

CITY OF SOUTH LAKE TAHOE

RESOLUTION NO. 2017- 28

A RESOLUTION SETTING FORTH THE STRUCTURE, DUTIES, QUALIFICATIONS AND RESPONSIBILITIES OF, PROCEDURES FOR THE APPOINTMENT AND REMOVAL OF, CITY COMMISSIONS AND BOARDS

(Amending Resolution No. 2017-9)

Whereas, the City of South Lake Tahoe's Commissions and Boards consist of 1) the Airport Land Use Commission, 2) the Building and Housing Board of Appeals, 3) the Parks and Recreation Commission and 4) the Planning Commission.

Whereas, this resolution will provide the City Council, City Staff and the public with information regarding the structure, duties, qualifications and responsibilities of, procedures for the appointment and removal of, and the general policies and procedures of City Commissions and Boards; and

Whereas, the information set forth in this resolution will assist in facilitating the City's Commission and Board operations and in maximizing public participation; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH LAKE TAHOE THAT:

Section 1. Application Process/Appointment Process/Removal:

Application Process: Applications to serve on City Commissions shall be received by the City Clerk on an ongoing basis and a solicitation/recruitment shall be held commencing on October 1 (or as soon thereafter) of each even numbered year. Appointments to Boards and Commissions shall be made only from persons who have submitted an application.

Persons interested in serving on a City Commission may pick up an application from the City Clerk's Office located at the Lake Tahoe Airport, 1901 Airport Road, South Lake Tahoe, California or the application can be downloaded from the City's website at www.cityofslt.us. Applications will also be mailed, faxed or emailed upon request to the City Clerk's Office.

During the solicitation/recruitment period, completed applications must be returned to the City Clerk by the deadline set forth in the Notice for the Solicitation period.

The City Clerk shall notify all current commissioners and applicants remaining on the Applicant List.

Appointment Process: The City Clerk will provide the City Councilmembers with copies of all applications received by the prescribed deadline.

The City Clerk will notify all applicants of the date and time of the City Council meeting when appointments will be made and applicants are encouraged to attend the meeting and be

available if they wish to address the City Council or if the City Council wishes to interview the applicant.

The City Council will vote for their appointments on ballots provided to them by the City Clerk.

The City Clerk will tally the votes and the candidates for each commission receiving the majority of the votes will be announced and appointed to serve. This process may require more than one ballot to achieve the required number of successful candidates by a process of elimination. No candidate shall be appointed to a commission or board without the affirmative vote of at least three (3) Council Members.

The ballots and tally sheets will be made a part of the public record and kept on file in the City Clerk's Office as permanent record and made available for public review upon request.

After the appointments have been made, the City Clerk will administer an oath of office to each newly appointed commissioner at their first commission meeting and will provide each commissioner with a copy of the City Commission Handbook which will include this resolution, the City's Code of Ethics and FPPC Financial Disclosure Statements (applicable to Airport Land Use Commission, Building and Housing Board of Appeals and Planning Commission). Those selected, but not present at the Council meeting, will be notified by the City Clerk's Office of their appointment.

In accordance with Government Code Section 54972, the City Clerk will prepare and maintain an Appointment List of the names and terms of those voted upon to serve on each City Commission.

Those applicants *not* appointed will be placed on an Applicant List prepared by the City Clerk's Office. The Applicant List will be maintained until the commencement of the next solicitation period. In the event of a vacancy on any Commission or Board, the City Council may appoint from the names remaining on the "Applicant List," and the Appointee selected would serve the remainder of the unexpired term.

Removal: Any Commission or Board member may be removed at any time during his or her term, with or without cause, by a majority vote of the City Council.

Section 2. Residency Requirements

The following residency requirements shall apply to members of City Boards and Commissions:

A. Members of the Airport Land Use Commission shall reside within the Tahoe Basin portion of El Dorado County.

B. Members the Building and Housing Board of Appeals shall reside within the Tahoe Basin portion of El Dorado County.

C. Members of the Parks and Recreation Commission shall reside within the Tahoe Basin portion of El Dorado County.

D. Members of the Planning Commission must reside within the city limits.

Section 3. Structure Terms of Office and Qualifications

Each Commission or Board shall have the following number of members and shall serve two year terms, commencing in February of odd numbered years:

The Airport Land Use Commission shall consist of two (2) members.

Building and Housing Board of Appeals shall consist of at least three (3) members, but no more than five (5) members: The Building and Housing Board of Appeals shall hear appeals regarding requirements of the City relating to the use, maintenance and change of occupancy of buildings and structures, including requirements governing alteration, additions, repair, demolition and moving. In addition, the Building and Housing Board of Appeals shall hear appeals relating to new building construction and appeals relating to existing buildings.

The Parks and Recreation shall consist of seven (7) members.

The Planning Commission shall consist of five (5) members.

Section 4. Adoption of Rules and Procedures

Each Commission or Board may adopt its own rules of procedure, provide for the selection of officers, and take such other steps as reasonably required for the conduct of business in conformity with the laws of the State of California.

