

RESOLUTION NO. 24-011

**RESOLUTION APPROVING BOARDS, COMMITTEES AND COMMISSIONS
HANDBOOK MARCH 20, 2024 EDITION**

FINDINGS

1. The purpose of the Boards, Committees and Commissions Handbook (Handbook) is to describe protocols for efficient and effective conduct of meetings
2. Most protocols for Boards, Committees and Commissions (“Committees”) described in the Handbook mirror the protocols used by City Council.
3. Understanding and implementation of the protocols in the Handbook should help Committees function well with council and staff thus fostering good city government.
4. On February 14, 2024, the City Council directed the City Attorney to prepare a Resolution Approving the revised Handbook.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.
2. The Council hereby approves the Boards, Committees and Commissions Handbook March 20, 2024 Edition, copy attached hereto as Exhibit “A”.
3. This Resolution shall become effective immediately following passage and adoption thereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 20th day of March 2024 by the following vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Coletti, McDonnell, and Poduri.
 NOES: None.
 ABSENT: Councilmember Beck.

APPROVED:

DocuSigned by:

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BILL PEAKE, Mayor

ATTEST: 4/22/2024

DATED: _____

DocuSigned by:
Sandra Kandell
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SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Brian A. Pierik
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BRIAN A. PIERIK, City Attorney

BOARDS, COMMITTEES AND COMMISSIONS HANDBOOK

CITY OF PACIFIC GROVE

MARCH 20, 2024

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1. Introduction

The City of Pacific Grove's (City) boards, committees, and commissions (Committees) serve vital roles in support of a well-functioning city government alongside City Council, Management and Staff. The better committees function, the better city government can serve the needs of its residents and businesses. It is towards this end that this handbook was prepared.

The scope of Committee responsibilities, procedures, and applicable laws is wide. It would be impractical to include all relevant material in one document. Therefore, this document is intended to provide: (1) a brief overview of key subject areas and (2) reference more in-depth materials on specific subjects.

2. Committees

Committees formed through the City's Charter are:

- Planning Commission
- Library Board
- Museum Board
- Recreation Board

These are referred to as Charter Committees. A vote of the people is required to change the City Charter.

Committees established by the Pacific Grove Municipal Code (PGMC) are:

- Architectural Review Board
- Beautification and Natural Resources Commission
- Economic Development Commission
- Historic Resources Committee
- Task Force on Diversity, Equity, and Inclusion
- Traffic Safety Commission

A City Council ordinance is required to change the PGMC.

Many other City Committees, and Improvement Districts, exist but are not listed above. While basic Committee responsibilities and regulations apply, their nature differs in one or more significant ways. To simplify the handbook, rules and processes specific to those Committees are not set forth, including:

- Ad hoc, standing, City Council and City Manager subcommittees. An example is the Site Review Committee. See the PGMC and City Council Policy 000-5 governing such Committees.
- The Administrative Enforcement Hearing Officer Panel established by PGMC § 3.30. Its procedures are further described in PGMC § 1.19, Municipal Code and Ordinance Enforcement.
- The Downtown Pacific Grove Business Improvement District (BID) Advisory Board established by City Council Resolution 07-042, September 19, 2007 (See link to this resolution on the BID webpage). Rules governing this advisory board can also be found in PGMC § 6.50.
- The Pacific Grove Hospitality Improvement District (HID) Advisory Board established by City Council Resolution 07-044, November 7, 2007 (See link to this resolution on the HID webpage). The HID is described in PGMC § 6.54. Additional HID documentation can be obtained on the City's website. (See City Council resolutions 18-015 and 18-047.).

3. Committee Membership

Committee Member Selection Process

Committee members are appointed by the Mayor in January of each year, subject to confirmation by City Council at a public meeting (Charter Article 26; Policy 000-5). Vacancies created mid-term are filled in the same manner.

Committee Member Qualifications

Residency requirements for appointed committee members are described in Charter Article 26 and Council Policy 000-5. However, residency exceptions are made for the Architectural Review Board, Economic Development Commission, and Task Force on Diversity, Equity, and Inclusion.

Members shall not hold any paid office or employment in the City government or be a member of any other Charter Committee (Charter Article 26).

Additional member qualifications are set forth in the PGMC, including:

- Architectural Review Board - PGMC § 23.70
- Beautification and Natural Resources Commission - PGMC § 3.24
- Economic Development Commission - PGMC § 3.40
- Historic Resources Committee - PGMC § 23.76
- Traffic Safety Commission - PGMC § 16.08
- Task Force on Diversity, Equity, and Inclusion - PGMC § 3.46

How to Apply

Application forms for Committee appointments are available from the City Clerk and can be obtained from the City website. Applicants contact information is not made public, but all other information including qualifications is disclosable.

Upon Joining the Committee

New Committee members, before assuming their responsibilities, must take an oath of office as described in the California State Constitution Article XX, Sec. 3. (See also Govt. Code § 1360; Charter Article 18). Oaths are typically administered by the City Clerk but also may be administered by the Mayor and City Manager.

Select Committee members, designated in the City's Conflict of Interest Code, are required to submit a Statement of Economic Interests (FPPC Form 700) to the City Clerk within 30 days after assuming office, annually and upon leaving office. (See PGMC § 2.40)

New Committee members must participate in Government Code § 53235 (AB 1234) ethics training, within 12 months of appointment and every two years thereafter. New members must complete sexual harassment prevention training (AB 1825) within six months of appointment, and every two years thereafter. This training is available from many sources, and compliance sessions are also provided by the City Attorney.

Term of Office

Committee terms begin February 1st except when filling a seat vacated mid-term. Terms end January 31 of the designated year.

Charter Committee appointments are four-year terms unless earlier removal is warranted or there is a mid-term vacancy. A limit of three consecutive full terms shall apply (Charter Article 26). Member terms are staggered if practical (PGMC § 3.02.050).

For all other Committees, terms are limited to two years, with staggered terms if practical. Committee members may not be reappointed to a new term if reappointment would result in continuous service for more than eight consecutive years (Council Policy 000-5).

Removal from Office

Further, all Committee members serve at the pleasure of the Council. The Council, by an affirmative vote of four of its members, may remove any Committee member at any time during the member's term of office (Charter Article 26). Possible reasons for removal include but are not limited to: excessive absences, verbally or physically abusive behavior, violations of ethics, violations of Council policies, conflicts of interest, among other causes.

Leaving Office

Committee members may resign at any time. Sixty (60) days' notice is suggested to enable a replacement to be identified and appointed without causing a gap in Committee membership. Each Committee member must file an FPPC Form 700 Leaving Office Statement within 30 days of leaving office.

4. Role of Committees

All Committees have an advisory role to City Council. This advisory role is constrained to the Committee's area of responsibility, as set forth in the PGMC.

