



Public Works Department

AGENDA

REGULAR MEETING OF THE CITIZEN STREET OVERSIGHT COMMITTEE

Monday, November 14, 2011, 7:00 p.m.
El Cerrito City Hall
Hillside Conference Room
10890 San Pablo Avenue

1. **Roll Call**
2. **Staff Liaison Report**
 - a. Maddy Act Notice
 - b. Press Release – Recruitment for Boards, Commissions & Committees
 - c. Follow up on Expenses for Temporary City Hall Campus Decommissioning
 - d. Term Expiration for Committee Members Al Miller, Kessler, and Schultz
 - e. Follow up on staff salaries eligible for Measure A funding
3. **Comments from the Public**
(Each speaker is limited to a maximum of 2 minutes.)
4. **Approval of Minutes**
Review and approve minutes from October 10, 2011. (**Action Requested: Approval**)
5. **Committee Standing Rules**
Review Standing Rules pursuant to discussion at the October 10, 2011 meeting. (**Action Requested: Adopt revisions to Standing Rules**)
6. **Future Agenda Items and Meeting Schedule**
 - a. Consider agenda order of new officer elections
 - b. Set agenda and date for next meeting (**Action Requested: set agenda and date**)
7. **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

STREETS OVERSIGHT COMMITTEE MEETING
NOVEMBER 14, 2011

AGENDA ITEM #2 – LIAISON STAFF REPORT
LIST OF PACKET MATERIALS

Staff Liaison Report Items

- a. Maddy Act Local Appointment List (for reference only – 4 pages)
- b. Press Release – Recruitment for Boards, Commissions & Committees (for reference only – 1 page)
- c. Follow up on Expenses for Temporary City Hall Campus Decommissioning (no materials)
- d. Term Expiration for Committee Members Al Miller, Kessler, and Schultz (Committee Roster – 1 page)
- e. Follow up on staff salaries eligible for Measure A funding (Excerpt from Committee Meeting Minutes, January 26, 2009 – 1 page)



MADDY ACT LOCAL APPOINTMENTS LIST

NOTICE TO THE RESIDENTS OF THE CITY OF EL CERRITO: In compliance with the requirements of the Maddy Act, Government Code §54970, please find below, a listing of all current board and commission members whose terms will expire on January 1, 2012. This list was posted on or before December 31, 2011 at El Cerrito City Hall, 10890 San Pablo Avenue, the El Cerrito Library, 6510 Stockton Avenue and the El Cerrito Community Center, 7007 Moeser Lane. The City Council invites all residents interested in serving on a Board, Commission or Committee to apply. An application may be downloaded from the City’s website at www.el-cerrito.org or obtained from the City Clerk, 215-4305. The **DEADLINE** for receipt of applications is **Monday, 12/5/11** by 12:00 p.m. in the City Clerk's office. Please note that the City Council conducts open recruitment year round should any unexpected vacancies occur and any applications received after the deadline will be kept on file for this purpose. **Please consider submitting an application now!**

ARTS & CULTURE COMMISSION

Meets the 3rd Wednesday at 7:00 p.m. at City Hall. Staff Liaison: Suzanne Iarla, 215-4318, siarla@ci.el-cerrito.ca.us. Qualifications: Resident of El Cerrito. Members shall demonstrate a commitment to various arts disciplines, including but not limited to: fine arts, performing arts, literary arts, art history and arts education.

| Committee Member | Date Appointed | Term Expiration |
|-------------------------|-----------------------|------------------------|
| Existing Vacancy | | 1/1/2013 |
| Existing Vacancy | | 1/1/2013 |

CITIZENS STREET OVERSIGHT COMMITTEE

Meets 4th Monday of September, 2nd Monday of November and 4th Monday of January at 7:00 p.m. at City Hall. Staff Liaison: Jerry Bradshaw, 215-4368, jbradshaw@ci.el-cerrito.ca.us. Qualifications: Resident of El Cerrito.

| Committee Member | Date Appointed | Term Expiration |
|-------------------------|-----------------------|------------------------|
| Lynne Kessler | 5/27/2008 | 1/1/2012 |
| Al Miller | 5/27/2008 | 1/1/2012 |
| Aurelia Schultz | 10/17/2011 | 1/1/2012 |

CIVIL SERVICE COMMISSION

Meets on-call at 7:00 p.m. at City Hall. Qualifications: Resident of El Cerrito. Staff Liaison: Sukari Beshears, 215-4304, sbeshears@ci.el-cerrito.ca.us. Qualifications: Resident of El Cerrito.

| Committee Member | Date Appointed | Term Expiration |
|-------------------------|-----------------------|------------------------|
| Michael Aaronian | 5/19/2008 | 1/1/2012 |
| Eric Luttrell | 5/19/2008 | 1/1/2012 |

2-2

CITY OF EL CERRITO – MADDY ACT LOCAL APPOINTMENTS LIST

COMMITTEE ON AGING

Meets the 3rd Wednesday at 3:00 p.m. at City Hall. Staff Liaison: Ellen Paasch, 559-7035, epaasch@ci.el-cerrito.ca.us. Qualifications: El Cerrito Resident. **Five Vacancies Exist – All residents are encouraged to apply. Appointments to the Committee are made by the City Council upon recommendation of the Committee.**

CRIME PREVENTION COMMITTEE

Meets the 2nd Wednesday at 7:00 p.m. at City Hall. Staff Liaison: Scott Cliatt, 215-4418, scliatt@ci.el-cerrito.ca.us. Qualifications: El Cerrito Resident and successful completion of a criminal records background check. **Ten Vacancies Exist – All residents are encouraged to apply. Appointments to the Committee are made by the City Council upon recommendation of the Committee.**

DESIGN REVIEW BOARD

Meets the 1st Wednesday at 7:30 p.m. at City Hall. Staff Liaison: Noel Ibalio, 215-4330, nibalio@ci.el-cerrito.ca.us. Qualifications: Resident of El Cerrito. At least three members shall be members of the design profession. No more than two members may be members of the Planning Commission.

| Board Member | Date Appointed | Term Expiration |
|--------------|----------------|-----------------|
| Gary Hill | 1/1/2004 | 1/1/2012 |

ECONOMIC DEVELOPMENT BOARD

Meets Quarterly at City Hall at 6:30 p.m. Staff Liaison: Dwayne Dalman, 215-4362, ddalman@ci.el-cerrito.ca.us. Qualifications: Members shall be either residents of the city or own or operate businesses in the city. Owners or operators of a business in the city do not have to be city residents.

