



**CULTURE AND ARTS COMMISSION  
AGENDA**

**Thursday, March 17, 2016 • 6:30 p.m. • San Bruno City Hall, 567 El Camino Real, Room 115**

**WELCOME TO OUR COMMISSION MEETING**

If you wish to speak on an item under discussion by the Commission and appearing on the agenda, you may do so upon receiving recognition from the Commission Chair. If you wish to speak on a matter not appearing on the agenda, you may do so during PUBLIC DISCUSSION. Please state your name and address; if you are representing an organization, please state the name of the organization. In compliance with American Disabilities Act, individuals requiring accommodations for this meeting should notify us 48 hours prior to meeting (616-7180).

**Please note: Commission policy allows a maximum of three (3) minutes for individual comments.**

1. **CALL TO ORDER/ROLL CALL:**
2. **PLEDGE OF ALLEGIANCE:**
3. **APPROVAL OF THE AGENDA:**
4. **APPROVAL OF THE MINUTES:** February 18, 2016
5. **PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** (Note: Commission's policy is to refer matters raised in this forum to staff for investigation and/or action where appropriate. State Law, known as the "Brown Act", prohibits Commission from discussing or acting upon any matter that is not on the agenda. Non-agenda issues rose by members of the public or by the Commission may, at the discretion of the Commission, be scheduled for consideration at future meetings.)
6. **CONSENT CALENDAR:**
7. **NEW BUSINESS:**
  - a. Request from the Society of Western Artists for the Culture and Arts Commission to Host an Art Exhibit at Their Gallery for Capuchino High School Students from May 6-14, 2016 and for the City's Art Fund to Provide \$450 for Prizes and Refreshments
8. **UNFINISHED BUSINESS:**
  - a. Review and Accept Culture and Arts Commission Bylaws
  - b. Oral Report Update on Centennial Mosaic Mural Art Project Installation
9. **EXCLUDED CONSENT:**
10. **ITEMS FROM STAFF:**
11. **PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** (Note: Commission's policy is to refer matters raised in this forum to staff for investigation and/or action where appropriate. State Law, known as the "Brown Act", prohibits Commission from discussing or acting upon any matter that is not on the agenda. Non-agenda issues rose by members of the public or by the Commission may, at the discretion of the Commission, be scheduled for consideration at future meetings.)
12. **ITEMS FROM MEMBERS AND SUBCOMMITTEE REPORTS:**
13. **ADJOURNMENT**

**\*\* POSTED PURSUANT TO LAW \*\***



**MEETING MINUTES**

**Culture and Arts Commission  
February 18, 2016**

1. **CALL TO ORDER/ROLL CALL:** Chair Parker called the meeting of the Culture and Arts Commission to order at 6:30 p.m. Commissioners present: Chair Parker, George, Rosman Koodrin, Livengood, Madden, and Tobin. Commissioner Absent: Gamble. Staff: Burns and Aker.
2. **PLEDGE OF ALLEGIANCE:** Commissioner George led the Pledge of Allegiance.
3. **APPROVAL OF THE AGENDA:** MSC Rosman Koodrin/Madden for approval of the agenda. Approved unanimously.
4. **APPROVAL OF MINUTES:** MSC Madden/Rosman Koodrin to approve the minutes submitted with the corrections to the spelling of the name for Daly City Council member, Carol Klatt, and the correction of the spelling for Lions Club. Approved unanimously.
5. **PUBLIC COMMENT:** Judith Puccini, member of the Society of Western Arts, attended to announce that they were hosting an art exhibit for Capuchino High School and were hoping to get help in funding from the Culture and Arts Commission. They are requesting \$450 to present prizes and hold a reception for the art students. Director Burns told the Commission she would go back and research if funding assistance could be provided from the fund and will respond back to the Commission at its March meeting.
6. **CONSENT CALENDAR:** None.
7. **CONDUCT OF BUSINESS:**
  - a. Review and Accept Culture and Arts Commission Bylaws – Commissioner Tobin asked if they could have a better provision for absenteeism. Director Burns replied that it was standardized for all Commissions and Boards within the City. Commissioner George asked for clarification on the Bylaw that requires Commissioners to be residents of San Bruno and Director Burns said that she would look into it and report back in March. The Commission agreed to continue this item to its March meeting.
  - b. Discussion Regarding Future Art Projects – Director Burns requested the Commission to discuss ideas for future art projects so that a new initiative could be developed. Commissioner Parker suggested going to local companies such as YouTube to help fund an art center within the City. Commissioner Tobin