A few Committees have areas in which they hold delegated decision-making responsibility by the Municipal Code or by Council. Thus, the Planning Commission grants use permits and variances; similarly, a member of the Administrative Hearing Panel hears appeals of certain code enforcement actions.

The primary function of City Committees, however, is to advise the City Council. Both informal and formal means of communication may be used to fulfill this advisory role. Committee recommendations related to City actions may be presented at City Council meetings as individual agenda items (Council Policies 000-5 & 000-6) or action minutes. Recommendations to City Council should always be formal, i.e. by a motion and vote. While recommendations may not always be acted upon, Committees have the duty to advise on policies or issues as the law directs.

Committee responsibilities, i.e. powers and duties, are more specifically set forth in the Charter and the PGMC and copied in Appendix E.

Most Committees function in policy mode, which is a quasi-legislative responsibility. This includes, for example, recommending changes to the PGMC if within the Committee's jurisdiction.

Committees may also function in a hearing mode, from time to time, which is a quasi-judicial responsibility. This includes granting permits and hearing appeals, pursuant to the PGMC. The latter responsibility requires decisions supported by evidence presented at the hearing, which has been entered into the formal record. Those Committees are:

- Planning Commission
- Architectural Review Board
- Historical Resources Committee
- Beautification and Natural Resources Commission
- Traffic Safety Commission
- Administrative Hearing Panel

Committees may also perform additional duties as assigned by Council. Most Committees are distinct and without significant overlap. However, responsibilities of some Committees intersect. In such cases, it benefits the Committees to understand the Charter and philosophy of the others to best serve the public on issues of mutual concern.

Council policies that also apply to committees are:

- Policy 000-5 Committee Classification; Board, Commission, and Committee Appointments and Procedures
- Policy 000-9 Council Guidelines
- Policy 000-17 Order of Agenda for Council Meetings
- Policy 000-25 Code of Conduct

5. Individual Roles

Members

The primary role of all Committee members is to attend meetings and be prepared to discuss and vote on agenda items. If unable to attend a committee meeting, a member should notify the Committee Chair as soon as practical.

Officer Elections

At the beginning of the first meeting following February 1 (or at any time the Chairperson is vacant) the Chairperson must be elected by the committee., Charter committees must elect a Chairperson, or Chair, to serve a one-year term (PGMC § 3.02.050). This is also the practice of other Committees.

At this first meeting following February 1 any committee member may call the meeting to order and ask for nominations for the office of Chair. Committee members may nominate themselves or any other member; no second is required. Once nominations are complete, a vote on the nominees in the order of nomination is taken.

Each voting member of the Committee shall have one vote. The nominee receiving votes from a majority of the members in attendance shall be declared the winner. If no member receives a majority, the process shall be repeated, except in the event of a tie between the top two vote-getters, in which case a run-off shall be held.

The member nominated as Chair assumes the office of Chair immediately.

Using the same procedure, the Chair conducts nominations and voting for a Vice Chair. If the Committee decides to appoint a Secretary, then the Chair shall conduct nominations and voting for a Secretary. The Museum Board must elect a secretary, however, other committees may choose not to do so.

Chairperson

The Chair has responsibility for:

- Presiding over meetings, i.e. meeting protocol and recognizing when others may speak
- Setting the agenda
- Calling special meetings (if staff resources are available)
- Alerting Vice Chair, council liaison, and staff liaison of their upcoming absence
- Signing Committee documents
- All Committee recommendations to City Council
- Appearing before City Council on behalf of the Committee

The Chair may only speak on behalf of the committee on a topic where an action was taken by a vote.

Vice-Chair

The Vice-Chair assumes the Chair's duties in their absence. The Vice-Chair shall succeed the Chair if the Chair vacates office before the term is completed and shall serve the unexpired term. A new Vice-Chair shall be elected at the next regular meeting or as soon thereafter as practical.

Secretary

If the Secretary is appointed by the Committee, the Secretary is responsible for meeting minutes to be included in the agenda packet at the next meeting.

Staff liaison assumes responsibility for minutes if the Secretary is unable to do so, or if no Secretary is appointed.

Action minutes, which do not include commentary, are recommended.

Subcommittees

Subcommittees may be appointed by Committee vote to accomplish a specific goal within a given timeframe. Subcommittee membership must be less than the quorum of the Committee. When appropriate, staff and public may assist subcommittees but are not members of subcommittees.

Staff Liaisons

Staff is assigned to Committees by the Department Head or City Manager to facilitate the Committee in accomplishing its objectives. Such support does not always translate into attendance at the meetings; written reports or interaction with the Chair prior to the meeting may suffice.

Staff is responsible for:

- agenda packet preparation and meeting noticing, i.e. posting agendas. Staff may assist the Chair with meeting protocol as needed. If requested by the Chair, staff may prepare committee minutes
- posting meeting videos and maintaining the Committee's webpage and ensuring it is up to date
- providing access to the Council Chambers and the capability to conduct meetings with online (remote) public participation
- notifying Council liaison, Mayor, and City Manager of meeting cancellation

Staff may inform the Committee of relevant City activities, identify issues within the Committee's purview, provide advice and assist in communications with the Department Head, City Manager, or City Council.

Staff may consult with city management regarding work suggested by the committee. Committees do not have authority to provide staff work direction.

City Attorney

The City Attorney's office is available to provide legal counsel to Committees when present at Committee meetings or by email to Brian Pierik at bpierik@bwslaw.com.

Council Liaisons

A Council liaison to a Committee is appointed by the Mayor subject to confirmation by City Council.

The Council liaison may facilitate the Committee in accomplishing its objectives through the following:

- provide announcements of City actions and activities
- answer questions
- assist the Chair with process and city regulations.
- assist Chair to communicate committee actions and recommendations to City Council.
- Provide Chair with counsel as needed.

The Council liaison must not:

- participate in Committee discussions
- influence Committee decisions
- except in unusual circumstances interrupt the meeting

Note that Council liaisons, as Council Members, may later be required to review and act on Committee decisions or recommendations.

6. Committee Meetings

Meeting Types

All Committee meetings are governed by the Ralph M. Brown Act (Brown Act), California Government Code §54950 *et seq.*

Regular Meetings

Regular meetings shall be held at a regular date, time and place, which may be specified in the PGMC. Regular meetings may be rescheduled with posting of a cancellation notice and notification of a Special Meeting.

Meetings may be cancelled by either the Chair or Staff liaison. Reason(s) for cancellation shall be promptly sent by staff to Council liaison, Mayor, and City Manager.

Lack of a quorum at a meeting (majority of appointed members) requires meeting cancellation.

Special Meetings

Special meetings are those meetings held outside the regular meeting date and time. Special meetings may be held at any time upon the call of the Chair, a majority of Committee members, or City Council, followed by noticing as required by law. Special meetings may be called to meet deadlines, conduct study sessions or workshops, or when quorum was not met for a regular meeting.

