

# **Board, Commission, and Committee Descriptions**

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The Town of Los Gatos has a variety of volunteer Boards, Commissions and Committees whose purpose is to act in an advisory capacity to the Town Council. All Board, Commission, and Committee members are appointed by the Town Council.

## **Arts and Culture Commission**

- The Committee is advisory to the Town Council, and works to encourage the development of art, drama, music, and other creative activities in Town.
- The Commission's membership consists of six adult residents appointed by Council to serve three-year terms, and one Youth Commissioner appointed by the Youth Commission to serve a one-year term. Residency in the incorporated municipal limits of the Town is required for appointment.

## **Community Health and Senior Services Commission**

- The Community Health and Senior Services Commission advises the Town Council on issues concerning the senior services and public health needs of the community. It also maintains collaborative relationships with public and private agencies supporting programs in those fields.
- The Commission consists of six adult members appointed by Council to serve three-year terms, and one Youth Commissioner appointed by the Youth Commission to serve a one-year term. Residency in the incorporated municipal limits of the Town is required for appointment.

## **Complete Streets and Transportation Commission**

- The Complete Streets and Transportation Commission shall be advisory to the Town Council in matters pertaining to current trends and experiences in enhancing all modes of travel; integration of Town transportation infrastructure, including bike and pedestrian pathways, with neighboring jurisdictions; reviewing relevant grant applications; prioritizing transportation around schools, including enhancing safe routes to schools efforts; reviewing and updating Town master plans, including the Bicycle and Pedestrian Master Plan and others as relevant; and related topics as directed by the Town Council or requested by Town staff; and review policies and procedures on streets and trails.
- The Commission's membership consists of six adult members appointed by Council to serve three-year terms and one Youth Commissioner appointed by the Youth Commission to serve a one-year term. Residency in the incorporated municipal limits of the Town is required for appointment.

## **Diversity, Equity, and Inclusion Commission**

- The Diversity, Equity, and Inclusion Commission serves in an advisory capacity to the Town Council by making recommendations on community-based programming, collaborative efforts, communications, and policy changes.
- The Commission has eleven members: two Youth Commissioners, one Arts and Culture Commissioner, one Community Health and Senior Services Commissioner, one Los Gatos

Resident and Business Owner, one Los Gatos business owner or employee, one Los Gatos faith leader, one Los Gatos non-profit employee, and three Los Gatos residents. Each member is appointed by the Town Council, with the exception of the Arts and Culture Commissioner, Community Health and Senior Services Commissioner, and Youth Commissioners who are appointed by their respective commissions.

### **Finance Commission**

- The Finance Commission serves in an advisory capacity to the Town Council by reviewing Town finances, including but not limited to the annual budget, Comprehensive Annual Financial Report, and capital expenditures, and making recommendations about the Town's financial, budgetary and investment matters.
- The Commission has seven members: two non-voting Town Council members and five voting resident members appointed by the Town Council. Residency in the incorporated municipal limits of the Town is required for appointment.

### **General Plan Committee**

- The General Plan Committee advises the Town Council, Planning Commission, and staff on matters relating to the General Plan and policy documents that implement the General Plan.
- The Committee has nine members: three Planning Commission members; two Town Council members; and four adult residents appointed by Council to serve four-year terms. Residency in the incorporated municipal limits of the Town is required for appointment.

### **Historic Preservation Committee**

- The Historic Preservation Committee advises the Planning Commission, the Development Review Committee, and the Director of Community Development concerning the historic preservation of residential and commercial structures. The Committee may approve minor residential alterations to historic structures as permitted by the Town Code.
- The Committee consists of five members, including two Planning Commission members and three members of the public appointed by the Town Council to serve four-year terms. Committee members are professional and lay persons with demonstrated interest, competence, or knowledge in historic preservation. Residency in the incorporated municipal limits of the Town is required for appointment.