proposed light installations on top of local buildings that could be viewed at night. Commissioner Madden suggested displays of art on Sneath Lane. Commissioner Rosman Koodrin recommended a public art project that would involve residents getting involved in the painting process. Commissioner Tobin asked if the art inspiration plaque had been placed on the Remembrance Sculpture at City Park and Director Burns replied that she would verify and get back to the Commission. Commissioner Livengood recommended the Commission view the Mural at the American Legion Hall and that she trying to generate more publicity for it.

**8. UNFINISHED BUSINESS:**

- a. Oral Report Update on Centennial Mosaic Mural Art Project Installation – Director Burns let the Commission know that installation of the Mural had started on Thursday, February 18. Completion is estimated by the end of February or early March and that she is discussing a date for the dedication ceremony with the City Manager. Director Burns will inform the Commission when the project is complete and when they set a date for the dedication. Commissioner Tobin asked if there had been extra costs in relation to the installation of the mural and Director Burns replied that once the installation was complete she would update the Commission on the extra cost and where it would be budgeted from. Council Member Medina suggested that the dedication for the Centennial Mural be held at the American Legion Hall because of the close proximity and to get publicity for both the Mural and Hall. Director Burns told the Commission that she had been in contact with an artist to provide maintenance on the murals in Centennial Park because they were in need of some restoration work estimated between \$10,000 and \$15,000. She would be bringing it to the March agenda with more information for the Commission to discuss.

9. **EXCLUDED CONSENT:** None.

10. **ITEMS FROM STAFF:** None.

11. **PUBLIC COMMENT:** None.

12. **ITEMS FROM MEMBERS AND SUBCOMMITTEE REPORTS:** Commissioner Rosman Koodrin announced that the California Writer's Club was celebrating their 50<sup>th</sup> Anniversary on Saturday, February 20. She also passed out a handout with the guidelines and entry dates for the annual Literary Stage contest.

13. **ADJOURNMENT:** With no other business to be conducted, **Chair Parker** adjourned the meeting at 7:50 p.m.

Respectfully Submitted,

Ludmer Aker  
Executive Assistant  
City of San Bruno



**DATE:** March 17, 2016  
**TO:** Culture and Arts Commission  
**FROM:** Kerry Burns, Community Services Director  
**SUBJECT:** Request from the Society of Western Artists for the Culture and Arts Commission to Host an Art Exhibit at Their Gallery for Capuchino High School Students from May 6-14, 2016 and for the City's Art Fund to Provide \$450 for Prizes and Refreshments

**BACKGROUND:**

On March 3, 2016, a letter was received from the Society of Western Artists (SWA) inviting the Culture and Arts Commission to host an art exhibit in their gallery for Capuchino High School. Art would be exhibited by students in the High Level and Standard Level of the International Baccalaureate Program. The exhibit would be held at the SWA's gallery located at 527 San Mateo Avenue, San Bruno. The exhibit would run from Thursday, May 6, 2016 through Saturday, May 14, 2016. A reception is scheduled for Saturday, May 14, 2016.

As the event host, the Commission is being asked to provide \$450 in financial assistance from the City's Art Fund as follows:

Two First Place Prizes for Each Level:	\$200 (\$100 each)
Two Second Place Prizes for Each Level:	\$100 (\$50 each)
Two Third Place Prizes for Each Level:	\$50 (\$25 each)
Reception Refreshments:	\$100

**DISCUSSION:**

The City's Municipal Code, Article III, Chapter 3.40 (attached) defines, among other things, how the City's Art Fund may be spent. Specifically, Section 3.40.040 Fund Created states: "The "City Art Fund" is hereby established to account for fees paid pursuant to this chapter. This fund shall be maintained by the city finance director or designee, and shall be used solely for the purpose of sponsoring, conducting, and hosting art programs, events and exhibits and for the purpose of accepting, commissioning, acquiring, selecting, installing, maintaining, and insuring art work to be displayed in the city."