Serial Meetings – Prohibited

Serial meetings occur when Committee members meet or discuss matters sequentially in pairs or small groups. The combined effect of sequential, or serial, meetings may inappropriately be a meeting of a quorum of Committee members. For example, if a member of a 7-member Committee speaks to more than two other members, it may constitute a serial meeting. Inadvertent use of email, careless use of the “reply all” function, indiscriminate forwarding of messages, forwarding messages without deleting early text histories, continuing discussion from a prior meeting via email are all poor practices that can result in serial meetings. In addition, engaging in a discussion of City business on social media can lead to a serial meeting. Serial meetings are a violation of the Brown Act. Further, Committee members are subject to FPPC investigation in the event complaints are filed.

One-On-One Meetings; Ex Parte Communications

Committee members may meet with constituents individually, in small groups or other informal settings. When the Committee acts on an issue in a quasi-judicial capacity, the member shall report on any such ex parte communications at the beginning of deliberations related to the subject of the decision. Information learned in these separate meetings must be divulged into the hearing record or must be excluded from the basis for considering any quasi-judicial decision. See PGMC § 2.04.090.

Noticing and Venue

Noticing

All Committee meetings shall comply with the Brown Act; Committees shall also follow noticing protocol set for City Council in PGMC §§2.04 and Policy 000-9.

Agenda packets for regular and special meetings shall be provided:

- at the Library;
- the outdoor display cabinet at City Hall on Laurel Avenue (agenda only);
- on the City’s website

In addition, if the meeting is held somewhere other than at City Hall, the agenda shall be posted at that facility, in a location accessible by the public.

The agenda packet shall be posted a minimum of 72 hours prior to regularly scheduled meetings. Special meeting agendas shall be posted a minimum of 24 hours prior to the meeting. Meeting cancellations or meeting continuances shall be posted. Agenda materials shall be available to the public in attendance at meetings.

Venue

Committees meet in Council Chambers. This meeting venue is open to the public and meets Americans with Disabilities Act standards.

Attendance

Members of a Committee shall attend in person unless arrangements are made in advance for attendance by teleconference. The rules for meeting attendance by teleconference are set forth in Appendix A and Government Code Section 54953 which is in effect until January 1, 2026 at which time the Committees will be notified of any changes in procedures for attendance by teleconference.

If a Committee member wishes to attend a meeting by teleconference, then the member should promptly contact the City Clerk who will coordinate with the City Attorney to determine if teleconference attendance is permissible and, if so, the procedure to arrange for teleconference attendance.

Quorum

There is no meeting of the Committee unless a quorum of the Committee is present. If less than a quorum attends, any discussion by that group is characterized as “A Committee of the Whole”, but no record is made of this occurrence, and no decisions can be made.

A quorum consists of a majority of the Committee’s members. For example, on a 6 or 7-member Committee, the quorum is 4. A vacancy reduces the number of voting member positions (See PGMC §§ 3.02.070, 3.04.080). For example, if a 7-member Committee has 2 vacancies, it has 5 voting member positions, and the quorum is 3.

Agenda

Committee meeting agenda format is the same as for Council agendas. Agenda report examples may be found in City Council Meeting agenda packets. Minutes should use the same format as the meeting agenda.

Establishing the agenda is the Chair's responsibility with input from staff and other Committee members. When an agenda issue arises the Council liaison, Staff liaison, and Chair should meet to resolve it.

The City Council may add items to a future Committee meeting agenda for consideration.

The recommended order of agenda is set forth in Council Policy 000-17 Order of Agenda for Council Meetings, making exceptions where appropriate for Committees.

The agenda must include information adequate to advise the public of the business to be considered. Agenda reports should include:

1. Subject;
2. Author;
3. CEQA analysis;
4. Recommended action;
5. Written discussion of the topic including background information, justification of the recommended action and financial impact.

Although the Brown Act permits agendas without a written discussion, i.e. stating 'oral report', this is a poor practice and is discouraged.

Unspecified topics such as "miscellaneous" or "new business" are not permissible. New topics raised during public comment, or by any Committee member announcement shall not be discussed at that meeting but may be placed on a future agenda.

Parliamentary Rules

Committees shall be guided by Robert's Rules of Order.

- *Getting the floor.* Every member desiring to speak shall address the Chair and, only upon recognition by the Chair, confine contributions to the matter at hand, avoiding all indecorous language and personal attacks.

In general, a member may not interrupt the speaker except for the following reasons:

- *Privilege.* The proper interruption would be: "Point of privilege." The Chair would then ask the interrupter to, "State your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort or amplification of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.
- *Order.* The proper interruption would be: "Point of order." Again, the Chair would ask the interrupter to, "State your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting; for example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.
- *Appeal.* If the Chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Chair, "I appeal the ruling of the Chair." If the motion is seconded and,

after debate, if it passes by a simple majority vote, then the ruling of the Chair is deemed reversed.

- *Withdraw a motion.* During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn; and any other member may make the motion, once recognized.

Rules of Testimony

No person or member shall address the Committee without permission of the Chair. (See Council Policy 000-9.) All comments shall be addressed to the Committee as a whole and shall not be addressed to individual members of the Committee, members of the public or staff.

It is helpful (though not required) for speakers to state their name in order that the secretary may identify them in the minutes of the meeting. If numerous members of the public wish to speak, and it is known that all represent the same opinion, a spokesperson may be allowed to speak for the entire group by the Chair who could provide the spokesperson ten minutes. The Chair may limit public speakers to three minutes or less depending on the number of speakers and length of agenda.

Consideration and Action on an Agenda Item

The agenda constitutes the road map for the meeting. Most agenda items can be handled with the following 4-step process.

1. Presenting Item
 - a. Opening Item – The Chair should announce the agenda item number and subject. The Chair should then announce any special procedures to be followed (e.g., if the item is a quasi-public hearing). This is also when members would announce their conflict of interest, if any exists, recuse themselves, and leave the room.
 - b. Hearing the Report – The Chair should invite the appropriate people, typically City staff, to report on the item. The Chair may provide an opportunity for committee members to ask any clarifying questions of the person providing the report. This is not preferred as questioning tends to segue into position statements before public input is taken, which is inconsistent with open meeting principles.
2. Asking for Public Input – The Chair opens the meeting to public input. The Chair may limit speakers time, as described above. A response to public comment, if appropriate, should not be provided until after public comments are finished.
3. Considering the Item—The Chair requests Committee deliberation. Member deliberation would include questions of the person(s) making the report or others with relevant knowledge, alternatives to the recommendation, additional considerations not previously stated, additional relevant facts and opinions. Time committed to deliberation should be adequate to allow the sense of the Committee to emerge.
4. Deciding – The Committee decides by a motion and voting. (See Appendices B Motions and C Voting.) For all action items, the Chair should invite a motion from the members. No motion is

made if the agenda item is “receive the report” unless the committee wishes to address recommended actions contained within the report.

