
Lodi Senior Citizens Commission	Jennifer Winn Recreation Manager	209-333-6891	jwinn@lodi.gov
Measure L Citizens' Oversight Committee	Andrew Keys Deputy City Manager	209-333-6700	akeys@lodi.gov
Parks and Recreation Commission	VACANT PRCS Director	209-333-6742	
Personnel Board of Review	Jennifer Ferraiolo City Clerk	209-333-6702	jferraiolo@lodi.gov
Planning Commission	Kari Chadwick Community Dev. Secretary	209-333-6711	kchadwick@lodi.gov
Site Plan and Architectural Review Committee	Kari Chadwick Community Dev. Secretary	209-333-6711	kchadwick@lodi.gov

COMMISSION AND MEETING INFORMATION

The following is a list of City Council appointed commissions:

TITLE	NO. OF MEMBERS	MEETING LOCATION	MEETING TIMES	LENGTH OF TERM
Greater Lodi Area Youth Commission ~ Adult Advisors	6	Hutchins Street Square ~ Cottage Room	2 nd Monday of each month at 7 p.m.	3 years
Greater Lodi Area Youth Commission ~ Student Members	9			2 years
Library Board of Trustees	5	Lodi Public Library ~ Community Room	2 nd Monday of each month at 5:30 p.m.	3 years
Lodi Arts Commission	7 <i>2 ex-officio members*</i>	Carnegie Forum Council Chambers	2 nd Wednesday of each month at 12:00 p.m.	3 years
Lodi Improvement Committee	7	Carnegie Forum Council Chambers	2 nd Tuesday of each month at 6:00 p.m.	3 years
Lodi Senior Citizens Commission	7	Hutchins Street Square ~ Senior Center	1 st Thursday of each month at 8 a.m.	4 years
Measure L Citizens' Oversight Committee	5	Carnegie Forum Council Chambers	Meets at least three times per year	3 years <i>(2 term limit)</i>
Parks and Recreation Commission	5	Carnegie Forum Council Chambers	1 st Tuesday of each month at 7:00 p.m.	4 years
Personnel Board of Review	5	Carnegie Forum Council Chambers	As needed	3 years
Planning Commission	7	Carnegie Forum Council Chambers	2 nd and 4 th Wednesdays of each month at 7:00 p.m.	4 years
Site Plan and Architectural Review Committee	5	Carnegie Forum Council Chambers	2 nd and 4 th Wednesday of each month at 5:15 p.m.	4 years

**Lodi Arts Commission also has 2 ex-officio members from Parks and Recreation Commission, Planning Commission, or SPARC – these members have voting rights to select public art projects; however, they do not count for quorum purposes.*

Meeting Location Addresses

- Carnegie Forum ~ 305 W. Pine Street, Lodi
- Hutchins Street Square ~ 125 S. Hutchins Street, Lodi
- Lodi Public Library ~ 201 W. Locust Street, Lodi

Greater Lodi Area Youth Commission

Establishment: The six Adult Advisors and nine Student Members of the Greater Lodi Area Youth Commission are appointed by the Lodi City Council. Adult Advisors serve three-year terms, and Student Members serve two-year terms. Adult Advisors on the Greater Lodi Area Youth Commission must be registered to vote in San Joaquin County at the time of application. There is no registration requirement for Student Members, and membership is open to junior high and high school students living within the Lodi Unified School District boundaries. The authority for the Greater Lodi Area Youth Commission is Resolution 2015-06.

Purpose: The purpose of the Greater Lodi Area Youth Commission is to affect positive growth in young adults through a variety of activities that will generate interest and participation within the community. Adult Advisors provide guidance and mentorship of commission members and assist them with programs intended to enhance the lives of our community's younger residents. Student Members work with other youth, under the guidance of volunteer Adult Advisors, to develop engaging programs that provide entertainment, recreation, personal development, and promote volunteerism.

Library Board of Trustees

Establishment: The five members of the Library Board of Trustees are appointed by the Lodi City Council and serve three-year terms. Members of the Library Board of Trustees must be registered to vote in San Joaquin County at the time of application. The authority for the Library Board of Trustees is the Education Code sections 18910-18927. These members are identified in the City of Lodi's Conflict of Interest Code and file annual statements of economic interests with the City Clerk's Office.

Purpose: The purpose of the Library Board of Trustees is to manage the Lodi Public Library; set policy and budget guidelines; review and act on proposals; and advocate on behalf of the library to government officials at all levels.

Lodi Arts Commission

Establishment: The seven members of the Lodi Arts Commission are appointed by the Lodi City Council and serve three-year terms. Additionally, there are two ex-officio members appointed from the Parks and Recreation Commission, Planning Commission, or the Site Plan and Architectural Review Committee (see *Art in Public Places* below for further information). Members of the Lodi Arts Commission must be registered to vote in the City of Lodi at the time of application. The authority for the Lodi Arts Commission is Resolution 2017-208. These members are identified in the City of Lodi's Conflict of Interest Code and file annual statements of economic interests with the City Clerk's Office.