| Board Member | Date Appointed | Term Expiration |
|-------------------|----------------|-----------------|
| Chamber Appointee | 1/1/2011 | 1/1/2012 |
| Jade Smith | 2/7/2011 | 1/1/2012 |
| Existing Vacancy | | 1/1/2012 |
| Existing Vacancy | | 1/1/2013 |

ENVIRONMENTAL QUALITY COMMITTEE

Meets 2nd Tuesday at 7:00 p.m. at City Hall. Staff Liaison: Garth Schultz, gschultz@ci.el-cerrito.ca.us. Qualifications: El Cerrito resident or business member. Knowledge of, interest in, and/or involvement in issues affecting environmental quality desired. **Three vacancies exist – All residents and representatives of local businesses are encouraged to apply. Appointments to the Committee are made by the City Council upon recommendation of the Committee.**

2-3

CITY OF EL CERRITO – MADDY ACT LOCAL APPOINTMENTS LIST

FINANCIAL ADVISORY BOARD

Meets 2nd Tuesday at 7:00 at City Hall. Staff Liaison: Mary Dodge, 215-4312, mdodge@ci.el-cerrito.ca.us. Qualifications: Resident of El Cerrito. Members shall have demonstrated expertise in financial management, accounting, fiscal analysis, computer applications, economic analysis or related skills.

| Board Member | Date Appointed | Term Expiration |
|------------------|----------------|-----------------|
| Existing Vacancy | | 1/1/2017 |

HUMAN RELATIONS COMMISSION

Meets 1st Wednesday at 7:00 p.m. at City Hall. Qualifications: Resident of El Cerrito. Staff Liaison: Sukari Beshears, 215-4304, sbeshears@ci.el-cerrito.ca.us. Qualifications: Resident of El Cerrito.

| Commissioner | Date Appointed | Term Expiration |
|----------------|----------------|-----------------|
| Gabriel Quinto | 6/20/2011 | 1/1/2012 |
| Antonio Wong | 1/1/2000 | 1/1/2012 |

PARKS AND RECREATION COMMISSION

Meets the 4th Wednesday at 7:00 p.m. in Council Chambers. Staff Liaison: Monica Kortz, 559-7007, mkortz@ci.el-cerrito.ca.us. Qualifications: Resident of El Cerrito

| Commissioner | Date Appointed | Term Expiration |
|--------------|----------------|-----------------|
| Seth Kaplan | 1/1/2009 | 1/1/2012 |

PLANNING COMMISSION

Meets the 3rd Wednesday at 7:00 p.m. in Council Chambers. Staff Liaison: Jennifer Carman, 215-4330, jcarman@ci.el-cerrito.ca.us. Qualifications: Resident of El Cerrito.

| Commissioner | Date Appointed | Term Expiration |
|---------------------|----------------|-----------------|
| Tim Pine | 12/21/2009 | 1/1/2012 |
| Sojeila Maria Silva | 1/1/2008 | 1/1/2012 |

TREE COMMITTEE

Up to 15 members. Meeting date to be determined. Staff Liaison Jerry Bradshaw, 215-4382 jbradshaw@ci.el-cerrito.ca.us Qualifications: Resident of El Cerrito. **The Tree Committee has not yet formed however a special recruitment may occur early Spring. Vacancies exist.**

LOCAL APPOINTMENTS TO REGIONAL BODIES

CONTRA COSTA LIBRARY COMMISSION

Meets bi-monthly on the 4th Thursday at 7:00 p.m. at the Library Administration Conference Room in Pleasant Hill. One primary and one alternate are appointed by the City Council as representatives from the City of El Cerrito. Qualifications: Resident of El Cerrito. **No scheduled vacancies in 2012.**

CITY OF EL CERRITO – MADDY ACT LOCAL APPOINTMENTS LIST

CCC TRANSPORTATION AUTHORITY CITIZENS ADVISORY COMMITTEE

Meets 4th Wednesday at 6:30 p.m. in Pleasant Hill. One person is appointed by the City Council as a representative from the City of El Cerrito. Qualifications: Resident of El Cerrito. **No scheduled vacancies in 2012.**

CCC MOSQUITO AND VECTOR CONTROL DISTRICT BOARD OF TRUSTEES

Meets bi-monthly on the 2nd Monday at 7:00 p.m. in Concord. One person is appointed by the City Council as a representative from the City of El Cerrito. Qualifications: Resident of El Cerrito.

| Board Member | Date Appointed | Term Expiration |
|--------------|----------------|-----------------|
| Dick Mank | 1/1/2008 | 1/1/2012 |

WEST CONTRA COSTA CITIZENS BOND OVERSIGHT COMMITTEE

Meets once per month at 1300 Potrero, Richmond. One primary and one alternate member are appointed to this 21 member WCCUSD Committee. Qualifications: Resident of El Cerrito.

| Commissioner | Date Appointed | Term Expiration |
|---------------------|----------------|-----------------|
| Paul Gilbert-Snyder | | 12/13/2012 |
| Alternate | | |

Dated: October 19, 2011
Revised: N/A

Cheryl Morse, City Clerk

CITY OF EL CERRITO

MEDIA RELEASE

10890 San Pablo Avenue, El Cerrito, CA 94530

Contact: Cheryl Morse, City Clerk, (510) 215-4305, cmorse@ci.el-cerrito.ca.us

**APPLICATIONS SOUGHT FOR EL CERRITO'S BOARDS, COMMISSIONS
AND COMMITTEES**

ARTS & CULTURE COMMISSION (2 Vacancies)
CITIZENS STREET OVERSIGHT COMMITTEE (3 Vacancies)
CIVIL SERVICE COMMISSION (2 Vacancies)
COMMITTEE ON AGING (5 Vacancies)
CRIME PREVENTION COMMITTEE (10 Vacancies)
DESIGN REVIEW BOARD (1 Vacancy)
ECONOMIC DEVELOPMENT BOARD (3 Vacancies)
ENVIRONMENTAL QUALITY COMMITTEE (3 Vacancies)
FINANCIAL ADVISORY BOARD (1 Vacancy)
HUMAN RELATIONS COMMISSION (2 Vacancies)
PARKS AND RECREATION COMMISSION (1 Vacancy)
PLANNING COMMISSION (2 Vacancies)
CCC MOSQUITO AND VECTOR CONTROL DISTRICT BOARD (1 Vacancy)
WCC CITIZENS BOND OVERSIGHT COMMITTEE - Alternate

El Cerrito, California (Thursday, October 20, 2011) – The El Cerrito City Council is seeking applicants interested in serving on its Boards, Commissions and Committees. The City has 13 boards, commissions and committees on which approximately 80 residents serve as members. Currently, several commissions and committees have vacancies with more vacancies scheduled as terms expire at the end of the year. If you are interested in serving on a Board, Commission or Committee, please submit an application to the City Clerk, 10890 San Pablo Avenue, El Cerrito, CA 94530. Vacancy information and application forms may be obtained by contacting the City Clerk at 215-4305 or by downloading the application form from the City's website at <http://www.el-cerrito.org>.