Once a vote is taken discussion of the item ends.

Meetings versus Hearings

A public meeting is generally defined as a meeting in which business is conducted by a public body. A public hearing is a special type of public meeting for the purpose of the governing body accepting public comment and testimony on local legislation or a quasi-judicial matter.

For public hearings, there are additional guidelines. (See Council Policy 000-9) After receiving the staff report, the Chair opens the public hearing and accepts testimony in the following order:

1. The applicant or proponent speaks.
2. Opponent speaks.
3. Rebuttal and surrebuttal may be allowed, at the sole discretion of the Committee.
4. Public comment is heard.

The Chair shall then close the public hearing.

The public comment portion of the public hearing may be reopened before voting on the item if a new issue is raised. It is not necessary to re-open a public hearing to ask questions of the project applicant. If the public hearing is reopened, all interested parties may be heard, but the Chair can limit the input to the new issues and can further limit the time per comment.

Courtesy and Decorum

Meetings should take place in an environment where members and the public can freely express their views, i.e. with politeness and respect. The Chair should encourage discussion that focuses on the item in question, not on the personalities of members or the public or off topic. The Chair must protect the rights of the public to speak at the appropriate time.

Pursuant to Government Code § 54954.3 I, the Chair shall not prohibit public criticism of the policies, procedures, programs, or services of the city, or of the acts or omissions of the committee.

A member’s use of electronic communication devices during a meeting may lead to the public’s perception that the member is not paying attention to or receiving private information. For these reasons a member’s use of electronic communication devices (i.e., cell phones, tablets, laptop computers), other than for the purpose of (1) accessing agenda materials, (2) facilitating ADA access, (3) using teleconferencing software or (4) an emergency is prohibited.

Disruption of Meetings

1. Disruption by a Group of Persons

Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Chair

may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this Section. After the meeting room has been cleared, the Chair may readmit an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

2. Disruption by an Individual Person

Pursuant to Government Code § 54957.95, the Chair may cause the removal of any individual for disrupting the meeting subject to the following rules:

1) Prior to removing an individual, the Chair shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal.

(2) The Chair may then cause the removal of the individual if they do not promptly cease their disruptive behavior.

(3) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following: (A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to § 54954.3 or any other law. (B) Engaging in behavior that constitutes use of force or a true threat of force.

(4) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

(5) If there has been a use of force or a true threat of force, there is no obligation for the Chair to provide a warning to the individual before causing the individual to be removed from the meeting.

Public Records

Materials provided to Committee members at a public meeting must be made available for inspection and reproduction by the public. Exemptions from disclosure apply, but are narrowly applied (attorney/client, drafts, pending litigation, personnel files).

Communications by Committee members through social media posts, emails and text messages may be subject to the City's Retention Schedule and are disclosable under the Public Records Act (Council Policy 000-9).

Committee meetings shall be recorded. Current practice is video recordings. The recording and minutes are retained in accord with the City Records Retention Schedule, Council Policy 000-19 and are available online.

Committee minutes format is the same as for the agenda, i.e., consistent with Council minutes format.

Minutes may be limited to a report of actions taken at the meeting. For example, such “action minutes” typically include findings or a reference to the findings for quasi-judicial actions, and any appropriate attachments, and shall include a record of the vote for all actions. The draft minutes of all meetings shall be included in the next agenda packet for acceptance by the Committee. Authorized minutes are signed by the Chair and shall be filed with the City Clerk for inclusion in the packet of the next City Council meeting.

Adjournment

The Chair adjourns the meeting after all agenda items are completed. No vote is taken. In the event there is insufficient time to hear all items the Committee may adjourn its meeting to a certain hour on another day. A specific date, time and place shall be set by the Committee, as part of the motion to adjourn.

7. Actions taken by Committees

Committees may perform an action in different ways. Most commonly, formal action is taken by establishing a quorum, consideration of a motion and voting. Most actions require a vote by a majority of the appointed members unless a super-majority vote is required.

Informal actions

Informal actions (i.e. no vote required) generally take the form of the Chair giving direction after input from other Committee members. Informal actions would include suggesting to or requesting information from staff. Another example is suggesting that a Committee member report on a future agenda topic.

Formal actions

All formal actions must be listed in the agenda and require a motion and a vote in the affirmative.

Formal actions include:

Agenda approval

- Recommendations to City Council
- Creation of a Subcommittee
- Continuing an agenda item to a future date
- Permit approval
- Appeals

Motions

Motions are the vehicles for decision making, i.e. taking formal actions. As indicated above, a motion should be introduced on a matter after general information is shared, options have been identified, and members share their opinions and seek to persuade. The Chair shall ensure that all motions are clearly stated and commonly understood before allowing further deliberations and voting.

See Appendix–B - Motions.

Voting - See Appendix C

Deciding to Move on

Items may be continued by Committee vote to a subsequent time for the following types of reasons:

- The Committee requires additional information during the meeting.
- New information or issues come to light during the meeting that need further study.
- Other reasons deemed appropriate and substantial by the Committee.

In addition, a Committee hearing (e.g., ARB, HRC, BNRC, TSC, and Planning Commission) may continue an item when:

- The applicant cannot appear at the meeting and has requested that the item be continued.
- The application is revised by the applicant during the meeting.

- The Committee requests that the application be revised.

When Action Is Necessary

In certain circumstances—a permit application, for example— the lack of any action is not acceptable (e.g., an application must ultimately be approved or denied) due to deadlines imposed by the Permit Streamlining Act, the Federal Communications Commission, or other laws. There are three primary options here:

1. *Continuing the item.* This is often undertaken if one or more members of the body are absent or if new information can be developed. Continuance can also provide the applicant with time to consider options, develop a project more likely to receive approval, etc. Continuance ordinarily is undertaken with concurrence of the applicant, but concurrence is not required.
2. *Technically denying the application.* This option is based on the philosophy that, for a project that has been proposed, approval requires a majority of members to vote in favor. Anything less than the required majority is thus considered a denial. One option under “technical denial” is to allow any applicant or other party to appeal the matter (assuming an appeal would otherwise have been available) on the grounds that the matter was “deemed denied.” This option avoids the need for the body to take further action (e.g., if the body is unable to achieve a majority vote to forward the matter to the next higher body)
3. *Denying the application without prejudice.* This option may, in some situations, require at least one member of the body to switch their vote, in order to vote to deny for procedural reasons only. Such reasons should be stated in the motion, so the record is clear. It allows the applicant to either: a) appeal to the next higher body; or b) resubmit the same project or a modified project reflecting Committee or City input, without paying fees, waiting a minimum number of months, etc. (such a delay could be for any number of possible reasons, including awaiting turnover on the Committee). This option is in addition to the provisions exclusively for the Planning Commission detailed in PGMC §§23.70.080

See Council Policy 000-9 Council Guidelines for details concerning the procedure for hearings.