### **Library Board**

- The Library Board makes recommendations to Los Gatos Public Library staff and Town Council regarding Library services and policies.
- The Board consists of six adult members appointed by the Council to serve three-year terms and one Youth Commissioner appointed by the Youth Commission to serve a one-year term. Residency in the incorporated municipal limits of the Town is required for appointment.

### **Parks and Sustainability Commission**

- The Parks and Sustainability Commission advises the Council on matters pertaining to public parks, trails, grounds, street trees, Town beautification, and natural environment sustainability.
- The Commission consists of six adults appointed by Council to serve three-year terms, and one Youth Commissioner appointed by the Youth Commission to serve a one-year term. Residency in the incorporated municipal limits of the Town is required for appointment.

### **Personnel Board**

- The Personnel Board hears appeals relative to any grievance, disciplinary action, or alleged violation of Town ordinance by a Town employee.
- The Board consists of five adult members who must be residents of the Town of Los Gatos and cannot hold a public office or be employed by the Town, appointed by Council to serve five-year terms. Residency in the incorporated municipal limits of the Town is required for appointment.

### **Planning Commission**

- The Planning Commission performs duties and exercises power and authority with regard to planning, subdivisions, zoning, zoning administration, and other land use regulatory controls as prescribed by ordinance and state law.
- The Planning Commission consists of seven residents of the Town of Los Gatos, each serving a four-year term. Applicants are asked by Council to demonstrate knowledge of the Town Code and its land use and planning policies. Residency in the incorporated municipal limits of the Town is required for appointment.
- The Commission has several standing committees, and individual Planning Commissioners also represent the Commission on Council-appointed committees (e.g. General Plan Committee and Conceptual Development Advisory Committee). Committee terms are for one year and are appointed by the Planning Commission Chair.

### **Youth Commission**

- The Youth Commission is responsible for advising the Town Council on issues involving the youth of Los Gatos.
- The Commission consists of twenty members, who are students entering grades eight through twelve.
- Members who are entering grade 12 when appointed and first-time appointees shall serve a term of one (1) year; incumbent members who are reappointed shall serve a term of two (2) years unless they are entering grade 12 when reappointed.
- Members must reside in the incorporated limits of the Town of Los Gatos or in the unincorporated areas of the County of Santa Clara, which have a Los Gatos mailing address.

# Effective and Efficient Meetings and Membership

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Effective meetings occur when two things happen: a clear and reasonable agenda is determined and individuals come to the meeting prepared to discuss items on the agenda and take appropriate actions. In this way, it is the responsibility of every member to make each meeting as efficient and effective as possible.

An effective meeting will:

- Start on time.
- Follow an agenda.
- Adhere to parliamentary procedure.
- Demonstrate respect for everyone in attendance and their points of view.
- Keep discussions focused and on point.
- Encourage participation and an open exchange of ideas and information.
- Make use of staff expertise and experience.

## Working with Town Staff

To work well with the Board, Commission, or Committee staff liaison, or Town employee, the Commission member can be more effective if they:

- **Ask questions.**  
You need as much information as possible in order to understand an issue before you cast your vote. It is the job of Town staff to study and understand complex situations. Ask for clarification if you need it.
- **Inform staff liaison of meeting absences in advance.**  
If you know you will need to miss a meeting because of a schedule conflict, let the staff liaison know about it as far in advance as possible. This allows meetings to be rescheduled if it is clear there will not be a quorum.
- Treat all staff as professionals.
- Communicate clearly, honestly, and directly.
- Build a relationship based on mutual trust and respect.
- Don't ask Town staff to perform tasks or share information outside the role as liaison.

## Making the Public Feel Welcome

Making the public feel welcome is an important part of the democratic process and every effort should be made to be fair and impartial in listening to public testimony. There should be no sign of partiality, prejudice, or disrespect shown by a member of a Town Board, Commission, or Committee towards anyone participating in a public forum.