Art in Public Places: In 2001, the Lodi City Council established an Art in Public Places program, along with an Art Advisory Board, to help the City select and install artwork for public projects. Funding for Art in Public Places comes from developers' fees designated for Lodi's environmental enrichment. The Board was responsible for reviewing proposed public art projects and assuring they are high-quality, as well as recommending and approving artworks and artists for the Art in Public Place Program. In 2017, the Art Advisory Board was abolished and folded in with the Lodi Arts Commission by adding two ex-officio members representing the Parks and Recreation Commission, Planning Commission, or Site Plan and Architectural Review Committee.

Projects: Art in Public Places projects include sidewalk mosaics, art bike racks, bronze sculptures on loan in the downtown area, and the painted traffic control boxes located throughout the City.

Purpose: The purpose of the Lodi Arts Commission is to inspire, encourage and promote the arts in the community. In addition, the Arts Commission oversees the City's public art program, and recommends the distribution of annual arts grants awarded by the City Council. The Commission assists the Lodi Arts Foundation to raise funds to advance the goals and objectives of the Lodi Arts Commission.

Lodi Improvement Committee

Establishment: The seven members of the Lodi Improvement Committee are appointed by the Lodi City Council and serve three-year terms. Members of the Lodi Improvement Committee must be registered to vote in San Joaquin County at the time of application. The authority for the Lodi Improvement Committee is Resolution 2018-89. These members are identified in the City of Lodi's Conflict of Interest Code and file annual statements of economic interests with the City Clerk's Office.

Purpose: The purpose of the Lodi Improvement Committee is to maintain and improve the quality of life and appearance of Lodi by the coordinated efforts of a broad spectrum of the community.

Lodi Senior Citizens Commission

Establishment: The seven members of the Lodi Senior Citizens Commission are appointed by the Lodi City Council and serve four-year terms. Members of the Lodi Senior Citizens Commission must be registered to vote in San Joaquin County at the time of application. The authority for the Lodi Senior Citizens Commission is Resolution 85-165.

Purpose: The purpose of the Lodi Senior Citizens Commission is to advise the City Council and City staff on all matters relating to policies and programs that will serve all senior citizens of the community. This includes collecting public comment and other information to determine the needs of seniors in the community, and promoting programs that accomplish that goal.

Measure L Citizens' Oversight Committee

Establishment: The five members of the Measure L Citizens' Oversight Committee are appointed by the Lodi City Council and serve three-year terms with a limit of two terms. Members of the Measure L Citizens' Oversight Committee must be registered to vote in the City of Lodi at the time of application. Additionally, pursuant to Lodi Municipal Code Section 3.30.150, members of the Measure L Citizens' Oversight Committee cannot be current employees, current City officials (including board and commission members), current contractors or vendors, or past employees, contractors or vendors deemed to have conflicts of interest as determined by the City Attorney. The authority for the Measure L Citizens' Oversight Committee is Ordinance 1953. These members are identified in the City of Lodi's Conflict of Interest Code and file annual statements of economic interests with the City Clerk's Office.

Purpose: The purpose of the Measure L Citizens' Oversight Committee is to review the annual accountability performance report relating to the 2018 general retail transactions and use tax and report its findings to the City Council and citizens of the City.

Parks and Recreation Commission

Establishment: The five members of the Parks and Recreation Commission are appointed by the Lodi City Council and serve four-year terms. Members of the Parks and Recreation Commission must be residents of the City of Lodi at the time of application. The authority for the Parks and Recreation Commission is Resolution 2019-222. These members are identified in the City of Lodi's Conflict of Interest Code and file annual statements of economic interests with the City Clerk's Office.

Purpose: The purpose of the Parks and Recreation Commission is to advise City Council regarding parks, recreation, and leisure activities that would interest or impact the community. In addition, the Commission advises the Council on fees, any changes to the Lodi Municipal Code that affect park operations, prioritizing capital expenditures, and other matters that affect the public's use and enjoyment of City parks and recreational facilities while providing a forum for public engagement.

Personnel Board of Review

Establishment: The five members of the Personnel Board of Review are appointed by the Lodi City Council and serve three-year terms. Members of the Personnel Board of Review must be registered to vote in San Joaquin County at the time of application. The authority for the Personnel Board of Review is Lodi Municipal Code Chapter 2.44, Article II, "Personnel Board of Review."

Purpose: The purpose of the Personnel Board of Review, which was established by the personnel system ordinance, is to hear and determine appeals of unrepresented City employees.

Planning Commission

Establishment: The seven members of the Planning Commission are appointed by the Lodi City Council and serve four-year terms. Members of the Planning Commission must be registered to vote in the City of Lodi at the time of application. The authority for the Planning Commission is Ordinance 1736. These members are identified in Government Code Section 87200 and file annual statements of economic interests with the Fair Political Practices Commission, as well as the City Clerk's Office.