The guidance provided through the Municipal Code authorizes the Commission, with City Council approval, authority to expend funds from the City Art Fund for programs, events and exhibits if sponsored, conducted and hosted by the City. The SWA request is an eligible expenditure of the funds in the City Art Fund.

In the event the Commission wishes to recommend the funding request to the City Council, the item would be placed on the Regular City Council meeting of April 12, 2016.

**FISCAL IMPACT:**

If recommended by the Culture and Arts Commission and approved by the City Council, the requested \$450 would be funded from the City's Art Fund. Sufficient funding currently exists to fund the request.

**ATTACHMENTS:**

March 3, 2016 Letter from Society of Western Artists  
Municipal Code Section 3.40.040 Fund Created

SOCIETY <sup>OF</sup>  
WESTERN  
*Artists*

March 3, 2016

In support of the arts, the Society of Western Artists would like to propose that the San Bruno Cultural and Arts Commission host an art exhibit by students from Capuchino High School at our gallery. It is our hope that the Commission will assist us in promoting and helping fund prizes and a reception for the senior art students.

We plan to have an art exhibit for students in the High Level and Standard Level of the International Baccalaureate program. Their exhibit is scheduled for Thursday, May 6 through Saturday, May 14. A reception for this exhibit is Saturday, May 14. The exhibit will take place at SWA's Art Center at 527 San Mateo Avenue.

The proposed budget will include \$100 for first place, \$50 for second place, and \$25 for third place for each level totaling \$350 plus \$100 for refreshments. Our entire request is for \$450.

Since our move to San Bruno has put a considerable strain on our budget and we are a volunteer non-profit organization, we are hoping that the Commission will help us with this project which will benefit this talented group of San Bruno students.

Show Chair:

Judith Puccini  
120 Keefe Ct.  
San Bruno, CA 94066  
650 737-6084

## Article III. Fees

### Chapter 3.40

#### ART IN PUBLIC PLACES\*

##### Sections:

<b>3.40.010</b>	<b>Findings.</b>
<b>3.40.020</b>	<b>Purpose.</b>
<b>3.40.030</b>	<b>Art defined.</b>
<b>3.40.040</b>	<b>Fund created.</b>
<b>3.40.050</b>	<b>Program allocation.</b>
<b>3.40.060</b>	<b>Program compliance.</b>
<b>3.40.070</b>	<b>Administration of art in public places program.</b>
<b>3.40.080</b>	<b>Ownership of public art.</b>

\* Editor's note: In July 2007, under the direction of the city attorney, Ch. 9.33 was renumbered to be Ch. 3.40, under new Article III, Fees.

#### **3.40.010 Findings.**

The city council finds and declares:

A. San Bruno's community is largely built-out. The city is undergoing an intense infill through home remodeling and additions, large housing developments, and commercial redevelopment.

B. The city has been consistently mindful of incorporating aesthetic considerations into the city's residential and commercial growth. For example, the city's planning commission reviews at two levels all applications for new construction and for additions that substantially increase a home or building size. The city has a Beautification Task Force that recognizes those in the community who maintain their homes and landscapes in an aesthetically pleasing fashion. An agreement with a developer to develop the former Navy site includes a requirement for artwork.

C. The city finds that is important to develop, support and maintain the city's cultural and artistic heritage, resources and assets in order to enhance the community's aesthetic quality of life, to add to a sense of community, and to improve the image and character of the community as it grows.

D. The financial burden of developing, supporting and maintaining the city's cultural and artistic resources and assets should be distributed in a manner roughly proportionate to the building impact of each project in the community.

E. Establishment of an art in public places program will promote the city's goal of developing the community's aesthetic qualities and will promote the general welfare of the community. (Ord. 1684 § 1 (part), 2003)

#### **3.40.020 Purpose.**

The purpose of this chapter is to create an Art in Public Places program funded by the community as a whole for the purpose of creating, conducting and sponsoring art programs, events and exhibits and for the purpose of accepting, commissioning, acquiring, selecting, installing, maintaining, and insuring art work in the city of San Bruno. (Ord. 1684 § 1 (part), 2003)

#### **3.40.030 Art defined.**

Art shall be defined as in Chapter 2.50.030. (Ord. 1684 § 1 (part), 2003)