Members of Boards, Commissions and Committees provide an invaluable service to our community. The detailed study and considered recommendations of our local advisory bodies are often catalysts for innovative programs and improved services. Serving as a commissioner or committee member can be a rewarding experience for community service minded residents. It is an excellent way to participate in the functioning of local government and to make a personal contribution to the improvement of our community. Commissioners are appointed by the City Council for terms of four years. Commission meetings are generally held once a month during evening hours.

The deadline for receipt of applications is Monday, 12/5/11 by 12:00 p.m. Brief interviews are expected to be scheduled with the City Council in December 2011 and January 2012. Please consider submitting an application now! For additional information please contact the City Clerk at 215-4305.

CITIZENS STREET OVERSIGHT COMMITTEE

E.C.M.C 2.04.320

MEETING INFORMATION

City Hall, Hillside Room
10890 San Pablo Avenue
4th Monday of September
2nd Monday of November
4th Monday of January

STAFF LIAISON INFORMATION

Jerry Bradshaw
Public Works Director
jbradshaw@ci.el-cerrito.ca.us
(510) 215-4368

The five member Citizens Street Oversight Committee monitors the expenditures of revenue collected pursuant to ECMC Chapter 4.60 (the "Pothole Repair and Local Street Improvement and Maintenance Transactions and Use Tax") to determine whether such funds are expended for the purposes specified in the then-current Street Repair and Maintenance Expenditure Plan, and issues reports on their findings to the City Council and public at least annually. The Committee may also review the annual financial or performance audits performed by an independent auditor.

Updated: 10/19/11

| | Name/Address | Phone/Email | Term of Office |
|---|--|--|----------------------------------|
| 1 | Ms. Lynne Kessler 1035 Liberty Street El Cerrito, CA 94530 | 524-0883 (H) lynne1035@gmail.com | 05/27/08 – 01/01/12 |
| 2 | Mr. Al Miller, <u>Chair</u> 625 Ashbury Avenue El Cerrito, CA 94530 | 526-4874 (H) Amil@leonardoslab.net | 05/27/08 – 01/01/12 |
| 3 | Ms. Aurelia J. Schultz 515 Oak St. , Apt. 4 El Cerrito, CA 94530 | (414) 779-0402 (C) (415) 501-0257 (W) Aurelia.schultz@gmail.com | 10/17/11 – 01/01/12 |
| 4 | Mr. Thomas N. Miller 2700 Tulare Avenue El Cerrito, CA 94530 | 233-1047 (H) 233-2720 (F) schwabbi@aol.com | 01/1/11 – 01/01/14 ₁ |
| 5 | Ms. Elizabeth Oszelcuk <u>Vice-Chair</u> 5830 Ray Avenue El Cerrito, CA 94530 | 237-8396 (H) 642-4529 (W) lizoyselcuk@yahoo.com elto@demog.berkeley.edu | 01/01/10 – 01/01/14 ₂ |

¹ First term 05/27/08–01/01/11

² First term 05/27/08–01/01/11

5. Staff Follow Up on Ordinance Questions from Previous Meeting

- a. Section 4.60.150 (a) of the enabling ordinance states that "No revenues collected ... may be spent on department administrators' salaries..." However, the Expenditure Plan includes a section for Administration Costs that implies that financial staff salaries are approved expenses. Staff explained that the Ordinance would prevail in this case and added that it was the intent to charge no administrative staff costs to the Measure A fund. The committee concurred with that interpretation.
- b. Section 2.04.320 C. 3. states, "The committee is not charged with decision-making on spending priorities..." However, the Expenditure Plan section entitled Annual Program of Maintenance and Improvement includes the following statement: "It [the Maintenance and/or Improvement Program] will follow recommendations and priorities established annually by the City Council and Citizens' Oversight Committee..." Staff explained that the Ordinance would prevail in this case, too. Discussion ensued about whether the Committee should be involved with setting maintenance or improvement priorities, and the consensus was that the committee's purpose was solely to oversee the proper expenditure of Measure A funds, which did not include setting priorities or making recommendations for the work being performed.

Action taken: It was moved and seconded to recommend to the City Council to amend the Expenditure Plan per the discussion above. Passed 5 – 0

6. Staff Report of Audit Reports from Fiscal Year 2007-080

Director Mary Dodge gave a presentation of the following:

- a. How the bonds work, what requirements had to be met for "coverage" (the percentage that projected revenues exceed debt service costs) and "set aside". In the case of the Measure A bonds, coverage is very high - approximately 40%.
- b. Summary of auditing practices including the citywide unified audit, a separate and independent review of Measure A, reviewing and testing procedures.
- c. Director Dodge passed out four pages from the 2007-08 audit report (26, 30, 78 and 82) that summarized the activity for Measure A including revenues, expenditures, and fund balances. A list of vendors to which expenditures were made was also passed out and reviewed.
- d. Director Dodge presented the Comfort Letter issued by the auditors for Measure A. Discussion ensued about how the comfort letter was not too comforting in its wording, although the financial activity of the Fund showed nothing for concern. Director Dodge suggested that the auditor attend a future meeting of the Committee to further explain the process.

Discussion moved to the form by which the Committee would report to the City Council and people of El Cerrito as mandated by the enabling ordinance. One option discussed was that the staff liaison simply report the findings of the Committee to the City Council at a regular Council meeting. Chair Miller believed that was too casual since this report is the sole purpose for the committee. It was suggested that the committee chair appear before the Council to make the report.



Public Works Department

Draft Summary Minutes

SPECIAL MEETING OF THE CITIZEN STREET OVERSIGHT COMMITTEE

Monday, October 10, 2011, 7:00 p.m.
El Cerrito City Hall
Hillside Conference Room
10890 San Pablo Avenue

Roll Call at 7:00 p.m.