Purpose: The purpose of the Planning Commission is to review changes to the City's General Plan and zoning regulations to ensure the development in Lodi is of the highest quality and to provide recommendations to Council on matters dealing with community development.

Site Plan and Architectural Review Committee

Establishment: The five members of the Site Plan and Architectural Review Committee are appointed by the Lodi City Council and serve four-year terms. One of the five members is a representative from the Planning Commission. Members of the Site Plan and Architectural Review Committee must be registered to vote in the City of Lodi at the time of application. The authority for the Site Plan and Architectural Review Committee is Lodi Municipal Code Section 17.66.050. These members are identified in the City of Lodi's Conflict of Interest Code and file annual statements of economic interests with the City Clerk's Office.

Purpose: The purpose of the Site Plan and Architectural Review Committee is to assist the Planning Commission in reviewing site plans and architectural drawings in order to determine compliance with zoning ordinances and to promote the orderly development of the City as set forth in Lodi Municipal Code Chapter 17.01.

ROLES

City commissions serve as advisory bodies to facilitate public input and citizen participation in the determination of public policies. This is accomplished by formulating recommended courses of action and policy to the City Council with whom final determination rests.

City Council's roles are as follows:

- Make policy
- Direct City Manager to carry out policy
- Solicit input from commissions on issues in their various functional areas unless there are legal or time constraints

Commission's roles are as follows:

- Advise Council on policy that assists Council in carrying out its responsibilities (NOTE: The Planning Commission – LMC Chapter 2.16, "Planning Commission" – has authority to make final determination in applicable circumstances, see LMC Title 17, "Development Code")
- Provide citizen input by being positive representatives of Council and the community

Staff's roles are as follows:

- Research and investigate issues, prepare alternatives and recommendations for commission and Council review, and implement Council policy decisions
- Provide Staff Liaison and clerical support to the commission under the guidance of the Department Head (and ultimately, the City Manager)

The Advisory Role

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

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

COMMISSION NORMS

As in all working teams, there are written and unwritten rules (norms) that commissioners should follow. Some examples of commission norms are as follows:

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

RESPONSIBILITIES OF COMMISSIONERS

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

- Understand the role and scope of responsibility – be informed of the individual commission’s objectives, scope of responsibility, and operating procedures.
- Be careful to represent the majority views of your individual commission. Individual “opinions” to the public and press on decisions of the commission are discouraged, but, if given, should be identified as being the personal perspective of the commissioner speaking as a “private citizen.”
- Members should represent the public interest and not special interest groups.
- Members are in a unique position of serving as a liaison between the City and its citizens and can help to reconcile contradictory viewpoints and to build a consensus around common goals and objectives. Members serve as a communication link between the community, Staff, and City, presenting City programs and recommendations and providing a channel for citizen expression.
- Do your homework and be thorough in recommendations – review items prior to the meeting in order to be fully prepared to discuss, evaluate, and act on all matters scheduled for consideration. Conclusions based on same will strengthen the value of the group’s recommendations.
- Supportive relationships with the City Council and City staff are essential for successful operation of any commission. The proper channel to contact City personnel on items of consideration is through the designated City Staff Liaison providing staff support for your commission.
- Establish a good working relationship with fellow commissioners – respect individual viewpoints, allow other members time to present their views fully before making comments, be open and honest, welcome new members, and strive to minimize political action on issues.
- Council appointments to commissions are made without regard to political party affiliation. Members are not restricted from participating in political activities; however, members may not use or involve their membership on their respective commission in the conduct of political activities.
- Members should make a good faith effort to attend all scheduled meetings and notify the City Staff Liaison if they will be absent.

As an appointed member to a City commission, it is important to comply with the following requirements in order to remain in good standing as a member:

- All commissioners must file an Oath of Office form with the City Clerk's Office within 30 days of appointment (and reappointment) and prior to participating in any commission meetings or activities.
- All commissioners must comply with AB1234 ethics training specified by Government Code section 53235 within 30 days of assuming office and thereafter by December 31 of even-numbered years.
- Commissioners must comply with Fair Political Practices Commission regulations pertaining to Conflict of Interest ~ Form 700s and are required to file an Assuming and Leaving Office Statement within 30 days of assuming or leaving office and annually thereafter by April 1.

Any member who fails to comply with the foregoing will be removed from the commission. On an annual basis, the City Clerk will report to Council on each member's attendance record and compliance with AB1234 ethics training, AB1661 sexual harassment prevention training and education (if required), and Statement of Economic Interest ~ Form 700 completion.

RELATIONSHIPS

Working Relationships

In public statements or interactions, individual commission members should present views and recommendations representing the commission as a body – not personal individual views. Members expressing views not approved by the majority of a commission should clearly express that their opinions reflect their personal perspective as a “private citizen.” Individual opinions must be identified as such. Public statements should not include promises that may be construed to be binding on the commission, City Council, or Staff. When making a public statement, if applicable, members should indicate that commission actions are recommendations and that final action will be taken by the City Council. Commission members may be selected on the basis of representing defined groups; however, each member should represent the overall “public good,” not an exclusive group or special interest.

