



Public Works Department

# AGENDA

## REGULAR MEETING OF THE CITIZEN STREET OVERSIGHT COMMITTEE

**Monday, September 24, 2012, 7:00 p.m.**  
**El Cerrito City Hall**  
Hillside Conference Room  
10890 San Pablo Avenue

1. **Roll Call**
2. **Comments from the Public**  
*(Each speaker is limited to a maximum of 2 minutes.)*
3. **Review of Fiscal Year 2011 – 2012 Revenues & Expenditures**  
A detailed list of financial activity will be presented and discusses (no action requested)
4. **Staff Liaison Report**  
Review work plan for 2012-13  
Report on Pavement Moratorium Status
5. **Approval of Minutes**  
Review and approve minutes from January 23, 2012 Meeting. (**Action Requested: Approval**)
6. **Review Committee Standing Rules**  
Review Standing Rules as adopted at the January 23, 2012 (no action requested)
7. **Future Agenda Items and Meeting Schedule**  
Set agenda and date for next meeting (**Action Requested: set agenda and date**)
8. **Adjournment**

*Any writings or documents provided to a majority of the Citizen Street Oversight Committee regarding any item on this agenda will be made available for public inspection in the Public Works Department located at 10890 San Pablo Avenue during normal business hours.*

### COMMUNICATION ACCESS INFORMATION

*To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Jerry Bradshaw, Staff Liaison at 215-4382 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.*

10890 San Pablo Avenue, El Cerrito, CA 94530 Tel: 510.215.4382  
E-mail: [jbradshaw@ci.el-cerrito.ca.us](mailto:jbradshaw@ci.el-cerrito.ca.us)

**FY 2011 - 12 Street Improvement Fund Revenues - unaudited**

<u>Date</u>	<u>Vendor</u>	<u>Project</u>	<u>Sub Project</u>	<u>Acct #</u>	<u>Acct Name</u>	<u>Amount</u>	<u>Total</u>
9/27/2011	State of CA			40240	Revenue	133,315.31	
10/17/2011	State of CA			40240	Revenue	93,700.00	
11/30/2011	State of CA			40240	Revenue	124,900.00	
1/9/2012	State of CA			40240	Revenue	161,562.03	
1/13/2012	State of CA			40240	Revenue	107,700.00	
2/27/2012	State of CA			40240	Revenue	143,600.00	
3/27/2012	State of CA			40240	Revenue	148,573.09	
4/17/2012	State of CA			40240	Revenue	95,900.00	
5/30/2012	State of CA			40240	Revenue	127,800.00	
6/30/2012	State of CA			40240	Revenue	121,263.00	
6/30/2012	State of CA			40241	Revenue	96,400.00	
6/30/2012	State of CA			40242	Revenue	128,500.00	
							1,483,213.43
12/31/2011	Interest			44010	Revenue	(88.64)	(88.64)
6/30/2012	REVERSE STREET OVERLAY ACC	c3037	1	45430	Revenue	(94,798.01)	
6/30/2012	REVISED STREET OVERLAY ACCI	c3037	1	45430	Revenue	88,281.59	
							(6,516.42)
7/26/2011	Moratoria Repairs	c3040	3	48990	Revenue	500.00	
8/8/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
8/15/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
8/15/2011	Moratoria Repairs	c3040	3	48990	Revenue	1,525.00	
8/17/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
8/18/2011	Moratoria Repairs	c3040	3	48990	Revenue	1,152.00	
9/1/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
9/9/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
9/19/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
9/23/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
10/3/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
10/5/2011	Moratoria Repairs	c3040	3	48990	Revenue	1,050.00	
10/12/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
10/13/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
10/18/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
10/19/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
10/27/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
10/27/2011	Moratoria Repairs	c3040	3	48990	Revenue	1,050.00	
11/2/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
11/4/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
11/7/2011	Moratoria Repairs	c3040	3	48990	Revenue	(525.00)	
11/8/2011	Moratoria Repairs	c3040	3	48990	Revenue	1,050.00	
11/16/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
11/17/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
11/18/2011	paving	c3027	12	48990	Revenue	525.00	
11/18/2011	Moratoria Repairs	c3040	3	48990	Revenue	(525.00)	
11/18/2011	paving	c3027	12	48990	Revenue	525.00	
11/21/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
11/30/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
12/14/2011	Moratoria Repairs	c3040	3	48990	Revenue	1,050.00	
12/15/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
12/22/2011	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
1/10/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
1/11/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
1/23/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
1/25/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	

<u>Date</u>	<u>Vendor</u>	<u>Project</u>	<u>Sub Project</u>	<u>Acct #</u>	<u>Acct Name</u>	<u>Amount</u>	<u>Total</u>
2/8/2012	Moratoria Repairs	c3040	3	48990	Revenue	1,050.00	
2/14/2012	Moratoria Repairs	c3040	3	48990	Revenue	1,050.00	
2/15/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
2/23/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
2/27/2012	Moratoria Repairs	c3040	3	48990	Revenue	1,050.00	
3/8/2012	Moratoria Repairs	c3040	3	48990	Revenue	1,050.00	
3/12/2012	Moratoria Repairs	c3040	3	48990	Revenue	1,575.00	
3/14/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
3/21/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
3/28/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
4/3/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
4/4/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
4/17/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
4/30/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
4/30/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
5/2/2012	Moratoria Repairs	c3040	3	48990	Revenue	2,100.00	
5/7/2012	Moratoria Repairs	c3040	3	48990	Revenue	2,100.00	
5/15/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
5/16/2012	Moratoria Repairs	c3040	3	48990	Revenue	1,575.00	
5/18/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
5/24/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
5/30/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
6/5/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
6/6/2012	Moratoria Repairs	c3040	3	48990	Revenue	(525.00)	
6/11/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
6/13/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
6/20/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
6/26/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
6/28/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
6/30/2012	Moratoria Repairs	c3040	3	48990	Revenue	525.00	
							42,552.00
8/25/2011	Plans	c3027	12	48990	Revenue	20.00	
8/25/2011	Plans	c3027	12	48990	Revenue	15.00	
8/25/2011	Plans	c3027	12	48990	Revenue	10.00	
8/26/2011	Plans	c3027	12	48990	Revenue	15.00	
8/30/2011	Plans	c3027	12	48990	Revenue	30.00	
8/31/2011	Plans	c3027	12	48990	Revenue	30.00	
8/31/2011	Plans	c3027	12	48990	Revenue	10.00	
8/31/2011	Plans	c3027	12	48990	Revenue	10.00	
8/31/2011	Plans	c3027	12	48990	Revenue	10.00	
9/1/2011	Plans	c3027	12	48990	Revenue	10.00	
9/1/2011	Plans	c3027	12	48990	Revenue	15.00	
9/6/2011	Plans	c3027	12	48990	Revenue	10.00	
9/6/2011	Plans	c3027	12	48990	Revenue	10.00	
							195.00
<b>Total Revenues</b>							<b>1,519,355.37</b>

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**FY 2011 - 12 Street Improvement Fund Expenditures - unaudited**

