MEMORANDUM



DATE: January 16, 2014

TO: Business Advisory Committee

FROM: Lilly Schinsing, Administrative Analyst

SUBJECT: Background on BAC Membership and Procedures

Background

• The Business Task For was established in 1992 for the purposes of the General Plan Update.

- In 1995 the City Council approved Resolution No. 4296 which established the Business Advisory Board with responsibility for evaluating the economy of the City and identifying changes to promote the economic health of the business community.
- In February 2009 the City Council approved Resolution No. 5004, which renamed the group to the Business Advisory Committee and reorganized the membership and procedures of the BAC.
- In December 2009 the City Council approved Resolution No. 5090, which further amended the membership and procedures of the BAC.
- In April 2011 the City Council approved Resolution No. 5224, which amended the Chair appointment procedures.
- In October 2013 the City Council approved Resolution No. 5426, which reorganized the membership and procedures of the BAC and superseded Resolution Nos. 5090 and 5224. Under this Resolution the BAC is charged "with the responsibility for periodically evaluating the economy of the City and identifying actions to promote the economic health of the business community, as well as other duties as requested by the City Council or as considered advisable by the Committee and approved by the City Council." This Resolution also states that the BAC is subject to the City Boards, Commission and Committees regulations which are in Sausalito Municipal Code Chapter 2.58.

BAC Membership and Terms of Office

Current members on the BAC represent specific segments of the community as identified below:

| | Community Group | Current representatives |
|---|--|--|
| 3 | City residents, selected by City Council | Adam Krivatsy, Vacant, Vacant |
| 3 | Members nominated by Chamber of Commerce and | Cheryl Popp, Tom Gangitano, Jeff Scharosch |
| | appointment confirmed by the City Council | |
| 3 | Local business people and/or commercial landlords, | John Cox, Paul Dines, and Bruce Huff |
| | nominated by above BAC members and appointment | |
| | confirmed by the City Council | |

Current Council Liaisons: Mayor Ray Withy and Vice-Mayor Tom Theodores

Attachments

- City Council Resolution No. 5426
- Sausalito Municipal Code Chapter 2.58

RESOLUTION NO. 5426

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO ESTABLISHING RESPONSIBILITIES, MEMBERSHIP, TERMS OF OFFICE, AND PROCEDURES FOR THE BUSINESS ADVISORY COMMITTEE

WHEREAS, on December 8, 2009 the City Council approved Resolution No. 5090 which established the responsibilities, membership, terms of office, and procedures for the Business Advisory Committee (BAC); and

WHEREAS, on April 5, 2011 the City Council approved Resolution No. 5224, which amended Resolution No. 5090 to modify the appointment of the BAC chair; and

WHEREAS, the City Council wishes to revise the membership and procedures of the Business Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sausalito that the responsibilities, membership, terms of office, and procedures of the Business Advisory Committee are amended and restated to be as follows:

SECTION 1. The Business Advisory Committee is charged with the responsibility for periodically evaluating the economy of the City and identifying actions to promote the economic health of the business community, as well as other duties as requested by the City Council or as considered advisable by the Committee and approved by the City Council; and

SECTION 2. The Business Advisory Committee is (BAC) composed of members representing the community groups as listed in the following table. The members may serve two three-year terms which expire as noted in the following table.

| | Community Group | Expiration of Term |
|---|--|--------------------|
| 3 | City Residents selected and appointed by the City Council | March 31 |
| 3 | Members nominated by the Chamber of Commerce and | January 31 |
| | appointment confirmed by the City Council | • |
| 3 | Local business people and/or commercial landlords nominated by | June 30 |
| | the BAC and appointment confirmed by the City Council | |

Note: Except where specifically stated, members do not need be City residents

SECTION 3. The BAC shall elect one of its members (other than a City Council member) as Committee chairperson in accordance with Municipal Code Section 2.58.070.

SECTION 4. The City Council shall appoint two Councilmembers to serve as non-voting Council-liaisons to the BAC.

SECTION 5. The BAC members serve in accordance with Municipal Code Chapter 2.58, except as noted by the specific provisions listed above.

SECTION 6. The BAC may adopt procedures for business matters which are consistent with State law and the Municipal Code.

SECTION 7. This resolution supersedes City Council Resolution No. 5090 and No. 5224.

PASSED AND ADOPTED at a meeting of the City Council of the City of Sausalito on the 8th day of October, 2013, by the following vote:

AYES:

Councilmembers:

Leone, Pfeifer, Theodores, Withy and Mayor Weiner

NOES:

Councilmembers:

None

ABSENT: ABSTAIN: Councilmembers:

None

Councilmembers:

None

ATTEST:

(49 hits)

Chapter 2.58 CITY BOARDS, COMMISSIONS AND COMMITTEES

Sections:

| 2. <mark>58</mark> .010 | Applications and interviews. |
|-------------------------|--|
| 2. <mark>58</mark> .020 | City Council appointments. |
| 2. <mark>58</mark> .030 | Boards, commissions and committees subject to uniform provisions - Task forces and |
| | working groups not subject to uniform provisions. |
| 2. <mark>58</mark> .040 | Residency. |
| 2. <mark>58</mark> .050 | Regular meetings. |
| 2. <mark>58</mark> .060 | Attendance. |
| 2. <mark>58</mark> .070 | Annual election of chairpersons – Limitations on terms. |
| 2. <mark>58</mark> .080 | Influencing City decisions. |
| 2. <mark>58</mark> .090 | Limitation on terms of office. |
| 2. <mark>58</mark> .100 | Removal from office. |
| 2. <mark>58</mark> .110 | Additional policies regarding City boards, commissions and committees. |

2.58.010 Applications and interviews.

The City Council may, by resolution or minute order, establish and modify procedures for the submittal of applications to serve on City boards, commissions and committees and the interviewing of applicants. Consistent with State law, all interviews shall be conducted at a duly noticed public meeting. A copy of this chapter shall be made available to all applicants. Except as the City Council may otherwise establish, interviews are not required for incumbents who are reapplying for an additional term to the same board, commission or committee. Incumbents may request to be interviewed; however, the Council reserves its discretion to grant or deny such request for an interview. [Ord. 1155 § 1, 2001; Ord. 1133 § 1, 1998.]