Appeals and Call-Ups

The decisions of certain Committees may be appealed or called up as set forth in PGMC §§23.74 and Table 23.70.012-1. For example, decisions of the Site Plan Review Committee and the Architectural Review Board may be appealed to the Planning Commission. Decisions of the Architectural Review Board and the Planning Commission may be appealed to Council.

Similarly, the Council may call up for review any decision of the Planning Commission or any other review authority and make its own de novo decision on the action or matter. The Architectural Review Board and Planning Commission also have the authority to call up certain actions of review bodies over which they have appeal authority. Call-ups require a vote or three members of the body.

See Council Policy 000-9 Council Guidelines for details concerning the procedure for appeals.

8. Compliance with Federal, State and Municipal Laws

Committee members are representatives of the City and have a duty to represent the City to the best of their ability, and to take those actions that the member believes are for the benefit of the City as a whole.

Members are expected to comply with all applicable federal, state and municipal laws as applied to their Committee responsibilities.

Committee members have the following ethical duties.

- **Duty of Loyalty:**
Committee members have an absolute obligation to put the public's interest before their own direct or indirect personal interests. Members breach this obligation when they benefit at the public expense. Prohibited benefits can be financial (such as participating in decisions that favorably impact a member's business, property, or investments), career-related (such as using public office and/or public resources to obtain future employment or political position), or personal such as benefits to family members or close associates. Conflict of interest requires recusal.
- **Duty of Due Diligence**
The duty of care requires that the Committee member competently and faithfully execute the duties of the office. Examples of breach of this duty include failure to attend meetings, failure to investigate, failure to engage in the deliberative process, and failure to vote.
- **Duty to Avoid Bias**
Committee members have a duty to represent all of their constituents fairly. This means that they must overcome any inherent bias that they possess.

Each member shall file on a timely basis all appropriate Fair Political Practices Commission (FPPC Form 700) reports which can be obtained online or through the City Clerk. The City's Conflict of Interest Code can be found at PGMC §2.40.

Each member shall complete required AB 1234 ethics training in a reasonable time upon appointment and repeat this training at least biannually. The City Clerk should be notified upon completion. See Appendix D – Training for more information.

Each member shall also complete sexual harassment prevention training in a reasonable time upon appointment. The state mandate for local agency official sexual harassment prevention training is commonly referred to as "AB 1661" training. A "local agency official" must receive at least two hours of sexual harassment prevention training within the first six months of taking office, and every two years thereafter, if the City provides any type of compensation, salary, or stipend to a local agency official of the City. (Cal.Gov.Code § 53237.1.) "Local agency official" means any member of a local agency (which includes a City) legislative body and any elected local agency official. (Cal.Gov.Code § 53237).

9. Reference Materials

Committees perform best when members are knowledgeable in their area of responsibility. Thus, members are encouraged to become familiar with pertinent materials, which may be found on the Committees' webpage and departmental webpages.

Examples below.

- Architectural Review Board – General Plan, PGMC Titles 12, 23, 24, Architectural Review Guidelines for Single-Family Residences, Historic Context Statement, The Secretary of the Interior's Standards for the Treatment of Historic Properties, and the Historic Resources Inventory
- Beautification and Natural Resources Commission – Urban Forestry Standards (2012), Landscape Guidelines and Plant Palette (2016), Urban Greening Plan (2016), City Council Policy 900-3 'Acceptance of Art Donations', George Washington Park Plans, PGMC Title 12 Trees and Urban Forest
- Economic Development Commission - <https://pickpg.org/>
- Historic Resources Committee – General Plan, PGMC §23.70.070 and 23.76, City of Pacific Grove Historic Context Statement, The Secretary of the Interior's Standards for the Treatment of Historic Properties, Historic Resources Inventory.
- Library Board - City Council Policy 200-6 'Library Policies'
- Museum Board – Pacific Grove Museum of Natural History Operating and Lease Agreement, <https://www.pointpinoslighthouse.org/>
- Planning Commission – General Plan, PGMC, Local Coastal Plan, Housing Element, Historic Context Statement, The Secretary of the Interior's Standards for the Treatment of Historic Properties, and the Historic Resources Inventory
- Recreation Board – City Council Policy 900-1 'Special Events', City Council Policy 200-3 'Municipal Tennis Program', City Council Policy 100-8 'Municipal Softball Park Rules, Regulations & Improvements',

Appendix A – Teleconference Attendance

If and when a Committee member wishes to attend a meeting by teleconference, then the Committee member should contact, as soon as possible, the City Clerk, Staff Liaison or Council Liaison who can consult with City Attorney if necessary. The rules for teleconference attendance at a Committee meeting by a member of the Committee are set forth in Government Code Section 54953 which specifies three types of teleconference attendance.

1. Traditional Teleconference - Government Code Section 54953 (b)

Here are the rules which apply to traditional teleconferencing:

- (1) All votes taken during a teleconferenced meeting shall be by rollcall.
- (2) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.
- (3) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.
- (4) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to § 54954.3.
- (5) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations.
- (6) Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding,
- (7) Each teleconference location shall be accessible to the public.
- (8) During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction

2. Teleconference Attendance During a Proclaimed State of Emergency - Government Code Section 54953 (e)

See Government Code Section 54953 (e) which describes the rules that apply to teleconference during a proclaimed state of emergency. This is the type of teleconferencing that was utilized during the COVID proclaimed state of emergency.

Some of the key points to note for teleconference attendance at a meeting during a proclaimed state of emergency include:

- (1) There must be a proclaimed state of emergency
- (2) Notice must be given to the public how to offer public comment remotely in real time
- (3) If a disruption of the call-in or internet connection, then no further action may be taken on items on the agenda
- (4) If a timed public comment period, then public comment must remain open until the timed public comment period has elapsed.
- (5) Every 45 days after teleconferencing for the first time, the legislative body must take a vote to allow for continued use of this teleconferencing method.
- (6) The legislative body is not required to provide a physical location from which the public may attend or comment.

3. Teleconference Attendance Authorized by AB 2449 – Government Code Section 54953 (f)

Teleconferencing with Section 54953 (f) is permitted when there are “emergency circumstances” or “just cause” which are defined as follows:

- (1) “Emergency circumstances” means a physical or family medical emergency that prevents a member from attending in person.
- (2) “Just cause” means any of the following:
 - (A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. “Child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms do in Section 12945.2.
 - (B) A contagious illness that prevents a member from attending in person.
 - (C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).
 - (D) Travel while on official business of the legislative body or another state or local agency.

