

# **TF-LUCE GUIDELINES**

## ***Guidelines for the Task Force for the Land Use and Circulation Elements Update (TF-LUCE)***

### **City of San Luis Obispo Community Development Department**

#### **1. Introduction**

The purpose of these Guidelines is twofold:

- 1) To clarify the respective roles of the each participant in the citizen advisory committee process; and
- 2) To outline the roles, responsibilities and relationship of TF-LUCE and Staff to clarify expectations and understanding of the overall process, so that TF-LUCE and Staff contribute to moving toward accomplishing the committee's specific goals within an appropriate schedule and budget.

The advisory committee process is a collaborative one involving an often diverse array of individuals, stakeholders, and viewpoints, levels of expertise and matters of concern. The public, TF-LUCE appointees, and respective Community Development Department staff (CDD staff), and staff from other agencies and offices all benefit in having a clear understanding of their respective roles and responsibilities in the committees' conduct of their official business.

An effort has been made to cover all essential aspects of the committee operations, such as how appointments are made, how long each member's term is, the responsibilities of different participants, conflict of interest issues, and meeting procedures. Nonetheless, these Guidelines are not exhaustive, they do not incorporate statutes and regulations which may apply to TF-LUCE operations, e.g. State open meetings law (Brown Act). The Guidelines strive to make adequate reference to other rules, as appropriate.

#### **2. Applicability**

These Guidelines apply to the Council-appointed TF-LUCE whose primary mission involves products and activities focused on the Land Use and Circulation Element update.

### **3. Establishment of TF-LUCE**

The TF-LUCE is being established to advise the City on matters related to the update of the Land Use and Circulation Elements of the General Plan. The advice provided by the TF-LUCE is communicated to City staff which is tasked with providing recommendations to Advisory Bodies and City Council. This task force is appointed by the City Council; its establishment is not specifically *required* by any State laws or regulations. Therefore, the City Council has discretion to create, modify, and terminate the TF-LUCE, its membership, mission statement, schedule, etc. at any time. The TF-LUCE is an agent of the City of San Luis Obispo and members should be cognizant that their actions as individuals or as a whole can have consequences to the City.

### **4. Committee Authority**

The TF-LUCE is advisory in nature and has no authority to approve, deny, or require modification to any policy or project under the task force's consideration. The task force's advice shall be conveyed to Advisory Bodies, Planning Commission and City Council in all staff reports. City staff will acknowledge TF-LUCE input in formulation of recommendations for action by Advisory bodies and City Council and will note where a differing recommendation is being made and the reasons for the difference. When recording votes in meeting minutes, members voting for and against items will be noted. Staff is assigned responsibility for the timely completion of Council-approved Land Use and Circulation Element update work program.

### **5. Appointment Process and Membership Term**

#### **A) Size**

The size of a TF-LUCE shall be established by the City Council upon creation of the task force. The task force shall have an odd number of members; this eliminates ambiguity as to what constitutes a quorum, and minimizes the possibility of tie votes.

#### **B) Composition**

The composition of a TF-LUCE shall be determined at the time of its creation, to ensure that specific community segments and/or other interest groups are represented in the membership. All members must be residents of the City of San Luis Obispo. Paid advocates will not be considered to serve on the TF-LUCE. The TF-LUCE will be created by Council resolution.

#### **C) Vacancies and Application Process**

A vacancy or vacancies on a TF-LUCE shall exist:

- 1) When the committee is created
- 2) When a member or members is/are formally removed by the City Council, or
- 3) When the Council receives and acknowledges a letter of resignation from an incumbent.

Vacancies on the TF-LUCE shall be advertised by the City Clerk in the same manner as the original appointments by the Council. Applications for TF-LUCE membership shall be submitted on forms provided by the City Clerk, and shall be accepted by the Clerk. The temporary absence of members to fill vacancies as described in this section shall not affect a recommendation by staff and/or the TF-LUCE to Advisory Bodies or to the Council.

#### **D) Selection Process**

Upon the close of an application period, a copy of each application submitted will be given to the Council for review. Appointment(s) shall be made by the full Council. When considering members, a goal of geographical representation in the selection process will be weighed.

#### **E) Term of Office**

The term of office for a TF-LUCE and its members is established by the City Council when it creates the committee. The TF-LUCE shall serve at the discretion of the Council for the term of appointment outlined in a resolution.