#### **3.40.040 Fund created.**

The "City Art Fund" is hereby established to account for fees paid pursuant to this chapter. This fund shall be maintained by the city finance director or designee, and shall be used solely for the purpose of sponsoring, conducting and hosting art programs, events and exhibits and for the purpose of accepting, commissioning, acquiring, selecting, installing, maintaining, and insuring art work to be displayed in the city. (Ord. 1684 § 1 (part), 2003)

#### **3.40.050 Program allocation.**

The program allocation, as used in this chapter, shall be established as part of the city's building division permit collection fee system. In the absence of a development agreement or other similar agreement providing for public art or an art fund fee, the program allocation shall be as follows:

A. Five percent of residential building, mechanical, electrical, or plumbing permit fee;



**CITY OF SAN BRUNO**  
**COMMUNITY SERVICES DEPARTMENT**

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**DATE:** March 17, 2016  
**TO:** Culture and Arts Commission  
**FROM:** Kerry Burns, Community Services Director  
**SUBJECT:** Review and Accept Culture and Arts Commission Bylaws

**BACKGROUND:**

In July 2015, the City Attorney presented to the City Council for approval, updated Bylaws for all Commissions, Boards and Committees. The updated Bylaws for all groups are streamlined and follow a standard format.

**DISCUSSION:**

Using the template approved by the City Council, provided as an attachment are the revised Bylaws for the Culture and Arts Commission. These bylaws reflect the language contained in Municipal Code Section 2.50.040 Members – Terms and reflect the following requirement to serve on the Commission: “The culture and arts commission is an advisory commission and shall consist of seven commissioners, who at the time of their appointment and continuously during their incumbency shall not be employees of the city.”

Staff is requesting the Commission review and accept the newly formatted Bylaws.

**FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Culture and Arts Commission Bylaws.

## CULTURE & ARTS COMMISSION BY-LAWS

1. **Purpose and Intent.** The membership and duties of the San Bruno Culture & Arts Commission (“CAC”) (the “Commission”) are prescribed in the San Bruno Municipal Code. These Bylaws set forth the procedural rules for the conduct of Commission meetings.
2. **Meetings.** The Commission shall conduct its business in accordance with Chapter 2.50 (Culture and Arts Commission) of the San Bruno Municipal Code, these Bylaws, the Ralph M. Brown Act (Government Code Section 54950 *et seq.*) and the Code of Conduct adopted by the City Council by way of Resolution No. 01-2604.
  - 2.1 **Regular Meetings.** The Commission shall hold regular meetings at 6:30 p.m. on the third Thursday of each month, except that no meeting shall be held if a regular meeting day falls on a legal holiday. Regular meetings shall be held at the San Bruno City Hall.
  - 2.2 **Special Meetings.** Special meetings may be called at any time by the Chair or by a majority of the Commission, by delivering written notice to each member of the Commission (hereinafter “member” or “members”) and by posting the notice in the designated posting locations. Such notice may be delivered by any means and must be received at least twenty-four hours before the time of such meeting as specified in the notice, unless notice is waived in writing. The notice shall specify the time and place of the special meeting and the business to be transacted, and no other business shall be transacted at that meeting other than that contained in the notice.
  - 2.3 **Adjourned Meetings.** All meetings may be adjourned to another specified time, place and date, but not beyond the next regular meeting. If all members are absent from any regular or adjourned regular meeting the Secretary may declare the meeting adjourned to a stated time and place, and shall cause a written notice of the adjournment to be given in the same manner as provided in paragraph 2.2 above for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the meeting was held within 24 hours after the time of the adjournment.
  - 2.4 **Study Sessions.** The Commission may, from time to time, as part of a regular, adjourned or special meeting, meet in study session to focus on a particular matter within its jurisdiction. Action shall not be taken during a study session but direction may be provided.

**2.5 Public Meetings.** All meetings and study sessions of the Commission shall be open to the public. Closed sessions may be held only when specifically authorized by the Brown Act.

**2.6 Cancellation of Regular Meetings.** The Commission may cancel an upcoming regular meeting for lack of a quorum. Notice of the cancellation shall be posted in lieu of an agenda.