Some of the key points for teleconference attendance based on AB 2449 include the following:

- (1) At least a quorum of the members of the legislative body must participate in person from a singular physical location clearly identified on the agenda which location shall be open to the public
- (2) The teleconference location where the member is present does not need to be available for attendance by the public.
- (3) The legislative body must give notice of the means by which members of the public may access the meeting and offer public comment including comment remotely in real time.

(4) If a disruption of the call-in or internet connection, then no further action may be taken on items on the agenda

(5) "Just Cause": The member must notify the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(6) "Emergency Circumstances": The member must request the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law.

Note: The procedure for the legislative body to take action to approve (or deny) the request would be a motion at the beginning of the by a Committee member to approve (or deny) the request by the member to attend the meeting by teleconference, followed by a second and a vote by the Committee members. If the Motion is denied, the Committee member can still attend the meeting, but only as an observer and should not speak during the meeting.

(7) A member shall make a request to participate remotely at a meeting as soon as possible.

(8) The member shall make a separate request for each meeting in which they seek to participate remotely.

(9) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(10) The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(11) There is a limitation on teleconferencing with AB 2449 in that such attendance may be no more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

Appendix B – Motions

The Chair usually initiates a motion by:

1. Inviting a member to make a motion: “A motion at this time would be in order;”
2. Suggesting a motion: “A motion would be in order that we approve and forward to the Council the annual report, as drafted;” or
3. Making the motion.

Once recognized, a member makes a motion by preceding the member’s desired approach with the words: “I move ...”. A typical motion might be: “I move that we accept the staff recommendation that...”

Often, a member will prefer a variant of the motion on the floor. They can ask the maker and seconder if they are willing to reword their motion. If they agree, the motion is amended.

If one or both is not amenable to the suggested rewording, a member may propose an amendment or wait until after the vote on the original motion and propose a different motion. Up to three principal motions—the basic motion and two amendments— may be considered at one time – in reverse order:

1. **The basic motion.** The basic motion proposes a decision for consideration. A basic motion might be: “I move that we create a two-member Committee to study this matter in depth.”
2. **The motion to amend.** A motion to amend proposes to change the basic motion under discussion. A motion to amend might be: “I move that the Committee focus on just two primary options.”
3. **The motion to amend an amendment.** A motion to amend an amendment proposes a further change to the motions under discussion. A motion to amend the amendment might be: “I move that one of the options for the Committee to analyze be to prohibit murals on wood-sided buildings.”

No further motion to address the substance of the matter is in order. (Incidental or privileges motions, which deal with procedural issues, may still be raised.) Each motion is subject to deliberation. A motion to amend or to amend an amendment is at times labeled a “substitute motion.” Whether considered as an amendment or a substitute, such motions are handled the same.

When Multiple Motions Are before the Committee

When two or three substantive motions are on the floor (with each having been seconded) at the same time, the *first* vote resolves the *last* motion made. If the amendments deal with alternative approaches to the same question, and a majority votes to approve the third motion, the remaining motions are then moot, and action on the agenda item would be complete. If the third motion *fails*, the Chair then proceeds to consider the second motion.

If an amendment deals with a different aspect of the same matter, then the motions would be considered in turn, in reverse order (second amendment, first amendment, and original motion).

In action minutes, only the final motion or action is recorded.

Limits to Deliberation

While the basic rule of motions is that they are subject to discussion and debate, some exceptions limit debate on a motion. Examples of motions that are *not* debatable include:

- **A motion to adjourn.** This motion, if passed by simple majority, requires the body to immediately adjourn to its next regularly scheduled meeting.
- **A motion to recess.** This motion, if passed by simple majority, requires the body to immediately take a recess for the time set by the Chair.
- **A motion to fix the time to adjourn.** This motion, if passed by simple majority, requires the body to adjourn the meeting at the specific time set in the motion.
- **A motion to table.** This motion, if passed by simple majority, places the matter on “hold” and ends discussion of the item. The motion may state a specific time when the item shall return on the agenda, but it need not.

When these, or other incidental or privileged motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion.

Most motions require a simple majority; but a few exceptions apply when the body limits a minority from acting on or discussing an item. These motions require a two thirds majority to pass:

- **End debate.** Members can end debate by “moving the previous question.”
- **Motion to close nominations.** A motion to close nominations limits the right of a minority to nominate officers.
- **Motion to suspend rules.** This motion is debatable but requires a two-thirds vote to pass.

Division of a Motion

If a motion contains two or more divisible propositions, each of which is capable of standing as a complete proposition, the Chair may, and upon request of a member shall, divide the same. The Chair’s determination shall be appealable by any member. For example, a motion to approve a project and waive applicant fees is divisible into two separate motions.

Withdrawal of a Motion

A motion may be withdrawn by the maker at any time prior to the vote, without the consent of the member seconding it. Any other member may choose to make the same motion.

Motion to Continue

The Committee may vote to continue items to a subsequent meeting for the following reasons:

- The Committee requires additional information during the meeting;
- New information or issues come to light during the meeting that need further study; or
- Other reasons the Committee deems “appropriate and substantial.”

A motion to continue requires a majority vote for approval. This is also known as a motion to postpone and is amendable.

The Committee may continue a submitted application when:

- The applicant cannot appear at the meeting and has requested that the item be continued;
- The application is revised by the applicant during the meeting; or
- The Commission requests that the application be revised.

- Continuances ordinarily are undertaken with concurrence of the applicant, but concurrence is not required.

Motion to Reconsider

A motion to reconsider a vote is a motion limited in both the time it can be made and the person who can make it. A motion to reconsider an action taken by the Committee may be made on the same day as the meeting in which the motion to be reconsidered was decided, or the next business day if the session is more than one day. The motion must be made by a member who voted on the prevailing side but may be seconded by any member. For example, a person voting in the majority of a 4-3 vote for a motion to approve or deny an item (prevailing side) may make a motion to reconsider. If there is tie vote (3-3 and 1 absence), or if the motion fails (3 in favor, 2 against, 2 absent), then a motion to reconsider is not available as it only applies to actions taken by the Committee.

A motion to reconsider requires a second, is debatable, and is not amendable. If the motion to reconsider fails, it may not itself be reconsidered. Reconsideration may not be moved more than once on the same motion. If the motion to reconsider passes, the original matter is back before the Committee. The matter may be discussed, debated, and amended as if it were on the floor for the first time.

No member is prevented from making a motion to rescind such *action* at a subsequent meeting of the Committee, provided the agenda for that meeting includes the proposed action to rescind. Often such motions are used to make policy changes. The motion must be seconded, is debatable, and requires a majority vote.

