

ADMINISTRATIVE POLICIES AND PROCEDURES

SUBJECT: CITY COUNCIL COMMITTEES AND APPOINTMENTS TO
REGIONAL ORGANIZATIONS AND JOINT POWERS AUTHORITIES

EFFECTIVE: [To Come]

1. PURPOSE

The Merced City Council finds and declares that transparency and accountability are essential characteristics of City government. This Council Policy C-8 establishes guidelines for the creation of standing Council committees that shall be open to the public and compliant with California's Brown Act. Council further finds and declares that standing committees can serve as nimble, more responsive advisory elements of the full Council; build subject matter expertise among Council members; distribute authority throughout the Council as contemplated by the City Charter; and provide a venue for City staff to evaluate potential policy decisions with input from a subset of Council members before seeking authorization from the full Council. This Policy also provides for the creation of ad hoc Council committees comprised of less than a quorum of sitting Council members that may address issue-specific tasks, in an advisory capacity, as the full Council may direct from time to time and consistent with the Brown Act.

2. DEFINITIONS

A. "Ad Hoc Committee"

A temporary committee of the Council established for a specific purpose and for a limited duration.

B. "City Attorney"

The City Attorney and his/her designees.

C. "City Manager"

The City Manager and his/her designees.

D. "Council"

A quorum of the Merced City Council acting a properly-noticed regular or special session.

E. “Joint Powers Authority”

A distinct public entity formed by an agreement between the City of Merced and one or more government agencies to jointly exercise a common power.

F. “Policy”

Council Policy C-8.

G. “Regional Organization”

An intergovernmental or interorganizational entity formed by government agencies and/or non-governmental entities within a specific geographic area for a specified purpose.

H. “Standing Committee”

A permanent committee of the Council established to consider subjects of a particular class, with regularly scheduled meeting dates and times.

3. GENERAL

A. The Council shall make all appointments to Council Standing Committees and Ad Hoc Committees pursuant to the guidelines set forth in this Policy.

B. Standing Committees and Ad Hoc Committees shall have fact-finding, informative, and recommendatory powers only, and such other powers as may be delegated by the Council.

C. Council intends that Standing Committees and, to the extent necessary and appropriate, Ad Hoc Committees conduct a full hearing on any matter referred to that committee before the committee forwards the matter back to Council.

D. The City Manager shall maintain and keep for public inspection a list of the Standing Committees, Ad Hoc Committees, Regional Organizations, and Joint Powers Authorities to which Council members are appointed.

4. STANDING COMMITTEES

A. The Standing Committees of the Council shall be the Public Safety Committee; the

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NOT IN FORCE**

Public Works, Roads, and Infrastructure Committee; the Finance and Economic Development Committee; the South Merced Committee; and the Ethics and Governance Committee. Each such Standing Committee shall consist of no more than three (3) Council members appointed by the Council at the beginning of each Council term or as necessary.

B. Appointed Council members shall serve on a designated Standing Committee for an entire Council term, unless that Council member resigns from service on the Standing Committee or is removed by a super-majority vote of Council.

C. Each Standing Committee shall designate a Chair and Vice Chair from among its membership at its first regularly scheduled meeting each calendar year or as necessary.

D. Standing Committees shall meet at the Merced Civic Center, or as otherwise designated by a majority of the subject Standing Committee in consultation with the City Manager.

E. Standing Committees shall be subject to the Brown Act (Government Code §§ 54950 *et seq.*). Standing Committee agendas shall be prepared, posted, and distributed in accordance with the Brown Act, stating the time and place of the meeting, the subject matters to be discussed, and the action(s) that may be taken.

F. Council members who are not members of a Standing Committee are discouraged from attending meetings of that Standing Committee. If it is necessary for a Council member to attend a meeting of a Standing Committee of which he or she is not a member, the member shall attend only as an observer, shall not testify or otherwise participate in any discussion, and shall sit amongst the public.