Basic Guidelines

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

Relationships with Other Commission Members

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

- Always respect other individuals’ viewpoints even though they may be opposite of your own.
- Allow the other individual to articulate his/her own views and then attempt to make an objective evaluation of those views.
- Evaluation of other members’ viewpoints should be based on what is best for the total community and for all concerned.
- There will be times when political action among the commission is apparent; strive to minimize that whenever possible.
- Be open and honest at all times.
- Each commissioner has the responsibility to recognize new members and see that they are made welcome, become oriented, and receive training.

Relationships with Council

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

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

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

Commissioners are expected to recognize the following items:

- The commission should assist the City Council in developing public trust in the advisory commission system; and
- The commission should be sensitive to City priorities and know when to take a stand.

Commissioners may address the Council on items discussed by their respective bodies but should be limited to the chair or a representative that has been appointed by the commission. This will not take precedence over any individual's first amendment right to address the Council as an individual.

Members of the City Council should not attempt to influence or publicly criticize commission recommendations, or to influence or lobby individual commission members on any item under their consideration. It is important for commissions to be able to make objective recommendations to the City Council on items before them. An exception to the Brown Act allows a legislative body majority to attend an open and noticed meeting of a standing committee of the legislative body provided that the legislative body members who are not members of the standing committee attend only as observers, meaning that they cannot speak or otherwise participate in the meeting.

Relationships with Staff and Staff Liaison

The City Council, through the City Manager, shall make certain that all Council-appointed commissions are properly instructed in their assigned scope of work and responsibility. The expected output of their effort shall be clearly defined. Commissions are responsible for keeping the Council informed about issues being considered and their progress. Commissions are responsible for advising the Council of any need for information or more specific instructions and shall obtain Council concurrence before they proceed in any direction different from the original instructions of the Council.

The Staff Liaison assigned to a commission provides basic support and technical advice for the commission. Staff handles administrative duties, prepares meeting agendas, staff reports, and records minutes. Commissions may not direct Staff to initiate programs, conduct major studies, or establish official policy without the approval of the City Council.

Commissioners should feel free to contact the Staff Liaison for inquiries and/or support purposes. It should be understood, however, that commissioners are responsible for all commission work. Staff Liaisons will provide direction and guidance, as well as clerical and/or organizational or administrative support to commissions on an as-needed basis.

Relationships with Public

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

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

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

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

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

The following guidelines are offered:

- There should be no promises made to the public that are binding on the commission, Staff, or City Council.
- Comments to the public and the press must be factual.
- The commissioners have an obligation to listen to comments or complaints of the public.

City commissions are not involved in the administration or operation of City departments. City Staff reports to the Department Head, who in turn reports to the City Manager. It is, therefore, the responsibility of the Department Head and/or City Manager to allocate Staff time and efforts and direct the priority of the work.

Staff members are not considered members of a commission and have no power to vote in commission matters. Because of their support position, Staff does not respond to questions from the public at a meeting unless requested to do so by the Chair.

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

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

MEETING BASICS

Preparation for Meetings

- Be prepared. Thoroughly review the agenda packet, including agenda reports, and any other materials *before* the meeting. The issues that come before advisory bodies are important to the community as a whole and demand your constant attention. In agreeing to serve on a commission, you make a commitment to put in the time required to prepare fully for each meeting.
- Understand what action you are being asked to take regarding each particular agenda item.
- If you have questions regarding the agenda or agenda report, contact your Staff Liaison before the meeting to clarify questions or request further information.
- Know the responsibilities of your commission, as well as the limitations of your individual authority. As a member of a commission, you will, among other things, be asked to provide recommendations to the City Council about specific issues. Keep in mind that your appointment does not empower you to supervise City Staff.
- Keep an open mind. An objective, balanced, and receptive approach will help you assess the facets of a given issue and evaluate new ideas. When receiving written and oral public testimony, it will be necessary to discern between fact and opinion, as well as between those concerns which are relevant and those which are secondary to the issue at hand. Keeping an open mind will make it easier for you to understand all sides of an issue before you make a judgment or take a position.
- Strive to appreciate differences in approach and point of view. Likewise, take care to articulate your own ideas; remember that your individual voice is a critical part of the whole dialogue. Again furthering common goals takes cooperation, flexibility, and a broad-based view of the public interest. If in doubt, return to the foundational documents to guide your understanding of the complexities of an issue.
- If you are unsure about something *during* the meeting, ask for clarification. On behalf of the public, your understanding of issues is important. Each commission has a City Staff Liaison to provide information to assist the members throughout the decision-making process.
- E-mail communications can ultimately lead to the exchange of information intended to create collective concurrence among a quorum of commission members in violation of the Ralph M. Brown Act. Therefore, e-mail communications between commission members relative to commission business should be avoided. While less than a quorum, for example, may appropriately communicate with one another by way of e-mail, the “forwarding” of such an e-mail message on to an additional member would result in a Brown Act violation.
- The applicant has the right to an efficient process. Unreasonable delay or lack of action is unacceptable. If necessary, make a recommendation and move along.