<u>Date</u>	<u>Vendor</u>	<u>Project</u>	<u>Sub Project</u>	<u>Acct #</u>	<u>Acct Name</u>	<u>Amount</u>	<u>Total</u>
11/30/2011	FIN AUTH-STREETS D/S TRANSFER			59990	Debt Service	246,293.92	
5/31/2012	FIN AUTH-STREETS D/S TRANSFER			59990	Debt Service	491,288.59	
	TOTAL DEBT SERVICE						737,582.51
11/30/2011	Maze & Associates			52120	Legal/Fin Svc	600.00	
1/17/2012	Maze & Associates			52120	Legal/Fin Svc	695.00	
4/23/2012	Willdan Financial			52120	Legal/Fin Svc	500.00	
5/29/2012	Maze & Associates			52120	Legal/Fin Svc	750.00	
6/30/2012	Maze & Associates			52120	Legal/Fin Svc	450.00	
	TOTAL LEGAL & FINANCIAL						2,995.00
7/15/2011	Payroll Post	c3027	1	51120	PT Salaries	1,816.91	
7/29/2011	Payroll Post	c3027	1	51120	PT Salaries	1,724.52	
8/12/2011	Payroll Post	c3027	1	51120	PT Salaries	1,047.03	
8/26/2011	Payroll Post	c3027	1	51120	PT Salaries	1,632.14	
9/9/2011	Payroll Post	c3027	1	51120	PT Salaries	585.11	
9/23/2011	Payroll Post	c3027	1	51120	PT Salaries	400.34	
10/7/2011	Payroll Post	c3027	1	51120	PT Salaries	2,217.24	
7/15/2011	Payroll Post	c3027	1	51200	PARS	43.64	
7/29/2011	Payroll Post	c3027	1	51200	PARS	53.24	
8/12/2011	Payroll Post	c3027	1	51200	PARS	48.84	
8/26/2011	Payroll Post	c3027	1	51200	PARS	55.65	
9/9/2011	Payroll Post	c3027	1	51200	PARS	17.61	
9/23/2011	Payroll Post	c3027	1	51200	PARS	22.82	
10/7/2011	Payroll Post	c3027	1	51200	PARS	53.24	
7/15/2011	Payroll Post	c3027	1	51220	FICA	26.35	
7/29/2011	Payroll Post	c3027	1	51220	FICA	25.00	
8/12/2011	Payroll Post	c3027	1	51220	FICA	15.18	
8/26/2011	Payroll Post	c3027	1	51220	FICA	23.66	
9/9/2011	Payroll Post	c3027	1	51220	FICA	8.48	
9/23/2011	Payroll Post	c3027	1	51220	FICA	5.80	
10/7/2011	Payroll Post	c3027	1	51220	FICA	32.15	
	TOTAL PERSONNEL SERVICES						9,854.95
7/20/2011	Lithograph Repro	c3027	1	54410	Printing	163.88	
8/16/2011	Siemons Mailing	c3027	1	55120	Postage	718.37	
8/18/2011	AT&T pmt credit	c3027	1	52190	Misc Prof Svc	(6.91)	
9/12/2011	Avila Proj Mgt	c3027	1	52190	Misc Prof Svc	945.00	
10/11/2011	Avila Proj Mgt	c3037	1	52190	Misc Prof Svc	2,565.00	
1/17/2012	MTC - PTAP	c3027	1	52130	Arch/Engr Svc	4,086.00	
6/6/2012	Geodata Analytics	c3027	1	52130	Arch/Engr Svc	2,720.00	
	TOTAL GENERAL MANAGEMENT SERVICES						11,191.34

**2009 Rubberized Asphalt Overlay Project**

10/11/2011	Avila Proj Mgt	c3027	9	52190	Misc Prof Svc	2,700.00	
10/11/2011	MCK Services	c3027	9	53810	Constr Svc	45,000.00	
							47,700.00