G. The subject matter jurisdiction and representation of each Standing Committee will at least comprise the following:

1. Public Safety Committee: Issues pertaining to the Merced Police Department and Merced Fire Department; traffic enforcement; code enforcement; moderating the impacts of homelessness and providing services for unhoused individuals within the City limits. Council's representative to the Merced City and County Continuum of Care shall be a

member of the Public Safety Committee, unless otherwise directed by Council.

2. Public Works, Roads, and Infrastructure Committee: Multimodal transportation (*i.e.*, automobile, rail, air, bicycle, and pedestrian transit); roads; utilities; City beautification. Council's representatives to the Merced Integrated Regional Water Management Authority and the San Joaquin Valley Air Pollution Control District shall each be a member of the Public Works, Roads, and Infrastructure Committee, unless otherwise directed by Council.
3. Finance and Economic Development Committee: City budget review; retail and commercial business outreach; job creation; community development in coordination with the City's Parks & Recreation Commission and Arts & Culture Commission. Council's representative to the Merced County Local Agency Formation Commission shall be a member of the Finance and Economic Development Committee, unless otherwise directed by Council.
4. South Merced Committee: Resident perspectives and City-initiatives focused on South Merced neighborhoods.
5. Ethics and Governance Committee: Review of, and recommendations on, rules and policies bearing on Council or the conduct of Council members when acting (whether actually or ostensibly) in their official capacity, and such other responsibilities established from time to time by Council or as requested by the City Manager.

H. Items may be placed on a Standing Committee's agenda in one of two ways:

1. By reference from Council to the Standing Committee, with a recommendation or other appropriate action returned by the Standing Committee to the Council within one-hundred twenty (120) days or as otherwise directed by Council.

2. With approval of the City Manager or Standing Committee Chair without Council referral. If a matter is so directed to a Standing Committee, the committee agenda shall note that fact on the face of the agenda, and the City Manger or Chair must notify the Council. Informational matters directly placed on a Standing Committee agenda may not be forwarded to the Council unless Council action is recommended by the Standing Committee.

I. Items shall not be considered by more than one Standing Committee if, in doing so, the item would have been considered at the committee level by a quorum of Council.

J. The City Manager may assign staff, as appropriate, to reasonably assist the Standing Committee Chair with the operation of the Standing Committee.

5. AD HOC COMMITTEES

A. A simple majority of Council may request the creation of an Ad Hoc Committee. At that time, the Council majority shall, together with the City Manager and City Attorney, determine the scope and the approximate duration of the Ad Hoc Committee.

B. Council may appoint no more than three (3) Council members to any Ad Hoc Committee.

C. Council members who are not members of an Ad Hoc Committee shall not attend meetings of that Ad Hoc Committee.

D. Ad Hoc Committees are subject to the Brown Act, it being recognized that Ad Hoc Committees solely acting in an advisory capacity are exempted from certain requirements of the Brown Act as it is presently codified. (*See Gov. Code § 54952(b).*)

E. Once an Ad Hoc Committee has completed its task, an Ad Hoc Committee member designated by a majority of the Ad Hoc Committee membership shall present a final report to Council summarizing the findings and recommendations of the Ad Hoc Committee, if any, and requesting dissolution of the Ad Hoc Committee. The final report may be presented orally or in writing.

F. An Ad Hoc Committee shall be automatically dissolved one (1) year after its first

meeting unless dissolved earlier. Council may affirmatively extend the duration of an Ad Hoc Committee prior to its expiration for up to six (6) additional months, after which time the Ad Hoc Committee shall be dissolved.

6. REGIONAL ORGANIZATIONS AND JOINT POWERS AUTHORITIES

A. Except as otherwise provided for above, Council shall appoint representatives and alternate representatives to all other Regional Organizations and Joint Powers Authorities in which the City is involved (*e.g.*, Merced County Association of Governments). Such appointments shall be made at the beginning of each Council term or as necessary.

APPROVED: