CITY OF BEVERLY HILLS
COMMISSIONERS’ HANDBOOK
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I. Introduction and Overview

Welcome!

Congratulations on being appointed to a Commission for the City of Beverly Hills. The City is proud of its longstanding tradition of citizen participation and extends a hearty welcome to all Commission appointees. Your service as a Commissioner is vital to our democratic process and to the smooth operation of Beverly Hills municipal government. We look forward to working with you for the betterment of our community!

This handbook was designed to help you understand important aspects of serving as a City Commissioner. Accepted practices are summarized for the sake of brevity, but you can always contact your Commission staff liaison for more information. The procedures outlined here should help to guide your actions as a community representative and to clarify both your expectations and those of the City.

City Profile

Whether you’re a longtime resident of Beverly Hills or someone who has recently settled here, you can probably learn a few new things about your City. As a community representative, it’s often beneficial to view current events from a historical perspective – and to be aware of the full range of services and programs the City provides. With that in mind, here is some information about Beverly Hills that may interest you.

A Short History

Long before the movie industry discovered Beverly Hills, the Native American Tongva knew the value of the area by its precious, bubbling springs near what is now Beverly Drive and Sunset Boulevard. The Tongva considered this a sacred site. Spanish Explorer Don Jose Gaspar de Portola discovered this area during an expedition and named the in Spanish, El Rodeo de las Aguas, which translates to the Gathering of the Waters.

With the arrival of the Spaniards in 1769, the Tongva people and their peaceful way of life were disrupted with a majority of the Tongva tribe wiped out by smallpox. The California rancho system was established in 1838 by the governor of the Mexican-controlled California territory who deeded 4,500 acres of land in Beverly Hills to Maria Rita Valdez Villa, a widow of a Spanish soldier and matriarch of a large family. Her adobe ranch house stood at the intersection of Sunset Boulevard and Alpine Drive. In 1854, she sold her cattle and horse ranch and relocated her family to the pueblo of Los Angeles.

During the next 50 years, the original rancho was put to a variety of uses, including a site for oil drilling, a sheep ranch and a lima bean farm, depending on who bought and sold the land. Finally after an enduring drought, the collapse of the land boom and a series of unproductive wells, the property gained new life through the Rodeo
Land and Water Company in 1906. Burton Green renamed it Beverly Hills after Beverly Farms, Massachusetts. The property was to be developed as a subdivision of large lots on curving tree-lined streets, complemented by the three-block Santa Monica Park.

In 1912, the Beverly Hills Hotel was built at the site of the Gathering of the Waters. Served by a small railroad, it became the center of community life. Still, settlement was slow. In 1914, land in the canyons was added to bring the population up to the 500 required for incorporation. Beverly Hills became a city on January 28, 1914.

The new City of Beverly Hills became synonymous with glamour as early as 1919, when actors Douglas Fairbanks and Mary Pickford took up residence in “Pickfair.” A large migration of motion picture industry people attracted to the elegant lifestyle soon followed, including Gloria Swanson, Will Rogers, Charlie Chaplin, and John Barrymore.

Life in Beverly Hills accelerated in 1920 with the construction of a wooden racetrack that drew huge crowds. But in 1923, the very existence of Beverly Hills was threatened by annexation to the City of Los Angeles. However, Rogers, Pickford and others mobilized against the plan, and the vote failed. In 1925, the citizens voted to issue a bond to join with other cities to purchase a campus site for UCLA. It was also at this time that Rogers became the first and only honorary Mayor of Beverly Hills.

The City continued to grow. Police and Fire departments were established, and the spectacular Regent Beverly Wilshire hotel and the Doheny family’s Greystone Mansion were completed in the late 1920s. The first public library was established in 1929, and the distinctive City Hall was built in 1931. Post-World War II, Beverly Hills continued to develop as one of the most glamorous places in the world to live, work and play. The Golden Triangle, with Rodeo Drive at its center, was built and marketed to the world as a shopping and dining destination. However, the growth of the commerce in the City did not lessen the beauty and desirability of the residential area. By the end of the 1950s, few vacant lots remained.

The City of Beverly Hills has grown from a population of 550 to 32,701 as of April 1, 2020 per the United States Census Bureau. More than 200,000 people work here each day, and numerous major businesses are headquartered here. Even with its world-class profile, the City of Beverly Hills remains a small town at heart, proud of its residential neighborhoods, municipal services, fine schools, community involvement, and active churches and synagogues.
City Facts and Figures

- Incorporated: January 28, 1914
- Classification: General Law City
- Form of Government: City Council-City Manager
- Location: Eight miles from downtown Los Angeles and six miles from the Pacific Ocean, bordered by the cities of West Hollywood and Los Angeles.
- Area: 5.7047 square miles
- Climate:
  - Average temperature: Max. 72° F, Min. 52° F
  - Annual average rainfall: 16"
- Elevation: 125' to 1500' above sea level
- Active Registered Voters: 21,544 (09/2019)
II. Commissioner Roles and Functions

Purpose of Citizen Advisory Bodies
Productive Citizen Boards, Committees and Commissions can provide the insights and energy essential for creating better communities. Members of these groups help bring about important decisions that can shape the future of the City, often using their impressive talents and expertise. As a City Commissioner, you provide a critical link to the public, and help to ensure that City policies reflect community values.

The majority of the City of Beverly Hills’ Commissions are advisory, meaning they submit recommendations to the City Council after sifting and analyzing data. The City Council – which always makes the ultimate decision – may or may not always approve a Commission’s recommendations. The Planning, Design Review, Cultural Heritage, and Architectural Commissions are exceptions. These four Commissions conduct quasi-judicial hearings and must adhere to the procedures outlined for these types of hearings. These Commissions make final decisions that may be appealed or called up to the City Council for further review. Moreover, each suggestion from a City Commission aids in the process of wise decision-making.

In the City of Beverly Hills, Commissions are made up of thoughtful and concerned residents who dedicate many hours of service every year, without receiving compensation. They are among the most respected and appreciated volunteers in the community. The following are a few of the ways in which citizen Commissions serve the democratic process in Beverly Hills:

- Hosting public meetings and conducting outreach to determine how the community feels about certain issues;
- Recommending policies and procedures related to their respective fields to the City Council; and
- Serving as intermediary between the public, City staff and the City Council by providing information, explanations and support for different points of view.

City of Beverly Hills Commissions
The Beverly Hills City Council has established 12 Commissions, each with a specific focus and each charged with advising the City Council on issues within the scope of their responsibility. Certain Commissions, such as the Planning, Cultural Heritage, Design Review and Architectural Commissions, review applications that are required and paid for as part of a development project and are called Discretionary Commissions. Other Commissions, such as the Public Works Commission, Health and Safety Commission, and Arts & Culture Commission formulate recommendations for City Council consideration and are called Advisory Commissions.

Here is a listing of official City Commissions and a summary of their duties:
Architectural Commission

- Five members.
- Staff support provided by the Community Development Department.
- Approves the aesthetics of development in all privately-owned commercial and multi-family residential areas of the City.
- Advises the City on encroachments in commercial-adjacent public rights-of-way, and on City building projects.
- Reviews landscape design, paint and other finishes, signs, and exterior building form; makes certain findings about the circumstances and merits of the design proposals prior to issuance of associated building permits.
- Reviews specific departures from the sign code through a special procedure called a "Sign Accommodation" conducted in a public hearing.
- Presents Architectural Design Awards for outstanding completed commercial projects.

Arts & Culture Commission

- Five members.
- Staff support provided by the Community Services Department.
- Advisory to the City Council on matters pertaining to the enrichment of the community through fine arts, visual arts, performing arts, digital and media arts, arts education, and community cultural activities, education and events.
- Promotes arts and culture activities of and in the City to broaden the opportunities for residents and visitors participation in the arts.
- Serve as an advocate for cultural activities, community cultural programs and events within the City.
- Foster public and private partnerships for providing arts and cultural programming, including enhancing and expanding community cultural events by involving artists, art galleries, fine and visual arts, performing arts, digital and media arts, literary arts and creative arts organizations, the creative community, residents and the business community.
- Promote access to the highest quality arts and cultural opportunities possible.
- Encourage the integration of cultural programs and community cultural events into fabric of the City to improve the quality of life for City residents and welcome visitors to the world-class Beverly Hills experience.
- Encourage and support arts education programs in the community and schools including docent programs or similar.

Charitable Solicitations Commission

- Five members.
- Staff support provided by the Police Department.
- Ensures the compliance of charitable organizations soliciting donations or funds from Beverly Hills residents.
• Protects our community from fraudulent, fictitious or otherwise unscrupulous solicitations through monitoring and obtaining BHMC compliance.

• Regulates the issuance of solicitation permits, reviews financial statements provided by the charities, and maintains a dedicated website for the public to obtain information regarding permitted solicitations.

**Cultural Heritage Commission**

• Five members.

• Staff support provided by the Community Development Department.

• Inspect, investigate, and recommend for designation to the City Council on landmarks, historic districts and other points of cultural significance.

• Review a City-wide Survey of Historic Resources, which is periodically updated, and other Surveys on a case-by-case basis, and recommend adoption of the Survey conclusions by the City Council.

• Compile or cause to be compiled and maintained a local register listing and describing all designated landmarks, historic districts and contributing properties within the City.

• Compile or cause to be compiled and maintains a list of local master architects.

• Conduct studies and evaluations of applications or proposals seeking the designation of potential Landmarks and Historic Districts, makes determinations and recommendations as such appropriateness for consideration of such applications, and makes any preliminary or supplemental determinations or conclusions.

• Develop designs for suitable signs, plaques or other markers that may be placed, at private expense, on or near a designated Landmark, Historic District or Contributing Property, indicating that the Resource has been designated as such.

• Review and approve applications for Certificates of Appropriateness and Certificates of Hardship, as applicable.

• Review and make recommendations to the City Council on Mills Act contracts.

• Upon request, advises the City Council, City departments, and City Commissions the significance of historic resources, as defined by the California Environmental Quality Act (CEQA); and recommend to the City Council, City departments and City Commissions appropriate action in compliance with the City’s adopted CEQA procedures.

• Upon request, reviews and make recommendations to the Planning Commission on zoning and general plan amendments related to preserving Historic Resources.