Attendance

All commission members are requested to contact their Staff Liaison prior to a meeting if they are unable to attend. Commissioners who fail to attend three consecutive meetings of the commission and do not have prior approval for the absences may be removed from the commission.

RULES OF DEBATE (RESOLUTION 2006-31)

Resolution 2006-31, adopted by the Lodi City Council on February 15, 2006, sets forth the rules of conduct and debate for City Council, boards, commissions, committees, and task forces. The resolution, in part, is set forth below:

A. Presiding Officer May Debate.

The Mayor or presiding officer may move, second, and debate from the chair, subject only to such limitations of debate as are by these rules established. The chair shall not be deprived of any of the rights and privileges of a Council or board member by reason of being the presiding officer.

B. Obtaining The Floor.

Any member of the Council or board wishing to speak must first obtain the floor by being recognized by the chair. The chair must recognize any member who seeks the floor when appropriately entitled to do so.

C. Motions.

The chair or any member of the Council or board may bring any matter of business appearing on the agenda before the body by making a motion. The chair shall open the matter for debate, offering the first opportunity to debate to the moving party and, thereafter, to any other member properly recognized by the chair. Once the matter has been fully debated and seconded and the chair calls for a vote, no further debate will be allowed; provided, however, Council or board members may be allowed to explain their vote. The person making the motion shall have the privilege of closing debate.

D. Voting.

All members present at a meeting shall vote when the question is called, subject to the provisions of Lodi Municipal Code Section 2.04.140.

E. Procedural Rules of Order.

Once the main motion is properly placed on the floor, several related motions may be employed in addressing the main motion. These motions take precedence over the main motion and, if properly made and seconded, must be disposed of before the main motion can be acted upon. The following motions are appropriate and may be made by the chair or any Council or board member at any appropriate time during the discussion of the main motion. They are listed in order of precedence. The first three subsidiary motions are non-debatable; the last four are debatable.

SUBSIDIARY MOTIONS:

1. Lay on the Table. Any member may move to lay the matter under discussion on the table. The motion temporarily suspends any further discussion or the pending motion without setting a time certain to resume debate. It must be moved and seconded and passed by a majority vote. To bring the matter back before the body, a member must move that the matter be taken from the table, seconded, and passed by a majority. A motion to take from the table must be made at the same meeting at which it was placed on the table or at the next regular meeting of the body; otherwise, the motion that was tabled dies, although, it can be raised later as a new motion.

2. Move Previous Question. Any member may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be made and seconded without interrupting one who already has the floor. A two-thirds vote is required for passage.

3. Limit or Extend Limits of Debate. Any member may move to put limits on or extend the length of debate. The motion must be made and seconded and requires a two-thirds vote to pass.

4. Postpone to a Time Certain. Any member may move to postpone the pending motion to a time certain. This motion continues the pending main motion to a future date as determined by the Council or board at the time the motion is passed. The motion must be seconded and requires a majority vote for passage.

5. Commit or Refer. Any member may move that the matter being discussed should be referred to a committee, commission, or staff for further study. The motion must be seconded and requires a majority vote for passage. The motion may contain directions for the committee or commission, as well as a date upon which the matter will be returned to the Council or board's agenda. If no date is set for returning the item to the Council or board's agenda, any member may move, at any time, to require the item be returned to the agenda. The motion must be seconded and a majority vote is required for passage if the item is to come back at a future date certain, or a two-thirds vote if the item is to be immediately discussed by the Council or board at the time the motion to return is made.

6. Amend. Any member may amend the main motion or any amendment made to the main motion. Before the main motion may be acted upon, all amendments and amendments to amendments must first be acted upon. A motion to amend must be seconded and requires a majority vote for passage. An amendment must be related to the main motion or amendment to which it is directed. Any amendment which substitutes a new motion rather than amending the existing motion is out of order and may be so declared by the chair.

7. Postpone Indefinitely. Any member may move to postpone indefinitely the motion on the floor, thus avoiding a direct vote on the pending motion and suspending any further action on the matter. The motion must be seconded and requires a majority vote for passage.

F. Motions of Privilege, Order, and Convenience.

The following actions by the Council or board are to insure orderly conduct of meetings and for the convenience of the members. These motions take precedence over any pending main or subsidiary motion and may or may not be debated as noted.

1. Call for Orders of the Day. Any member may demand that the agenda be followed in the order stated therein. No second is required and the chair must comply unless the Council or board, by majority vote, sets aside the orders of the day.