**The public will feel most comfortable if they:**

- Are treated with politeness and respect.
- Have a fair and equitable opportunity to share their points of view.
- Feel that members of the Board, Commission, or Committee are really listening, with an open mind, to what they have to say.
- Are asked questions and are not argued with or criticized.
- Never hear or feel a personal attack of any kind.

**Role of the Chair in welcoming the public.**

- Ask speakers to identify themselves for the record.
- Enforce time limits so that all speakers have an equal opportunity to convey their views.
- Don't allow verbal exchanges to break out between speakers and opponents in the audience, or between speakers and members of the Board, Commission, or Committee, or between speakers and staff.
- Soothe tempers and quiet emotions among everyone in attendance by adhering to meeting procedures and insisting that discussion stay orderly, focused, and impersonal.

**Public Conduct at Meetings**

The Town strongly encourages active participation in the public process. If a member of the public wishes to speak to an item either on or off the agenda, it may be addressed during the "Verbal Communications" period. A time limit may be allocated to all speakers to better facilitate the meeting.

The purpose of a Town Board, Commission, or Committee meeting is to conduct the business of the community in an effective and efficient manner. This is done by following meeting guidelines set forth in State law and in the Town Code. Conduct which is considered disruptive during Town Council and/or Town Commission meetings include, but is not limited to:

- Addressing the Commission without first being recognized.
- Interrupting speakers, Commissioners, or staff.
- Continuing to speak after the allotted time has expired.
- Failing to relinquish the podium when directed to do so.
- Repetitiously addressing the same subject.

For the benefit of the community, the Town asks that the Town's meeting guidelines are followed and that everyone is treated with respect and dignity.

## Effective Members

To participate effectively, each member of a Board, Commission, or Committee needs to:

- **Understand the purpose of the Board, Commission or Committee.**  
Be clear on your role and responsibilities and how this particular Board, Commission, or Committee fits into the governance of the Town of Los Gatos.
- **Prepare for each meeting in advance.**  
Read through the agenda and know what will be discussed at each meeting. Read through staff reports or other background materials or visit sites, as appropriate.
- **Bring an open mind to each meeting.**  
You are representing the entire community in your role as a member of a Town Commission, so it is important to put aside personal opinions and be open to new ideas, information, and points of view.
- **Treat everyone with respect and dignity.**  
You are playing an important part in the democratic process which guarantees access and fair treatment to all. Your behavior and attitudes are in the spotlight and should reflect the highest standards of the community.

## Tips for New Members

- Attend meetings of the Board, Commission, or Committee before applying for the position.
- Read through minutes of previous meetings of the Commission to become familiar with the current issues under discussion. These are available online in the Agenda and Minutes Center at <https://losgatos-ca.municodemeeetings.com/>.
- Ask the staff liaison if there is background material that may be helpful for you to read and study, such as the General Plan.
- Become familiar with the basic rules of parliamentary procedure <http://robertsrules.com>.
- Attend or watch online at least one or two Town Council meetings to better understand how the role of the individual Board, Commission or Committee fits into the overall governance of the Town.

## Enforcement

- If a member of a Town Board, Commission, or Committee does not follow the Commissioner's Handbook, the Mayor or his/her designee will counsel that member regarding the rules and their importance to the Council and the Town (see Resolution 1999-167 and Town Council Code of Conduct Policy).

# Operating Procedures and the Brown Act

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There are many local, state, and federal laws protecting the democratic process as it is practiced at the municipal level. Town Boards, Commissions, and Committees (hereafter Commissions) must abide by the same regulations as the Town Council.

There are several legal issues that members of Town Commissions should be mindful of in fulfilling their roles and responsibilities in municipal government. Each is designed to protect fair access of the citizens to their government officials and due process (a fair hearing procedure).

