RESOLUTION NO. 2753-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR RESCINDING RESOLUTION NO. 1378-03, ADOPTING THE UPDATED EDITION OF THE COMMISSIONER HANDBOOK TO INCLUDE NEW REQUIREMENTS AND CLARIFYING CURRENT REGULATIONS REGARDING THE ROLES AND RESPONSIBILITIES OF THE COMMISSIONERS AND CONDUCT OF MEETINGS; AND, TO AUTHORIZE THE TOWN MANAGER AND HIS/HER DESIGNEE TO REVISE THE COMMISSIONER HANDBOOK WITHOUT FURTHER ACTION OR APPROVAL BY THE TOWN COUNCIL TO THE EXTENT THAT THE MODIFICATIONS ARE NOT INCONSISTENT WITH THE CURRENT RESOLUTIONS AND GOVERNING DOCUMENTS

WHEREAS, the Town Council of the Town of Windsor has enlisted the participation of its residents in the governance of the Town of Windsor; and

WHEREAS, Planning Commissioners and Advisory Commissioners can be a valuable resource to staff in meeting the staff's obligation to implement Town policies; and

WHEREAS, it is desirable that the Planning Commission and Advisory Commissions established by the Town Council be subject to basic organizational rules and rules of conduct as outlined in the *Commissioner Handbook*; and

WHEREAS, the Town Council of the Town of Windsor authorizes the Town Manager and his/her designee to revise the *Commissioner Handbook* without further action or approval by the Council.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Windsor adopts the updated *Commissioner Handbook*, as amended in Exhibit A, and incorporates other changes as deemed appropriate.

BE IT FURTHER RESOLVED, that this resolution rescinds Resolution No. 1378-03.

PASSED, APPROVED AND ADOPTED this 17th day of November 2010, by the following vote:

AYES: **COUNCILMEMBERS GOBLE, SCHOLAR AND VICE MAYOR ALLEN**
NOES: **NONE**
ABSTAIN: **NONE**
ABSENT: **COUNCILMEMBER FUDGE AND MAYOR SALMON**

STEVE ALLEN, VICE MAYOR

ATTEST:

Maria De La O
MARIA DE LA O, TOWN CLERK

Attachment:
Exhibit A

EXHIBIT A

TOWN OF
WINDSOR

COMMISSIONER Handbook

Updated November 17, 2010
Resolution No. 2753-10

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INTRODUCTION

The purpose of this handbook is to provide you with the tools you need to be effective and engaged as a representative and voice of the community. The Handbook includes background information on the Town of Windsor (Town), its government administration and expectations related to your role as a commissioner. It describes the rules established by the Town Council (Council) applicable to Planning Commissioners/advisory commissioners, operating procedures and the responsibilities of commissioners.

TOWN GOVERNMENT

The Town of Windsor is a general law city operating under a Council-Town Manager form of government. This form of organization framework provides Town government with both public direction from the Town Council as well as professional administration by the Town Manager.

GENERAL LAW CITY

California law recognizes two classes of cities: General Law cities and Charter cities. "Cities" and "Towns" are treated identically. About 20 percent of California's 400 cities are charter cities, including most of the larger ones. Such cities are governed by provisions of their individual adopted charter, unless the State of California specifically applies its laws. Generally, the cities have more local authority and may exercise powers which are not specifically listed in state law.

Windsor, like 80 percent of California's cities, is a general law city. Its Council structure, planning procedures and many other aspects of local government are controlled by State law. The Town's Municipal Code includes its local laws.

As an incorporated city, certain powers are placed in the hands of the elected Town Council. These powers come directly from the State Code and rest with Town Council members. Council has authority over the lives and property of the residents of the community. The Council can declare certain acts to be criminal, they can tax and set costs for services rendered, they can condemn private property and they can regulate and determine how private property can be used.

TOWN COUNCIL

Council acts as the governing body of the Town, with all the regulatory and corporate powers of a municipal corporation provided under California State law. In general, the Council supervises the operations of Town Government by establishing Town policies and programs and appropriating funds for each Town department.