Present: Chair Al Miller, Vice Chair Liz Oszelcuk, and Committee Members Thomas Miller, and Lynne Kessler

Absent: none

Other Attendees: Staff Liaison Jerry Bradshaw
Finance Director Mary Dodge

1. Staff Liaison Report

Liaison Bradshaw reported that the new Committee candidate was not able to schedule the Council interview prior to this meeting, so she has not been appointed yet. She was also invited to attend as a member of the public, but could not attend. If appointed, Bradshaw would try to meet with her and brief her on the committee's past business.

Bradshaw gave a summary of several publications in which an El Cerrito Paving Program article appeared. These included the Cover of Street Talk (MTC newsletter), CP2 Center News, and the cover story in the Pavement Preservation Journal. The article in each of these publications was essentially the same article originally written by Bradshaw upon a request by MTC staff. El Cerrito's pavement success also was featured in MTC's Pothole Report where the pavement conditions of all public agencies in the Bay Area are reported. Although El Cerrito's most recent PCI is 85, the Pothole Report is based on a running 3-year average which, for El Cerrito, is still in the 60s range. But the report devoted a paragraph to El Cerrito's recent success.

Bradshaw reported that he had been contacted by staff members of Berkeley asking to learn about El Cerrito's success. Bradshaw gave an extensive presentation to senior staff and elected officials from the Town of Moraga.

Kessler handed Bradshaw a letter inquiring about the schedule for the paving of her street, Liberty Street, blocks 700 thru 1100. Bradshaw reported that upcoming paving work includes a resurfacing project along seven blocks of Liberty Street including overlay and inlay work. The bids are in, and will be presented to Council for award on October 17th.

4-1

2. Comments from the Public

None.

3. Approval of Minutes

No discussion

Action taken: Approve minutes as presented. M/S; Kessler/TMiller. Approved unanimously.

4. Review Fiscal Year 2010-11 Expenditures and Revenues

Revenues

Pages 4-1 and 4-2 show the preliminary revenues for the year of approximately \$2.1 million. Attention was directed to a particular entry on page 4-2 of \$83,000, which came from EBMUD for their share of repairing Balra Drive after installing a water line.

Chair Miller asked what revenues are from Measure A other than those labeled State Sales Tax. Finance Director Dodge responded that all the rest of the revenues are not Measure A.

Expenditures

Salaries shown on the expenditures listing are for two temporary staff members (former Avila Project Management employees) from January through June, 2011. This was due to Avila ending its primary role as project manager as of January (although the firm did do some miscellaneous tasks after that time).

Other miscellaneous expenses were presented. Specifically, discussion centered around four individual charges related to the decommissioning of the former temporary City Hall campus that were charged to Measure A. The campus was used strictly for Measure A workers for the past several years. The Committee did not question the ongoing monthly charges for this campus, but did question the decommissioning costs. The reasoning was that the campus was built for the City Hall project, and that project should be responsible for the decommissioning costs, albeit two years after the fact. Bradshaw and Dodge agreed to look into the issue and get back to the Committee.

Other expenses are grouped by project number.

Expenditures are greater than revenues thereby spending down the balance on the fund. The fund balance will likely be shown to be negative in the annual audit. This is due to a couple of items: A State Infrastructure Fund grant of \$350,000 was not available this fiscal year due to State's inability to sell bonds at this time. While that was known during the project, staff decided to add work scope on the Balra Drive reconstruction in order to take advantage of a unique funding situation: EBMUD had a major water line project concluding in the fall of 2009, and would have normally been required to make significant pavement repairs to approximately 30% of the street. That created an opportunity to have EBMUD contribute funding (over \$80,000) in lieu of making repairs as long as the City could perform the street reconstruction work before the winter rains arrived. Since staff had enough expenditure

authority from Council to take advantage of this opportunity, the decision was made to move ahead on the Balra Drive reconstruction.

The concept of paying City staff salaries from Measure A was discussed – particularly street maintenance staff. This has not been done in the past. Bradshaw stated that future year's projects may be modest enough for City staff to manage the projects (instead of consultants). In that event, those direct City staff salaries may be charged to Measure A – but only if they are directly involved with the capital maintenance costs. City maintenance staff does not typically get involved with the capital maintenance work, so their salaries would not be charged to the fund. Chair Miller requested that the Committee be provided with the ordinance language describing which City staff salaries would be eligible and which would not be eligible for Measure A.

Action taken: M/S; TMiller/ Kessler; that expenses to decommission the temporary City Hall Campus should not be charged to Measure A funds. Approved unanimously.

Director Dodge left the meeting.

5. Maintenance of Gutters and Curbs Using Measure A Funds

Committee Member TMiller presented the following written motion: That the liaison be requested to prominently include the following statement into the next Street Newsletter issued from his office: "Our use of the phrase 'pavement condition' in the previous newsletter has caused some confusion as to the definition and parameters of Street Maintenance. To clarify this matter 'Street Maintenance' includes Curbs, Gutters, Storm drains, and any other elements impinging on Street Quality as well as the predominant element of 'pavement'". The Liaison is further requested to indicate acceptance or denial of this request forthwith or at the next Regular Meeting of this Committee." Motion is seconded by Chair Miller

Discussion on the motion:

Bradshaw states that curb, gutter and sidewalk work is included in Measure A. The language in the ordinance is broad enough to allow for these items, although the primary communication with the voters prior to the election was on pavement condition. Therefore, staff views pavement condition to be the first priority. Nonetheless, much curb and gutter work was done as the work progressed. As the pavement condition is improved in the future, more curb and gutter work may be considered.

Chair Miller asked whether there is a separate revenue stream for storm drain work. Bradshaw confirmed that there has been a parcel tax for that since 1992.

TMiller stated his view that voters wished to have their streets in good condition. The electorate looks at streets overall – not just pavement. His personal experience was a curb that literally fell into the street and cost him a tire once. In addition to curbs, weeds can be seen growing up in the street. The street system also includes signage. Electorate expected to get all these things if they voted for measure A. He is thrilled with how things are turning out on the

streets. His only concern was with the newsletters that focus only on pavement condition – not the whole street system.

Bradshaw agrees with TMiller's statements. The only problem he foresees is that there aren't any newsletters dedicated to streets planned in the future similar to the one he held up as an example. However, there may be many other opportunities to publish a broader viewpoint of the Measure A.

Action taken: Approved unanimously.