• Develop a program to celebrate historic resources, and recognize outstanding maintenance, rehabilitation, and preservation of Landmarks, Historic Districts and Contributing Properties.
Design Review Commission

- Five members.
- Staff support provided by the Community Development Department.
- Reviews proposed single-family residential development in the central area of the City and its impact on the streetscape to maintain the character, image, beauty, and reputation of the City’s residential neighborhoods.

Health and Safety Commission

- Five members.
- Staff support provided by the Office of Emergency Management, or such other City staff designated by the City Manager.
- The Health and Safety Commission shall strive to maintain and improve the overall health and safety of the community, in accordance with its purposes and responsibilities:
  - Increase Public Awareness: Promote and broaden community awareness of health and safety issues, including issues of public health and welfare, healthy lifestyles, mitigation of safety risks and hazards, the importance of disaster preparedness (hereafter "health and safety issues") and encourage citizen participation in efforts aimed at promoting health and safety issues.
  - Inform The Public: Educate and inform members of the community regarding health and safety issues and risk avoidance through various means, including, but not limiting to, public discussion, website publications and postings, community outreach, sharing of information and by assisting at and supporting City sponsored activities and programs which promote health and safety issues.
  - Provide A Public Forum: Provide the community with a public forum within which members of the general public can discuss and/or comment on health and safety issues.
  - Provide Recommendations: Recommend strategies aimed at improving the health and safety of the City, including as directed by the City Council, or as requested by members of the general public, and/or which relate to health and safety issues.
  - Support Efforts Aimed at Disaster Preparedness, Prevention, Mitigation, Response and Recovery: Support the work of all City departments before, during and after a medical, natural or manmade disaster, and strengthen ties with the community’s disaster related stakeholders.
  - Recognize Achievement: Honor individuals, businesses or groups that have demonstrated leadership in the field of health and safety, have promoted health and safety issues and/or have otherwise made a contribution to the missions of the Health and Safety Commission.
**Human Relations Commission**

- Five members.
- Staff support provided by the Community Services Department.
- Advises, recommends, assists and encourages activities and programs to be undertaken to promote positive human relations in all aspects of community life.
- Actively promotes a just and equitable multi-cultural society.
- Endeavors to reduce conflict and tension, as well as discrimination, prejudice and stereotyping based on race, religion, gender, sexual orientation, national origin, age, disability, or any other arbitrary factor.

**Planning Commission**

- Five members.
- The only Commission legislated by state law, which establishes the areas over which the Planning Commission has authority, either as a decision-making body or advisory to the City Council.
- Staff support provided by the Community Development Department.
- Recommends broad development policies to the City Council.
- Reviews capital projects for their conformance to the General Plan.
- Acts as an advisory body to the City Council on applications for changes to zoning regulations and the General Plan.
- Absent an appeal to the City Council, the Planning Commission is the final authority over a variety of discretionary development applications. Some examples include: Subdivision applications, Conditional Use Permits, and Development Plan Review Permits. The Planning Commission as well as reviews variances from the zoning regulations (sitting as the Board of Zoning Appeals) and for the environmental assessment of such applications, as prescribed by law.

**Public Works Commission**

- Five members.
- Staff support provided by the Public Works Department.
- Advises and makes recommendations on matters relating to public works facilities, infrastructure and programs.
- Advises on the planning, evaluation and delivery of public works systems and programs including water, wastewater, storm drain, streets, alleys, street lighting, and refuse management.
- Recommends utility rate structure changes.
- Recommends public works capital improvement program budget items.
- Conducts public outreach for such programs as water conservation, refuse recycling, and graffiti removal.
Recreation and Parks Commission

- Five members.
- Staff support provided by Community Services Department.
- Advises and makes recommendations on the planning, evaluation and delivery of recreation and parks programs and facilities including the Greystone Mansion and Gardens.
- Formulates general policies on use and delivery of recreation and park services
- Evaluates the effectiveness of programs in relation to City Council policy objectives
- Conducts public outreach within the community concerning recreation and parks programs.
- Advises the City Council regarding Capital Improvement Program projects for Recreation and Parks improvements.
- Provides counsel on proposed user fees for use of City facilities and programs.

Rent Stabilization Commission

- Nine members consisting of six voting members and three alternates.
- Staff support is provided by the Community Development Department.
- Makes recommendations to the City Council concerning matters related to the City’s Rent Stabilization Ordinance and performs any other functions that may be designated by resolution or motion of the City Council.

Traffic and Parking Commission

- Five members.
- Staff support provided by the Public Works Department.
- Acts in an advisory capacity to the City Council in all matter which relate to parking and traffic.
- Advises the Transportation/Engineering Official and the Police Chief as to ways and means to improve general traffic conditions in the City.
- Prepares and coordinates with the Planning Commission, and recommends to the City Council for adoption, a comprehensive long-range plan relating to transportation, traffic, and off-street and on-street parking in the City.
- Performs such other duties relating to traffic and parking matters as may be referred to it by the Council, other Commissions, and the Transportation/Engineering Official.
- Performs the functions and duties relative to traffic, parking and public transportation vehicles as designated by the Municipal Code.
- Advises on issues of traffic engineering associated with street and signalization systems.
The Commission’s Work Plan

The City Council directs the work of both staff and Commissions. In preparation for the each year’s budget, City Council has a priority setting session to identify the work they want staff, and Commissions, to focus on in the next fiscal year (July-June). Commissions are encouraged to discuss their initiatives for the next fiscal year and identify those that would require significant staff resources. In addition, Commissions may develop work plan items that are reviewed annually with their assigned City Council Liaisons.

For Commissions with review and approval authority (Planning, Cultural Heritage, Design Review, and Architectural) much of the work is dictated by submitted applications. In addition, there are often larger policy issues that City Council wishes the Commission to evaluate and provide recommendations. For applicants scheduled before these Commissions, time is an important factor, so clear analysis and comment is essential. Staff makes every effort to provide the Commission and the public with sufficient information to make an informed decision. For other Commissions, part of their work may be identifying issues that may need to be evaluated and addressed in the community.

Community members often apply for a certain Commission because they feel passionate about issues related to that Commission. Likewise, people may be selected to serve on a Commission because they have a particular expertise or interest in a specific area related to a Commission’s purview. Commissioners are encouraged to actively engage in the issues of their Commission while remaining mindful that the staff supporting the Commission have other roles and responsibilities directed by City Council.

Relationships within City Government

Commissions and City Council

As a City of Beverly Hills Commissioner, you can think of yourself as the eyes and ears of the City Council, for you play an important role in extending the reach of democracy into the community. However, your primary function is to advise the City Council (except for some actions taken by the Architectural, Cultural Heritage, Design Review and Planning Commissions). As a Commissioner, you will examine relevant issues of concern, discussing them in depth at meetings where public input is encouraged.

When your Commission has recommendations for the City Council, staff will prepare the City Council report and make a presentation on behalf of the Commission. The Commission is welcome to attend the presentation, and the Commission Chair may be called upon to provide comments to the City Council. Each Commissioner should understand the Council has the final say in all policy matters. At times, you may be asked by the City Council to revisit an issue and provide more information or direction, or to meet as a group with the Council for further study. Remember the City Council has a broader area of concern and may not always follow Commission recommendations.
Each City Councilmember is assigned to a Commission Liaison Standing Committee, which includes the Chair and Vice Chair of the Commission. Issues may be discussed with the Liaison Standing Committee to seek direction prior to presenting recommendations to the full City Council.

The Mayor’s Cabinet, comprised of the Chair of each of the City’s Commissions, meets monthly to provide updates on current and forthcoming Commission activities. The Commission Chair serves as the spokesperson for their Commission related items. All items discussed during the Mayor’s Cabinet meeting should previously be vetted and discussed with the rest of the Commission prior to the Cabinet meeting.

**Commissions and City Staff**

Generally, a City staff member is assigned to each Commission, acting as a technical advisor to the group. The staff liaison and administrative staff attend Commission meetings and provide administrative support and information. **Commissioners may freely communicate with their staff liaison, but they have no authority to supervise or direct the work of City employees.** Staff members report directly to their supervisor, often the Department Head and ultimately the City Manager.

Shortly after a Commission meeting, the staff liaison and/or administrative staff prepares a Synopsis of the meeting for the City Council, allowing the City Council to keep current with the work being done by each of its Commissions. This is then followed by the Minutes that are considered the official record of the meeting.

Traditionally, Commission-staff relations in Beverly Hills have always been friendly and mutually respectful. However, if Commissioners have concerns about staff performance, they should be aired privately, with the staff member, their direct supervisor, the Department Head or the City Manager.

**Relationships within the Community**

**Commissions and the Public**

While Commissions serve a vital function for the City Council, their ultimate responsibility is to the Beverly Hills community. Within their specific purviews, each Commission examines ideas, programs, or projects to determine if they are beneficial to the community. In Beverly Hills, Commissioners are encouraged to take the public pulse formally – at public meetings – and informally, chatting with friends, neighbors and other community members. After all, the City’s “customers” are the residents, visitors and business owners who pay for City services.

Each Commissioner is a representative of the City of Beverly Hills. City Council expects anyone who speaks at a public meeting, whether a member of the public or a fellow Commissioner is treated with courtesy and respect. For many people, interaction with your Commission may be one of the few opportunities to witness local government in action, and it should be a positive experience.
**Commissions and the Media**

Commissioners should be cautious in any dealings with the media and should not speak on behalf of a Commission, unless specifically authorized by a vote of that body. In addition, Commissioners shall not speak on behalf of the City unless specifically asked to by the City Council or City Manager's Office.

Commission members sometimes have divergent views, and it may not be in the best interest of the group for individuals to use the press as a forum to promote their position. Productive group relations may best be fostered by deferring public comments to the Commission Chairperson, who can articulate the group’s views, or simply decline to comment. It is particularly inappropriate to discuss items before they come up for Commission review. On matters of City policy, do not speculate on City Council action; therefore, it is best to refer media inquiries to the City's Chief Communications Officer.