The Airport Land Use Commission shall meet on an as needed basis. The Parks and Recreation Commission shall meet at least quarterly; the Planning Commission shall meet monthly assuming there is business to conduct; the Building and Housing Board of Appeals shall meet on an as needed basis. There may be the need or occasion(s) for a Commission or Board to hold a special meeting.

In the event any Planning Commission member has three (3) consecutive absences, and any Airport Land Use Commissioner, Building and Housing Board of Appeals Commissioner or Parks and Recreation Commissioner has two (2) absences in one calendar year (assuming there have been scheduled meetings to attend), their seat will be deemed to have been vacated and a new appointment will be made in a manner consistent with this resolution.

Airport Land Use, Building and Housing Board of Appeals and Planning Commission members are required to comply with the State of California Political Reform Act, regulated by the Fair Political Practices Commission, by filing a Statement of Economic Interests Form 700 with the City Clerk. If any Airport Land Use, Building and Housing Board of Appeals or Planning Commission member fails to file the required disclosure statement after written notice from the City Clerk, their seat shall be deemed vacated and a new appointment will be made in a manner consistent with this resolution.

Section 5. Duties and Responsibilities

Members of Boards and City Commissions shall have the following duties and qualifications:

- A. Airport Land Use Commission: the City's Planning Commission, when augmented with the Airport Land Use Commission, shall exercise the following responsibilities set forth in the Airport Comprehensive Land Use Plan (CLUP) under the authority of the California Public Utilities Code, Chapter 4, Article 3.5, as follows:
 1. The adoption of a basic Airport Land Use Commission Policy Plan, as adopted by the ALUC.
 2. The adoption of land use plans for individual airports, as adopted by the South Lake Tahoe ALUC for Lake Tahoe Airport.
 3. The incorporation of the land use compatibility guidelines contained in the CLUP into the general plan and land use regulations by cities and counties with jurisdiction over any geographic area subject to the CLUP.
 4. ALUC review and determination of compatibility of individual development proposals, general plan amendments, and other land use plans and regulations around airports.
- B. Building and Housing Board of Appeals: Hear and decide appeals of orders, decisions or determinations made by the Building Official in the application and interpretation of the Building and Housing related codes adopted by the City Council. The Board shall have no administrative authority, nor shall it be entitled to waive provisions of the Code in making a decision on appeal.
- C. Parks and Recreation Commission: 1) Advise the City Council concerning proposed policies relating to parks and recreation department operations within the City. 2) Review and recommend capital improvement projects in parks and recreation facilities within the City.
- D. Planning Commission: 1) Assist in the preparation, update of and recommendations to the City Council concerning the general plan for the physical development of the City. 2) Perform those duties set forth in Article 7 of the California Government Code under such conditions as the City Council may from time to time establish. 3) Serve as the Delinquent Refuse Hearing Board.

Any decision of any board or commission may be appealed to the City Council in accordance with the procedures established for that purpose.

In an effort to keep the City Council better informed, all City Commissions and Boards, via their Commission/Board Clerk, shall provide the City Council with copies of all City Commission/Board agendas and minutes. Each City Commission and Board shall have the opportunity at each City Council meeting, under agenda item City Commission Reports, to provide a brief report on their commission's activities. All City Commissions and Boards shall make a formal written report to the City Council biannually at the Council's second meeting in May and their second meeting in November.

Section 6. Miscellaneous Matters

All members of Commissions or Boards shall be unpaid volunteers and not employees of the City. All members of Boards or Commissions shall be subject to the City's Code of Ethics and the City Clerk shall provide a copy of the City Commission Handbook, which includes the Code of Ethics, to each member of a Commission or Board upon their appointment.

To minimize operational costs, all meetings shall be scheduled in such a manner to reduce or eliminate the payment of overtime to city staff.

Any proposed training and travel expenditures will be provided by city staff to the City Manager for approval.

In compliance with the Brown Act, all meetings shall be open and public and each meeting shall be tape recorded. Conformed Agendas shall constitute the official Minutes of Commission and Board meetings and will serve as documentation of actions taken. Agenda packets shall be made available to the public for review at no charge. Copies, upon request, shall be assessed a fee consistent with the City's Fees & Charges Resolution adopted by the City Council.

The City Council may determine the need or necessity to appoint a Councilmember or City Staff member to serve as liaison to a City Commission or Board which could occur during their Councilmember Appointments and Assignments that are held during the second City Council meeting in January of each year or otherwise at a regular meeting in which the item is agendized.

Section 7. All resolutions in conflict herewith are hereby repealed.

PASSED AND ADOPTED by the City Council of South Lake Tahoe on May 2, 2017 by the following vote:

AYES: COUNCILMEMBERS: SASS, DAVID, COLLIN, DAVIS & LAINE
NOES: COUNCILMEMBERS: _____
ABSTAIN: COUNCILMEMBERS: _____
ABSENT: COUNCILMEMBERS: _____

A. C. Sass
Austin Sass, Mayor

ATTEST:
Susan Alessi
Susan Alessi, City Clerk