Council consists of 5 members of the community elected at large to four year, staggered terms. The Council selects a Mayor and Vice Mayor to preside for a one-year term. The Mayor has no extra-legal authority different from the other four members of the Council. The Council is the policy-making body of the Town and is held ultimately responsible for implementation of all programs and services provided by the Town. The Council approves ordinances, resolutions, agreements and contracts. The Council reviews proposals for community needs, initiates actions for new programs and determines the ability to provide financing. The Council approves and modifies the budget as prepared by the Town Manager and team of Department Heads.

Commissioners are not full-time employees of the Town.

WINDSOR WATER DISTRICT

The Windsor Water District is a subsidiary district of the Town of Windsor and includes some adjacent parts of unincorporated Sonoma County. Council acts as the Board of Directors of the District, while the Town Manager acts as the District Manager.

REDEVELOPMENT AGENCY

The Redevelopment Agency is an entity legally separate from the Town of Windsor; however, the Town Council is the Board of Directors of the Redevelopment Agency and the Town Manager is its Executive Director. The Redevelopment Agency initiates programs within a specific geographic area of the Town designed to improve the tax base and quality of life in the project area. The Town Manager's Office oversees a map defining the project area.

PLANNING COMMISSION

Pursuant to Government Code Sections 65100 et seq., the Town Council adopted Ordinance No. 92-07 establishing a five-member Planning Commission. Each Councilmember appoints a Commissioner for a term coinciding with that of the Councilmember making the appointment. The Planning Commission generally acts on land use matters such as the General Plan, specific plans, rezonings, use permits and subdivisions.

CITIZEN ADVISORY COMMITTEES

"Citizen Advisory Committee" is a generic title for groups appointed by the Council to provide advice on policy matters to the Town Council. The term includes Boards, Commissions, Advisory Councils, Advisory Committees, and Task Forces, etc.

There are two types of advisory committees: Standing and ad hoc. Standing Committees are on-going and ad hoc committees meet on an as needed basis. Windsor's Standing Committees consist of the following:

- Parks and Recreation Commission
- Senior Citizen Advisory Commission

The responsibilities of the advisory committees are:

- To be available to the Town Council to research and recommend policy alternatives.
- To be available to staff to assist as volunteers in implementing the Town's policies and programs.

STAFF

The Town staff, under the direction of the Town Manager, is responsible for carrying out the policies of the Town Council and implementing programs and services. The Town Manager and the Town Attorney are appointed by and report directly to the Town Council. All other department heads and staff members are responsible to the Town Manager.

As the Town's Chief Executive Officer, the Town Manager oversees responsibilities for the day-to-day operational and administrative affairs of the Town, including assigning staff liaisons to assist the various citizen advisory commissions. Citizen advisory commissions work closely with the assigned staff liaisons; however, the commissions do not have the authority to supervise or direct the work of staff. Assignments to staff are made through the Town Manager or his/her designee.

MANDATES

OPERATING RULES

1. Establishment

The Town Council has established the Planning Commission and the following advisory committees: Parks and Recreation Commission and Senior Citizen Advisory Commission.

2. Residency Requirement

All members of the Planning Commission, Parks and Recreation Commission and Senior Citizen Advisory Commission must be residents of the Town of Windsor.

3. Resignation

Commissioners resigning from office before the end of their term are requested to send correspondence announcing their resignation to the Town Clerk. Copies will be forwarded to the Town Council, staff liaison, and the Commission.

4. Officers

The Planning Commission, Parks and Recreation Commission and Senior Citizen Advisory Commission (Standing Committees) shall elect a Chair and Vice Chair in January or immediately thereafter positions have been appointed by Council. The term of Chair and Vice Chair shall be one year unless the term of the member of the commission expires sooner in which case a successor shall be selected by the commission. A successor shall act as Chair for the unexpired term remaining. The Town Manager or his/her designee shall serve as secretary to the commission, if no commissioner is appointed. The Secretary shall prepare minutes for the commission's approval and forwarding to the Town Council. It is not necessary for ad hoc committees to elect a Chair or Vice Chair until its first scheduled meeting. Ad hoc committees may select a secretary from one of its members to prepare the minutes for the commission/committees approval and forward to the appropriate Town staff member.

5. Quorum and Voting

With the exception of the Senior Citizen Advisory Commission, a quorum shall consist of a majority of the full membership of the commission. ("Full membership" includes all seats whether filled or vacant.) A quorum shall be present in order to transact business.