**Member Responsibilities and Terms of Office**

Throughout its history, the City of Beverly Hills has been blessed by hundreds of dedicated volunteers who have made enormous contributions to the community through their work on Commissions. As an appointed Commissioner, you have the potential and the opportunity to continue improving Beverly Hills’ quality of life as you engage in genuine public service. Along with your appointment, however, comes a certain degree of responsibility. To be a successful and effective Commissioner, keep these actions in mind:

- Try to attend every meeting. If a Commission meets once a month, and a Commissioner misses three (3) regular meetings during a twelve (12) month period, then the Commissioner shall meet with an ad hoc committee appointed by the Mayor to discuss the reasons for the absences. If the ad hoc committee believes such absences will continue, the ad hoc committee will request that the item will be placed on a City Council agenda for consideration. The City Council, in its sole discretion, may consider the following actions:
  - If the Council finds that the absences will likely not continue, the Council may allow the Commissioner to continue serving
  - Remove the Commissioner and if necessary, appoint a temporary Commissioner until such time a new Commissioner can be appointed.
- If the Commission meeting occurs at least twice a month, and a Commissioner misses four (4) regular meetings in a twelve (12) month period, then the same protocol mentioned above will apply.
- Notwithstanding the foregoing, a Commissioner’s term shall automatically terminate in the event that a Commissioner is absent from six (6) regular meetings in a twelve (12) month period, or nine (9) regular meetings within a twenty-four (24) month period.
• Demonstrate respect, kindness, consideration and courtesy to others; remember that it is not personal if you lose a debate
• Prepare in advance of meetings (e.g., read agenda packets carefully prior to the meeting) 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 Beverly Hills government
• Act and speak with honesty and integrity
• Do not speak for the Commission unless authorized
• Do not speak for the City unless authorized to do so by the City Council or City Manager’s Office

Chair and Vice Chair
The Chair and Vice Chair positions shall be rotated yearly based on seniority (i.e. date of appointment, and on the interview panel’s first appointee, second appointee, etc.). However, the willingness and availability of appointees to these positions should be taken into consideration, as Chair and Vice Chair duties usually require additional time commitments. If a Commissioner declines to serve as the Chair or Vice Chair, that individual will be moved to the end of the rotational list. Appointments to Chair and Vice Chair positions cannot occur during the first year of the Commissioner’s first term.

Role of the Chair
The Chair’s duties include the following:
• Preside at all official meetings of the Commission
• Consult with the staff liaison in drafting the meeting agenda
• Attend City Council meetings to represent the Commission as needed
• Attend Mayor’s Cabinet meetings and other subcommittee meetings, as needed
• Solicit opinions from Commissioners and protect new ideas from being rejected prior to fair evaluation
• Keep the discussion focused on the issue

Role of the Vice Chair
• The Vice Chair’s primary responsibility is to substitute for the Chair, as needed

Commissioner Terms
Commissioners are appointed by the City Council for an initial two-year term and may be reappointed for up to an additional four years at the discretion of the City Council. Appointees who have served two (2) successive terms, shall not be eligible for reappointment for the same Commission. A Commissioner is expected to serve for the entire duration of their designated term. The start and end dates of an appointment will fall on either a January/July schedule. In most cases, those
applying for vacant seats must be residents of the City for a minimum of two years. Appointees must also commit to regular attendance at Commission meetings. Among the qualifications of a City Commissioner may be knowledge and experience in the Commission’s area of interest, and a willingness to be objective and open-minded in seeking solutions.

When vacancies occur on any of the City’s Commissions, they may either be scheduled or unscheduled. Scheduled vacancies happen when a current Commissioner’s term has expired. Unscheduled openings occur for any reason, other than the expiration of a term (e.g., illness or change of residency). The City Council has discretion if a Commissioner relocates outside of City boundaries for non-emergency reasons. Generally, the Commissioner may only serve a maximum of six (6) months after relocation. The City Council does have the discretion to select an interim Commissioner from the former Commissioner pool until the position is permanently filled. Beginning with the notification period, it takes about six months to fill a vacant seat. It usually takes a little less for an unscheduled opening.

An “oath of office” is required for all Commissioners. This is a standard oath set forth in the California State Constitution and is required for all elected and appointed officials in California, as well as for all City employees.

The City of Beverly Hills has taken significant action to ensure its process of appointing Commissioners is unbiased and that it results in the most qualified applicants being appointed to fill Commission vacancies.

**Resigning or Removal from a Commission**

If you need to resign your Commission seat because of personal or professional circumstances, send a letter to the City Council – via the City Clerk’s Office – stating the effective date of the resignation, and as a matter of courtesy, notify the Chair and the staff liaison.

Commissioners serve at the pleasure of the City Council and can be removed from office at any time by majority vote of the Council. Among reasons the City Council may dismiss a Commissioner are:

- Excessive absence from meetings,
- Falsely representing Commission or City Council business,
- Unbecoming or illegal behavior,
- Inappropriate or rude behavior to a City staff member, another Commissioner or member of the public, or
- Inappropriate use of resources or funds.

Membership on a Commission shall terminate automatically if a Commissioner ceases to reside in the City unless residency is not required (certain exceptions apply, please refer to Beverly Hills Municipal Code 2-2-106 D). Additionally, membership shall terminate automatically if a member’s office would be vacated under the provisions for disqualification from office set forth in California
Government Code §1770 provided; however, the City’s provisions regarding absences shall supersede the provisions of California Government Code §1770.

Commissioners Roles and Responsibilities in a Disaster

Before a Disaster
- Prepare your home and develop a family disaster plan. To be adequately prepared for an emergency, you are encouraged to be self-sufficient for at least five to seven days.
- Support ongoing community preparedness efforts such as the Citizen Corp programs, including Just in Case BH, CERT (Community Emergency Response Team training), NHW (Neighborhood Watch) and DCS (Disaster Communications System: Ham Operators).

During a Disaster
- Follow emergency information.

After a Disaster
- Commissioners should work initially with their Liaison Department Staff. Once the Emergency Operations Center (EOC) is opened, Commissioners should work with the Personnel Unit to obtain information and to learn where their services are needed most.
- Commissioners who have pre-assigned roles should report according to instructions, e.g., CERT, Hotline or pre-determined department responsibility.

10 Tips for New Commissioners
While the following advice has been assembled for newly appointed City of Beverly Hills Commissioners, many of these points also apply to veteran Commissioners as well.

1. Understand the purpose of your Commission; be clear on your roles and responsibilities.
2. Attend meetings of the Commission before applying for the position.
3. As soon as you are appointed, regularly attend meetings to become familiar with current issues under discussion.
4. Read through the minutes of previous meetings, or view video and previous meetings.
5. Ask the staff liaison if there is background material that would be helpful for you to read and study.
6. Become familiar with the basic rules of parliamentary procedure.
7. Attend one or two City Council meetings to better understand how the role of the individual commission fits into the overall governance of the City.
8. Be aware that as soon as you are appointed, you are subject to the Brown Act and open meeting laws. (see Legal Matters)
9. Bring an open mind to each meeting. You are representing an entire community, so it is important to put aside personal opinions and be open to new ideas, information and points of view.

10. Demonstrate patience, show empathy and remain dignified under stress. Your behavior and attitudes are in the spotlight and should reflect the highest standards of the community.

Embrace Civility

The Human Relations Commission's civility initiative started in December 2007, when the Commission appointed an ad hoc committee to explore ways to foster civility within the community. In 2010, the Human Relations Commission revisited this concept and approved a civility statement to be sent to the community asking for their support in creating a model of positive civic behavior and teaching the community’s children by example. These statements are:

*The Human Relations Commission of the City of Beverly Hills strives to promote human relations in all aspects of community life.*

*While our schools may provide civics education in the classroom, we citizens are obligated to provide our young people with a real life model of positive civic behavior that we teach by example.*

*We hope that every member of this community will join us as we take a stand in support of an environment where respect and responsible actions prevail in every aspect of our community life.*

The Human Relations Commission promotes positive human relations in all aspects of community life, and they invite every member of the community, and Commissioner, to support an environment where civility, respect and responsible actions prevail.

III. Commission Meetings

About Meetings

Regular Meetings

Most Beverly Hills Commissions meet regularly once a month, with the exception of the Planning Commission, which meets twice monthly, and the Cultural Heritage Commission, which meets quarterly. Regular meetings are held at the same time on designated dates, but additional meetings may be scheduled as needed. As is the case for all meetings, a quorum – that is, a majority of Commissioners – is required to conduct business. If a quorum is not present, the meeting may be adjourned by the members who are present.

Regular meetings should be held during regularly scheduled times and dates and should not be rescheduled due to vacation or personal time off for individual
members. Regular meetings are open to the public and should remain consistent to ensure that the public has access.

Each Commission’s staff liaison prepares for its own meetings and coordinates logistics and agenda postings with the City Clerk. The meetings must be publicly noticed, held in a public area within the City limits and be open to everyone. These requirements fulfill provisions of the Brown Act. (see Legal Matters).

The agenda and all staff reports shall be available to the public in the office of the Secretary and/or in the Beverly Hills Public Library beginning 72 hours prior to the time of a regular meeting. Commissioners will receive an electronic copy of the agenda and all staff reports at least 72 hours prior to the start of a regular meeting.

**Adjourned Meetings**
An adjourned meeting is one that continues the immediately preceding regular or special meeting. (The phrase should not be confused with the act of adjourning.) Commissions may adjourn any meeting to a stated time and place within the City limits. Notice must be given of the adjournment, and a copy of the notice must be posted within 24 hours after the first meeting ends.

**Special Meetings**
If there is a pressing need to conduct City business that cannot wait until a Commission’s regularly scheduled meeting, a special meeting may be called. Written notice of the special meeting must be posted online and at pre-designated locations in the City and delivered to each Commission member at least 24 hours before the time of the meeting. The agenda must indicate the business to be discussed. Only the items included in the notice may be considered and acted upon at the special meeting.

**Ad Hoc and Subcommittee Meetings**
From time to time, Commissions may form Ad Hoc or Subcommittees to study issues in detail. Ad Hoc Committees are limited in the scope of work they address, focus on one specific topic, are of a short duration, and are advisory only. Brown Act requirements do not apply to Ad Hoc Committees. “Standing” subcommittees are considered public meetings and must have posted agendas in order to comply with the Brown Act.

With few exceptions, all Ad Hoc or subcommittee work comes back to the full Commission for review in a public meeting.

Staff must be included in every Ad Hoc Committee. Ad Hoc and subcommittees cannot be composed of a quorum of Commissioners.
Televised Coverage & Live Streaming
BH10, the City’s cable channel, provides live coverage and recorded replays of Commission meetings. Meetings are also streamed live on the City’s website and available on demand after each meeting.