### **6. Task Force Operations**

#### **A) Task Force Mission and Responsibilities**

The specific mission for the TF-LUCE and its term of service shall be to:

- 1) Advise the City in the development of recommendations during the process of discussing issues, opportunities and vision; reviewing alternatives; and developing policy as part of the Land Use and Circulation Element update.
- 2) Review and comment upon other matters related to the TF-LUCE's function as part of the Land Use and Circulation Element update, upon specific direction by the City Council.

#### **B) Officers and Rules of Conduct**

The responsibilities of the TF-LUCE also include an election of officers, consisting of at least a Chair, Vice-Chair, and Recording Secretary. The Chair shall lead all meetings, be the primary spokesperson for the TF-LUCE, and be the primary committee liaison to City staff and the public. Staff in consultation with the Chairperson shall develop the agenda for each TF-LUCE meeting. The Chair shall be the member appointed by the Planning Commission. The Vice-Chair shall fulfill the duties of Chair in the latter's absence. The Recording Secretary will be the Community Development Director or

his/her designee, who will take action minutes of motions and make a digital recording of each meeting. At a minimum, these minutes shall clearly convey actions and motions taken by the TF-LUCE. These minutes are to be considered, amended as needed and approved by the full task force at the earliest possible time, and signed by the Chairperson. In addition, the task force may adopt specific rules of conduct and procedure, as long as such rules are consistent with applicable laws and regulations (including these Guidelines).

### **C) Meeting Procedure**

The TF-LUCE is subject to the Brown Act, which set standards for public notice as to meeting time, date and location as well as items to be discussed. Significant implications are as follows:

- 1) Noticing of all TF-LUCE meetings, including time, location and an agenda, must be posted in a public place within the applicable area. Efforts should be made to provide adequate public notice beyond minimum Brown Act requirements of seventy-two (72) hours.
- 2) All TF-LUCE meetings must be open and public. Meetings are to be held in a facility which makes adequate provision for attendance by all interested members of the public.
- 3) Members of the public are to be given an opportunity to speak to the TF-LUCE on any regular agenda item at the time it is being discussed. Members of the public will also be given an opportunity to speak to any relevant non-agenda item. All public speakers are subject to reasonable time constraints established by the TF-LUCE Chairperson and any adopted procedures. All public speakers are to identify their names and relevant business and/or personal interests they are representing for the record.
- 4) The TF-LUCE will attempt to establish a consistent regular meeting time and location in their rules of conduct.
- 5) Minutes of TF-LUCE meetings will be kept on file by the Community Development Department. These minutes shall be available for any interested person to examine.
- 6) All TF-LUCES will elect officers no later than its second meeting and until such time, the appointed Planning Commissioner shall serve as the Chair Pro-Tem.
- 7) Meetings shall run in a parliamentary style. Substantive issues will have higher priority than matters of procedural detail. The Chair has discretion in guiding discussion of items among TF-LUCE members while allowing for appropriate public input.
- 8) Staff may address the TF-LUCE at any time, with timely recognition by the Chair.
- 9) Quorum: A majority of the members of the TF-LUCE constitute a quorum. Decisions are made by a majority of the members present and voting. No business may be transacted if less than a quorum is present. Formal votes by a committee are to have a motion and second, prior to allowing further discussion and a vote.

- 10) Members of the TF-LUCE shall not vote on issues which involve a legal or ethical conflict of interest or duty (See section 7)
- 11) Subcommittees: TF-LUCEs may select subcommittees to focus on issues or subjects meriting more detailed work outside of the full task force. Subcommittees are made up of TF-LUCE members only, and must number less than a quorum of the full TF-LUCE. Subcommittee meeting arrangements may be set by either the staff or the TF-LUCE. Such meetings are not legally required to be noticed or posted, but every effort should be made by a subcommittee officer or member to notice and/or post the meetings, as they are open to any interested member of the public. Information about their time and location is to be made available through the overall TF-LUCE secretary and through CDD staff. Subcommittees shall choose a Chair and a Vice-Chair, and may choose a Recording Secretary for preparing informal minutes. A report from any subcommittee meeting shall be made at the next full TF-LUCE meeting. Staff support for subcommittee meetings may be provided, but is not required.

#### **D) Attendance**

TF-LUCE members shall make every effort to attend regular meetings. Any member who is unable to attend any meeting shall contact the TF-LUCE Chair or Community Development Department staff at least seventy-two (72) hours prior to the meeting. Three (3) consecutive unannounced absences or five (5) consecutive absences by a member shall be grounds for dismissal from the TF-LUCE, subject to the discretion of the Council.