A quorum for the Senior Citizen Advisory Commission shall consist of the majority of the occupied seats.

An action or choice is deemed approved by a majority of commissioners who are present and voting. (An abstention is not a vote.)

If a commissioner is disqualified from voting because of a conflict of interest, that commissioner shall not be counted for purposes of establishing a quorum for the particular questions or agenda item giving rise to the conflict.

In the event that a majority of commissioners will not be present to conduct a meeting, the staff liaison shall announce the lack of a quorum and publicly post the meeting cancellation notice.

6. Agendas

Written agendas for all commission meetings are to be prepared in advance of the meeting. These agendas must be noticed and available to the public 72 hours before a regular meeting. For special meetings, the advance notice requirement is 24 hours.

As a public service to the community, meetings are televised on Comcast and Cable Channel 27, on AT&T U-verse Channel 99 and via live webcast at http://www.ci.windsor.ca.us/media/media.axpx on the day of the meeting.

Posting Agendas:
Town Hall, 9291 Old Redwood Highway, Windsor, CA 95492
Safeway (Lakewood Shopping Center), 9080 Brooks Road South, Windsor, CA 95492
Windsor Library, 9291 Old Redwood Highway, Bldg. 100, Windsor, CA 95492

Commission agendas and staff reports are available on the Town's website at www.townofwindsor.com.

Agenda Packets:
Agenda packets detailing the items of business to be discussed and any communications to be presented will be prepared in accordance with the Brown Act and provided to the commissioners within a reasonable amount of time before the meeting. Although an agenda is provided for each meeting, the degree of background material will vary. In order to be prepared for meetings, commissioners should read these packets and contact the chairperson or the staff liaison if there are any questions regarding information presented in staff report.

7. Action Minutes

Commission Secretaries shall prepare action minutes which only document the action taken at any and all of its meetings; minutes shall be forwarded to the Town Council.

8. Procedures

Commissions shall be governed in the conduct of their meetings by the same rules which are applicable to the Town Council.

9. Meetings

Ad hoc Committee meetings will be held at the request of the Town Council, or at the request of the Town Manager or his/her designee, or as deemed necessary by the advisory commission in order to accomplish the duties assigned to it by the Town Council. Meetings shall be held at Town Hall unless otherwise noticed. Planning Commission, Parks and Recreation Commission and Senior Citizen Advisory Commission shall meet on a regular basis, with a standard starting time.

COMPOSITION OF DUTIES & RULES APPLICABLE TO PLANNING COMMISSION, AND INDIVIDUAL ADVISORY COMMISSIONS

PLANNING COMMISSION

Composition

The Planning Commission shall consist of five members. The Planning Commission meets on the second and fourth Tuesdays of the month at 5:30 p.m. in the Windsor Civic Center, Council Chambers, 9291 Old Redwood Highway, Building 400, Windsor, CA.

Special meeting dates and times may be modified by a simple majority vote of the commission or commissioners.

Appointment and Term

Each Councilmember shall appoint one Planning Commissioner for a term coinciding with the term of the Councilmember making the appointment. The term of appointment shall be four years. Terms shall begin on the date of the first meeting of the Commission after appointment and when the new Commissioner takes the Oath of Office, administered by the Town Clerk or his/her designee. If a vacancy occurs otherwise than by expiration of term, it shall be filled by appointment by the Councilmember whose previous appointee has caused the vacancy to occur.

Roles and Responsibilities

The Planning Commission generally acts on land use matters such as the General Plan, specific plans, rezonings, use permits and subdivisions.

The Planning Commission has final authority on land use entitlements unless appealed to the Town Council within 10 calendar days. The Planning Commission is a recommending body for legislation acts such as General Plan Amendments and Zone changes.

Removal from Office

Although a member shall be appointed for a term, he or she may be removed at the sole discretion of the Councilmember who made the appointment. A member who fails, without permission, to attend three successive meetings of the Commission is subject to removal. The seat vacated by the removal of a member shall be filled by appointment by the Councilmember who appointed the member removed.

PARKS AND RECREATION COMMISSION

Composition

The Parks and Recreation Commission is composed of five adult members and two youth members with a Junior (11th Grade) or Senior (12th Grade) status at Windsor High School. The Parks and Recreation Commission meet on the second Wednesday of each month at 6:00 p.m. in the Windsor Civic Center, Council Chambers, 9291 Old Redwood Highway, Building 400, Windsor, CA.

