



**DATE:** March 4, 2025

**TO:** Mayor and Council

**FROM:** Assistant City Manager, City Attorney, City Clerk

**SUBJECT:** City Commissions: City Council Ad Hoc Committee Recommendations on the Structure, Roles, and Uniform Operations of City Commissions; and Introduction of Ordinance Amending the Hayward Municipal Code, Relating to the Community Services Commission, and Finding that the Action is Exempt from CEQA Review

## **RECOMMENDATION**

That the City Council:

1. Adopts a resolution accepting the report and recommendations of the City Council's Ad Hoc Committee (Attachment II) which includes the uniform administration of City commissions; updates to the Appointed Officials Handbook; and creation of the Clean and Green Commission; and
2. Introduces an ordinance (Attachment III) changing the structure, roles, and operations of the Community Services Commission.

## **SUMMARY**

On April 16, 2024<sup>1</sup>, following a work session on boards and commissions, the Mayor appointed a City Council Ad Hoc Committee to review the structure and operations of the City's appointed bodies. The Committee's objective was to recommend changes that improve operational efficiency and ensure that appointed bodies have a clear purpose and a meaningful impact on the community.

The committee, comprising Mayor Pro Temp Roche and City Council members Andrews, and Bonilla, Jr., have completed their evaluation and presents the following recommendations. The recommendations seek to ensure alignment with City Council priorities, clarify roles, and enhance the operational effectiveness of the City's appointed bodies.

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<sup>1</sup> [City Of Hayward - File #: Ws 24-006](#)

## **BACKGROUND**

In April 2024, the Mayor appointed the City Council Ad Hoc Committee on Commissions and Task Forces to address several identified issues related to the effectiveness and governance of the City's appointed bodies. These challenges included inconsistencies in the size and meeting frequency of the bodies, difficulties in aligning their work with the City Council's priorities, and concerns about member participation.

Over time, some bodies have experienced an expansion of responsibilities beyond their original scope. Additionally, as City Council priorities evolve, the nature of the work assigned to these bodies may also shift.

The committee was tasked with providing actionable recommendations to ensure that the commissions and task forces operate efficiently and are better aligned with the City's Strategic Roadmap.

## **DISCUSSION**

The City Council Ad Hoc Committee met seven times between June, 2024 and February 2025 to develop a set of comprehensive recommendations for City commissions. Key areas of focus included establishing uniform administration of, and operational guidance for, all commissions, updating the City Council's Appointed Officials Handbook<sup>2</sup>, and formalizing the transition of the Hayward Clean and Green Task Force to a formal commission. The committee also reviewed and proposes changes to the structure and responsibilities of the Community Services Commission.

These efforts addressed the size of boards and commissions, commissioner roles and responsibilities, meeting frequency, virtual attendance policies, and performance standards. Additionally, the committee proposes best practices, streamlining of procedural standards, and alignment of commission operations with the City's Strategic Roadmap.

### **Uniform Administration and Guidance for the Operation of City Commissions**

The committee recommends establishing uniform administration of, and guidelines for, the structure and operations of City commissions. (EXHIBIT A). These guidelines will address essential areas such as commission organization, meeting protocols, agenda-setting, and related procedural practices, providing a clear framework for how commissions conduct their work; individual commission bylaws would be eliminated.

While the Appointed Officials Handbook covers attendance and performance standards, these new guidelines will specifically outline consistent practices for running meetings, setting agendas, and organizing committees. By establishing these standards, the City aims to create an

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<sup>2</sup> City Council's Appointed Officials Handbook  
[www.hayward-ca.gov/sites/default/files/pdf/Appointed-Officials-Handbook%20Final.pdf](http://www.hayward-ca.gov/sites/default/files/pdf/Appointed-Officials-Handbook%20Final.pdf)

organized, efficient structure that supports clear communication and effective decision-making across all commissions.