6. Authority to Change Meeting Times

29:50 Reference pages 6-1 (email from TMiller) and 6-2 (Standing Rules). TMiller presented his concerns about how the September 27th Committee meeting was cancelled and that the Standing Rules had not been complied with – very possibly because they might be unworkable or not appropriate. It should be recognized that the liaison works for the committee – the Committee does not work for the liaison. The opposite impression was made when the notice of the meeting cancellation was received. The standing rules should be done away with, or they should be revised. TMiller stated that he would like the Committee to come back at the November meeting prepared to discuss the issue.

TMiller reviewed the standing rules and found that the committee could not meet unless a liaison is present. He felt this is administratively incorrect; if there was a liaison that wished to silence the committee, all he would have to do is not show up. To be on firm ground, the committee should not be dependent on any personalities.

Chair Miller – what is direction given to staff liaisons for when a staff liaison cannot attend a scheduled meeting? What options are there other than to cancel the meeting? Answer: No direction is given. What would Bradshaw do - ask for postponement or send someone else? Answer: If it was on short notice, then he'd attempt to brief another staff member to conduct the meeting – as difficult as that might be. Bradshaw would prefer that there was a back-up system – would not want to have the control suggested by the standing rules. However, the Department is lean on staff – there is not really any other staff conversant with Committee business. Some other committees are flexible and must schedule special meetings, e.g. the FAB, which must convene to consider urgent financial matters. However that is issue driven; not staff driven. Other committees meet on very fixed schedules (Planning Commission, DRB), and there is more depth on staff for those bodies.

Kessler asked what the purpose would be to meet without the liaison. The detailed information would have nobody familiar with it.

TMiller stated that this committee is an oversight committee – a polite way to not say “watch dog”. This committee is in an adversarial relationship with the Public Works Department – must make sure they do what they're supposed to do. There might be occasions when the committee has great discord, and they might wish to report to the City Council. Committee is top dog; liaison must not cloud our function. Committee works for voters, not the liaison.

Although the liaison does not work for the Committee, he does work for the City Manager and is simply assigned to the Committee. Bradshaw does not work for Committee. He works for CM, and is assigned to committee.

Chair Miller stated that as long as any liaison is willing and cooperative, things are fine. But if they wanted to sabotage, slow down, or make it difficult for us – they could do that, too. It's good to review standing rules so we can count on the process to change a meeting or whatever is in order.

TMiller seemed to remember that the Ordinance required that the Committee should be governed by by-laws (standing rules). The Committee may not have the option of doing away with the standing rules. Chair Miller did not remember that.

TMiller hopes, by making the following motion, the Committee could discuss a revision to the Standing Rules at the November meeting, and take action at the January meeting.

Action taken: M/S TMiller/Kessler; That the liaison be requested to comply with the legally required public notice of the Committee's next regular meeting. Consideration of crafting a Revision of the Standing Rules to be listed on that agenda. Approved unanimously.

TMiller handed out a draft of suggested revisions. Each committee member is asked to prepare comments or revisions ahead of time and bring them to the next meeting.

A second motion had been presented in writing, but it was not forwarded nor acted upon. Both written motions are attached for reference.

7. Future Agenda Items and Meeting Schedule

In agenda item #6, it was determined that the November meeting will be held. On that agenda will be discussion of the Standing Rules.

8. Adjourned at approximately 8:58 p.m.

STREETS OVERSIGHT COMMITTEE MEETING
NOVEMBER 14, 2011

AGENDA ITEM #5 – COMMITTEE STANDING RULES
LIST OF PACKET MATERIALS

Committee Standing Rules Items

- a. Excerpts from previous Committee Meeting Minutes (2 pages)
- b. El Cerrito Municipal Code Sections 2.04.220 thru 320 (6 pages)
- c. Draft Revision #1 – El Cerrito Street Oversight Committee Standing Rules (2 pages)

5-1

EXCERPTS FROM COMMITTEE MEETING MINUTES
REGARDING COMMITTEE'S STANDING RULES

September 28, 2009

Item 4

Committee Standard Procedures and Bylaws

Liaison Bradshaw provided a copy of Committee Member T. Miller's draft rules from the previous meeting, and excerpts from the municipal code (Title II) dealing with boards, commissions and committees – specifically for this Committee. Bradshaw checked with the City Clerk to obtain copies of what other committees have developed for rules, but she reported that no other committees have written rules.

Committee Member T. Miller expressed concerned with what the specific duties of the Committee are, and that the rules include those duties. He acknowledged that while the main purpose of the committee has already been achieved (to get the voting public to approve Measure A), the ongoing duties should be established. Discussion concluded that the Committee would review various source documents including a statement from the State Board of Equalization of revenues to the City, expense and revenue reports, and samples of other transactional documents such as invoices from contractors and consultants. The Committee may also request that the City auditors furnish underlying documents reviewed as a part of their audit.

There was discussion as to whether the Committee should review revenue statements. The ordinance states that the Committee shall review expenditures of revenues. The consensus was that examining the actual revenue through statements from the State was required in order to know what revenues were subject to expenditure (and subsequent review.)

Other discussion centered on other various items contained in TMiller's draft rules from the previous meeting. A new draft set of rules was crafted from that, and is shown in the revised draft rules (attached and incorporated by reference in these minutes). These will be presented at a future meeting for formal action.

Also discussed was when signatures were appropriate for Committee documents. Since resolutions are rarely drafted and voted on, the adopted summary minutes will be the typical record of the Committee's business. Staff will check on whether it is appropriate for signature(s) to be affixed to the approved minutes and report back. The exception to this will be the annual report to the City Council. No resolution was arrived at as to whether any signatures are appropriate.

Action taken: no action.

5-2

November 9, 2009

Item 4

Committee Standing Rules

Liaison Bradshaw provided a copy of the standing rules as compiled at the September meeting. Chair Miller stated that they accurately reflect previous discussion. He views them as protocol. If someone feels they are not being followed, then contact the Chair. All committee members present reviewed them and had no suggested changes, but deferred further discussion until all committee members are present.

Action taken: no action.

January 25, 2010

Item 5

Committee Standing Rules

Chair Al Miller stated that the draft standing rules were discussed at the November 2009 meeting, but action was deferred since two committee members were absent. The draft standing rules were not changed significantly from the initial draft submitted by Committee Member Thomas Miller.

Action taken: M/S Thomas Miller/Kessler to approve draft standing rules as presented in the packet. Approved unanimously.