## Public Meetings

Meetings of legislative bodies are governed by the California Government Code (G.C. 36800, et seq., and 54952 et seq.). Legislative bodies in the Town of Los Gatos are the Town Council, and Boards, Commissions and Committees organized by a formal action of the Town Council. Such bodies are required by law to establish regular meeting dates, to appoint a Chair and Vice-Chair, to conduct meetings in conformance with established parliamentary rules, and to keep minutes of their actions.

All such meetings will be held in compliance with California Government Code (G.C. 54953) known as the "Public Meeting Law" or the "Brown Act". Whether the meetings are designated "study sessions" or "regular meetings" all meetings must be open to the public and agendas for such meetings posted in one or more established public places in accordance with Government Code.

There are three types of meetings at which formal (voted) actions can take place:

Regular Meetings: Held on meeting dates which are set forth in the original rules establishing the body. The agenda is set, posted, and distributed seventy-two (72) hours before a meeting. This meeting can be adjourned at the end of the meeting by a motion or order of the presiding officer to a specific date, time and place.

Adjourned Meeting: A regular meeting cannot be adjourned past the next regular meeting date. An adjourned meeting can be conducted in the same manner as a regular meeting, with an agenda format similar to the regular meeting agenda. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment.

There are two methods of adjournment:

(1) If a meeting is adjourned at the end of a regular meeting to another date and time, a notice of adjournment stating the date and time the meeting was adjourned and the date, time and place it was adjourned to, must be posted within twenty-four (24) hours on the door of the meeting room.

(2) If a regular meeting is not going to be held and is going to be adjourned to another place, date, and time, the staff person for such body must be present at the place, date, and time of

the regular meeting and announce the adjournment of the meeting out loud, stating the new date and time of the proposed meeting. The notice of adjournment stating the date and time the meeting was adjourned and the date, time and place it was adjourned to, must be posted within twenty-four (24) hours on the door of the meeting room.

**Special Meeting:** A special meeting may be called by the presiding officer or a majority of the body. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public and on the Web site.

## **Agendas**

The Brown Act prohibits a Commission, Committee or Board from discussing or taking action on an item that does not appear on the agenda for that meeting. The notice of the meeting must specify the time and place of the meeting and the agenda of specific items that are to be considered. Only items on the agenda may be considered, discussed, and acted upon.

Every agenda for a regular meeting shall provide an opportunity for members of the public to address the legislative body on items of interest to the public. It is recommended that the legislative body set aside a fixed period of time early in the meeting to receive public comment.

A member may request an item to be placed on a future agenda for discussion by a consensus of the majority of the commission, board or committee.

The Brown Act allows only very limited discussion of items that are not included on the agenda. These would include short discussions about whether to place an item on a future agenda (which should avoid an in depth discussion of the merits of any issue) and questions to staff and short responses concerning items raised during verbal communications. To comply with the Brown Act, an item must appear on the agenda for action and discussion. Items raised under verbal or written communications cannot be acted on unless an action is specifically identified on the agenda.

## **Posting Agendas**

Town Policy requires Town staff to post a copy of the Notice of the Meeting at least seventy-two (72) hours prior to the meeting on the Town Bulletin Board in front of Town Hall, in the cabinet outside the door to the Community Development Department, on the free standing bulletin board on the first floor of the Library, and on the Town website. Each legislative body shall also keep a log of the posting of the agendas so that, should a question arise, they will be able to indicate that the agenda was posted on a certain date and time at a particular location. (These logs are presently kept in the Clerk Office.)

## **Agenda Packets**

Agenda packets detailing the items of business to be discussed and any communications to be presented will be prepared and delivered to the members of the body within a reasonable amount of

time before the meeting. Although an agenda is provided for each meeting, the degree of background material will vary. In order to be prepared for meetings, members should read these packets and contact the chairperson or the staff liaison if there are any questions regarding information presented in the staff reports.