**3. Organization of the Commission.**

**3.1 Establishment.** There is established a Culture & Arts Commission. The Commission shall consist of seven commissioners, who at the time of their appointment and continuously during their incumbency shall not be employees of the city. Members shall be appointed by and serve at the pleasure of the Mayor with the majority approval of the City Council, subject to removal at any time, pursuant to City Council procedures.

**3.2 Term.** The term of office of each member is four years.

**3.3 Compensation.** No person shall receive compensation for service as a member, except for reimbursement of all such expenses necessarily and legitimately incurred and authorized during the performance of official duties for payment for service as a proctor during administration of employment examinations.

**3.4 Officers.** The Commission shall elect from its membership a Chair, who shall preside over meetings. The Commission shall also elect a Vice-Chair, who shall preside in the absence of the Chair. The Chair and Vice-Chair are sometimes referred to herein as the "presiding officer." The Chair shall have the following powers:

**3.4.1** To call to order the meeting and to conduct the order of business as set forth in the agenda.

**3.4.2** To adjust the agenda, if needed, at the time of the meeting with the approval of the Commission;

**3.4.3** To move, second, debate and vote;

**3.4.4** To rule motions in or out of order;

**3.4.5** To determine whether a speaker from the audience has exceeded his or her time or is otherwise out of order;

- 3.4.6 To rule on questions of parliamentary procedure based generally on Robert's Rules of Order;
- 3.4.7 To sign all resolutions and other documents necessitating his or her signature;
- 3.4.8 To call a brief recess during a meeting;
- 3.4.9 To appoint members to subcommittees with the approval of the Commission; and
- 3.4.10 To maintain decorum.

The presiding officer's determination as to any of the above matters may be overruled by a majority of the members present.

- 3.5 **Organizational Meeting.** At its first meeting in January, the members shall elect a Chair and Vice-Chair from among its members.
- 3.6 **Term of the Chair and Vice-Chair.** The term of office of the Chair and Vice Chair shall be one year. A member may serve more than one consecutive term as Chair or Vice-Chair. Nothing shall prevent the Commission from removing and replacing the Chair or Vice-Chair at any time during their respective terms, provided that the item is properly on the agenda of the meeting.
- 3.7 **Vacancy in the Office of Chair or Vice-Chair.** A vacancy in the office of Chair or Vice-Chair shall be filled for the remainder of the unexpired term by election at the next meeting provided the election has been noticed on the agenda.
- 3.8 **Vacancy of a Member's Seat.** A member may resign by submitting his or her resignation in writing to the Chair. The resignation is effective and irrevocable when submitted. In the event of an unscheduled vacancy of any member's seat prior to the expiration of his or her term, the City Council (or in the case of an individual appointment, the applicable Councilmember) may appoint a member to serve the remainder of the unexpired term. The newly appointed member shall take and subscribe to the oath of office before the next regular meeting after his or her appointment by the City Council.
- 3.9 **Quorum.** A majority of the total membership of the Commission shall constitute a quorum for the transaction of business. Where there is not a quorum present, the Secretary of the Commission shall announce that no meeting will be held due to lack of a quorum, and shall announce the date

of the next regular or adjourned meeting. When a member is disqualified due to a financial conflict of interest, his or her presence shall not be considered in determining the presence of a quorum. Any decision of the Commission shall require a vote of the majority of the members present and qualified to vote.

**3.10 Subcommittees.** The Commission may from time to time establish either standing or ad hoc subcommittees consisting of any number less than a quorum of its membership for the purposes of studying a specific area of concern. Standing subcommittees (that have a regular meeting schedule or continuing subject matter jurisdiction) are subject to all of the requirements of the Brown Act. The Commission may refer matters to a subcommittee to report back to the full Commission at a future date. The subcommittee report will be considered advisory and its recommendations are subject to action by the full Commission.

**3.11 Absences from meetings.** If a member of the Culture & Arts Commission is absent from three successive regular meetings without being excused by the Commission, or is absent for any reason for more than six regular meetings in any twelve-month period, the office of such member shall be vacated and the Chair shall immediately notify the Secretary, who shall notify the City Council that said office is vacant. Upon such notification, a successor for the remainder of the term of such member shall be appointed as adopted by Council Policy on July 26, 1976. In order to request an excused absence, a member must notify the Chair or the Secretary of the anticipated absence in advance of the meeting and the request must be noted during call of the roll and reflected in the minutes of the meeting, and is subject to denial by the Commission.