Interested parties are directed to the City’s web pages to review the recorded replay. For this reason, it is extremely important to ensure your microphone is on when you are speaking and off when you do not intend to be heard on the recording. Even when there are no audience members present at the meeting, your comments are recorded until the meeting is adjourned.

Agendas and Minutes
An agenda outlines the topics or items of business that will be discussed and acted upon at each Commission meeting. A brief description of each item should be included to provide transparency to the public. Agendas are usually prepared by the staff liaison, in consultation with the Commission Chair. In order to comply with the Brown Act, each agenda must be posted by the City Clerk’s Office at least 72 hours before the meeting (24 hours for special meetings), in areas that are accessible to the general public and on the City’s website. The public must be allowed to speak, so the agenda should include an oral communications section for public comments. Items not listed on the agenda should not be discussed, but could be mentioned for inclusion at a subsequent meeting. Agendas, which are prepared for quasi-judicial hearings, shall note on them which items are considered to be quasi-judicial in nature.

Minutes of all meetings are kept as an official record of proceedings and actions taken. They are available to the public and to the City Council, which may use the Commission’s minutes as background in making decisions. Corrections and changes to the minutes can be made only in public meetings with the approval of the advisory body and not by the private request of any person. The minutes of each commission meeting are recorded by either the staff liaison or staff assistant.

The minutes of all Commission meetings are action minutes which convey the key points of discussion and votes taken, but provide minimal detail. The televised meeting contains a much more in-depth record of the meeting. Televised Commission meetings are posted within three business days after the meeting.

Rules of Procedure
For the most part, Beverly Hills Commissions follow the same rules of procedure as the City Council, although a less formal, more modified approach to parliamentary procedure is appropriate at the Commission level. Generally, Commissions shall follow “Robert’s Rules of Order, Newly Revised” to effectively conduct business without becoming bogged down in the technicalities of parliamentary law. Common courtesy also goes a long way in promoting
productive, efficient meetings, where everyone has a chance to be heard in a cordial and respectful setting.

It is, however, still important to follow some form of parliamentary procedure during the course of a meeting. Besides providing a sense of order and a smooth flow to the meeting, these procedures:

- Promote cooperation and harmony so people can work together more effectively to accomplish their goals;
- Guarantee each individual an equal right to propose motions, speak, ask questions and vote;
- Protect the rights of minority points of view and give the minority the same consideration and respect as those in the majority;
- Encourage the full and free discussion of every motion presented; and
- Ensure that the meeting is fair and conducted in good faith.

Some Basics

Opening Discussion

The Chair introduces an agenda item and generally turns to staff for a report on the item. The Chair asks for public comment, then applicant presentation and questions of the applicant, when available, followed by questions of the staff.

Public Comment

Generally public comment should occur prior to discussion by the Commission. Speaker slips are collected by the staff liaison or administrative staff and handed to the Chair. The Chair identifies the amount of time that will be given to all speakers and requests that each speaker state their name once they approach the microphone. It is important that all speakers be given the same amount of time to speak. Speaker slips should be read in the order received without comment or organization by the Chair. Questions may be asked of speakers once called on by the Chair, but Commissioners are discouraged from engaging speakers in debate or conversation beyond the question. Once all speakers have been called, the Chair may close that portion of the item and open the floor for discussion by Commissioners.

Public comment should be limited to items within the jurisdiction of the Commission. Persons who interrupt the Commission’s proceedings may, after warning from the Chairperson or Commission, be barred from further addressing the Commission at said meeting and shall be compelled to leave the meeting room, unless permission to continue or remain is granted by a majority vote of the Commission.

An example of a person who is interrupting or disturbing a meeting would be someone throwing trash around inside the room. However, a person making an
offensive gesture while remaining silent is not considered to be disturbing or interrupting the meeting.

**Ex Parte Communications**
Applicants, or other interested persons in quasi-judicial hearing decisions, may want to meet with individual members of a Commission. In those instances, individual meetings with an applicant and/or other interested person are inappropriate, as the Commission is limited to only considering evidence presented as part of the public hearing. Therefore, a Commissioner shall not engage in ex parte communications with applicants, appellants, or members of the public.

If a Commissioner does receive relevant information about a quasi-judicial matter outside of the public hearing, the Commissioner is required to publicly announce the information learned at the formal hearing and before testimony begins. This allows the affected parties to react to the information you have heard, give all parties and the public relevant background and, sometimes, correct erroneous information.

Additionally, the Commissioner must place on the record the subject and substance of any written or oral ex parte communications concerning the matter along with the identity of the person, group, or entity with whom the communication took place.

If a Commissioner conducts a site visit pertaining to the matter that is the subject of a quasi-judicial hearing, then the matter shall be disclosed at the meeting prior to any testimony on the matter before the Commission.

**Quasi-Judicial Hearing Order**
The order for quasi-judicial hearings before applicable City Commissions (such as Planning, Architectural, and Design Review) is as follows:

1. Chair opens public hearing
2. Commissioners report any ex-parte communications
3. Staff presentation
4. Testimony from members of the public who wish to leave
5. Applicant team (including Applicant's hired Legislative Advocate)
6. Testimony from members of the public who stayed to listen to the Applicant's presentation.
7. Legislative Advocates (pro and con)
8. Applicant rebuttal or response
9. Public rebuttal or response
10. Chair asks Applicant if they would like to rebut or respond to any new issues or evidence brought up by the public. If Applicant does not wish to speak further on any new issues or evidence, then proceed to #12 (Commissioner questions).
11. If Applicant speaks again, Chair asks the public if they would like to rebut.
12. Commissioner Questions
13. Hearing is closed
14. Commissioner Comments and Deliberations
15. Motions

1 After the public speaks, Chair should repeat steps 10 and 11 until applicant or the public indicates that they have had an opportunity to speak on all issues or evidence raised at the hearing. This process of rebuttal will repeat itself until one party or another has nothing to rebut.

Reaching a Decision
Prior to Commission discussion, it is helpful for the Chair to summarize or ask staff to summarize the decisions that need to be made. If appropriate, the Chair may help guide the discussion by identifying specific points for discussion, and as general consensus is reached, move the discussion on to other areas until all views are heard. For optimum transparency, it is recommended that each Commissioner clearly state the reason(s) for their decision.

Findings
For those Commissions that make discretionary decisions, such as the Planning, Architectural, and Design Review Commissions, there are required findings that must be made in the affirmative in order to approve a project. These findings are specific statements of fact codified in the Municipal Code that must be supported by evidence provided either by the staff report or public testimony. The finding must be accompanied by reasons or statement of facts not just opinions or recitation of the finding. If the decision is denied, the Commission must identify at least one finding that cannot be made in the affirmative.

Voting Procedure
When present, all Commissioners are expected to vote. The only time it is not appropriate to vote is when a Commissioner has a conflict of interest. In that case, the Commissioner should disclose the conflict, recuse themselves, leave the room and not participate in the discussion or vote on the item. (See Legal Matters for more on conflicts of interest.) A tie vote is equivalent to a vote that has failed. The Chair may publicly explain the effect of the tie vote for the public.

When a roll call vote is taken, and a Commissioner decides to be silent when their name is called, the Secretary shall record the vote as an abstention. If a vote is taken by voice, silence will be constituted as a vote with the majority unless a Commissioner specifically states they are not voting.

Motions
A motion is the way that a group under parliamentary procedure conducts business. Here are the steps involved in making a simple motion:

1. The maker of the motion asks for recognition by the Chairperson.
2. After the individual is recognized, they start the motion with, “I move …”
3. The Chair asks if there is a second to the motion. Another member of the group must provide the second in order for discussion to begin on the motion.

4. The Chair then restates the motion with these words: “It has been moved and seconded that ...” and opens the floor to discussion between the Commissioners.

5. The Chair recognizes Commissioners who wish to comment on the motion. Only one motion may be discussed at a time. It is important that all members of the Commission are clear on what the motion is and what its effect will be. Spirited discussion helps to answer questions and explore different interpretations and/or impacts of the motion. At the end of the discussion, the Chair “calls for the question” and asks how many Commissioners vote “aye” and how many vote “no.” When appropriate, the Chair may also ask the staff assistant to take a roll call vote.

IV. Legal Matters

Democracy at the municipal level is protected by many different local, state and federal laws. Beverly Hills Commissioners must abide by the same regulations as the City Council. In fulfilling your role and responsibilities as a City Commissioner, you should understand that these legal requirements are designed to give citizens fair access to their government and due process through public hearings.

The Brown Act

The central provision of the Brown Act requires that all “meetings” of a legislative body be open and public. The Brown Act defines “meeting” very broadly, and encompasses most gatherings of a majority of a Commission, including: “Any congregation of a majority of the members of a legislative body at the same time and place...to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.” “Legislative body” includes the governing body of a local agency (i.e., the City Council), and any commission, committee or board, whether decision making or advisory, that is created by formal action of a legislative body.

Two key provisions of the Brown Act which ensure the public’s business is conducted openly are the requirements that legislative bodies publicly post agendas prior to their meetings and that no action or discussion may occur on items or subjects not listed on the posted agenda, with limited exceptions. The Brown Act mandates that every agenda for a regular meeting provide an opportunity for members of the public to speak on any matter that is within the subject matter jurisdiction of the legislative body. In addition, the Brown Act requires the legislative body to allow the public to comment on any item on the agenda either before or during the consideration of that item.

Commissioners should be very wary about discussing business amongst themselves outside of the public meeting process. Such actions may result in illegal “serial” meetings. Specifically, this means that Commissioners may not individually meet, telephone, email, fax, text or otherwise communicate among
each other about a topic that will eventually involve the action of a quorum. Such behind-the-scene moves are a violation of the Brown Act’s open meeting laws, depriving the public of the right to hear the deliberations and to participate in the decision-making at a meaningful time.

Conflict of Interest

The Political Reform Act of 1974 prohibits public officials at any level of state or local government from making, participate in making or in any way attempting to use their official position to influence a government decision in which they know or have reason to know they have a financial interest. The financial interest of spouses and dependent children must also be considered.

While there is nothing wrong with having a conflict of interest, it is improper if you fail to disclose that interest, or use your official position to influence a decision that could serve your interest. When matters come before an advisory body in which an individual member has a direct or indirect financial interest and the action of the body could significantly affect that interest – beneficially or detrimentally – the member must disqualify themselves. The Commissioner must abstain from all discussion and voting, and cannot try to influence the outcome of the matter in any way. The Commissioner shall publicly state the nature of the conflict and leave the room until that item is finished.