<u>Date</u>	<u>Vendor</u>	<u>Project</u>	<u>Sub Project</u>	<u>Acct #</u>	<u>Acct Name</u>	<u>Amount</u>	<u>Total</u>
<b><u>2010 Pavement Rehabilitation Project</u></b>							
7/1/2011	Bay Cities Paving	c3027	10	53810	Constr Svc	(64,386.90)	
7/20/2011	Lozica Contracting	c3027	10	53810	Constr Svc	610.00	
10/27/2011	WCCUSD	c3027	10	53810	Constr Svc	(19,296.90)	(83,073.80)
<b><u>2010 Slurry Seal Project</u></b>							
7/1/2011	American Asphalt	c3027	11	53810	Constr Svc	(28,781.77)	(28,781.77)
<b><u>2011 Pavement Rehabilitation Project</u></b>							
9/12/2011	Bay Area News Group	c3027	12	54310	Legal Notices	270.00	
11/30/2011	Harrison Eng Inc	c3027	12	52190	Misc Prof Svc	675.00	
12/20/2011	Harrison Eng Inc	c3027	12	52190	Misc Prof Svc	22,160.00	
1/17/2012	Harrison Eng Inc	c3027	12	52190	Misc Prof Svc	12,659.75	
2/13/2012	Harrison Eng Inc	c3027	12	52190	Misc Prof Svc	2,175.00	37,939.75
1/5/2012	EBMUD	c3027	12	53810	Constr Svc	(5,950.00)	
11/30/2011	Interstate Grading	c3027	12	53810	Constr Svc	164,258.85	
1/17/2012	Interstate Grading	c3027	12	53810	Constr Svc	249,544.37	
4/18/2012	Lozica Contracting	c3027	12	53810	Constr Svc	7,900.00	
4/23/2012	Lozica Contracting	c3027	12	53810	Constr Svc	4,300.00	420,053.22
<b>Total Expenditures</b>							<b>1,155,461.20</b>



Public Works Department

# Draft Summary Minutes

## REGULAR MEETING OF THE CITIZEN STREET OVERSIGHT COMMITTEE

Monday, January 23, 2012, 7:00 p.m.  
El Cerrito City Hall  
Hillside Conference Room  
10890 San Pablo Avenue

**Call to Order** at 7:02 p.m.

### 1. Roll Call

Present: Chair Al Miller, and Committee Members Thomas Miller, Aurelia Schultz and Lynne Kessler

Absent: Vice Chair Liz Ozselcuk

Other Attendees: Staff Liaison Jerry Bradshaw  
Finance Director Mary Dodge  
City Audit Consultant Amy Meyer

Chair Miller welcomed new committee member Shultz

### 2. Comments from the Public

None.

### 3. Review Fiscal Year 2010-11 Audit and Auditor's Report

Dodge introduced the item, furnished packet items (excerpts from the City's CAFR and the Agreed Upon Procedures Report (AUPR)), and Auditor Meyer. No findings or exceptions were indicated in the AUPR. One expense was questioned, but the City had already reversed the charge; this same expense (for decommissioning the temporary City Hall site) was questioned by the Committee at the October 2011 meeting, and staff subsequently reversed it.

Thomas Miller – appalled by the degree that Maze denies responsibility for the adequacy of the procedures in the AUPR. It was pointed out that the responsibility lies with the City [Council]. The auditor makes its report to the City Council rather than to the Committee. The Committee was created to review the report and other documents and report its findings to the Council. Further, Meyer stated that it is standard practice for auditors to state that they only test samples of transactions, and therefore cannot state with certainty, for example, that nothing is wrong – only that they did not find anything wrong.

One change from past years' CAFR is that references to footnotes are no longer incorporated. This is because the Street Improvement Fund is no longer considered a Major Fund now that the large amount of bond proceeds has been spent. This is in accord with standard CAFR structure.

Kessler – what does “Due to Other Funds” mean (CAFR pages 82 & 83)? This means that on June 30<sup>th</sup>, the fund had a negative balance. Since that is not allowed, it actually borrows money from other funds which would be repaid when sufficient revenues are received. The negative balance came about due to the decision to authorize additional work on the 2010 construction contract to include Balra Drive.

Al Miller – page 3-9 (AUPR page 2) State Controller reported a revenue of \$1,375,828. Where is that amount shown in the CAFR? That is shown in the CAFR (page 3-5).

Thomas Miller – where is the total amount spent shown? Page 3-5 shows expenditures of \$2,579,920. Clarified question – how much through history of Measure A? Cumulative expenditure is not shown in annual report – staff would need to compile all annual reports. The amount is likely on the order of \$14 – 15 million.