Liaison Bradshaw stated that the standing rules (which were now adopted) include a regular meeting schedule. Accordingly, the meetings from here forward will be considered "Regular" meetings instead of special meetings as in the past. Per Rule #4, Special meetings may be scheduled by the chair at any time or by a majority vote of the committee at a previous meeting. Chair Al Miller - it goes without saying that the chair would avoid scheduling a meeting unilaterally and would try to coordinate with committee members to find a date that works for most members.

5-3

2.04.220 - Boards, commissions and committees.

- A. Boards, commissions and committees are appointed by the council to advise and to perform any duties determined by the council in one or more aspects of city government. Except as otherwise provided in state law, boards and commissions are directly responsible to the council and fill quasi-judicial roles. Commissions are made up of lay citizens, while boards are residents with special expertise. Committees sponsored by the city are intended to be working groups, do not fill quasi-judicial roles, and are established by council resolution. Appointment to boards and commissions shall be made only after:
1. Advertisement of the open position in a local paper;
 2. Public interviews of applicants for the positions;
 3. Appointment by a majority of the council.
- B. Unless determined elsewhere in law, the boards and commissions shall be governed by or meet the following criteria:
1. Membership. The boards and commissions shall consist of seven members each, who shall be residents of the city, unless otherwise provided in this chapter. A "member" shall be defined as a voting member of any board, commission or committee established by the city council, notwithstanding the manner in which such voting member is appointed.
 2. Appointments. The members shall be appointed by majority vote of the council. Members shall not be reappointed to the same board or commission for more than two consecutive full terms.
 3. Term. Terms are four years, commencing on January 1st unless a member is removed from office pursuant to the provisions of subsection B4 of this section. The membership shall be divided into four, approximately equal groups, appointed in consecutive years. If a board member or commissioner fails to complete the term, the council appointment shall be for the remainder of the uncompleted term. Members are not eligible to serve on the same board or commission if they have served two consecutive full four-year terms.
 4. Removal of Members.
 - a. Members of boards and commissions serve at the pleasure of the council and may be removed by a majority vote of the entire council. It shall be presumed that any member who is absent for three consecutive regularly scheduled meetings without cause, or half the regular meetings in a calendar year, or who resides outside the city, has resigned. The staff liaison shall notify the city clerk of a vacancy within five days after the staff liaison has determined that the vacancy exists. Within one week after receiving such notice from the commission liaison, the city clerk shall notify any member whose appointment has automatically terminated and report to the council that a vacancy exists and that an appointment should be made to fill the vacancy.
 - b. An absence shall be considered excused if either: (1) the member informs the staff liaison of his or her intended absence at least twenty-four hours prior to the scheduled time of the meeting, or (2) such absence is due to unforeseeable and unavoidable circumstances and reported and explained in writing to the staff liaison prior to the next meeting of the board or commission. Excused absences for reasons shall not exceed a period of one hundred twenty calendar days. N
 - c. Nothing contained in this section shall be deemed to limit the power of the city council to remove any member of any city board, commission or committee at any time, with or without cause.
 5. Quorum. A quorum of the board or commission shall consist of a simple majority of the appointed members.
 6. Officers. At the first meeting of each calendar year, the board or commission shall select its officers. These shall consist of a chairperson (chair) and a vice chairperson.
 7. Conduct of Business. The conduct of board or commission business shall be by Sturgis Standard Code of Parliamentary Procedure, or by rules of procedure adopted by the board or commission.

8. Minutes. The staff liaison of the board or commission shall cause minutes to be prepared for the membership and presented at the following meeting for approval by the board or commission. Minutes shall be posted on the city's website within ten days of the board or commission's approval.
9. Staff Assistance. The city staff shall provide appropriate notice to the members of the agenda for each meeting, and shall provide to the members the draft minutes of the previous meeting for their approval. Each board or commission shall have access to all information possessed by the city concerning its agenda items. The city manager will provide for staff assistance at the meetings of the various boards and commissions.
10. Meetings. Unless otherwise provided, the boards and commissions shall meet at least monthly, on a regularly scheduled basis, in a public meeting room, and shall be subject to the Ralph M. Brown Act, Government Code Section 54950 et seq.

C. Committees shall be governed by the same criteria as boards and commissions unless otherwise prescribed by council resolution.

(Ord. 2007-11 § 1, 2007: Ord. 92-2 Div. 2 (part), 1992.)

2.04.230 - Planning commission.⁴

There shall be a planning commission. It shall have the powers and duties provided by the state "Planning Act" as the same now exists or may hereafter be amended, such other duties as may be conferred upon planning commissions by the laws of the state, and such duties and powers provided in this code or assigned by the council.

The planning director of the city shall be the secretary of the commission.

(Ord. 92-2 Div. 2 (part), 1992.)

2.04.240 - Park and recreation commission.

There shall be a park and recreation commission. It shall have the powers and duties stated below, and such others as the council may decide:

- A. To act in an advisory capacity to the council and the city manager on all matters pertaining to public recreation, including parks, playgrounds, landscaping within the boundaries of parks, playgrounds and recreational facilities, child care, educational courses, and entertainment;
- B. To make recommendations regarding the annual budget, within its scope of concern, to the city manager and the council;
- C. To make recommendations to the council, annually, concerning fees for city sponsored programs;
- D. To assist in planning recreation programs for the residents of the city, to promote public interest therein, and to solicit the cooperation of other public and private agencies;
- E. To make recommendations to the council regarding present and future needs for park and recreation facilities.

(Ord. 2007-12 § 1, 2007: Ord. 92-2 Div. 2 (part), 1992.)

2.04.250 - Civil service commission.⁵

There shall be a civil service commission. It shall consist of five members. The commission shall have the powers and duties specified in [Title 3](#) of this code, and such other powers and duties as the council may prescribe, or as may be prescribed by the law.

The commission shall decide the order of business for its meetings. It shall meet regularly if its rules require it, or on call of the chairperson or three members. A quorum consists of three members.

5-5

(Ord. 95-4 Div. 1 (part), 1995; Ord. 92-2 Div. 2 (part), 1992.)

2.04.270 - Human relations commission.

There shall be a human relations commission. Its members shall generally reflect the diverse population of El Cerrito.