## **Motions**

When a member wishes to propose an action be taken on an agenda item, the member must make a motion. This is the only way a proposal from a member may be presented to the body for discussion and possible action. A motion goes through the following steps:

1. The maker of the motion asks for recognition by the Chair.
2. After the individual is recognized, he or she will say "I move that we ... "
3. The Chair will ask if there is a second. Another member of the group must second the motion in order for it to be discussed. A second is made by saying I second the motion.
4. The Chair will recognize members who wish to comment on the motion. It is important that all members of the group are clear on what the motion is and what its effect will be.
5. At the end of the discussion period, the Chair will call for the question and put the question to vote through a consensus or roll call vote. A majority vote is needed for the motion to pass.
6. After the vote, the Chair announces the decision "The motion is carried" or "The motion fails" and states the vote for the record.

Other common motions:

1. Amending a motion	I move to amend the motion by...
2. Delaying consideration	I move to table the motion until...
3. Closing debate	I move the previous question...
4. Requesting more study	I move to refer this to (staff or subcommittee) for further study.
5. Objecting to procedure	Point of order.

## **Action Minutes**

Action Minutes of each meeting of a Town Commission are usually recorded by the Town staff person who is serving as the liaison. Written minutes, upon approval by the Board, Commission, or Committee, constitute the official record of its activities. It is the policy of the Town Council that minutes are not verbatim. They are, instead, action minutes, recording the essence of the decisions made and actions taken.

For the convenience of the recording secretaries, meetings may be recorded in order to facilitate the preparation of minutes.

Additions and corrections of the minutes may be made only in public meetings, with the approval of the body. Corrections or additions should be made at the following meeting and require a motion, second and majority vote. If approved, the corrections are noted in the minutes of the current meeting.

## **Quorum**

A quorum is the minimum number of members that must be present for a group to conduct business. Council Policy 2-11 states a majority of the Commission constitutes a quorum.

## **Subcommittees**

In certain instances a Commission, Committee or Board may determine that it is necessary to form a subcommittee to study a particular matter relating to that body in some detail.

- A subcommittee may be formed by a majority vote of the Commission, Committee or Board members taken at a regular meeting and cannot be comprised of a majority of the members.
- Appointments to the subcommittee are made by the consensus of the Commission, Committee or Board.
- A subcommittee is a committee which will usually last until a specific date, but no longer than one year, has limited its purpose, and is considered an ad hoc committee. If a subcommittee becomes a standing committee, then it becomes subject to the requirements of the Brown Act.
- After a particular study is completed, and recommendations are presented to the full Commission, Committee or Board, the subcommittee should be disbanded.

## **Formal Public Hearings**

The public is entitled to comment on each item on the agenda. However, some items, such as increasing a development fee or approving a Conditional Use Permit (CUP), involve additional public notice and procedural requirements by State statute or Town Code.

In order for such hearings to be held, affected parties may be notified by mail as well as publication in newspapers and posting in various locations in Town. Usually, the notice has to be given at least 10 days before the hearing; sometimes the notice may be 45 or 60 days in advance.

Hearings held by an advisory body should be fair and impartial. If a member is biased or has a personal interest in the outcome of the hearing, that member should disqualify himself/herself and not participate. State law also restricts participation in specific matters that affect a member's financial interests. If a member has a question about a possible conflict, the member should contact the staff representative well before the meeting so that assistance from the Town Attorney can be obtained.

Persons and/or groups who may be affected by the subject of the hearing should be given sufficient notice specified by law of the time and place of the hearing and a reasonable opportunity to be heard. They may be represented by counsel and be permitted to present oral and documentary evidence, and should be permitted to rebut any statements made by others.

At the scheduled time, the chair should open the hearing and explain to the audience the hearing procedures:

- Members of the public may speak on any item on the agenda, when it is heard, or on any matter

NOT on the agenda, under Verbal Communications. The Chair may restrict each speaker to a limited time (generally three minutes) so all may be heard.