If in doubt: Whenever a Commissioner believes there may be an economic conflict of interest, they should seek an opinion from the City Attorney or the Fair Political Practice Commission. At any time, it is safest to err on the conservative side and to publicly identify the conflict.

Statements of Economic Interest Disclosure

The California Political Reform Act requires designated City officials, elected officials and Commissioners to file a statement of economic interest (i.e. Form 700) within 30 days of taking office and thereafter, by April 1st of each year. The statement may be filed online or a paper copy with the City Clerk and will include, among other things, your sources of income, investments and real property interests in Beverly Hills.

Public Records Request

The Public Records Act is designed to give the public access to information in possession of public agencies. Public records are open to inspection at all times during office hours and every member of the public has a right to inspect any public records. Included under the Public Records Act are all state and local agencies, including any board and commission. Commissioners should be aware that any email sent and received as part of the Commissioner’s email address may be subject to the Public Records Act and therefore may be considered public information.
Other Legal Issues

- It is advisable that Commissioners clearly note that any statement about their political position represents only their personal view of an issue or candidate and in no way implies endorsement by the Commission or City.
- Correspondence (including letters, emails and other written communications) should not appear to represent the viewpoint of the Commission unless it is for official business and has been approved by the Commission.
- If a Commissioner meets privately with an individual who has an item coming up for review, they should not make voting decisions or commitments. Equal opportunities and due process must be extended to all parties in matters under consideration. Commissioners are required to disclose such contacts often referred to as “ex-parte communications”, at the Commission meeting when the item is discussed.

Title VI of the Civil Rights Act of 1964

The City of Beverly Hills is committed to providing equal opportunities to all employees, applicants, residents, customers, and persons doing business with the City and will ensure that people may participate in, enjoy the benefits of, and be free from discrimination under any program or activity it administers without regard to any protected status, including:

- Age
- Ancestry
- Color
- Gender
- Gender Expression
- Gender Identify
- Genetic Information
- Marital Status
- Medical Condition
- Mental Disability
- Military and Veteran Status
- National Origin
- Physical Disability
- Sex (includes pregnancy, childbirth, breastfeeding and/or medical conditions)
- Sexual Orientation

The City of Beverly Hills’ mission is to excel at providing quality services for the benefit of all residents while developing, maintaining, and enhancing the resources of the area.
Title VI of the Civil Rights Act of 1964 (Title VI) is a federal law that requires no person in the United States on the grounds of race, color, or national origin, be excluded from, be denied the benefits or be subjected to discrimination under any program or activity receiving federal financial assistance.

V. Procedures


Other relevant procedures include:

A. Application Process:
   • Applicants may apply to only one (1) Commission per application cycle.
   • A Commissioner must wait one year after finishing their term to be able to apply to another Commission, unless applying for the Planning Commission.
   • An existing Commissioner may not apply to join another Commission during their term, unless applying for the Planning Commission.
   • Commissioner appointments shall be held bi-annually in either January or July.

B. Commissioner Selection and Interview Process:
   • The interview panel shall consist of two City Council Liaisons and the Chair and Vice Chair of the same Commission in which the applicant has applied.

1. City Councilmembers:
   o Two City Councilmembers shall be present during the Commission selection process
   o If one of the designated City Councilmembers is not available, staff shall contact the other City Councilmembers, in the order of seniority, until a City Councilmember is available to serve as an alternate during the Commission selection process.

2. Commissioners:
   o A minimum of one Commissioner shall be present during the Commissioner selection interview process.
   o If the Chair and Vice Chair are not present to serve on the day of the Commissioner selection interview, staff shall contact a Commissioner, in the order of seniority, for an alternate.
   o If there are no Commissioners present on the day of the interview, the Commissioner selection interview shall be postponed.
C. Limitations:
- Spouses concurrently serving on the same Commission shall not be allowed.
- Spouses consecutively serving on the same Commission shall not be allowed.
- The practice of spouses serving concurrently on different Commissions is discouraged; however, City Council has discretion on this matter.

D. Voluntary Resignations:
- If a Commissioner resigns based on a non-emergency need, they must wait one (1) year before re-applying.
- If a Commissioner resigns based on urgency, then the City Council liaisons may recommend a former Commissioner or a new applicant to temporarily fill the vacancy. The appointment is subject to City Council approval.

E. Re-appointments:
- A Commissioner shall complete their term before applying to serve on a different Commission. Upon completion of their term, a Commissioner must wait for a period of one (1) year before being eligible to apply to serve on any new Commission. However, a Commissioner does not have to wait one (1) year from completion of their current term to apply to the Planning Commission.

F. Commissioner Removal:
- The City Council has discretion over Commissioner Removals.

G. Chair Rotation and Term:
- Chair rotation shall be based on seniority (i.e. based on date of appointment).
- Chair rotation shall be conducted annually. The rotation schedule of the Commission has been pre-determined to fall either on the first meeting of each calendar year or fiscal year as established by each Commission.
- If a Commissioner terms out, they may not serve as Chair for that year.
- A Commissioner may not serve as Chair or Vice Chair during their first year of their first term. However, they may serve as Chair or Vice Chair during the first year of the second term.
- A Commissioner may decline to serve as Chair or Vice Chair, but will be moved to the end of the rotation schedule

H. Commissioner Terms:
- Appointments for Commissioners shall be for an initial term of two (2) years. At the discretion of the City Council, Commissioners may be reappointed for a second term of up to four (4) years. Appointees who have served two (2) successive terms, shall not be eligible for reappointment for the same Commission.
• A Commissioner is expected to serve for the entire duration of their designated term.
• The City Council has discretion if a Commissioner relocates outside of City boundaries for non-emergency reasons. Generally, the Commissioner may only serve a maximum of six (6) months after relocation. The City Council does have the discretion to select an interim Commissioner from the former Commissioner pool until the position is permanently filled.
• The start and end dates of an appointment will fall on either a January/July schedule.

I. Attendance/Absences:
• A Commissioner shall meet with an ad hoc committee appointed by the Mayor to the Commission to discuss the reasons for such absences:
  ▪ If a Commission meets regularly, once per month, and a member is absent from three (3) regular meetings within a twelve (12) month period, or
  ▪ If a Commission meets regularly at least twice per month and a member is absent from four (4) regular meetings within a twelve (12) month period.

If the ad hoc committee believes that the absences are likely to continue, the ad hoc committee will request that the matter be placed on a City Council agenda. The City Council, at its sole discretion, may consider the following actions:
  o If the Council finds that the absences will likely not continue, the Council may allow the Commissioner to continue serving
  o Remove the Commissioner and if necessary, appoint a temporary Commissioner until such time a new Commissioner can be appointed.

Notwithstanding the foregoing, a Commissioner’s term shall automatically terminate in the event that a Commissioner is absent from six (6) regular meetings in a twelve (12) month period, or nine (9) regular meetings within a twenty-four (24) month period.

J. Email Address:
• Each commissioner will be provided a City email address. Each Commissioner should be aware that emails sent and received as part of the City’s email address are subject to the Public Records Act and will be considered public information.
• The California Supreme Court unanimously held the public has a right to see emails and text messages pertaining to City business that are sent from, or received on, government employees’ and officials’ personal devices and email accounts. Such emails and text messages are subject to disclosure and should be kept in accordance with the City’s retention schedule. To make sure the public has access to all public records, it is the
City’s policy that Commissioners use their City email addresses to conduct City business.

K. Business Cards:
- Each Commission will have standardized business cards. Business cards will only contain the Department or the Commission staff assistant’s phone number, not a Commissioner’s personal telephone number. The Commissioner’s City provided email address will also be listed on the card.

L. Meeting Agenda, Materials, and Transparency:
- The purpose of standardized meeting agenda and reports is to promote government transparency by establishing uniformity amongst all Commissions. City staff and Commissioners shall adhere to established guidelines and protocol.
CITY OF BEVERLY HILLS
Room 280A
455 North Rexford Drive
Beverly Hills, CA 90210

SAMPLE COMMISSION REGULAR/SPECIAL MEETING
AGENDA
Monday, May 16, 2022
6:00 PM

Members of the public may participate in the meeting by attending in-person or telephonically; and may view the meeting through live webcast or BHTV Channel 10 on Spectrum Cable.

Anyone who participates at the meeting and/or enters the City Council Chamber or Commission meeting room is subject to having their image and/or voice displayed. These recordings will remain publicly accessible in perpetuity.

How to Submit Public Comment:
Oral Comment / Listen Only: 310-288-2288
Email: commentXX@beverlyhills.org
Video: https://beverlyhills-org.zoom.us/my/bevpublic (passcode: 90210)
To watch video live: https://www.beverlyhills.org/live
In Person: Submit a speaker card to the Recording Secretary at the meeting

It is recommended that written public comments be submitted to the Sample Commission Recording Secretary by 11:30 AM on the meeting date. Public comments will also be taken during the meeting when the topic is being reviewed by the Sample Commission. Written comments should identify the Agenda Item number or topic in the subject line of the email.

In order to be read at the meeting, written comments will be allowed with a maximum of 350 words, which corresponds to approximately three (3) minutes of speaking time. If a comment is received after the agenda item is heard, it will not be a part of the record.

The Commission may act on any item listed on the agenda.
OPEN MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMUNICATIONS FROM THE AUDIENCE
Members of the public may address the Commission regarding any items not on the Agenda that are within the subject matter jurisdiction of the Commission. By State law, the Commission may not discuss or vote on items not on the Agenda.

APPROVAL OF AGENDA
With the concurrence of the Commission, the Chair may choose to amend the order of the items on the agenda.