- A. The goal of the commission is to develop positive human relations through education, encouragement of greater respect and understanding among people, equal opportunity rights under the law, and recognition of the racial, ethnic, religious and cultural diversity of the community.
- B. The purpose of the commission is to initiate educational and cultural programs, to promote tolerance and mutual respect among all persons, and to evaluate and make recommendations regarding discrimination charges levied against the city, upon the direction of the council.
- C. It shall have the following powers and duties:
 - 1. To evaluate and disseminate educational and informational material relating to the elimination of all forms of prejudice and discrimination, and to promotion of tolerance and understanding;
 - 2. To initiate and encourage educational and other appropriate activities seeking to discourage or prevent discrimination where possible;
 - 3. To provide information and technical assistance to, and cooperate with, other public agencies, organizations, institutions and persons engaged in activities and programs intended to eliminate prejudice and discrimination;
 - 4. To consult and maintain contact with other public agencies and community organizations concerned with interracial, interreligious, and intercultural understanding, and such other private organizations and institutions which further the objective of eliminating discrimination;
 - 5. To review the achievement of the city's equal opportunity program and provide an annual report to the city staff along with recommendations for council consideration;
 - 6. To develop and recommend to the council additional programs and practices designed to further commission objectives;
 - 7. To perform such other duties as the council may assign.

(Ord. 2007-12 § 2, 2007; Ord. 95-4 Div. 1 (part), 1995; Ord. 92-2 Div. 2 (part), 1992.)

2.04.280 - Design review board.

There shall be a design review board.

- A. It shall have the following powers and duties:
 - 1. Those specified in Title 19 of this code, to fulfill the design review function for the city;
 - 2. Those specified in Title 16 of this code, to fulfill the functions of a board of appeals.
- B. It shall consist of five members. At least three of the members shall be members of the design professions. No more than two members may be members of the planning commission.

(Ord. 95-4 Div. 1 (part), 1995; Ord. 92-2 Div. 2 (part), 1992.)

2.04.290 - Economic development board.

- A. There shall be an economic development board consisting of seven members who shall be either residents of the city or own or operate businesses in the city. Persons appointed because of the ownership or operation of businesses in the city do not have to be city residents. The economic development board shall have the powers and duties stated below, and such others as the council shall decide:

5-6

1. To advise the council on economic development matters, including budget, staffing levels, policies, selection criteria, project financial feasibility and suitability and investment of resources into proposed projects;
 2. To make recommendations on the annual economic development work plan, including its priorities and evaluation measures;
 3. To oversee the work of subcommittees established to concentrate on creating plans for high-priority areas;
 4. To provide input to other city boards and commissions on economic development matters;
 5. To review progress toward achieving the annual work plan goals and long range economic development goals;
 6. To encourage community involvement in economic development; and
 7. With the advice and consent of the city council, to form a resource council of business and community members who are available to provide assistance on an ad hoc basis.
- B. It is essential that this economic development board contain persons who are business owners and operators in the city based both on the expertise of such persons on economic development matters and because such persons will best represent the interests of other business owners and operators in the city. As a result, the economic development board shall contain at least two members who are business owners and operators, one of whom shall be the president of the El Cerrito Chamber of Commerce or his or her designee, in order that business interests are adequately represented on the board. The president of the Chamber of Commerce or his or her designee shall remain a member of the board during his or her tenure as chamber president and upon the installation of a new president, that person or his or her designee shall succeed to membership on the board. Pursuant to Section 18707.4 of the Rules and Regulations promulgated by the Fair Political Practices Commission, as amended, the ownership or operation of business interests by members of the economic development commission shall not be deemed a disqualifying material financial interest for conflict of interest purposes.
- C. Terms for Initial Members. In order to achieve the requirements of Section 2.04.220B3 of the municipal code, that membership be divided into four approximately equal groups, appointed in consecutive years, the council shall appoint some of the new members of the economic development board to less than four-year terms in order to provide for a staggered system of appointments for future board members.
- D. The board shall hold regular business meetings no less than quarterly, with the minimum attendance of such being no less than three in one calendar year. Additional "on-call" special meetings may be called that are project specific, and can be called by the staff liaison in conjunction with the chair, with the attendance requirement for these "on-call" meetings being that no member shall miss more than three of these meetings in a calendar year.

(Ord. 2007-12 § 3, 2007: Ord. 2000-1 Div. I and II, 2000.)

2.04.300 - Financial advisory board.

- A. There shall be a financial advisory board consisting of five members who reside in the city and have demonstrated expertise in financial management, accounting, fiscal analysis, computer applications, economic analysis or related skills. The financial advisory board shall have the powers and duties stated below, and such other duties as the council shall decide:
1. To conduct a review and make recommendations on the proposed annual budget and long-term financial plan for the city and the redevelopment agency each year to assist the city council and redevelopment agency in making decisions on major expenditures and revenue sources;
 2. To monitor the city and redevelopment agency expenditure and revenue patterns and recommend adjustments to the long-term financial plans as necessary;
 3. To conduct an annual review of the city's investment policies and make recommendations regarding the managing of the city's financial reserves to assure maximum returns on approved investments;

5-7

4. When requested by the city council, redevelopment agency board, or staff to evaluate proposals, programs and contracts for both long- and short-term financial consequences, assess alternatives and make appropriate recommendations;
5. To review the annual audit and management letter and provide the city council and the redevelopment agency with recommended changes in financial practices;
6. To review and make recommendations on all proposed bonds or other debt instruments to be issued by the city or the redevelopment agency; and
7. To review the form and format of budget documents, agenda bills and other recurring financial reports prepared by the city and issue recommendations to the city council and the city manager regarding how the form and format of these documents may be modified to allow for greater clarity in the manner financial information is reported.

(Ord. 2007-2 § 1, 2007; Ord. 2000-3 Div. 1, 2000.)

(Ord. No. 2010-01, § 1, 1-19-2010)

2.04.310 - Art and culture commission.

- A. There shall be an arts and culture commission consisting of seven members. These members shall demonstrate a commitment to the various arts disciplines, including but not limited to: fine arts, visual arts, performing arts, literary arts, art history and arts education.
- B. The commission shall have the following powers and duties as stated below, and such others as assigned from time to time by the city council:
 1. To act in an advisory capacity to the city council in all matters pertaining to arts in the community;
 2. Make recommendations to the city council concerning the resources and needs of the community on the subject of the arts, opportunities for participation of artists and performers in city-sponsored activities, and ways to encourage community involvement in the arts;
 3. Work cooperatively with city boards and commissions and other public and private organizations in creating and promoting art and cultural programs and activities within the city;
 4. Coordinate and strengthen existing organizations in the arts and develop cooperation with regional organizations;
 5. Make recommendations to the city council regarding the funding of community art projects, including the search for private and public grants, and regarding the disbursement of revenues consistent with the needs of the community;
 6. Review and make recommendations to the city council upon all works of art to be acquired by the city, either by purchase, gift or otherwise and exterior works of art installed in the city on public property;
 7. Recommend to the City Council the adoption of such ordinances or policies as it may deem necessary for the administration and preservation of the arts and cultural development of the city.