## **Recommended Changes to the City Council’s Appointed Officials Handbook**

Updates to the City Council’s Appointed Officials Handbook apply to all commissions under the City Council’s oversight, ensuring a consistent framework for advisory roles, responsibilities, and operational standards. By standardizing procedures and clarifying expectations across all appointed bodies, the City aims to foster a unified approach that supports effective governance, transparency, and accountability. This alignment enhances collaboration among commissions and the City Council, reinforcing shared objectives and providing clear guidelines that empower all commissioners to fulfill their roles effectively.

### ***Introduction to City Government (Page 4)***

Original Language: “The City of Hayward Council is composed of six Council Members and a Mayor who are elected by the qualified voters of the city at large. The Mayor is the official head of the city for all ceremonial purposes, presides at the meetings of the Council, and signs official documents of the Council. The powers of the Council are subject to the provisions of the City Charter and the Constitution of the State of California. The City Manager is the head of the administrative branch of the city government.”

Revised Language: “The City of Hayward Council is composed of six Council Members and a Mayor. Starting in 2026, Hayward will transition to district-based elections. Council members will be elected by voters within their respective districts. Districts 1 and 6 will elect representatives in 2026, and Districts 2, 3, 4, and 5 will follow in 2028. The Mayor remains elected at large and serves as the official head of the city for ceremonial purposes, presiding at Council meetings and signing official documents. The powers of the Council are subject to the provisions of the City Charter and the Constitution of the State of California. The City Manager oversees the administration of city government.”

Rationale: This change reflects the transition to district-based elections, in alignment with the California Voting Rights Act.

### ***Term of Office (Page 13)***

Original Language: “All members are appointed by the City Council, and they could be subject to removal by a motion of at least four affirmative votes of the Council. The Council’s appointed officials shall serve for no more than two and one-half consecutive full terms of four years on any one commission. (Resolution 73-235)

Section 902 of the Charter of the City of Hayward does not apply to the term of office for members of the Keep Hayward Clean and Green Task Force because the Task Force is not a board, commission, or committee as contemplated by the Charter. Its purpose is focused on improving the quality of life in the many diverse neighborhoods in the City through Saturday

and other clean- up-up activities. The Task Force is not delegated with legal or jurisdictional responsibilities as are other boards, commissions, or committees created by the Council. The term of office for the City's appointed officials shall terminate when successors are appointed."

Revised Language: "All members are appointed by the City Council, and they could be subject to removal by a motion of at least four affirmative votes of the Council. The Council's appointed officials shall serve for no more than two and one-half consecutive full terms of four years on any one commission. (Resolution 73-235) The term of office for the City's appointed officials shall terminate when successors are appointed."

Rationale: If the Keep Hayward Clean and Green Task Force is transitioned to a commission, term limits consistent with those of other commissions will apply, prospectively.

### ***Term of Office (Page 14)***

Original Language: "The performance criteria consist of the following: attending no less than seventy-five percent of all regular meetings held; complying with training and statutory requirements; being an active and focused participant; and being prepared for meetings, e.g., reviewing the materials in the agenda packet. The Council /Staff Liaison, in concert with the Chair, will provide performance data to the City Clerk, who in turn will forward it to the Council as part of the re-appointment process at the same time applications for new candidates are received."

Revised Language: "The performance criteria consist of the following: attending no less than seventy-five percent of all regular meetings held; complying with training and statutory requirements; being an active, respectful, and focused participant. Appointees are expected to follow established procedures and demonstrate professional decorum during meetings. The Council/Staff liaison, in coordination with the Chair, will assess adherence to these criteria, including preparation for meetings (e.g., reviewing agenda materials), and provide feedback to the City Council as part of the reappointment process."

Rationale: The revised performance criteria clarify expectations by emphasizing respectful and professional conduct during meetings. Adding "professional decorum" reinforces the City's commitment to productive, respectful discussions. The streamlined process also directs feedback from the City Council/Staff liaison and Chair to inform reappointment decisions, focusing on meaningful engagement and adherence to standards.