- The usual procedure after the hearing has been opened is for staff to present the staff report, followed by Commissioners' questions relating to the report.
- Proponents should be given the opportunity to present their case first. This is followed by an opportunity for opponents to present their case.
- After all interested persons have had an opportunity to speak the hearing is closed, ending audience participation.
- Board, Commission, or Committee members may discuss the proposal and take an action on the proposal.

A summary of the decisions made is prepared by staff and forwarded to Town Council for their information and an item is prepared for the Council Agenda by the secretary. In certain instances, recommendations should be in the form of a resolution (i.e., Planning Commission recommendations for zone changes).

There are 2 different types of hearings and decisions:

1. Administrative or quasi-judicial. In an administrative hearing, the hearing body must avoid being swayed by the numbers of proponents or opponents present, but must instead rely on the evidence and facts presented; in many such instances, detailed findings are required.
2. Legislative or policy-making. In a legislative hearing, the hearing body can use much more discretion in determining what is best for the entire community. Members of the Planning Commission should be aware of special rules concerning their contact with applicants or other interested parties.

### **Unlawful Action**

State Code authorizes any interested person to seek a judicial determination that an action taken by the legislative body in violation of the public meeting or agenda posting requirements of the Brown Act is null and void. Prior to filing a lawsuit and within thirty (30) days of the action, the interested person must make a demand of the legislative body that it cure the challenged action.

If there is a demand for curative action for an alleged Brown Act violation, the Town Attorney's office should be consulted to ascertain whether curative action is recommended and, if so, what that action will be.

# Board, Commission, and Committee Roles and Responsibilities

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Boards, Commissions, and Committees (referred to collectively as “Commissions”) have a critical role in the Town of Los Gatos. They serve as a conduit for citizen input, gathering, analyzing and recommending options to the Town Council which is the final authority for making policy decisions. Any person can come before the Town Council to offer an opinion or make a suggestion, and Commissions provide another important avenue for evaluating solutions to community issues. The individuals who serve on the Commissions are respected and appreciated volunteers in the community.

## **The purpose of Boards, Commissions, and Committees in Los Gatos is to:**

- Identify, analyze, and gather information for community issues that fall within their scope of work as identified in the enabling resolution.
- Hold public meetings and use other means to determine how the community feels about issues related to their respective fields.
- Recommend policies and procedures to the Town Council that are relevant to the Commission’s respective field, align with the Council’s Strategic Priorities, and based on analysis and community input.
- Serve as an intermediary between the public and the Town Council by providing information, explanations, and different points of view.
- Exemplify the Mission Statement of our Town government to enhance the quality of life in Los Gatos by providing the highest quality of leadership and most efficient services and facilities.

## **Responsibilities of Individual Members**

Each member of a Commission agrees to the following responsibilities during his or her term of office:

- Attend every meeting.
- Demonstrate respect, fairness, consideration, and courtesy to others.
- Respect the authority of the chair.
- Prepare in advance of meetings and be familiar with issues on the agenda.
- Be respectful of other people’s time, stay focused and act efficiently during meetings.
- Serve as a model of leadership and inspire public confidence in Town government.
- Act and speak with honesty and integrity.
- Be wary of conflicts of interest, be knowledgeable of the requirements of the Brown Act, and seek advice when appropriate.

## **Role of the Chair and the Vice Chair**

Commissions generally rotate the position of Chair and Vice Chair each year. Frequently the position

is based on seniority, but that is not a mandatory criterion. The willingness and ability of an individual to serve as the Chair or Vice Chair should be taken into consideration. The additional responsibilities of serving as Chair and Vice Chair may take extra time.

Responsibilities of the Chair:

- Preside at all official meetings of the Commission.
- Consult with the staff liaison in drafting the meeting agenda.
- Attend Town Council meetings as needed to represent the Commission.
- Sign correspondence on behalf of the Commission.
- Make the public feel welcome at meetings.
- Keep discussions orderly, focused, efficient, impersonal, and fair.