(Ord. 2003-1 Div. 1, 2003.)

2.04.320 - Citizens' oversight committee.

- A. Committee Established. There is hereby established in the city of El Cerrito a citizens' oversight committee to monitor the expenditures of revenue collected pursuant to [Chapter 4.60](#) (the "Pothole Repair and Local Street Improvement and Maintenance Transactions and Use Tax") only and report to the people and the city council. The title of this committee shall be the "Street Repair and Maintenance Citizens' Oversight Committee" (hereinafter the "Citizens' Oversight Committee" or the "Committee").
- B. Selection of Members.
 1. Members of the citizens' oversight committee shall be appointed by majority vote of the city council. The committee shall consist of five members. The citizens' oversight committee members shall not be current city of El Cerrito employees, officials, contractors or vendors of the city. Past employees, officials

or vendors shall be eligible to serve on the committee, provided that such service would not be a violation of law, as determined by the city attorney.

2. Of the members of the committee first appointed, three shall be appointed for terms of four years and two for terms of three years. Their successors shall be appointed for terms of four years. No member may serve more than two consecutive four-year terms.
3. The city council shall solicit citizens' oversight committee members through an open application process that is promoted through the city's normal recruiting process. Any El Cerrito resident is eligible to apply for committee membership, subject to the limitations specified above. All applications will be reviewed by the city council, which will have the authority to make all final decisions on committee representation, subject to these guidelines.

C. Purpose and Jurisdiction.

1. The citizens' oversight committee shall review expenditures of revenue collected pursuant to this chapter only to determine whether such funds are expended for the purposes specified in the then-current street repair and maintenance expenditure plan, and issuing reports on their findings to the city council and public at least annually. The committee may also review the annual financial or performance audits performed by an independent auditor. The committee shall confine its oversight specifically to revenues generated under [Chapter 4.60](#). Revenue generated through other sources shall be outside the jurisdiction of the street repair and maintenance citizens' oversight committee.
2. In order to preserve the integrity and independence of the oversight process, committee members will not play a formal role in contracting, project management, or any other aspect of the street repair and maintenance measure funding.
3. The committee is not charged with decision-making on spending priorities, schedules, project details, funding source decisions (e.g., leveraged funds, developer fees, etc.), financing plans, or tax rate assumptions. The committee shall serve in an advisory-only role to the city council. The committee shall have no jurisdiction other than that delegated to it by the people pursuant to this chapter. The failure of the committee to carry out any of its duties under this section shall not affect the validity of any of the provisions of [Chapter 4.60](#).
4. The city of El Cerrito city manager or his or her designee shall provide any reasonable administrative or technical assistance required by the committee to fulfill its responsibilities or publicize its findings.

D. Meetings. The citizens' oversight committee shall meet semi-annually (or as otherwise provided for in approved or amended by-laws) with specific meeting dates to be determined by the committee. Citizens' oversight committee meetings are subject to the requirements of the Ralph M. Brown Act (Government Code Section 54950 et seq., as may be amended from time to time). Meetings must be noticed and open to the public. Additional meetings may be scheduled by the committee as necessary. All committee members shall attend a training and orientation session upon commencing their duties.

E. Attendance. Committee members are expected to attend all regular meetings.

F. Committee Operations. At the first meeting of each calendar year, the citizens' oversight committee will select members to serve as chair and vice chair of the committee. A city staff person will be appointed by the city manager or his or her designee to serve as secretary. The secretary will be responsible for preparing, posting and distributing agendas and taking minutes at each meeting. Approved minutes shall be made available to the public. Committee decisions, positions, findings and procedures shall require a simple majority of those members voting.

G. Vacancies. In the event of removal, resignation, or death, the city council shall appoint a person to fill the vacant seat.

H. Miscellaneous. With the exception of those items specifically addressed in this chapter, the committee may draft and adopt its own standard procedures and by-laws by majority vote. All citizens' oversight committee procedures and by-laws remain subject to review and approval by the city council. Citizens' oversight committee reports and audits are subject to review and approval of the city council.

REVISION #1 – El Cerrito Street Oversight Committee Standing Rules
(For consideration at the Regular Meeting scheduled for 14 November
2011)

1. Regular meetings shall be held on the following dates:
 - a. 4th. Monday in January
 - b. 4th. Monday in September
 - c. 2nd Monday in November
2. Regular and Special meetings shall be held in the El Cerrito City Hall Hillside Conference Room at 7:00 PM unless otherwise determined by a majority vote of the Committee.
3. Any party wishing to cancel or reschedule a Regular Meeting shall communicate with the Chair, giving the reason for making the request as well as any other pertinent information including any suggestion as an appropriate date on which to hold the Regular Meeting if it is cancelled. Upon receipt of any such request the Chair shall contact each of the Committee Members and get their vote to either agree or disagree with the request. In doing so the Chair shall advise each Member of all known reasons for the request. The issue to be decided By a majority vote of all Members responding. A tie vote shall be deemed a vote to deny the request .
4. Any Member of the Committee can request a Special Meeting at any time by contacting the Chair and stating the reason for the request. Upon receipt of any such request the Chair shall proceed in the manner set forth in Rule #3 above. The City Liaison is authorized to request a Special Meeting but shall not have a vote on that request.
5. A quorum is three (3) committee members.
6. Summary minutes shall be kept by the staff liaison. In the event the staff liaison is not present another person shall be designated by majority vote to perform this function. Minutes shall reflect all key discussion points, indicate all motions made and by whom, including seconders, and the results of any votes.

5-10

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 460.2.04.320 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 Council that the Committee is unable to perform its designated function and the reason for that failure.
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 legality of a procedure that member shall pose that question to the Chair who shall then seek a clarification from the City Attorney.
12. Should any portion of these rules be deemed to be illegal that portion shall be deleted from these rules, the remainder remaining in 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 the Vice Chairperson shall be done at the first Regular Meeting of each Calendar Year.
Nominations for each office shall be accepted from any party present at that meeting. The term of office shall be for the next period terminating at the anniversary of the current meeting. In the event there is more than one nominee for an office voting shall be by written ballot which shall be tabulated by the Chairperson and the Vice Chairperson and the winners announced jointly whereupon the Ballots shall be destroyed. Only the five members of the Committee Shall have a vote.

5-11