### ***Attendance and Vacancies (Page 17)***

Original Language: "The City Council has expressed a strong preference for commissioners and task force members to attend meetings in person."

Revised Language: "Commission members are required to attend meetings in person, except when in accordance with the established just cause and emergency provisions for virtual

meeting attendance. Members may attend virtually provided they meet the eligibility requirements outlined in the applicable provisions”

Rationale: The revised virtual attendance policy establishes clear guidelines on virtual participation, balancing flexibility for commissioners with the benefits of in-person engagement. The setting of attendance criteria, with eligibility defined by state law, aligns commission attendance practices with those of City Council members, supporting consistent governance standards.

### ***Election of Officers (Page 18)***

City Charter Language: “The Council’s appointed officials shall organize by electing one of its members to serve as the presiding officer at the pleasure of such commission. Each commission shall hold such regular and special meetings as such commission may require. All proceedings shall be open to the public.” (City Charter Section 904)

Additional Guidance: “To provide equitable opportunities for leadership, each commission shall elect a Chair for a term of one year. A Chair may serve a second term if re-elected but may not serve more than two consecutive terms. Otherwise, the Chair position shall rotate annually, and no individual may serve more than two consecutive terms as Chair. This rotation enables more commissioners to participate in leadership and represent their peers. If no commissioner volunteers to serve as Chair, the position shall default to the most senior commissioner who has not recently served as Chair. A commissioner must have served for at least one year on the commission before serving as Chair.”

Rationale: This additional guidance supports inclusive leadership by promoting rotation in the Chair position. Setting a one-year term and limiting consecutive terms allows for broader leadership opportunities within commissions, fostering diverse perspectives and engagement.

### ***Council’s Role (Page 18)***

Original Language: There was no prior section explicitly defining the City Council Member’s role in overseeing appointed bodies.

Revised Language: “Commissions are advisory bodies that provide input, research, and recommendations on specific issues within their purview. The City Council is the primary policy-making body, responsible for setting policy based on input from commissions. Commissioners should focus on providing thoughtful recommendations while recognizing that final decisions and policy-setting rest solely with the City Council. This distinction ensures clarity in roles and responsibilities, preventing conflicts between advisory input and formal decision-making processes. In certain cases, decisions of the Planning Commission are final unless appealed to the City Council.”

Rationale: This addition clarifies the City Council’s policy-making role and the advisory function of commissions. By defining the City Council as the final decision-making body, the update helps

set clear boundaries for advisory input, supporting a collaborative and structured advisory process.

### ***Council Liaison's Role (Page 19)***

Original Language: “Every year, the Mayor will appoint Council Members to serve as liaisons to the Council’s appointed bodies. It shall be the responsibility of a Council liaison to attend as many commission meetings as possible in order to be aware of current issues, to listen and observe, and to bring back to the Council any needs, requests, or information from a commission. A Council shall not take part in the deliberation of the commission.”

Revised Language: “Every year, the Mayor will appoint Council Members to serve as liaisons to the Council’s appointed bodies. It shall be the responsibility of a Council liaison to attend as many commission meetings as possible in order to be aware of current issues, to listen and observe, and to bring back to the Council any needs, requests, or information from a commission. A Council liaison should refrain from participating in commission deliberations in order to maintain the advisory nature of the commission. This ensures that the commission’s recommendations are developed independently, without undue influence from the Council.”

Rationale: The expanded language clarifies the responsibilities of Council liaisons, emphasizing their role as observers and facilitators of communication rather than active participants in commission deliberations. This helps preserve the independence of commission recommendations while enhancing communication between the Council and appointed bodies.

### ***Appointed Member Role (Page 20)***

Original Language: This is a new section; however, language throughout the document generally describes the commissioners’ role, stating that “Commissioners are appointed to serve as advisors to the City Council and are expected to participate actively in commission activities.

Revised Language: “The duties and responsibilities of each body shall be clearly outlined by City ordinance, and as such, the creation of bylaws by these bodies is not permitted. The City Council shall establish best practices in the form of a resolution to facilitate their work.

Commissions serve in an advisory role to the City Council. Commissioners are responsible for reviewing issues within their commission’s purview and making recommendations to the City Council. However, they do not have the authority to direct City staff to carry out tasks that have not been approved by the City Council or that fall outside the scope of the commission’s mandate.

Commissioners shall operate within the scope outlined by the commission’s ordinance, and any expansion of responsibilities requires City Council approval to ensure alignment with the commission’s mandate.”

Rationale: The revised language clarifies that commission duties are defined by City ordinance, not self-created bylaws, ensuring City Council oversight. It reinforces the advisory role of commissions and limits directive authority over City staff to align with City Council priorities. Additionally, as previously noted, Uniform Guidance for the Operation of City Commissions (Exhibit I) establishes consistent procedures for meetings, agenda-setting, and committee structure, eliminating the need for individual bylaws. This streamlined approach enhances efficiency and ensures alignment across all commissions.

### ***Separation of Roles (Page 22)***

Original Language: There are no specific guidelines for commissioners regarding advocacy outside their official capacity.

Revised Language: “Commissioners may advocate for policy positions as private residents on issues outside their commission’s purview. When acting as private residents, commissioners should not use their title or position when advocating for issues outside the scope of their commission’s work, nor may they represent their personal views as endorsed by the commission or the City Council.”

Rationale: This addition provides commissioners with guidelines for distinguishing personal advocacy from official responsibilities. By establishing boundaries between public and private roles, the policy preserves transparency and public trust, supporting commissioners’ ability to engage in personal advocacy without potential conflicts.

### ***Conflict of Interest (Page 29)***

Original Language: The City of Hayward has a free filing system, NetFile, that allows individuals to create and electronically file their Statements of Economic Interests disclosure reports mandated by the FPPC.

Revised Language: The City of Hayward has a free filing system, NetFile, that allows individuals to create and electronically file their Statements of Economic Interests disclosure reports mandated by the FPPC.

Effective January 1, 2025, Government Code 87200 filers must electronically file their Form 700s through the FPPC’s filing system.

Rationale: The update aligns Hayward's procedures with new state regulations, ensuring standardized, transparent reporting and regulatory alignment through direct FPPC filing of Form 700s.

Attachment IV comprises a redlined version of the City Council’s Appointed Officials Handbook.

## **Recommended Changes to Keep Hayward Clean and Green Task Force**

The Keep Hayward Clean and Green Task Force currently serves as an advisory body focused on promoting green practices, organizing community clean-up efforts, and supporting environmental initiatives. The Task Force operates with 20 members and is led by a Chair and two Vice-Chairs. Though the group has crafted its own bylaws to guide its work, it functions as an informal body without the procedural standards or formally structured responsibilities of a commission.

Recommended Changes: The Task Force should be formally established as the Clean and Green Commission, comprising 18 members and 2 alternates who will adhere to the rules established by the City Council in the Appointed Officials Handbook, including term limits to be applied prospectively for current members.

The Clean and Green Commission's scope will include recommending policies on litter reduction, waste management, community beautification, and sustainable practices. In particular, the commission will focus on litter collection, illegal dumping prevention, and community preservation, while providing advisory comments on relevant ordinances. Additionally, the commission will continue to organize community clean-ups and key educational events to foster community engagement in environmental initiatives.

The commission will meet seven times per year, aligning with scheduled clean-up events, to ensure focused and effective engagement with the community.

Rationale: Establishing the Clean and Green Commission ensures operational consistency across all the City's appointed bodies. By transitioning to a formal commission structure, the Clean and Green Commission will better align its work with the City's Strategic Roadmap, supporting both immediate and long-term environmental goals.