Appointment and Term

Adult Members: Each Councilmember appoints one applicant to the Commission. The Commissioner's term of office is concurrent with the appointing Councilmember's term. The term of appointment shall be four years. If there are vacancies prior to the completion of a term, the Councilmember who appointed the individual to the Commission shall appoint another applicant to replace his/her prior appointee.

Youth Members: Each member must be in good academic standing, maintaining at least a 2.5 GPA (C average) and serve on the Commission for a term of one year commencing in May.

Seat 1: Environmental Studies Core student in the Windsor Institute for Sustainability and the Environment (WISE) Academy – Parks and Recreation Commissioner

a. Submit an application and cover letter to the assigned WISE Academy teacher advisor in charge of this focus area.
b. Upon faculty approval, one eligible WISE Academy student shall be elected by WISE Academy students.

Seat 2: Student Council – Parks and Recreation Commissioner

a. Submit a completed "petition to run for office" through the student government elections process at Windsor High School.
b. Complete a Teacher Recommendation form to qualify for student body elections.
c. One eligible student shall be elected by the student body.

Both seats will be appointed by Council majority vote at their first meeting of May each year. The youth commissioners will hold a non-voting status, serving in an "input only" capacity.

Roles and Responsibilities

To be available to the Town Council to research and recommend policy alternatives pertaining to the Town's Parks and Recreation policies; and, to be available to staff to assist as volunteers in implementing the Town's Parks and Recreation Department budget goals.

Removal of Members

Adult Members: Although a member shall be appointed for a term, he or she may be removed at the sole discretion of the Councilmember who made the appointment. A member who fails without permission, to attend three successive meetings of the Commission is subject to removal. The seat vacated by the removal of a member shall be filled by appointment by the Councilmember who appointed the member removed.

Youth Members: Although a member shall be appointed for a term, he or she may be recommended for removal at the discretion of the Town Council. A member who fails without permission, to attend three successive meetings of the Commission is subject to removal. Removal is subject to majority vote of the Council. The seat vacated by the removal of a member shall be filled by a Windsor High School teacher advisor.

SENIOR CITIZEN ADVISORY COMMISSION

Note: The Senior Citizen Advisory Commission is subject to the provisions of an agreement dated June 1, 1994 between The Town of Windsor and Brookscreek Associates; the provisions of this resolution are intended to be consistent with that agreement.

Composition

Per the Agreement and CC&R's, the Senior Citizen Advisory Commission is composed of eleven (11) members. The Senior Citizen Advisory Commission meets every four (4) months on the 4th Tuesday of the months of January, April, *July and October at 2:30 p.m. in the Windsor Civic Center, Council Chambers, 9291 Old Redwood Highway, Building 400, Windsor, CA. *The July meeting is held at the Senior Center located at 9231 Foxwood Drive, Windsor, CA. In addition, special meetings may be held on an as needed basis.

Appointment and Term

Five (5) members at large: each Councilmember appoints one applicant to the Commission. The Committee member's term of office is concurrent with the appointing Councilmember's term. If there are vacancies prior to the completion of a term, the Councilmember who appointed the individual to the Commission shall appoint another applicant to replace his/her prior appointee.

Two (2) residents from the Alden Woods and California Creekside subdivisions: by a simple majority vote, Town Council shall appoint Commission members to serve four year terms, the appointment of which shall be staggered by two years.

One (1) member at large: by a simple majority vote, Town Council shall appoint a Commission member to serve a four year term.

Up to three (3) residents from the Brooks Creek subdivision: by a simple majority vote Town Council shall appoint Commission members to serve a four year, staggered term. Representation may be reduced or eliminated if the obligations of the imposed assessment of $200 per lot in the Brooks Creek subdivision go below the following percentages of the total cost to operate the Senior Center and Pool:

Percentage of Cost	Representation
30%	2
20%	1
10%	0

If the number of representatives from Brooks Creek subdivision is less than three (3), based on the formula above, Town Council may "back fill" the reduced number of Brooks Creek representatives with "at large" appointments by a simple majority vote, to serve a four year, staggered term(s).