2. Question of Privilege. Any member, at any time during the meeting, may make a request of the chair to accommodate the needs of the body or his/her personal needs for such things as reducing noise, adjusting air conditioning, ventilation, lighting, etc. Admissibility of question is ruled on by the chair.

3. Recess. Any member may move for a recess. The motion must be seconded and a majority vote is required for passage. The motion is debatable.

4. Adjourn. Any member may move to adjourn at any time, even if there is business pending. The motion must be seconded and a majority vote is required for passage. The motion is not debatable.

5. Point of Order. Any member may require the chair to enforce the rules of the Council or board by raising a point of order. The point of order shall be ruled upon by the chair.

6. Appeal. Should any member be dissatisfied with a ruling from the chair, he/she may move to appeal the ruling to the full Council or board. The motion must be seconded to put it before the Council or board. A majority vote in the negative or a tie vote sustains the ruling of the chair. The motion is debatable and the chair may participate in the debate.

7. Suspend the Rules. Any member may move to suspend the rules if necessary to accomplish a matter that would otherwise violate the rules. The motion requires a second and a two-thirds vote is required for passage.

8. Division of Question. Any member may move to divide the subject matter of a motion which is made up of several parts in order to vote separately on each part. The motion requires a second and a majority vote for passage. This motion may also be applied to complex ordinances or resolutions.

9. Reconsider. Except for votes regarding matters which are quasi-judicial in nature or matters which require a noticed public hearing, the Council or board may reconsider any vote taken at the same session, but no later than the same or next regular meeting, to correct inadvertent or precipitant errors, or consider new information not available at the time of the vote. The motion to reconsider must be made by a member who voted on the prevailing side, must be seconded, and requires a majority vote for passage, regardless of the vote required to adopt the motion being reconsidered. If the motion to reconsider is successful, the matter to be reconsidered takes no special precedence over other pending matters and any special voting requirements related thereto still apply. Except pursuant to a motion to reconsider, once a matter has been determined and voted upon, the same matter cannot be brought up again at the same meeting.

10. Rescind, Repeal, or Annul. The Council or board may rescind, repeal, or annul any prior action taken with reference to any legislative matter so long as the action to rescind, repeal, or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements or unless otherwise specified by law.

G. Authority of the Chair.

Subject to appeal, the chair shall be the chief parliamentarian, rule on points of order, and shall have the authority to prevent the misuse of the legitimate form of motions, or the abuse of privilege of renewing certain motions, to obstruct the business of the Council or board by ruling such motions out of order. In so ruling, the chair shall be courteous and fair and should presume that the moving party is making the motion in good faith.

H. Public Hearings.

Matters which are required to be heard at a noticed public hearing shall be conducted in the following manner.

1. Time for Consideration. Matters noticed to be heard by the Council or board shall commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made.

2. Continuance of Hearings. Any hearing being held or noticed or ordered to be held by the Council or board at any meeting may, by order or notice of continuance, be continued or re-continued to any subsequent meeting in the manner provided herein for adjourned meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted or made.

3. Public Discussion at Hearings. When a matter for public hearing comes before the body, the chair shall open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the chair shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence respecting the matter. Any person desiring to speak or present evidence shall make his/her presence known to the chair and upon being recognized by the chair, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the chair. Members who wish to ask questions of the speakers or each other during the public hearing portion, may do so but only after first being recognized by the chair. The chair shall conduct the meeting in such a manner as to afford due process. Time limits may be established by the chair, limiting the duration of presentations as set forth in these rules.

All persons interested in the matter being heard shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by the City Clerk or secretary of the board as part of the record. No person shall be permitted during the hearing to speak about matters or present evidence which are not germane to the matter being considered. A determination of relevance shall be made by the chair, but may be appealed as set forth in these rules.

4. Consideration of Question by Council or Board. After all members of the public desiring to speak upon the subject of the hearing have been given an opportunity to do so, the public hearing shall be closed by the chair, and the body may consider what disposition they wish to make of the question or questions presented at the hearing. No member of the public shall be allowed, without consent of the chair, to speak further on the question during this period of deliberation; although, the members may ask questions of the speakers if so desired. At the conclusion of discussion and appropriate motion having been made and seconded, the body shall vote on the matter.

In addition to the approved Rules of Conduct, the following is provided as a reminder of guidelines to follow to ensure public meetings proceed smoothly:

Chair

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

Commission Members

Every commission member desiring to speak shall address the Chair. Upon recognition by the Chair, the member shall confine comments to the question under debate, avoiding all undignified language and references to personalities and abiding by the following rules of civil debate. A member, once recognized, shall not be interrupted except according to rules of parliamentary procedure (e.g. point of order, question of privilege, etc.).

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

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

Addressing Commission from the Floor

Any person desiring to address the commission shall first secure permission from the Chair. Any commission member may also request of the Chair that a member of the public be recognized to speak.

Remarks should be directed to the matter being considered.

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

All remarks shall be addressed to the commission as a whole and not to any individual member or to members of the audience. Without the permission of the Chair, only members and the person addressing the commission shall be permitted to enter into any discussion; however, while commission members may ask speakers questions, they should not debate matters with them.

Addressing the Commission after Motion Made

After a motion is made by the commission, no person shall address the commission in regard to that topic except upon request of the Chair, or a member of the commission through the Chair.

DECORUM IN MEETINGS

Proceedings

- Start meetings on time. Keep the agenda in mind in order to give each item the appropriate time.
- Announce at the start of a meeting if the order of agenda items is to be rearranged for convenience, for response to those attending only for certain items, or for better pacing of the agenda.
- Let the Chair run the meeting.
- Be fair, impartial, and respectful of the public, Staff, and each other.
- Give your full attention when others speak.
- Learn to trust your own good judgment on decisions.
- Remember that people may be attending a meeting for the first time, and may be unfamiliar with the procedures. In your discussions, either avoid or explain technical items or verbal shorthand.
- Listen to audience concerns. Don't engage in side conversations or otherwise be distracted during public testimony. The opportunity for public testimony is central to the strength of democracy and is therefore encouraged. Active listening, however, does not mean engaging the public in debate. Your response is appropriately saved for after the public testimony is closed.
- Close the public testimony before beginning deliberation on an issue.
- Sometimes questions can most effectively focus and direct decision-making. For example:

For Staff:

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

For other commission members:

- What do you think about this item?
- What have you heard from the residents?
- What would it take for you to support this?

For the public:

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

For yourself:

- What are we trying to accomplish?
- What are the long-range interests of the community?
- What guidance can be found in our foundational documents?

- Often you must balance multiple views, neither favoring nor ignoring one individual or group over another. Your obligation is to represent a broad-based view of the community's long-range interests.
- Remember that your commission exists to take actions and/or make recommendations. It is not simply a discussion group or debating society.
- Endeavor to end meetings at a reasonable hour. Short breaks may be helpful during long meetings. Extending the meeting beyond an appointed hour may be subjected to a vote when that hour nears.

Managing Difficult Meetings

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

Before the Meeting

- Make agendas and back-up reports easily available to participants.
- Make sure adequate seating is available. Consider moving to larger quarters if necessary.
- Make sure sound and recording equipment is adequate and operational, if applicable.
- Chair and Staff should engage in contingency planning before the meeting.

During the Meeting

- Establish and announce rules at the beginning of the meeting.
- Before public comment, ask the participants to designate one or more spokespersons, if possible. This may help reduce redundancy and make sure that all sides of the issue will be heard.
- Explain the issues, the possible actions, and the procedures that will be followed at the meeting.
- Have speakers address the commission and not the audience. Some speakers are very adept at inciting audiences, especially if they are permitted to face the audience.
- Stop clapping and shouting early. Explain the reasons why such actions are disruptive and counterproductive. For instance, the meeting should provide a forum for all points of view and such displays of support or opposition could intimidate those with an opposing point of view from speaking. In addition, such displays delay the discussion.
- Don't hesitate to use recesses to help diffuse hostility or aggressiveness.
- Consider limiting speakers to a set time such as three to five minutes. If such a procedure is used, make sure it is applied fairly and consistently.
- Consider using speaker cards. These can help identify how many people wish to speak and also whether they support or contest an issue. They are also invaluable in recording the names and addresses of speakers. Recognize, however, that if a person does not wish to fill out a card or give their name, they still have the legal right to speak.
- Make sure commissioners address colleagues and not the audience. Directly addressing the audience can result in loss of control of the meeting. In limited instances it may, however, be appropriate to address the public – for instance to explain an issue or to note that the concerns have been understood.
- Continue items that cannot be decided at the meeting. This does not preclude the commission from allowing anyone who wishes to speak on the issue to do so.

CONFLICTS OF INTEREST

The City of Lodi has adopted a Conflict of Interest Code in accordance with State law, that states no person shall make or participate in a governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect distinguishable from its effect on the public generally.

The City Attorney is available to help commission members decide if they have a conflict and should abstain from participation on any issue. There may be instances where a financial conflict of interest is not the issue, but rather a member may have an appearance of bias or bias conflict. Again, the City Attorney is available to provide guidance in determining whether a commission member should disqualify himself/herself from acting on an item. In these instances, members should recuse themselves from voting using the phrase, “...to avoid the appearance of impropriety...” and leave the room until the matter is concluded. However, note that commissioners can comment on the matter as a member of the public.

In addition, commission members may be required by the City’s Conflict of Interest Code to declare personal financial information by filing a Statement of Economic Interest ~ Form 700. Those advisory bodies whose members are required to do so are listed below:

- Library Board of Trustees
- Lodi Arts Commission
- Lodi Improvement Committee
- Measure L Citizens’ Oversight Committee
- Parks and Recreation Commission
- Planning Commission*
- Site Plan and Architectural Review Committee

**Required by Government Code 87200*

Upon appointment, the City Clerk shall provide the commission member with the documents necessary for filing. Those who do not comply with this obligation will be subject to the rules, penalties, and fines, as set forth by the Fair Political Practices Commission. Filers have the option to file electronically through the City’s electronic filing system, NetFile; however, to ensure reporting continuity, once a statement, report, or other document is filed electronically on behalf of any filer, all future reports and other documents filed on behalf of that filer must be filed electronically.