## **Recommended Changes to the Community Services Commission**

The Community Services Commission (CSC) advises the City Council on effective resource allocation for community services, serving as the Department of Housing and Urban Development (HUD)-required community participation body for the Community Development Block Grant (CDBG) Community Agency Funding Process. The CSC reviews and studies community program needs, maximizing the beneficial impact of social programs across Hayward.

The CSC was formed through the merger of the Human Services Commission (HSC) and the Citizens Advisory Commission (CAC) creating a 22-member commission that was later reduced to 17 members through attrition.

Recommended Changes:

Reduce the CSC's membership from 17 to 11 members to improve efficiency and focus decision-making.

Update the ordinance (Attachment III) outlining the CSC's responsibilities to clarify its focused role as an advisory body to the City Council for recommending resource allocations to community services. As a body the CSC will:

- Advise the City Council as to the most effective means of allocating available resources for community services, including the annual review of federal and local funding of community-based programs and projects that align with the Council's priorities and strategic initiatives.
- Promote interagency and intergroup coordination in the development of community social resources.
- Serve as the primary conduit for resident participation in all phases of the Community Development Block Grant (CDBG) program funded by the Department of Housing and Urban Development (HUD), as specified in the City's HUD-mandated Community Participation Plan.
- Discourage and prevent through its role in the Community Agency Funding process any and all recognized discriminations based upon race, sex, religion, national origin, age, handicap, sexual orientation, and all other protected categories of persons, if any, under federal and state law, and particularly those discriminations in the areas of housing, employment, and education.
- Reduce the frequency of monthly meetings to better align with the funding cycle, ensuring that the Commission's work culminates in the timely approval of allocated funds.

Rationale: The reduction in membership enhances the Commission's efficiency, making it easier to achieve quorum, streamline decision-making, and improve operational focus.

The initial merger of the HSC and CAC created a larger, combined body, now known as the CSC. During the merger, some duties originally assigned to HSC were retained in the ordinance language, resulting in an overly broad set of responsibilities that were not intended to fall within the CSC's purview. These legacy duties have contributed to role ambiguity. Updating the ordinance will provide clear direction to the CSC, ensuring the commission's work remains focused on resource allocation for community services.

By adjusting the frequency of monthly meetings to align with the funding cycle, the CSC can concentrate on its primary objectives and reduce the need for additional meetings once funding decisions have been finalized. This adjustment allows the CSC to use time and resources more efficiently while ensuring it fulfills its advisory role in addressing community service needs.

## **STRATEGIC ROADMAP**

The recommendations from the City Council Ad Hoc Committee are designed to align the City's commissions' work with the City's goals. By improving their roles and responsibilities, these changes will help the City to better engage with the community, improve governance, and use resources effectively to meet the needs of Hayward residents.

## **FISCAL IMPACT**

There are no significant fiscal impacts associated with these recommendations.

## **PUBLIC CONTACT**

As part of the review process, all commission and task force members were provided with draft recommendations for their review and feedback. In addition, the City Council Ad Hoc Committee invited commissioners and task force members to participate in its November 13, 2024 meeting to share their input. Feedback from this meeting, along with a document jointly created by the Keep Hayward Clean and Green (KHCG) Task Force was used to refine the recommendations.

## **NEXT STEPS**

Adoption of the resolution and introduction of the ordinance, both as recommended by the City Council Ad Hoc Committee, will facilitate the next steps which include dissemination of relevant materials to all commissions and department staff, including a Commission Welcome Digital Binder (Attachment V). The City Manager is directed to take any and all necessary steps to accomplish the specific goals contained in the resolution and ordinance.

*Prepared by:* Regina Youngblood, Assistant City Manager

*Recommended by:* Michael Lawson, City Attorney  
Miriam Lens, City Clerk

Approved by:



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Dr. Ana M. Alvarez, City Manager