

UNIFORM GUIDANCE FOR THE OPERATIONS OF CITY COMMISSIONS

The City Council of the City of Hayward hereby establishes the following protocols and guidelines to govern all City commissions, pursuant to Resolution 25-xxx. In addition to the protocols and guidelines set forth herein, all City commissions are governed by the Brown Act, the Public Records Act and applicable sections of the Hayward Municipal Code. The within protocols and guidelines supersede all bylaws or similar protocols previously adopted by individual commissions. Commissions are authorized to create subcommittees of their members as may be necessary or desirable in order to allocate duties and responsibilities consistent with their mandate.

MEMBERSHIP

Commissions shall consist of members appointed by the City Council in accordance with established ordinances and/or resolutions.

OFFICERS

Each commission shall elect a Chair and a Vice Chair annually in October of each calendar year. These officers shall assume their roles at the first commission meeting following their selection and serve for a term of one year. No other officers are authorized. A Chair may serve a second term if re-elected but may not serve more than two consecutive terms. If no commissioner volunteers to serve as Chair, the position shall default to the most senior commissioner who has not recently served as Chair. Commission members are eligible to serve as Chair only after completing at least one year on the commission.

The duties of the officers shall be as follows:

Chair: The Chair shall preside over all commission meetings, following established rules of procedure to allow for the orderly flow of business in consultation with the staff liaison.

Vice Chair: The Vice Chair shall act in the Chair's absence and shall assist the Chair in the execution of their office.

TERM OF OFFICE

Commission members are appointed by the City Council and may be removed by a motion supported by at least four affirmative votes of the City Council. Commissioners may serve a maximum of two and one-half consecutive full terms of four years on any one commission.

Commissions serve in an advisory role to the City Council, consistent with their originating ordinances and/or resolutions. Commission members are responsible for reviewing issues within their commission's purview and making recommendations to the City Council. Commissioners shall operate within their designated scope, and any expansion of responsibilities requires City Council approval to ensure alignment with the commission's mandate.

ATTENDANCE AND VACANCIES

Commission members are required to attend at least seventy-five (75) percent of all regular meetings held in a calendar year. A commission member's office shall be declared vacant by the City Council

if they meet any of the following criteria: absence from three (3) consecutive regular meetings of the commission without permission noted in the official minutes; failure to maintain the required 75% attendance requirement; conviction of a crime involving moral turpitude; and/or loss of status as a qualified resident of the City.

MEETINGS

All commission meetings shall operate under the Brown Act, which is the California Open Meeting Law. (California Government Code § 54950 et seq.). All meetings must be properly noticed under the Brown Act and in accordance with established resolutions. Each commission shall ratify its meeting schedule for the entire calendar year during its December meeting. Agendas for regular meetings must be posted at least seventy-two (72) hours before each regular meeting in accordance with the Brown Act. Special meetings may be called as needed, with members notified at least forty-eight (48) hours prior to the special meeting. Teleconference participation is governed by the Brown Act and any modified legislation.

QUORUM

The quorum for any regular or special meeting shall consist of a majority of the currently seated members of the commission.

AGENDA

The agenda shall include the meeting's location, date, and time, as well as items to be discussed, in compliance with the Brown Act.

ORDER OF BUSINESS

The following order of business shall be observed in conducting regular commission meetings. Variations for public hearings and work session items are noted in parentheses.

- Call to Order
- Pledge of Allegiance
- AB 2449 Teleconference Notifications and Consideration
- Roll Call
- Public Comments
(Work Session)
- (Public Hearing)
- Approval of Minutes
- Report Item
- Action Item
- Commission Reports and Announcements
- Staff Announcements
- Adjournment
- Next Meeting Date

ORDER OF PROCEDURE

The following guidelines apply to general agenda items. Variations for public hearing items are noted in parentheses.

- Staff report
- Clarifying questions to staff
(Applicant presentation)
- (Clarifying questions from Commissioners to Applicant)
- Public Comment
- Commissioners deliberate, discuss the item
- Commissioners vote

MEETING MINUTES

The staff liaison or their designee shall maintain minutes of all commission proceedings, provide a copy to the City Clerk's office, and upload a copy to the City's website – Meeting & Agenda Center. Meeting minutes are a permanent record and must reflect the name of the commission member making a motion, the name of the commissioner member seconding it, and the vote of each commission member for all actions taken.

ORIENTATION

All commission members shall receive annual trainings on the structure and the operations of City government, as well as the legal and ethical duties and responsibilities of the City Council's appointed bodies.

TRAININGS

Commission members appointed by the City Council are required to complete the Ethics training and Harassment Prevention training within six (6) months of appointment and every two (2) years thereafter.

CONFLICT OF INTEREST/CODE OF ETHICS

Any commission member who has a conflict of interest related to an agenda item shall disclose on the record the nature of the conflict, and then excuse themselves prior to the introduction of the agenda item, as required by law.

Each commission member should work towards maintaining the highest actual and perceived integrity level while sitting on a commission.