#### **E) Appearance on TF-LUCE's behalf**

The Chair, Vice-Chair, or other duly authorized TF-LUCE member shall speak for the task force at any applicable non-TF-LUCE public hearing or other meeting as authorized by the TF-LUCE. Individual members of TF-LUCE not so designated, who do testify at a public hearing or other meeting, shall clearly identify themselves as speaking individually as a member of TF-LUCE, and shall clearly indicate that they are not authorized to speak for the full committee.

#### **F) Timely adjournment of evening meetings**

To encourage public participation, evening meetings of TF-LUCEs will be organized, agendized, and run so as to finish at a reasonable hour. If a particular TF-LUCE finds its evening meetings habitually running past 9:30 PM, staff and the Chair will work together to shorten the agendas and , if necessary, to expedite task force discussion and action on items.

## **7. Conflicts of Interest**

TF-LUCE members are not considered to be “public officials” as defined in § 82048 of the California Government Code, and therefore are not subject to the State Political Reform Act and its disclosure provisions (Government Code §§ 81000 et seq.). Nevertheless, TF-LUCE members shall remove themselves from all discussions and votes on matters in which they have any direct personal financial interest, or where the member’s professional allegiance and/or personal bias cannot be set aside to allow the member’s fair consideration of the issue(s) at hand.

In gauging such extra-legal conflicts of interest and/or duty, each member shall exercise careful judgment and introspection in giving priority to the interests of fairness and objectivity; if there is any reasonable doubt that the member has a conflict, the member shall refrain from participation in the task force’s deliberations and vote(s). Should a member not refrain voluntarily, and should the member’s participation specifically be challenged by another TF-LUCE member, staff, or the public, the member’s participation on any item of official task force business may be prevented by a two-thirds majority vote of the full TF-LUCE (i.e., at least two-thirds of the total incumbent membership, including the member in question). Pervasive or recurring conflicts of interest and/or duty should lead a member to resign voluntarily from a TF-LUCE, and may be grounds for a dismissal by the Council.

## **8. TF-LUCE and Staff Responsibilities**

### **A) TF-LUCE Member Responsibilities**

The responsibilities of the individual TF-LUCE members include:

- 1) Punctually and fully attend all regular and special meetings of the TF-LUCE and all relevant subcommittee meetings, to the maximum possible extent;
- 2) Come to all meetings fully prepared, having reviewed the agenda and all related written/graphic material available before the meeting;
- 3) Conscientiously follow high ethical standards in putting the broad public interest ahead of any personal interest and/or bias, and to abstain from all discussions and votes where this is not possible;
- 4) Promote full and open discussion of all matters of official task force business;
- 5) Support the task force Chair, Vice-Chair, and staff in maintaining order, keeping discussions relevant to the business at hand, and following proper procedures, while giving primary attention to matters of substance.
- 6) Be cognizant of the grant time frame and constraints and strive to comment on products/concepts presented in a productive and expeditious manner.

### **B) CDD Staff Responsibilities**

Staff responsibilities in supporting the TF-LUCE include:

- 1) Timely completion of deliverables within budget.
- 2) Schedule all TF-LUCE meetings pertaining to Land Use and Circulation Element update issues, make arrangements for all facilities, distribute written/graphic materials, notices, agendas, etc. For such meetings, coordinate necessary staff participation and guest speakers;
- 3) For TF-LUCE meetings as appropriate, prepare recommendations and other material for TF-LUCE review and comment. Advise the TF-LUCE on matters of both substance and procedure;
- 4) Assist the TF-LUCE Chair in promoting full and open participation by all TF-LUCE members and other people in attendance at any meeting, keeping discussion pertinent to the business at hand;
- 5) Handle information requests for material and general information related to the official business of the TF-LUCE;
- 6) Report the TF-LUCE's activities, recommendations and comments to Advisory Bodies or other decision-makers and officials within the framework of the overall presentation of staff recommendation on a task force product-goal (i.e. a draft element policy update, a technical element or portion thereof);
- 7) At a minimum, coordinate the effective administration of a written survey to all City residents modeled after the 1988 General Plan survey;
- 8) Manage an effective public outreach effort that maximizes public and resident participation.
- 9) Coordinate with the Chair and Secretary on TF-LUCE meeting schedules.

**C) City Attorney**

Staff support to the TF-LUCE will not be provided by the City Attorney. Specific legal issues are to be directed through CDD to the City Attorney for response.