To view the City of Lodi’s Conflict of Interest Code, visit the City of Lodi’s website at: www.lodi.gov/164/Fair-Political-Practices-Commission-Agen.

To learn more about the Fair Political Practices Commission (FPPC) and the Statement of Economic Interest ~ Form 700, visit FPPC’s website at: www.fppc.ca.gov/.

RALPH M. BROWN ACT

The Ralph M. Brown Act, commonly referred to as the “Brown Act,” is California’s “sunshine” law for local government. It is codified in the California Government Code beginning at section 54950.

The Brown Act mandates that local government business be conducted at open and public meetings, except in certain limited situations (i.e. closed sessions). The central provision of the Brown Act requires all “meetings” of a “legislative body” to be open and public. The Brown Act broadly defines the term “meeting” to include any congregation of a majority of the members of a particular legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body. The City Council is a “legislative body” as are other commissions of the City (i.e. Lodi Arts Commission, Parks and Recreation Commission, Planning Commission, etc.). Under the Brown Act, a majority of the members of the legislative body are prohibited from discussing, deliberating about, or developing a collective concurrence regarding any item that is within the legislative body’s jurisdiction except as part of a duly noticed public meeting. The purpose of these provisions is to ensure that local governing bodies deliberate in public.

The Brown Act also requires that the public be given notice of the time and place meetings are held. As a general rule, a legislative body may not act on or discuss any item that does not appear on the agenda posted for the meeting. There are, however, certain exceptions to this rule. In addition, the Brown Act protects the public’s right to attend and participate in meetings. The Brown Act requires that an agenda allow for two types of public comment periods. The first is a general audience comment period where the public can comment on any item of interest that is within the subject matter jurisdiction of the legislative body. The second type of public comment period is the specific comment period pertaining to items on the agenda. The Brown Act requires a legislative body to allow members of the public to comment on agenda items either before or during the body’s consideration of that item.

The City Attorney should be consulted on any Brown Act questions or concerns and may from time to time conduct Brown Act workshops or provide materials concerning the Brown Act for new commissioners.

To view Government Code Chapter 9, Meetings [sections 54950-54963], in its entirety, visit www.leginfo.legislature.ca.gov/.

For additional Brown Act resources, including the most recent publication of “Open & Pubic: A Guide to the Ralph M. Brown Act,” visit the League of California Cities website at: www.cacities.org/Resources/Open-Government.

CONCLUSION

There is no desire on the part of the City Council or City Staff to control a member's independent thought or judgment. The City Council appoints only those persons who have knowledge, ability, and interest in the commission's purposes so that their contributions will be of assistance. All suggestions and ideas are most welcome, whether presented as a citizen, a commissioner, or as a majority vote of a commission; however, commission membership limits a member's freedom of advocacy before the City Council or other commissions on those issues that are to be considered by the member's commission so that the member can hear the item with an impartial mind; the recommendation of the commission to the City Council will include the positions of all members.

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

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

APPENDIX

CITY AT A GLANCE

(as of January 1, 2019)

Website		www.lodi.gov
Population		68,272
Area (square miles)		13.98 (including White Slough) 12.36 (without White Slough)
Developed Parks		27
City Parks Open Space Acreage (Existing and Planned)		415
Full-time City Employees		377
Part-time City Employees		306
LUSD Schools	Elementary	32
	Middle	7
	High School	7
	Other	7

HISTORICAL INFORMATION / FACTS

Incorporated as a Municipal Corporation		December 3, 1906
City's Centennial Celebration <i>Celebrated at Lodi Woman's Club</i>		December 6, 2006
Official City Flower <i>Council approved 11/20/02</i>		Rose
Official City Motto <i>Council approved 3/29/06</i>		"Livable, Lovable Lodi"
Official City Tree <i>Council approved 10/07/98</i>		Crepe Myrtle
City Facilities		
<i>(Renovation Completed)</i>	City Hall	1996
<i>(Rededication)</i>	Carnegie Forum	August 15, 1989
<i>(Final Project Completion)</i>	Hutchins Street Square	1998
<i>(Dedication)</i>	Lodi Police Department	December 22, 2003
<i>(Project Completed)</i>	City Parking Garage	2002
<i>(Dedication)</i>	Lodi All Veterans Plaza	May 22, 2002
<i>(Rededication)</i>	Lodi Mission (Bear) Arch <i>Originally built 1907</i>	June 14, 2001
<i>(Dedication)</i>	Lodi Gateway Arch	October 8, 1998