CONSENT CALENDAR
- Consideration of minutes of the Sample Commission regular meeting of April 16, 2022.
- Other items on which the Commission takes action, but that do not require discussion

REPORTS FROM PRIORITY AGENCIES
- If applicable; list title and brief description of report or agency

CONTINUED BUSINESS
- TITLE OF CONTINUED ITEM OF DISCUSSION
  Description of item

NEW BUSINESS (language may vary by Commission)
- TITLE OF NEW ITEM OF DISCUSSION
  Description of item – new projects and/or items for formal recommendation to the City Council

STUDY SESSION / PROJECT UPDATES / STATUS REPORTS / QUARTERLY REPORTS (varies; use headers as applicable)
- ITEM TITLE & DESCRIPTION
Sample Commission Regular/Special Meeting Agenda
May 16, 2022

COMMUNICATIONS FROM THE COMMISSION

- Chair's Report
- Mayor's Cabinet Highlights
- Brief announcements, reports, or requests for information

COMMUNICATIONS FROM STAFF

- Director / Senior Staff Reports
- Upcoming Events
- Meeting Schedule
- Information-only items

ADJOURNMENT

(Appeal language is included only if applicable)

Decisions of the Sample Commission may be appealed to the Appealing Body within fourteen (14) days of the Sample Commission’s Action by filing a written appeal with the City Clerk. Appeal forms are available by contacting the City Clerk’s office at 310-285-2400. Note: Appeal Fee Required.

If there are any questions about this agenda, please contact staff member, title at 310-285-XXXX or email address
MEETING CALLED TO ORDER
Date/Time: May 16, 2022 / XX:XX AM/PM

PLEDGE OF ALLEGIANCE

ROLL CALL
Commissioners Present: Commissioners XXX, XXX, XXX, Vice Chair XXX, Chair XXX
Commissioners Absent: Commissioner XXX (if applicable)
Staff Present: First Last Name, First Last Name, etc.

COMMUNICATIONS FROM THE AUDIENCE
Members of the public may address the Commission regarding any items not on the Agenda that are within the subject matter jurisdiction of the Commission. By State law, the Commission may not discuss or vote on items not on the Agenda.

Public Input: First Last Name, First Last Name

APPROVAL OF AGENDA
By Order of the Chair, the agenda was approved as presented/amended. (If amended, include “… and absent objection from the Commission”, and state changes here. Note “Taken out of Order” and “Return to Order” as appropriate when listing the affected items as they occurred in the meeting)

CONSENT CALENDAR
1. CONSIDERATION OF MINUTES
   Consideration of minutes of the Sample Commission regular/special meeting of April 16, 2022.

   Motion: MOVED by Commissioner XXX, SECONDED by Vice Chair XXX to adopt the minutes as presented (5-0).

   AYES: Commissioners XXX, XXX, XXX, Vice Chair XXX, Chair XXX

Recordings of the Sample Commission’s meetings are available online at www.beverlyhills.org
NOES: None

CARRIED

REPORTS FROM PRIORITY AGENCIES

Include a brief update of the report(s) provided by priority agencies, such as BHPD, MWD, BHUSD, etc.

CONTINUED BUSINESS

2. List Continued Business items by title and description as they appear on the agenda.

Public Input: First Last Name, First Last Name

Provide brief summary of discussion as appropriate, and include motion detail if applicable.

Motion: MOVED by Commissioner XXX, SECONDED by Commissioner XXX to recommend the action in question (4-1).

AYES: Commissioners XXX, XXX, Vice Chair XXX, Chair XXX
NOES: Commissioner XXX

CARRIED

NEW BUSINESS (language may vary by Commission)

3. List New Business items by title and description as they appear on the agenda.

Public Input: First Last Name, First Last Name

Provide brief summary of discussion as appropriate, and include motion detail if applicable.

Motion: MOVED by Commissioner XXX, SECONDED by Commissioner XXX to recommend the action in question (4-0-1).

AYES: Commissioners XXX, XXX, Vice Chair XXX, Chair XXX
NOES: None
ABSTAIN: Commissioner XXX

CARRIED

STUDY SESSION / PROJECT UPDATES / STATUS REPORTS / QUARTERLY REPORTS

(Varies; use headers as applicable)

- Item title & description as listed on the agenda
  - provide a brief summary
• Item title & description as listed on the agenda
  o provide a brief summary

• Example Report
  o Received and filed

COMMUNICATIONS FROM THE COMMISSION

4. Chair’s Report
  o Brief summary as appropriate

5. Mayor’s Cabinet Highlights
  o Brief summary as appropriate

6. Brief announcements, reports, or requests for information
  o Brief summary as appropriate

COMMUNICATIONS FROM STAFF (include brief summaries as appropriate)

• Director / Senior Staff Reports

• Upcoming Events

• Meeting Schedule

• Information-only items

ADJOURNMENT
Date / Time: May 16, 2022 / 9:18 PM
MEETING CALLED TO ORDER
Date/Time: May 16, 2022 / XX:XX AM/PM

PLEDGE OF ALLEGIANCE

ROLL CALL
Commissioners Present: Commissioners XXX, XXX, XXX, Vice Chair XXX, Chair XXX
Commissioners Absent: Commissioner XXX (if applicable)
Staff Present: First Last Name, First Last Name, etc.

COMMUNICATIONS FROM THE AUDIENCE
Members of the public may address the Commission regarding any items not on the Agenda that are within the subject matter jurisdiction of the Commission. By State law, the Commission may not discuss or vote on items not on the Agenda.

Public Input: First Last Name, First Last Name

APPROVAL OF AGENDA
By Order of the Chair, the agenda was approved as presented/amended. (If amended, include “… and absent objection from the Commission”, and state changes here. Note “Taken out of Order” and “Return to Order” as appropriate when listing the affected items as they occurred in the meeting)

CONSENT CALENDAR
1. CONSIDERATION OF MINUTES
   Consideration of minutes of the Sample Commission regular/special meeting of April 16, 2022.

   Motion: MOVED by Commissioner XXX, SECONDED by Vice Chair XXX to adopt the minutes as presented (5-0).

   AYES: Commissioners XXX, XXX, XXX, Vice Chair XXX, Chair XXX
NOES: None

CARRIED

REPORTS FROM PRIORITY AGENCIES

Include a brief update of the report(s) provided by priority agencies, such as BHPD, MWD, BHUSD, etc.

CONTINUED BUSINESS

2. List Continued Business items by title and description as they appear on the agenda.

   Public Input: First Last Name, First Last Name

   Provide brief summary of discussion as appropriate, and include motion detail if applicable.

   Motion: MOVED by Commissioner XXX, SECONDED by Commissioner XXX to recommend the action in question (4-1).

   AYES: Commissioners XXX, XXX, Vice Chair XXX, Chair XXX
   NOES: Commissioner XXX

   CARRIED

NEW BUSINESS (language may vary by Commission)

3. List New Business items by title and description as they appear on the agenda.

   Public Input: First Last Name, First Last Name

   Provide brief summary of discussion as appropriate, and include motion detail if applicable.

   Motion: MOVED by Commissioner XXX, SECONDED by Commissioner XXX to recommend the action in question (4-0-1).

   AYES: Commissioners XXX, XXX, Vice Chair XXX, Chair XXX
   NOES: None
   ABSTAIN: Commissioner XXX

   CARRIED

STUDY SESSION / PROJECT UPDATES / STATUS REPORTS / QUARTERLY REPORTS

(Varies; use headers as applicable)

- Item title & description as listed on the agenda
  - provide a brief summary
• Item title & description as listed on the agenda
  o provide a brief summary

• Example Report
  o Received and filed

COMMUNICATIONS FROM THE COMMISSION

4. Chair’s Report
  o Brief summary as appropriate

5. Mayor’s Cabinet Highlights
  o Brief summary as appropriate

6. Brief announcements, reports, or requests for information
  o Brief summary as appropriate

COMMUNICATIONS FROM STAFF (include brief summaries as appropriate)

• Director / Senior Staff Reports
• Upcoming Events
• Meeting Schedule
• Information-only items

ADJOURNMENT
Date / Time: May 16, 2022 / 9:18 PM

PASSED AND APPROVED THIS XXTH DAY OF MONTH, YEAR

_____________________________
XXX, Chair
2-2-101: GENERAL:
Council shall create such commissions and committees as required by State law or as deemed appropriate for the performance of specific City functions. Commissions shall be created by ordinance and committees shall be created by ordinance, resolution, or motion of the Council. (1962 Code § 2-13; amd. Ord. 92-O-2156, eff. 12-11-1992)

2-2-102: DEFINITIONS:
COMMISSION: An agency charged with the consideration of an indefinitely recurrent sequence of transactions and whose members serve for a specified term and hold meetings on a regular publicized schedule.

COMMITTEE: An agency charged with the consideration of a single nonrecurring subject or matter, or a matter which recurs sporadically, and which holds meetings only as appropriate. (1962 Code § 2-13)

2-2-103: DURATION OF COMMISSIONS AND COMMITTEES:
A. Every commission shall continue indefinitely until abolished by Council.

B. Every committee shall automatically terminate on the first anniversary of its creation, unless otherwise provided by Council. (1962 Code § 2-13)

2-2-104: APPOINTMENT AND QUALIFICATIONS:
A. Appointments to any commission or committee shall be made by the City Council.

B. Any person appointed to a commission or committee shall be a resident of the City, unless otherwise designated in the instrument creating such commission or committee, and shall meet such other requirements as designated by Council.

C. Any person appointed to a commission or committee shall serve without compensation for service on such commission or committee.

D. Any person appointed to a commission or committee (other than the Sunshine Task Force Committee) shall not have been a legislative advocate as defined in section 1-9-102 of this Code for at least two (2) years prior to the start of the term and once appointed, shall not function as a legislative advocate while serving on a commission or committee; provided, however, the foregoing provisions shall not apply to the Architectural Commission or Design Review Commission if necessary to meet the membership requirements specified in section 10-3-3002 or 10-3-4402 of this Code, as applicable, and the legislative advocate limits his or her legislative advocacy to the area of expertise for which he or she was appointed. (Ord. 17-O-2742, eff. 12-22-2017)

2-2-105: TERM OF OFFICE:
A. Appointments to a commission shall be for an initial term of two (2) years. At the discretion of the City Council, Commissioners may be reappointed to a second term. Appointments to a second term may be for up to four (4) years. The City Council may appoint any commission member or members to terms shorter or longer than those set forth in this subsection if the City Council determines that a shorter or longer term or terms is in the best interest of the commission or is appropriate to stagger the terms of appointees so that the terms of all or a majority of members do not expire concurrently or inappropriately close in time.

B. Appointees who have served two (2) successive terms shall not be eligible for reappointment to the same commission.

C. A member may serve beyond expiration of that member's term until such time as a successor is appointed.

D. A Commissioner must wait one year after the end of the Commissioner's term before applying to another commission other than the Planning Commission.