**3.12 Oath of Office.** Newly appointed members shall take and subscribe to the oath of office before assuming their duties. The oath may be given by a City official authorized to do so by State law.

#### **4. Powers and Duties.**

- 4.1** Serve in an advisory capacity to the City Council and City Manager;
- 4.2** Review and make recommendations to the City Council for its action in all matters pertaining to culture and art;
- 4.3** Make recommendations to the City Council for its actions on the acquisition, selection and placement of public art;

- 4.4 Make initial and periodic inventories of existing public art, location and condition and to locate and catalog potential public art sites which shall be reported to the City Council;
- 4.5 Make recommendations to the City Council for its action on the issues related to planning, supporting and developing culture and art related facilities, projects, programs and events;
- 4.6 Cooperate with other governmental agencies and civic groups in the advancement of sound planning of culture and arts in the City of San Bruno, subject to approval by the City Council; and
- 4.7 Provide other assistance as requested by the City Council or the City Manager.

**5. The Commission Agenda.**

- 5.1 **Preparation of the agenda.** The Secretary of the Commission shall formulate and prepare the agenda for meetings.
- 5.2 **Posting of the agenda.** The City Clerk shall cause to be posted an agenda for each regular meeting in the designated posting locations not less than 72 hours prior to the meeting. Agendas for adjourned meetings shall be posted in the same fashion, unless the business to be undertaken is limited to the items on the agenda of the meeting at which the adjournment occurs and the meeting is adjourned to a date within five days of the adjournment. Agendas of special meetings shall be posted and provided along with the notice of the meeting as provided in paragraph 2.2 above.
- 5.3 **Affidavit of posting.** Immediately following the posting of the agenda, the City Clerk shall cause to be completed an affidavit of posting. The affidavit shall indicate the time and location of posting, and shall be signed under penalty of perjury. The City Clerk shall retain all such affidavits in accordance with the City's records retention policy.
- 5.4 **Order of Business.** Items shall be placed on the agenda substantially according to the following "Order of Business." Upon review of the agenda at the beginning of any meeting, the Commission may change the order of business in order to promote the efficiency of the meeting. The Order of Business for each regular meeting shall be as follows:
  - 1. Call to Order/Roll call
  - 2. Pledge of Allegiance
  - 3. Approval of the Agenda

4. Approval of Minutes (unless approved on the Consent Calendar)
5. Public Comments on Consent Calendar and Matters Not on the Agenda
6. Consent Calendar
7. New Business
8. Unfinished Business
9. Excluded Consent
10. Items from Staff
11. Public Comments on Matters Not on the Agenda (remaining comments not heard during previous comment period)
12. Items from Members and Subcommittee Reports
13. Adjournment

**5.5 Description of Matters on the Agenda.** All items of business to be transacted shall be described briefly on the agenda in sufficient detail so that a reasonable person can determine the general nature of the matter under consideration. Not every recommendation or conceivable action or alternative need be listed. Generally, each item on the agenda shall contain a staff recommendation and the specific action requested to be taken.

**5.6 Adding Items of Business to the Agenda.** The Commission shall not discuss or take action on any item of business not listed on the posted agenda except:

**5.6.1** Upon a majority determination of the existence of an “emergency” as that term is defined in the Brown Act.

**5.6.2** Upon a determination by a two-thirds vote of the members present, or if less than two-thirds of the membership is present, upon a unanimous vote, that there is an immediate need to take action and that the need to take action came to the attention of the City subsequent to the posting of the agenda. If the Commission makes this determination, the minutes of the meeting shall reflect what circumstances gave rise to the need to take action after the posting of the agenda.

**5.6.3** Where the item upon which action is to be taken was included on a properly posted agenda for a prior meeting of the Commission occurring not more than five calendar days prior to the date of the meeting at which the item is to be considered, and the item was continued to an adjourned meeting.

**5.7 Adding Items of Business to a Future Agenda.** Any member may during “Items from Members” request that an item of business within the

Commission's subject matter jurisdiction be added to a future agenda. Such requests are subject to approval of the Commission.