Responsibilities of the Vice Chair are to substitute for the Chair as needed.

### **Responsibilities of the Staff Liaison**

The Town staff works for and is accountable to the Town Manager. It is, therefore, the Town Manager's responsibility to allocate staff's time and effort as liaisons to Town Commissions. Requests for information or support should be directed to the staff liaison, not to other Town staff. The responsibilities of Town staff serving as liaisons include:

- Attend all meetings.
- Prepare agendas in conjunction with the Chair.
- Provide background and context on agenda items.
- Alert the Commission of possible detrimental actions.
- Offer professional expertise and recommendations about an issue.
- Keep the Commission focused on priorities.
- Interpret codes, ordinances, policies and other regulations.
- Ensure that motions and minutes reflect the actions of the Commission.
- Educate new members about their role and responsibilities.

### **Relationship with the Town Council**

The primary responsibility of Commissions is to advise and make recommendations to the Town Council. It is the Council's role to absorb the advice and recommendations offered by numerous sources and to make decisions to the best of its ability. Because the Town Council is in a position to see the broader context and is aware of other concerns, it may not always follow the recommendation offered by individual Commissions. Even though the Council relies on the work of Commissions, there should be no confusion about the separate roles of each.

Although there may be disagreement with the Council on an issue, once the Council has established its position, the Commission or their individual members, should not do anything contrary to established policies and programs adopted by the Town Council. If the appointed individual would like to discuss the Council's action, they should contact the staff person responsible for their advisory body.

Business transacted with the Council should be in writing from the body as a whole and forwarded through staff who will then forward it to the Town Manager's Office. The Town Manager will review all reports, findings and recommendations and forward to the Council those matters within its province.

Letters from Commissions addressed to the public or other agencies and concerning official positions being taken must first be forwarded to the Council for approval before being mailed. Letters from individual Commission members to either the public or the media regarding issues that are within the jurisdiction of that Commission should be distributed to the other members and the Council as a matter of courtesy.

When a member of an advisory body addresses the Council at a public meeting, it should be made clear whether the member is speaking on behalf of the advisory body or as an individual citizen.

Commissions and their individual members should not attempt to predict Council action, either publicly or privately. However, they may, and should, interpret Council policies or identify trends in Council thinking.

### **Relationship with the Public**

Members are encouraged to become aware of public opinion relating to their field of influence. They should welcome citizen input at meetings and ensure that the rules and procedures for these public hearings are clearly understood.

Members should conduct themselves at public meetings in a manner that is fair, understanding, and gracious. Members should be considerate of all interests, attitudes, and differences of opinion. They should also take care to observe the appearance as well as the principle of impartiality.

All Town employees, Council members, and Town volunteers, including Commission members, are prohibited from accepting gifts, gratuities, or favors. Acceptance of any gift, gratuity, or favor might reasonably be interpreted as an attempt to influence the recipient's actions. See the complete Council Policy Manual at <http://www.losgatosca.gov/2201/Council-Policy-Manual>.

### **Area of Interest**

The specific duties of each Commission are set forth in the enabling resolution that Council adopts to create the Commission. It is implicitly understood that the advisory body is limited to the consideration of those matters which are specifically assigned to its jurisdiction. In special or unusual circumstances, when interest spreads into an area beyond its jurisdiction, the Commission should formally request specific authorization from the Council to consider the matter and to formulate recommendations in that area.

## **Conflict of Interest**

The State of California requires all Cities and Towns to adopt a “conflict of interest” ordinance. The Town of Los Gatos has adopted an ordinance to meet the State requirements and has indicated that all Commission members must file the Fair Political Practices Commission (FPPC) Form 700 with the Clerk Administrator. Members should also remain wary of potential conflicts of interest and seek advice as appropriate (more information available on the FPPC website at <http://www.fppc.ca.gov/the-law.html>).