Appendix C– Voting

Majority Voting Requirement

The Code requires the affirmative vote of a majority of the total members of the Committee (excluding any non-voting members), on any item, for any action by the Committee, unless otherwise provided.¹ (See PGMC §§ 3.02.070 and 3.04.080). For example, the majority of a fully constituted Committee is 4. In a 7-member body, a vote of 4-3 passes the motion. If there are 2 vacancies, and the total members are 5, then a majority is 3 members. Therefore, unless a super-majority is required, a simple majority vote determines whether each motion passes or is defeated. Proxy votes for absent members are not allowed.

Tie Votes

A tie vote means the motion fails. If one member is absent and the vote is 3-3, the motion fails. Tie votes may be reconsidered on motion by any member of the Committee voting aye or nay during the original vote. Before a motion is made on the next item on the agenda, any member of the Committee may make a motion to continue the matter to another date. Any continuance for this purpose suspends the running of any time in which action of the Committee is required by law.

Disqualification from Voting; Recusal

Commission members shall disqualify themselves from deliberation and voting on any matter before the Commission, prior to the Commission's consideration of the matter, when there is a conflict of interest. A member may also choose not to participate due to personal bias or the appearance of impropriety. Upon the Chair's announcement of an item, members must state that they are disqualifying themselves due to a conflict of interest, state the nature of the conflict (e.g., financial), and leave the room until the completion of that item.

If the number of members recusing themselves due to a conflict of interest disrupts the quorum, the "rule of necessity" allows the random selection of the fewest number of conflicted members to vote as is needed to enable a quorum to participate and reach a decision. For example, if 4 out of 7 Committee members are conflicted, the Committee may select one of the conflicted members to vote so as to have a quorum.

Abstentions

Abstentions are discouraged. Members should abstain from voting only due to lack of participation in an evidentiary proceeding before the Committee and their inability to review the record. In that instance, members will be recorded as absent for that item.

A member present for consideration of a motion who opposes the motion must vote against it. In the event of an abstention the abstainer in effect "consents" that a majority of the quorum of the members present may act for them. Thus, a member who abstains (for any reason other than lack of opportunity to review the record) is deemed to acquiesce in the action taken by the majority of members who voted. For example, on a 7-member Committee, if the vote is 3 in favor, 2 against, with 1 absence and 1 abstention, the motion is approved, since a quorum was present, and a majority of the total

¹ In certain circumstances, supermajority votes (majority + 1) are required: certain actions of Council, e.g., an urgency ordinance; zoning amendments by the Planning Commission.

membership is judged to have voted in favor. A 3-3 vote with one abstention means the motion fails as there is no majority.

Members who are silent during a voice vote shall have their vote recorded as an affirmative vote, except when individual members have stated in advance that they will not be voting.

Voting Methods. Most votes shall be by voice vote. The Chair asks those in favor to say, "Aye," and those opposed to say "No." The Chair then announces the result, naming any member(s) in dissent.

A roll call vote is required in the event of any member is attending virtually, with each member answering "aye" or "no" as their name is called by the staff liaison. The order of voting for roll call votes shall be random.

Recording of Votes. The results of the vote shall be announced immediately following the action as shown in the following example: "The motion passed 5-2, Brown and Smith voting no." The minutes of the Committee's proceedings shall show the vote of each member, including whether they were absent or failed to vote on a matter considered. For example,

Ayes:

Noes:

Absent:

Abstain:

Members may change their votes up to the time the vote is finally announced. After that, members may only change with permission of the Committee, which may be given by general consent; that is, by no member's objecting when the Chair inquires if anyone objects. If an objection is made, a motion may be made to grant the permission, which is debatable.

Appendix D – Training

Reimbursement

Committee Members may be reimbursed expenses for subject matter training with prior Department Head approval.

Mandatory Ethics Training AB 1234

AB 1234, passed in 2014, codified at Government Code § 53235, requires many California state and local officials and employees to complete mandatory ethics training. It states:

(a) (1) If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article.

(2) All local agency officials who are members of the governing board of a school district, a county board of education, or the governing body of a charter school shall receive training in ethics pursuant to this article, whether or not any member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties.

(b) Each local agency official shall receive at least two hours of training in general ethics principles and ethics laws relevant to the official's public service every two years.

(c) If an entity develops curricula to satisfy the requirements of this §, then the Fair Political Practices Commission and the Attorney General shall be consulted regarding the sufficiency and accuracy of the proposed course content. When reviewing any proposed course content, the Fair Political Practices Commission and the Attorney General shall not preclude an entity from also including local ethics policies in the curricula.

(d) A local agency or an association of local agencies may offer one or more training courses, or sets of self-study materials with tests, to meet the requirements of this §. These courses may be taken at home, in-person, or online.

(e) A provider of training courses to meet the requirements of this article shall provide participants with proof of participation to meet the requirements of § 53235.2.

(f) A local agency shall provide information on training available to meet the requirements of this article to its local officials at least once annually.

AB 1234 applies to "members of a legislative body," which is defined as in the Brown Act, Government Code § 54952. It thus applies to members appointed to city boards and commissions.

AB 1234 does not specify a time period within which an official must take and complete the training. Where, as here, a statute does not impose a specific time requirement, the statute is deemed to require compliance within a "reasonable" time.

Appendix E – Powers and Duties

Planning Commission - Charter Article 26.a & PGMC § 23.70 (abbreviated)

- (1) Recommend to the Council the adoption, amendment, or repeal of a General Master Plan, or any part thereof, for the physical development of the City.
- (2) Exercise such functions with respect to land subdivisions, planning and zoning as may be prescribed by ordinance or resolution.
- (3) Perform such other duties relating to planning and zoning as the Council may require by ordinance or resolution, or as may be prescribed by the General Laws of the State.
 - (a) Use Permits and Use Permit Amendments.
 - (b) Variances and Variance Amendments.
 - (c) Tentative and Final Tract Maps.

Library Board - Charter Article 26.b

- (1) Act in an advisory capacity to the Council and City Manager in all matters pertaining to the operation of a public library.
- (2) Recommend to the City Council the adoption of such laws, rules, and regulations as it may deem necessary for the administration and protection of the City Library.
- (3) Perform such other duties relating to the library services as the Council may require by ordinance or resolution.

Museum Board - Charter Article 26.c & PGMC § 3.44

- (1) Act in an advisory capacity to the Council and City Manager in all matters pertaining to the operation of a public museum.
- (2) Recommend to the City Council the adoption of such laws, rules, and regulations as it may deem necessary for the administration and protection of the City Museum.
- (3) Perform such other duties relating to the museum service as the Council may require by ordinance or resolution.
 - (b) To act in an advisory capacity to the city council and city manager in all matters pertaining to the operation of the Point Pinos Lighthouse.
 - (c) To recommend to the city council the adoption of such laws, rules, and regulations as it may deem necessary for the administration and protection of the Point Pinos Lighthouse.

Recreation Board - Charter Article 26.d

- (1) Act in an advisory capacity to the Council and City Manager in all matters pertaining to the operation of a City recreation program.
- (2) Recommend to the City Council the adoption of such laws, rules and regulations as it may deem necessary for the administration and operation of a City recreation program.
- (3) Promote and stimulate public interest in a recreation program and solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein.
- (4) Perform such other duties relating to the recreation program as the Council may require by ordinance or resolution.

Architectural Review Board - PGMC § 23.70 (abbreviated)

(c) Applicability. As summarized in Table 23.70.012-1, the architectural review board is the decision-making authority for structures not listed on the historic resources inventory for the following permits:

- (1) Outside of the coastal zone, architectural permits for new construction, major alterations to existing structures, or demolition and reconstruction of structures. This section does not apply to any project listed in PGMC 23.70.020, 23.70.030 and 23.70.040, including a design change to an approved architectural permit that meets the provisions of PGMC 23.70.030(b)(4);
- (2) Within the coastal zone, architectural permits for new construction, major and minor alterations to existing structures, or demolition and reconstruction of structures, including an amendment to an approved architectural permit. This section does not apply to any project listed in PGMC 23.70.020(b)(1)(B), (2)(A) through (E), (3)(B) and (D), (4), (5), and (6);
- (3) Within the coastal zone, architectural permits for Category 1 detached accessory structures larger than 120 square feet, pursuant to Table 23.64.180;
- (4) Sign permits, pursuant to Chapter 20.04 PGMC (Signs) and PGMC 20.05.070. This section does not apply to any counter review and determination or administrative sign permit under PGMC 23.70.020, 23.70.030 and 23.70.040;
- (5) Whenever otherwise required by this code.

Beautification and Natural Resources Commission - PGMC § 3.24

- (a) To support, encourage, and facilitate conservation, restoration, beautification, and improvement of natural resources in the city through projects, programs, and activities;
- (b) To develop, with the city arborist, forester or other persons knowledgeable in natural resources, management and public education and information programs for urban reforestation, preservation, and protection of trees, vegetation, wildlife habitat, water, and other natural resources to correlate with the city's general plan;
- (c) To perform the functions prescribed for the beautification and natural resources commission under PGMC Title 12, Trees and the Urban Forest;
- (d) To advise the city council and other boards and commissions on landscaping, beautification projects, design plans, maintenance for publicly owned property, facilities, parks, butterfly habitats, recreation trails, and shoreline areas;
- (e) To advise the planning commission, architectural review board, and the city council on ordinances and amendments thereto that may be proposed relating to construction and development in the city regarding beautification, natural resources, and landscape designs;
- (f) To make recommendations to the council regarding works of art, gifts and devises offered to, commissioned by, or purchased by the city and proposed to be placed, erected, or created outdoors on city property;
- (g) To review and recommend to the council city positions on proposals in the city, within the city's sphere of influence, or within a wider area that may have a potential impact on the healthy natural environment of the city and the region, including recycling and reuse matters;
- (h) To establish subcommittees to address specific areas of interest, including without limitation, restoration of monarch butterfly habitats and shoreline improvements;
- (i) To advise on all matters concerning the Monarch Grove Sanctuary;
- (j) To advise on matters concerning stormwater recycling and runoff quality.

Economic Development Commission - PGMC § 3.40

- (a) Devise and recommend economic development and enhancement strategies and programs to the city manager and council; and
- (b) Assist the city's businesses and job seekers in their efforts; and
- (c) Help meet the shopping and service needs of local residents by promoting retail business interests; and
- (d) Ensure coordination of efforts by the Pacific Grove chamber of commerce, the Pacific Grove business improvement district, the hospitality improvement district, the Monterey County convention and visitors bureau and the city; and
- (e) Perform other duties and functions as set out in this chapter or as may be required from time to time by specific direction of the council.

Historic Resources Committee - PGMC § 23.70 (abbreviated)

(c) Applicability.

(1) Decision-Making Authority. As summarized in Table 23.70.012-1, the historic resources committee is the decision-making authority for historic determinations, which are additions to and deletions from the historic resources inventory, pursuant to the evaluation criteria in PGMC 23.76.025 and for structures listed on the historic resources inventory for the following permits per PGMC 23.76.080:

(A) Outside of the coastal zone, architectural permits for new construction, major alterations to existing structures, or demolition and reconstruction of structures. This section does not apply to any project listed in PGMC 23.70.020, 23.70.030 and 23.70.040, including a design change to an approved architectural permit that meets the provisions of PGMC 23.70.030(b)(4);

(B) Within the coastal zone, architectural permits for new construction, major and minor alterations to existing structures, or demolition and reconstruction of structures, including an amendment to an approved architectural permit. This section does not apply to any project listed in PGMC 23.70.020(b)(2)(A) through (E), (3)(D), (4), (5), and (6)(B);

(C) Historic preservation permits for exceptions to land use regulations involving structures on the historic resources inventory, pursuant to PGMC 23.76.060;

(D) Historic demolition permits for the demolition of any structure on the historic resources inventory, pursuant to PGMC 23.76.090;

(E) Historic relocation permits for the off-site relocation of any structure on the historic resources inventory, pursuant to PGMC 23.76.100;

(F) If referred by the director or if a written request for a hearing is received within 10 days of the department's issuance of a notice of administrative decision, for one of the following applications:

(i) Administrative architectural permit;

(ii) Architectural design change; and

(G) Whenever otherwise required by this code.

(2) Recommending Authority. As summarized in Table 23.70.012-1, the historic resources committee is the recommending authority for initial historic screening requests. The committee shall make a recommendation to the director as to whether a determination of ineligibility can be made or if a Phase 1 historic assessment is needed to determine the historicity of a structure.

(3) Other Duties. Other duties as set out in this chapter, in Chapter 23.76 PGMC, or as directed by the city council.

Task Force on Diversity, Equity, and Inclusion – PGMC § 3.46

- (a) To act in an advisory capacity to the council and city manager on the topics of diversity, equity, inclusion, and racial justice as related to the city of Pacific Grove.
- (b) Recommend to the council adoption of such laws, rules, regulations, programs and practices on the topics of diversity, equity, inclusion, racial justice and healing that relate to the city of Pacific Grove.
- (c) Perform other duties as the council may request.

Traffic Safety Commission – PGMC § 16.08

- (a) To receive complaints having to do with traffic matters;
- (b) To recommend to the legislative body of this city and to the city traffic engineer ways and means for improving traffic conditions and safety;
- (c) To appoint a representative to the Transportation Agency of Monterey County (TAMC) bicycle and pedestrian committee; and
- (d) To review and make recommendations to the legislative body of this city regarding bicycle and pedestrian facilities within the city.