**5.8 Public Comments.** Members of the public shall be permitted to speak on each item of business on the agenda when the item is taken up and before action is taken on the item by the Commission. Each speaker shall have a three (3) minute period to speak; time cannot be ceded to another speaker. In order to facilitate the conduct of the meeting, the Chair or the Commission may lengthen or shorten the three-minute period for all speakers on a particular agenda item based on the number of persons in attendance wishing to speak or the complexity of the matter under consideration. The "Public Comments" item shall be limited to items on the Consent Calendar (and not pulled therefrom) and matters not on the agenda but within the subject matter jurisdiction of the Commission. An individual may speak only once during "Public Comments," either at the first or second public comment period.

**5.9 Notification.** Upon written request on an annual basis and payment of the fee required by the City's fee resolution, the Secretary will mail agendas or agenda packets to any person.

**6. Minutes.** The minutes of meetings shall be kept by the Secretary in accordance with the following policy:

**6.1** Minutes shall contain a record of all proceedings, motions, and actions, but shall only contain a summary of the discussion, not a verbatim transcription. The minutes shall accurately reflect what occurred at the meeting.

**6.2** All motions, whether carried or not, shall be recorded, disclosing the author of the motion and the second, and the roll call vote.

**6.3** Minutes of public hearings shall list when available the names and City of residence of all persons who speak during the hearing, and the position they took on the matter. The minutes need not include detailed or verbatim transcriptions of public comments.

**6.4** An audiotape recording of all meetings shall be made and said recording tapes shall be kept for a period not less than thirty days following approval of the minutes, and shall be subject to disclosure during that time.

**7. Annual Report.** The Commission shall provide a report to the City Council concerning its actions, activities, and achievements during the preceding year, its goals for the subsequent year and any recommendations for improvement in

providing service to the City. A summary of the annual report shall be presented orally at a regular City Council meeting.

8. **Secretary.** The City Manager or applicable Department Director or his/her designee shall serve as the Secretary for the Commission. The Secretary shall:

- 8.1 Keep the minutes of all meetings and transmit approved minutes to the City Clerk;
- 8.2 Give or serve all notices required by law or by these rules;
- 8.3 Formulate and prepare the agenda for all meetings;
- 8.4 Be custodian of Commission records;
- 8.5 Inform the Commission of correspondence relating to business of the Commission and attend to such correspondence;
- 8.6 Handle funds allocated to the Commission, as directed by the applicable Department Director, and in accordance with its directives, the law, and City regulations; and
- 8.7 Sign official documents of the Commission.

9. **Conduct of Meetings.**

9.1 **Action by the Commission.** The Commission shall proceed by way of motion. Any member, including the Chair, may make a motion and any member may second the motion except that the same person who made the motion cannot second it. A member may make only one motion at a time and a motion or second may be withdrawn by the maker at any time before a vote.

9.2 **Adoption by Majority Vote.** A motion shall be adopted by an affirmative vote of a majority of the members present provided a quorum is determined to exist. Members have a duty to vote "aye", or "nay" on each motion. Abstentions shall be cast only if the member declares:

9.2.1 The existence of a conflict of interest or other disqualification from voting; or

9.2.2 A lack of sufficient information upon which to base a vote due to absence from a previous meeting.

Abstentions are not counted in the vote tally.

### 9.3 Rules of Decorum.

**9.3.1 Rules for Members.** Members of the Commission shall conduct themselves in an orderly and businesslike manner to ensure that the business of the City shall be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process is maintained at all times. Members shall maintain a polite, respectful and courteous manner when addressing one another, City staff and members of the public during meetings. Members shall speak clearly into the microphone so that they can be heard by the audience.

#### a. Communication with Members

- 1) Members should request the floor of the Presiding Officer before speaking.
- 2) A member who is speaking shall attempt to avoid repetition and shall limit their comments to the subject matter at hand. Members should express their views without engaging in lengthy debates.
- 3) When one member is speaking, other members shall not interrupt or otherwise disturb the speaker.