## **Term of Office**

A Commissioner’s term of office begins on January 1<sup>st</sup> unless appointed to fulfill an unexpired vacancy, then it begins when the new member takes the Oath of Office, administered by the Town Clerk, and expires when their term expires. The term of office for each Commission can be found in the Commission’s enabling resolution.

## **Attendance**

Attendance at each regular meeting of a Commission is essential. If a Commissioner knows in advance that he/she will be absent from a meeting, he/she should inform the staff liaison. The Commission Appointments, Residency and Attendance, and Establishing a Quorum Policy outlines the attendance requirements (see Part 3 of this handbook).

## **Residency Requirement**

Residency in the Town of Los Gatos is required for appointment and continued membership on all Commissions with the exception of the Youth Commission and Diversity, Equity and Inclusion Commission. Youth Commissioners may live in the unincorporated limits of the County of Santa Clara which have a Los Gatos mailing address.

## **Resignation**

A Commission member resigning from office before the end of his/her term must send a letter announcing their resignation to the staff liaison and the Town Clerk. A copy will be forwarded to the Town Council.

## **Reimbursement of Expenses**

Prior approval from staff must be received before a Commission member may purchase an item for the benefit of that Commission for a Town related activity or event. A receipt for the item(s) must be submitted before the member may be reimbursed. The Town Council and Board Member Expense Reimbursement Policy, explains the reimbursement process (see Part 3 of this handbook).

# State Mandated Ethics Training (AB 1234)

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## **Ethics Training**

Many public officials are required to take an ethics training course to educate them on the ethical standards required of any individual who works in state or local government. Public officials may utilize free online courses available to satisfy this requirement. Please note that the state officials ethics course will not satisfy the local officials ethics course requirements and vice versa.

## **For Local Officials**

An online training program has been established that allows local officials to satisfy the requirements of AB 1234 on a cost-free basis. A minimum of two (2) hours must be tracked through the online course for you to meet the requirement. The course can be accessed via the link below. When the training is finished, you must print the Certification of Completion provided at the end and submit the original to the Town Clerk.

Local Officials Ethics Training Course: <http://localethics.fppc.ca.gov/login.aspx>.

The FPPC cannot advise on the legal requirements of AB 1234 because the FPPC does not have jurisdiction to do so. For questions pertaining to legal interpretation and application of AB 1234, please consult your local agency counsel.

If you have questions, concerns, or technical issues related to the online training program offered on the FPPC website only, please feel free to contact us at: [ab1234@fppc.ca.gov](mailto:ab1234@fppc.ca.gov).

# **Statements of Economic Interest – Form 700**

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## **Form 700**

Every elected official and public employee who makes or influences governmental decisions is required to submit a Statement of Economic Interest, also known as the Form 700. The Form 700 provides transparency and ensures accountability in two ways:

1. It provides necessary information to the public about an official's personal financial interests to ensure that officials are making decisions in the best interest of the public and not enhancing their personal finances.
2. It serves as a reminder to the public official of potential conflicts of interest so the official can abstain from making or participating in governmental decisions that are deemed conflicts of interest.

## **Filing a Form 700**

The Fair Political Practices Commission (FPPC) is available to answer any questions you may have on Form 700 reporting or filing. However, in order to better assist you, you should obtain your "disclosure category". A disclosure category is a description of the types of financial interests you must disclose on your Form 700 based on your job classification or position. Each agency defines its own disclosure categories for each position based on the type and scope of work performed.

The Town Council adopted Resolution 2022-057 which lists the designated positions and disclosure category. All designated positions are required to complete categories 1 through 3.

Once filed, the form is a public document and must be made available to the public on request (Section 81008).

## **Late Penalties**

Any person who files a Statement of Economic Interests Form 700 after the deadline imposed by the Political Reform Act is liable for a late fine pursuant to Government Code Section 91013. Fines issued pursuant to this section shall not exceed \$10 per day up to a maximum of \$100. File on time!