2.58.020 City Council appointments.

After the conclusion of interviews, the mayor shall have the opportunity to announce the name of his or her preference for appointment. If more than one vacancy exists on a particular board, commission or committee, the Mayor may announce one name for each vacancy. Every person whose name has been announced by either the Mayor or by a City Council member shall be deemed nominated and eligible for appointment. Upon the conclusion of the nomination process, the City Clerk or recording secretary shall take a roll call wote of the members of the City Council as to the appointment. Each Council member may vote for one nominee for each vacancy. To be appointed, a nominee must receive at least three votes. If no nominee receives three votes for a particular vacancy, the City Clerk shall repeat the roll call vote until the vacancy is filled. Of the nominees who receive at least three votes, the ones who receive the greatest number of votes shall be appointed. Appointees shall file all legally required financial disclosure forms with and take the oath of office from the City Clerk prior to assuming office. The City Council shall not appoint any person to serve simultaneously on more than one City board, commission or committee except for the Planning Commission member who sits on the undergrounding committee. [Ord. 1151 § 1, 2000; Ord. 1133 § 1, 1998.]

2.58.030 Boards, commissions and committees subject to uniform provisions – Task forces and working groups not subject to uniform provisions.

City Council appointments to the Recreation Commission, Art Commission, Disaster Committee, Waste Management Advisory Committee, Housing Dangerous Buildings Appeal Board, and to any other City boards, commissions and committees shall be governed by the provisions set forth in this chapter. City Council appointments to any task forces or working groups shall not be subject to the provisions of this chapter except as the City Council may otherwise specify in their creation of such task forces or working groups. [Ord. 1155 § 2, 2001; Ord. 1133 § 1, 1998.]

2.58.040 Residency.

A. Residency in the City of Sausalito at the time of appointment and at all times during one's tenure on any City board, commission or committee is required for continued membership on such board, commission or committee.

B. In the event a board, commission or committee member moves his or her residency out of Sausalito, such member may, by action of the City Council at a regular or special meeting of the Council, be authorized to remain a member of such board, commission or committee for up to six months while a replacement member is being selected. [Ord. 1133 § 1, 1998.]

2.58.050 Regular meetings.

Each board, commission or committee shall meet regularly not less frequently than once per quarter. [Ord. 1133 § 1, 1998.]

2.58.060 Attendance.

In the event a member of any board, commission or committee fails to attend either three consecutive meetings or any four regularly scheduled meetings in a year, such member shall be deemed to have resigned from that board, commission or committee, unless such absences have been excused by action of the City Council upon written application from that member. [Ord. 1133 § 1, 1998.]

2.58.070 Annual election of chairpersons – Limitations on terms.

A. Each City board, commission or committee shall annually elect one of its members as chairperson for a one-year term.

- B. No person may be elected as chairperson for more than two consecutive years.
- C. No person may be re-elected as chairperson after having served two consecutive terms without the passage of at least one year since the time of his or her last service as chairperson. [Ord. 1133 § 1, 1998.]

2.58.080 Influencing City decisions.

A. No member of a City board, commission or committee, on behalf of a business, client or customer, shall attempt to influence a decision before such board, commission or committee by any means including, but not limited to, contacts with or appearances before such body or before the City staff assigned to such board, commission or committee.

B. No member of the Planning Commission or Historical Landmarks Board, on behalf of a business,

client or customer, shall attempt to influence a decision before any City board, commission or committee by any means including, but not limited to, contacts with or appearances before such body or before the City staff assigned to such body.

C. Members of City boards, commissions or committees are encouraged to be represented before any City board, commission or committee, or the City staff assigned thereto, for any application or proposal in which the member is the property owner. [Ord. 1133 § 1, 1998.]

2.58.090 Limitation on terms of office.

- A. No person appointed to membership on a City board, commission or committee shall serve more than six consecutive years on such board, commission or committee.
- B. No person shall be re-appointed to a board, commission or committee without the passage of at least two years' time since his or her last service on the same board, commission or committee.
- C. Notwithstanding the provisions of subsections A and B of this section, a person may be re-appointed to membership on a board, commission or committee for service in excess of six consecutive years or after passage of less than two years since his or her last service thereon if there are no other applicants for the position. [Ord. 1133 § 1, 1998.]

2.58.100 Removal from office.

All appointees to City boards, commissions or committees shall serve at the pleasure of the City Council and may be removed at any time with or without cause by the affirmative vote of three members of the City Council. Failure to comply with any of the provisions set forth in this chapter may be considered by the City Council when deciding whether to remove an appointee from office. [Ord. 1133 § 1, 1998.]

2.58.110 Additional policies regarding City boards, commissions and committees.

The City Council may, by resolution or minute order, establish additional policies, procedures and standards governing City boards, commissions and committees as deemed appropriate by the City Council. [Ord. 1133 § 1, 1998.]

The Sausalito Municipal Code is current through Ordinance 1214, passed May 7, 2013.

Disclaimer: The City Clerk's Office has the official version of the Sausalito Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