**Action taken:** M/S Thomas Miller/ Kessler to approve annual report. Approved unanimously.

#### 4. Staff Liaison Report

Liaison Bradshaw followed up on his discussion with the City Attorney about the extent to which staff salaries are eligible for Measure A. It was concluded that any staff time spent doing project-related work that would have been done in the past by consultants or contractors would be eligible: planning, design, construction administration, project close-out. Salaries that would not be charged to Measure A would be for purely administrative tasks such as Public Works administrative staff doing routine processing of paperwork, staff from other departments (Finance, Legal, Personnel) doing indirect tasks. There could be instances where the Public Works Director's time would be charged to Measure A. However, that would be unusual since there is typically enough staff to perform the direct tasks.

Thomas Miller How does this mesh with the language in Measure A documents? Section 4.06.150(a) 2, “*No revenues collected pursuant to the tax levies hereby may be spent on department administrators' salaries*”. Thomas Miller felt that “department administrators” means department heads. Bradshaw interpreted that differently: “administrators” is extended to include any staff doing purely administrative functions. This would be more conservative, or restrictive, than the department head definition.

Al Miller – would this be put in writing from the City Attorney? Not anticipated at this time. Staff plans to proceed based on the philosophy stated above. City Attorney will continue to be available to advise as future circumstances arise. Al Miller asked that Bradshaw advise the Committee if his time is expected to be charged to the Fund.

NOTE: Agenda Item #5 was taken up prior to Agenda Item #4 due to the scheduled departure of Committee member Schultz at 8:00.

## 5. Election of Committee Officers

Al Miller stated that he shares Thomas Miller's opinion that a single individual should not be the chair for a protracted period of time.

**Chair** - Thomas Miller nominates Kessler. Kessler declines since she would prefer to have more experience prior to serving.

Kessler nominates Al Miller. This would constitute a third term for Al Miller, and the proposed Standing Rules includes term limits of two consecutive terms. However, the Rules are not yet adopted (scheduled for later in the meeting). So this would not pose a violation.

Al Miller does not look forward to continuing as the Chair believing it should move among other members. Thomas Miller stated that he should not be the chair due to his age and recent health issues.

**Action taken:** M/S Kessler/Schultz to elect Al Miller for Chair. Approved 3-1 (Ayes: Kessler, Schultz, Al Miller. No: Thomas Miller.)

### **Vice Chair**

**Action taken:** M/S Thomas Miller/Schultz to elect Kessler for Vice Chair. Approved unanimously.

## 6. Approval of Minutes

Thomas Miller – Page 6-2, Item #5, Committee Standing Rules. Third paragraph, last sentence states, "Thomas Miller agreed that rules are not required." In order to clarify Thomas Miller's intent, it was agreed to modify this to add, "... by El Cerrito Municipal Code."

**Action taken:** Approve minutes as presented. M/S; Thomas Miller/Kessler. Approved unanimously.

## 7. Committee Standing Rules

Background: The standing rules were discussed at length at the prior meeting where wording was drafted on a consensus basis. No formal action was taken; staff was to bring back a conformed set of draft Rules for final review and adoption.

Options:

1. Adopt the proposed Rules as-is.
2. Make minor changes that can be agreed upon and adopted at this meeting
3. Make more changes that might require adoption at a later date.

Rule 14 might need modification in light of earlier action tonight to re-elect Al Miller to a third term as chair, although that action preceded any adoption of these rules. Thomas Miller – consider a Rule 16, allowing extension of the term limits. Alternately, add a sentence to Rule 14: “In the event that new officers cannot be selected, the incumbents may serve for an additional term.”

Follow up items after consultation with City Attorney

- Rule 9 – remove sentence that no business can be conducted without staff? City Attorney (CA) stated that the question has not been asked before. The spirit of the code is that staff should be there. Agreed that taking the language out is OK. Staff commits to being at all scheduled meetings. If staff does not show up, then Committee would continue to meet and designate someone to take minutes. Staff recommends staying with draft that does not have this language.
- Rule 12 – was severability necessary. CA saw no harm in leaving the rule in, but stated that it is unlikely that a court would be reviewing the Committees rules. But, if that happened, the court is pretty reasonable at sorting good rules from bad rules and severing any “bad” rule. Staff recommends keeping the severability clause (Rule 12) as drafted.
- Rule 13 – who can make officer nominations? The ordinance states, “the board or commission shall select its officers.” Also, at the Council level, the selection of the Mayor & Mayor Pro Tem are picked by only the council members. Based on these, staff recommends deleting the second sentence that references nominations.

Kessler – should there be a rule about unexcused attendance? Bradshaw believes the municipal code covers that. He will look into that and report back at a later date.

**Action taken:** M/S Thomas Miller/Kessler to 1) delete the second sentence of Rule 13, and 2) add an additional sentence to Rule 14 as noted above. Approved unanimously.

## 8. Future Agenda Items and Meeting Schedule

The next regular meeting will be on September 24, 2012.

- Review of revenues and expenditures
- Review Standing Rules
- Review of any work done
- Report on Moratorium Coordination with Utilities

If any committee members would like agendaize any other items, they can notify the Chair or Liaison Bradshaw.

## 9. Adjourned at approximately 9:00 p.m.

Citizen Street Oversight Committee

Standing Rules

Adopted January 23, 2012

1. Regular meetings shall be held on the following dates:
  - a. 4<sup>th</sup> Monday in January
  - b. 4<sup>th</sup> Monday in September
  - c. 2<sup>nd</sup> Monday in November
2. Regular and special meetings shall be held in the El Cerrito City Hall at 7:00 pm in a room designated on the agenda.
3. Regular meetings may be canceled by a majority vote of the Committee at a previous meeting or by the Chair, at anytime that a quorum cannot be attained.
4. Special meetings may be scheduled by the Chairperson or by a majority vote of the Committee at a previous meeting.
5. A quorum is 3 committee members.
6. Summary minutes shall be kept by the staff liaison or delegate. In the event the staff liaison is not present another person shall be designated as acting secretary by majority vote. Minutes shall reflect all key discussion points, indicate all motions made and by whom, including seconders, and the results of any votes.
7. The Committee shall utilize source documents in its review of Street Fund revenues and expenditures (e.g. report from the State Board of Equalization, expense reports, contractor invoices).
8. The Committee may request that the auditor provide any underlying documents examined for the audit.
9. Administrative services to implement the provisions herein shall be provided by city staff as per ordinance 2.04.320, paragraph F.
10. In the event that the City liaison fails to appear at any properly called meeting the Chair shall report to the City Manager that the Committee is unable to perform its designated function and the reason for that failure seeking corrective action. If no corrective action is taken, the Chair shall notify the City Council.
11. All aspects of the conduct of the Committee shall be in compliance with the Brown Act or any other governing authority. In the event that any member has a question as to the legality of a procedure, that member shall pose that question to the chair who shall then seek a clarification from the staff liaison.
12. Should any portion of these rules be deemed to be illegal, that portion shall be deleted from these rules; the remainder remaining full force and effect. In such an event the intent of the deleted rule shall be reinstated in legal form, with minimum alterations, and such modified provision shall be incorporated in these

rules. It shall be the duty of the Chair to implement this rule subject to a majority vote to approve said implementation at the next regular or special meeting.

13. The election of the chairperson and vice chairperson shall be done at the first regular meeting of each calendar year. The term of office shall be for the next period terminating at the anniversary of the current meeting. Only the members of the Committee shall have a vote.
14. No individual shall hold any one elective office for more than two successive terms. When one intervening term shall have elapsed any member may again hold any office from which service was denied by the limitations imposed by this rule. In the event that new officers cannot be selected, the incumbents may serve for an additional term.
15. These rules shall be reviewed and possibly modified at the September meeting. Members may propose revisions any time, preferably in writing. Any such proposal shall be voted upon at the following meeting. Versions shall be numbered and bear the date of the meeting at which they were adopted. Only Members shall have a vote as to the matter covered in this rule.