E. Committee members shall be appointed at the time of creation of the committee. Where the committee continues in existence for three (3) years or more, original appointments shall expire on the third anniversary of the committee where the committee consists of three (3) members, and shall expire on the fourth anniversary of the committee where the committee consists of four (4) or more members. Any committee which continues in existence beyond a period of three (3) years shall be governed by the appointment provisions of subsections A, B and C of this section. (Ord. 15-O-2673, eff. 3-6-2015)

2-2-106: TERMINATION OF MEMBERSHIP:
Membership on a commission or committee shall terminate under the following conditions, unless otherwise specifically provided in this Code:

A. Membership shall terminate automatically upon resignation or death of a member.

B. If a commission or committee regularly meets once per month, and a member is absent from three (3) regular meetings within a twelve (12) month period, such Commissioner shall meet with an ad hoc committee appointed by the Mayor to discuss the reasons for such absence. If the ad hoc committee believes that the absences are likely to continue, the ad hoc committee will request that the matter be placed on a City Council agenda. The City Council, in its sole discretion, may consider the following actions: 1) the Council may excuse the absences and if necessary, appoint a temporary Commissioner to fill the role until such time as the Commissioner is able to serve; or 2) remove such Commissioner and if necessary, appoint a temporary Commissioner until such time as a new Commissioner is appointed.

C. If a commission or committee regularly meets at least twice per month, and a member is absent from four (4) regular meetings within a twelve (12) month period, such Commissioner shall meet with an ad hoc committee appointed by the Mayor to discuss the reasons for such absence. If the ad hoc committee believes that the absences are likely to continue, the ad hoc committee will request that the matter be placed on a City Council agenda. The City Council, in its sole discretion, may consider the following
actions: 1) if the Council finds that the absences will not likely continue, the Council may allow the Commissioner to continue serving; or 2) remove such Commissioner and if necessary, appoint a temporary Commissioner until such time as a new Commissioner is appointed. Notwithstanding the foregoing, a Commissioner’s term shall automatically terminate in the event a Commissioner is absent from six (6) regular meetings in a twelve (12) month period, or nine (9) regular meetings within a twenty four (24) month period.

D. Membership shall terminate automatically if a member ceases to reside in the City, unless residence is not required for membership or unless a member has temporarily ceased to reside in the City because of unusual circumstance or hardship, has not purchased a home outside the City in which the member is residing, intends to move back into the City, and has not previously ceased to reside in the City at any time while serving on the commission. For the purposes of this subsection “temporarily” means a period not exceeding six (6) months starting from the date a member ceased residence in the City.

E. Membership shall terminate automatically if a member's office would be vacated under the provisions for disqualification from office set forth in section 1770 of the California Government Code. Provided, however, that the provisions of this section governing absences shall supersede the provisions of section 1770 regarding absences.

F. The City Council may remove any member from a commission or committee for any reason. Such removal may be accomplished by resolution or minute order of the City Council.

G. In the event of a Commissioner vacancy due to resignation or termination, the City Council liaisons to the affected commission shall recommend a former Commissioner until such time as a new Commissioner is appointed to fill such vacancy, subject to City Council approval. (Ord. 15-O-2673, eff. 3-6-2015)

2-2-107: OPERATIONAL PROCEDURES:
Unless otherwise provided in the ordinance or resolution creating a commission or committee the following provisions shall apply in the conduct of business of such commission or committee:

A. The city council shall adopt rules of conduct and procedure for all commissions.

B. Each commission shall have regularly scheduled meetings at least once each month, and may call special meetings as provided in section 54956 of the State Government Code.

C. Committees are not required to have regularly scheduled meetings, and meetings may be called by the Chairperson or by a majority of the membership.

D. A majority of the designated membership shall constitute a quorum, and any action shall require a majority of the quorum for either affirmative or negative action.

E. A Chairperson and a Vice Chairperson shall serve for one year. A rotation progression of the Chair and the Vice Chair position among Commissioners shall be established by the City Clerk based upon seniority of appointment to the commission. If a Commissioner declines to serve as Chairperson, such Commissioner shall wait until the other Commissioners currently serving at such time are eligible for Chairperson before assuming the Chair, regardless of seniority of appointment. A Commissioner shall not serve as Chairperson or Vice Chairperson during his or her first year as a Commissioner. A Commissioner shall not serve as Chairperson if such Commissioner's term will end before such Commissioner is able to serve one complete year as Chairperson.

F. An official record of all considerations and decisions shall be made and filed with the City Clerk; and a report shall be made to Council.

G. The City Manager shall designate such staff as necessary to provide administrative support, unless otherwise designated by Council. (Ord. 15-O-2673, eff. 3-6-2015; amd. Ord. 20-O-2799, 1-28-2020)
ORDINANCE NO. 20-O-2799

AN ORDINANCE OF THE CITY OF BEVERLY HILLS
AMENDING THE BEVERLY HILLS MUNICIPAL CODE
REGARDING COMMISSION RULES OF PROCEDURE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby amends and restates Section 2-2-107 (A) of Article 1 (“General Provisions”) of Chapter 2 (“COMMISSIONS AND COMMITTEES”) of Title 2 (“ADMINISTRATION, PERSONNEL, AND PROCEDURES”) of the Beverly Hills Municipal Code to read as follows:

A. The City Council shall adopt rules of conduct and procedure for all Commissions.

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 3. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the city within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk’s certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this city.

Section 4. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted: January 28, 2020
Effective: February 28, 2020

JOHN A. MIRISCH
Mayor

ATTEST:

HUMA AHMED
City Clerk
APPROVED AS TO FORM:

[Signature]
LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

[Signature]
GEORGE CHAVEZ
City Manager
RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ESTABLISHING RULES OF PROCEDURE FOR THE CITY’S COMMISSIONS

The City Council does hereby resolve, find, determine and declare as follows:

Section 1. GENERAL. The following rules of procedure shall govern all meetings of City of Beverly Hills Commissions. These rules serve as the Rules of Conduct and Procedure referenced in the Beverly Hills Municipal Code (BHMC 2-2-107A).

Section 2. MEETINGS. Each City of Beverly Hills Commission shall hold regular meetings at City Hall, 455 North Rexford Drive, Beverly Hills, California, and on such other days, and at such other times and places, as needed for a special meeting or adjourned formal meeting. A special meeting may be ordered by the Commission Chair or by a majority of members of the Commission. Each Commission shall establish the date and time of their regular meetings by adopting a resolution.

Section 3. AGENDA. All reports, resolutions, or other matters to be submitted to the Commission at a scheduled meeting shall be delivered to the Secretary of the Commission in the manner determined by the Secretary. City staff assigned to the Commission, in consultation with the Chairperson, shall prepare the agenda on all such matters and deliver, mail or email to each Commissioner a complete copy of such agenda. The agenda and all staff reports shall be available to the public in the office of the Secretary and/or in the Beverly Hills Public Library beginning 72 hours prior to the time of a regular meeting and 24 hours prior to the time of a special meeting; however, this requirement shall not preclude distribution of additional
information in advance of the meeting. Items may be placed on the agenda by City staff, by an affirmative vote of the City Council, or an affirmative vote of the Commission.

**Section 4. RECORD OF HEARING.** Any person may request a record of the hearing on any contested matter by notifying the Secretary 48 hours in advance of the meeting. The person requesting such record shall pay the cost thereof, and shall be entitled to a copy thereof. At the time of the written request for a record, a deposit of $300 shall be made with the Secretary, and this amount shall be applied toward the cost of obtaining the record. When the total cost of preparation of the record has been ascertained, the person requesting the record shall pay the amount of the cost thereof within 48 hours after notification by the Secretary; provided further, that if the cost of the record is less than $300, any amount in excess of the actual cost shall be refunded to the person making such request. The records provided for in this section shall be furnished by a certified court reporter designated by the Secretary. Although the recordings of Commission meetings are generally available on the City's website, any person may request an audio recording of the meeting. The person requesting such recording shall pay the cost thereof and shall be entitled to a copy thereof.

**Section 5. CONSIDERATION AND DISPOSITION OF BUSINESS.** All meetings of the Commission shall be open to the public; provided, however, in conformity with the provisions of the California State law, the public may be excluded from closed sessions. The business of the Commission shall be taken up for consideration and disposition at such public meetings and shall include but not be limited to the following:

1. Open Meeting
2. Pledge of Allegiance
3. Roll Call
4. Communications from the Audience

5. Approval of the Agenda

6. Consent Calendar

7. Reports from Priority Agencies

8. Continued Business

9. New Business / Public Hearings / Action Items

10. Study Session / Project Updates / Status Reports / Staff Reports / Quarterly Updates

11. Communications from the Commission

12. Communications from Staff

13. Adjournment

Section 6. DUTIES OF THE PRESIDING OFFICER. Except as otherwise provided by City Council direction, the Chair and Vice Chair shall serve for one year. A rotation progression of the Chair and Vice Chair positions shall be established based upon seniority of appointment to the commission, with rotations effective at the first meeting of each calendar or fiscal year as established by each Commission. The Chairperson, or in the Chairperson’s absence, the Vice Chairperson, shall be the presiding officer. The Chairperson shall preserve strict order and decorum at all meetings of the Commission, state questions coming before the Commission, announce its decision on all subjects, and decide all questions of order, subject, however, to an appeal to the Commission as a whole, in which event a majority vote shall govern and conclusively determine such question of order. The Chairperson shall vote on all questions, and on roll call the Chairperson's name shall be called last.

The Chairperson shall sign all resolutions that are adopted by the Commission at meetings at which the Chairperson is in attendance. The Vice Chairperson shall sign resolutions
in the Chairperson's absence. In the absence of the Chairperson and the Vice Chairperson, the temporary Chairperson shall sign such resolutions as have been adopted during the formal meeting at which the temporary Chairperson presided.

Section 7. CALL TO ORDER – PRESIDING OFFICER. The Chairperson, or in the Chairperson's absence, the Vice Chairperson, shall take the Chair at the hour appointed for the meeting, and shall call the Commission to order. In the absence of the Chairperson and the Vice Chairperson, the Secretary or his/her assistant shall call the Commission to order, whereupon a temporary Chairperson shall be elected by the Commissioners present. Upon the arrival of the Chairperson or the Vice Chairperson, the temporary Chairperson shall relinquish the Chair at the conclusion of the business item then before the Commission.