#### b. Communication with Members of the Public Addressing the Commission.

- 1) Members may question a person addressing the Commission at the conclusion of the person's comments or upon expiration of the person's time to speak. Such questions shall be directed to the person through the Presiding Officer.
- 2) Members shall not engage the person addressing the Commission in a dialogue with the Commission or City staff, but shall confine communication to a question and answer format conducted through the Presiding Officer.
- 3) If a member of the audience has addressed the Commission on matters that are not on the agenda, members shall refrain from discussion of the matter. If a member so wishes, the member may, if appropriate, during the "Items from Members" portion of the meeting, direct the Secretary to

place the matter on the next agenda, subject to the approval of the Commission.

### **9.3.2 Rules for City Staff.**

- a. Decorum. City staff shall not engage in public dialogue or debate with members of the public during public meetings. When addressed by the Commission, staff shall respond in a polite and respectful manner.
- b. Role of the Secretary. The Secretary's duties during the meetings include keeping a record of concerns raised by the Commission regarding staff matters and directions for future staff action.

### **9.3.3 Rules for the Public**

- a. Members of the Audience. Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the meeting infeasible. A member of the audience repeatedly or continuously engaging in any such conduct shall, at the discretion of the Presiding Officer or a majority of the Commission, be subject to ejection from that meeting.
- b. Persons Addressing the Commission.
  - 1) Any person wishing to speak in connection with any item of business on the agenda shall first be invited to voluntarily complete a speaker request slip and submit the slip to the Secretary, although completion of the speaker's slip is not required to speak.
  - 2) No person shall address the Commission without first being recognized by the Presiding Officer.
  - 3) No person addressing the Commission shall make repetitious, slanderous or irrelevant remarks, or engage in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the meetings. Any person who so disrupts the meeting may, at the discretion of the Presiding Officer or a majority of the Commission, be subject to ejection from that meeting.

#### **9.3.4 Enforcement.**

a. The Chair shall follow the following procedure to maintain decorum:

- 1) Warning. The Presiding Officer shall request that a person who is disrupting the meeting cease such conduct. If after receiving a warning from the Presiding Officer, the person persists in the violation, the Presiding Officer shall order the person to leave the meeting. If the person does not leave the meeting, the Presiding Officer may order a law enforcement officer to remove the person from the chambers.
- 2) Removal. A law enforcement officer shall carry out the orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum. Upon instruction of the Presiding Officer, it shall be the duty of the law enforcement officer to remove from the meeting any person who is disturbing the proceedings.
- 3) Motion to Enforce. If the Presiding Officer fails to enforce the rules of order and decorum set forth above, any member of may move to require the Presiding Officer to do so, and an affirmative vote of a majority of the Commission shall require the Presiding Officer to do so. If the Presiding Officer fails to carry out the will of the majority of the Commission, the majority may designate another member to act as Presiding Officer for the purpose of enforcing the rules of order and decorum established above.
- 4) Clearing the Room. If a meeting is disturbed or disrupted in such a manner as to make infeasible or improbable the restoration of order, the Presiding Officer or a majority of the Commission may exercise the authority granted in California Government Code Section 54957.9 by ordering the meeting room cleared and continuing in session in the manner authorized by Section 54957.9 of the Government Code. Members of the press shall be permitted to remain unless they have participated in the disruption.

**9.4 Adjournment of Meetings.** Meetings shall adjourn not later than 10:30 p.m., or as soon thereafter as the Commission completes the item of business on the table at that hour, in which event items of business not yet

addressed shall be continued to the next regular meeting or to an adjourned meeting. The Commission may by majority vote extend the meeting beyond 10:30 p.m. in order to complete more of its agenda.

**10. General**

**10.1** The Commission and its activities are completely distinct from the Community Services Department.

**10.2** No member shall use any public resources including the Community Services Department, City, and/or Commission letterhead and paper in any private activity.

**10.3** The Community Services Department Director shall approve and release any and all publicity releases, public information, pamphlets and other public relations. The purpose is to ensure that no release or programs will conflict with policies or programs of the City.

**11. Robert's Rules of Order.** If a matter arises that is not covered by these rules, the Brown Act or the San Bruno Municipal Code, the procedures of the Commission shall be governed by the latest revised edition of Robert's Rules of Order to the extent not inconsistent with laws governing public agencies.

**12. Amendments to By-Laws.** These by-laws may not be amended unless the proposed amendment has been presented to and approved by the City Council.