Section 8. ROLL CALL. Before proceeding with the business of the Commission, the Secretary, or designee, shall call the roll of the Commissioners and the names of those present shall be entered in the minutes.

Section 9. QUORUM. A majority of the Commission shall constitute a quorum. A majority of such quorum is required to take action. Less than a quorum may adjourn from time to time. When there is no quorum for a meeting, the Chairperson, Vice Chairperson, or any Commissioner shall adjourn such meeting, or if no Commissioner is present the Secretary or his/her assistant shall adjourn the meeting.

Section 10. PREPARATION OF MINUTES. The minutes of the Commission shall be kept by the Secretary and shall be recorded in a book kept for that purpose, with a record of each particular type of business transacted set off in paragraphs, with proper subheads; provided that the Secretary shall be required to make a record only of such business as was actually passed upon by a vote of the Commission, and shall not be required to record any
Remarks of Commissioners, or of any other person except at the special request of a Commissioner.

Section 11. READING OF MINUTES. Unless the reading of the minutes of a meeting is requested by a Commissioner, such minutes may be approved without reading if the Secretary has previously furnished each Commissioner with a copy thereof.

Section 12. RULES OF DEBATE.

(a) Presiding Officer May Debate and Vote. The Chairperson may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all Commissioners, and shall not be deprived of any of the rights and privileges of a Commissioner by reason of acting as presiding officer.

(b) Getting the Floor — Improper References to be Avoided. Every Commissioner desiring to speak shall request permission from the Chair, and upon recognition by the Chair, shall confine the remarks to the question under debate. Each Commissioner shall treat each speaker and Commissioner with respect, avoiding all disparaging or derogatory personal remarks, indecorous language, and comments likely to bring disrespect to the Commission and to the City.

(c) Interruptions. A Commissioner once recognized shall not be interrupted when speaking unless he or she is called to order, or as herein otherwise provided. If a Commissioner, while speaking, is called to order, the Commissioner shall cease speaking until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.

(d) Motion to Reconsider. A motion to reconsider any action taken by the Commission at a meeting may be made only at the meeting such action was taken. It may be made either immediately or at a recessed or adjourned meeting. Such motion must be made by a
Commissioner on the prevailing side, but may be seconded by any Commissioner and may be made at any time and have precedence over all other motions, or while a Commissioner has the floor. Such a motion shall be debatable.

(e) Rules of Order. Except as otherwise provided in this Chapter, "Robert's Rules of Order, Newly Revised" shall govern the conduct of the meetings of the Commission.

Section 13. ADDRESSING THE COMMISSION.

(a) Any person desiring to address the Commission during a meeting shall first secure the permission of the Chair to do so; provided, however, that any qualified and interested person shall have the right to address the Commission upon obtaining recognition by the Chair concerning any matter on the agenda.

Section 14. MANNER OF ADDRESSING COMMISSION--TIME LIMIT.

(a) The Commission or Secretary shall request that each person addressing the Commission provide the Secretary with his/her name legibly written or printed. All remarks shall be addressed to the Commission as a body and not to any member thereof. Each person addressing the Commission shall first be recognized by the Chair; shall speak into the microphone in front of the rail (or at the microphone provided for audience comment if the meeting is not occurring in the City Council Chambers); shall provide his/her name and affiliation if appearing in a representative capacity; shall speak and address in an audible tone of voice for the record; and shall restrict comment to the time limits imposed by the Chair. No person other than a Commissioner and the person having the floor shall be permitted to enter into any discussion without the permission of the Chairperson.
(b) Whenever a group of persons wishes to address the Commission on the same subject matter, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Commission, and in case additional matters are to be presented at the time by any other member of said group, to limit the number of persons so addressing the Commission, so as to avoid unnecessary repetition before the Commission.

(c) The presiding officer may establish a maximum time limit to limit the time within which each person may address the Commission. If the Commission limits time for public comment, the Commission shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the Commission; provided however that the foregoing shall not apply if the Commission utilizes simultaneous translation equipment in a manner that allows the Commission to hear the translated public testimony simultaneously.

Section 15. SILENCE CONSTITUTES VOTE WITH THE MAJORITY. Unless a Commissioner states he or she is not voting, his or her silence shall be recorded as a vote with the majority.

Section 16. TIE VOTE. When the recorded vote of the Commission reflects a tie vote and the tie vote is the result of the absence of one or more Commissioners, the decision shall be continued to the next meeting.

Section 17. CHANGING VOTE. The vote of a Commissioner may be changed only if she or he makes a timely request to do so immediately following the announcement of the vote by the Secretary, or designee, and prior to the time that the next item in the order of business is taken up.
Section 18. DECORUM.

(a) By Commissioners. While the Commission is meeting, the Commissioners must preserve order and decorum, and no Commissioner shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission or disturb any Commissioner while speaking or refuse to obey the orders of the Commission or the Chairperson, except as otherwise herein provided.

(b) By Other Persons. Persons addressing the Commission should limit their comments to items that are within the jurisdiction of the Commission. Persons who interrupt the Commission's proceedings may, after warning from the Chairperson or Commission, be barred from further addressing the Commission at said meeting and shall be compelled to leave the meeting room, unless permission to continue or remain is granted by a majority vote of the Commission.

Section 19. ENFORCEMENT OF DECORUM. The Chief of Police shall be ex-officio Sergeant at Arms of the Commission.

Section 20. PERSONS AUTHORIZED TO BE WITHIN RAIL. No person, except City officials, their representatives, Commissioners, and representatives of news-gathering agencies shall be permitted within the rail in front of the meeting chamber without the consent of the Chairperson. If the meeting is not conducted in the City Council Chambers, then no person shall be allowed beyond the area provided for public comment to be received.

Section 21. MEMBERS MAY REQUEST ENTRY OF PROTEST AGAINST COMMISSION ACTION IN MINUTES. Any Commissioner, at his or her request, shall have the right to have the reasons for his or her dissent from or protest against any action of the Commission entered in the minutes.
Section 22. VOTING. A roll call vote shall be taken upon any item before the Commission involving the adoption of a resolution and shall be entered in the minutes of the Commission showing those Commissioners voting aye, those voting no and those not voting or absent. All other matters may be voted upon by voice vote or by general consent, except that upon request of any Commissioner, a roll call vote shall be taken and recorded on any vote.

Whenever a roll call vote of the Commission is in order, the Secretary shall call the names of the Commissioners in order of reverse seniority, except that the name of the Vice-Chairperson shall be called second to last and the name of the Chairperson shall be called last.

Section 23. DISQUALIFICATION FOR CONFLICT OF INTEREST. Any Commissioner who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification in an open meeting. A Commissioner who is disqualified by reason of a conflict of interest in any matter that is not on the consent calendar shall not remain in his or her seat during the debate and vote on such matter and shall step down from the dais and leave the meeting room. A Commissioner stating such disqualification shall not be counted as part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

Section 24. EX PARTE COMMUNICATIONS

(a) During the pendency of any quasi-judicial proceeding, no member of the Commission may engage in ex parte communications with applicants, appellants, or members of the public with respect to the matter which is the subject of the proceeding unless that member of the Commission places on the record the subject and substance of any written or oral ex-parte communication concerning the matter and the identity of the person, group, or entity with whom the communication took place.
(b) A member of the Commission may conduct site visits pertaining to a matter that is the subject of the proceeding. The site visit and any communications during the site visit with applicants, appellants, or members of the public with respect to the matter shall be disclosed in accordance with Section (a) of this Rule.

(c) Disclosures required by Section (a) and (b) of this Rule shall be made before public testimony on the matter has commenced so that persons will be given a reasonable opportunity to respond to the ex parte communication or site visit.

(d) All written communications on a matter before the Commission, including e-mails, should be sent to the Secretary of the Commission. Prior to the date of the hearing, the Secretary shall forward all Commissioners all written communications that the Secretary received no later than 72 hours preceding the Commission meeting. Late written communications will be placed on the dais prior to the commencement of the matter. However, the submittal of late written communications is highly discouraged. All written communications will be made part of the public record and will be available for public review prior to the commencement of the hearing, unless received during the course of the hearing.

Section 25. QUASI-JUDICIAL HEARINGS. The order for quasi-judicial hearings before applicable City Commissions is as follows:

1. Chair opens public hearing
2. Commissioners report any ex-parte communications
3. Staff presentation
4. Testimony from members of the public who wish to leave
5. Applicant team (including Applicant’s hired Legislative Advocate)
6. Testimony from members of the public who stayed to listen to the Applicant’s presentation.

7. Legislative Advocates (pro and con)

8. Applicant rebuttal or response

9. Public rebuttal or response

10. Chair asks applicant if it would like to rebut or respond to any new issues or evidence brought up by the public. If applicant does not wish to speak further on any new issues or evidence, then proceed to #12 (Commissioner questions).

11. If applicant speaks again, Chair asks the public if they would like to Rebut¹.

12. Commissioner Questions

13. Hearing is closed

14. Commissioner Comments and Deliberations

15. Motions

¹ After the public speaks, Chair should repeat steps 10 and 11 until applicant or the public indicates that they have had an opportunity to speak on all issues or evidence raised at the hearing. This process of rebuttal will repeat itself until one party or another has nothing to rebut.

Section 26. REPRESENTING THE COMMISSION. If a member of the commission who corresponds with the news media makes a presentation at a business or community meeting, or testifies before a reviewing authority within the City or at an outside governmental agency, and identifies himself or herself as a member of the Commission, the commissioner must also state that he or she is not speaking on behalf of the Commission in any
official capacity and is not representing the views or opinions of the City or the Commission, unless that member is providing such testimony as an official representative of the City as authorized by the Commission or City Council.

Section 27. INTERPRETATION AND MODIFICATION OF THESE RULES. These rules shall be interpreted liberally in order to provide for the optimum in the free interchange of information and public debate without an unnecessary waste of time or duplication of effort. These rules may be amended by resolution of the City Council.

Section 28. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and her certification to be entered into the Book of Resolutions of the Council of this City.

Section 29. This resolution shall become effective and in full force and effect at 12:01 a.m. on February 29, 2020.

Adopted: January 9, 2020

JOHN A. MIRISCH
Mayor of the City of Beverly Hills, California

ATTEST:

HUMA AHMED
City Clerk

APPROVED AS TO FORM:

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

GEORGE CHAVEZ
City Manager