All Committee members must be residents of the Town of Windsor.

The Senior Citizen Advisory Commission shall be comprised of Senior Citizens, defined in the Agreement and CC&R's as a person age 55 or older, and their guests, their spouses, their co-habitants, or persons age 45 or older who are providing primary physical or economic support for such persons.

Roles and Responsibilities

The Senior Citizen Advisory Commission shall have the duty of serving in an advisory capacity to the Town Council to support the recreation programs and services offered to senior citizens and persons with disabilities.

Removal of Office

Five (5) members at large: although a member shall be appointed for a term, he or she may be removed at the sole discretion of the Councilmember who made the appointment for any reason or for no reason. A member who fails without permission, to attend three successive meetings of the Commission is subject to removal. The seat vacated by the removal of a member shall be filled by appointment by the Councilmember who appointed the member removed.

All other representatives: although a member shall be appointed for a term, he or she may be removed from the Commission for any reason or no reason at the discretion of the Town Council. A member who fails without permission, to attend three successive meetings of the Commission is subject to removal. Removal is subject to a simple majority vote of the Council. The seat vacated by the removal of a member shall be filled by Town Council by a simple majority vote.

PARLIAMENTARY PROCEDURES

The Town Council has set forth the following rules that are to be applicable to meetings of the Town Council, Planning Commission and Advisory Commissions.

RULES OF CONDUCT

Business shall be brought before the Commission by motion in accordance with the following Town Council rules of conduct.

OBTAINING THE FLOOR. Any Commissioner wishing to speak must first obtain the floor by being recognized by the Chair. The Chair must recognize any Commissioner who seeks the floor when appropriately entitled to do so.

MOTIONS. The Chair or any Commissioner may bring a matter of business before the Commission by making a motion. Before the matter can be considered or debated it must be seconded. Once the motion has been properly made and seconded, the Chair shall open the matter for debate offering the first opportunity to debate to the moving party and, thereafter, to any Commissioner properly recognized by the Chair. Once the matter has been fully debated and the Chair calls for a vote, no further debate will be allowed, provided however, any Commissioner may be allowed to explain his or her vote.

VOTING. All Commissioners present at a meeting when a question comes up for a vote, shall vote for or against the measure unless he/she is disqualified from voting and abstains because of such disqualification. If the vote is a voice vote, the Chair shall declare the result and note for the record all "aye" votes and all "no" votes. The Commission may also vote by roll call vote, ballot or voting machine. Regardless of the manner of voting, the results reflecting all "ayes" and "noes" must be clearly set forth for the record.

In the case of a tie in votes on any proposal, the proposal is considered lost. In such an instance, any member of the Commission may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal, and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.

CONFLICTS. A member of the Commission who has a conflict of interest regarding any matter being considered by the Commission shall declare the conflict, state the reason for the conflict, and leave the room during the discussion of that particular agenda item, unless it is a Consent Calendar item.

PROCEDURAL RULES OF ORDER. Once the main motion is properly placed on the floor, several related motions may be employed in addressing the main motion. These motions take precedence over the main motion, and if properly made and seconded, must be disposed of before the main motion can be acted upon. The following motions are appropriate and may be made by the Chair or any Commissioner at any appropriate time during the discussion of the main motion. They are listed in order of precedence. The first three subsidiary motions are nondebatable; the last four are debatable:

SUBSIDIARY MOTIONS

1. Lay on the Table. Any Commissioner may move to lay the matter under discussion on the table. This motion temporarily suspends any further discussion of the pending motion without setting a time certain to resume debate. It must be moved and seconded and passed by a majority vote. In order to bring the matter back before the Commission, a commissioner must move that the matter be taken from the table, seconded and passed by a majority. A motion to take from the table must be made at the same meeting at which it was placed on the table or at the next regular meeting of the Commission. Otherwise, the motion that was tabled dies, although it can be raised later as a new motion.

2. Move Previous Question. Any Commissioner may move to immediately bring the question being debated by the Commission to a vote, suspending any further debate. The motion must be made and seconded without interrupting the one who already has the floor. A two-thirds vote is required for passage.

3. Limit or Extend Limits of Debate. Any Commissioner may move to put limits on the length of debate. The motion must be made and seconded and requires a two-thirds vote of the Commission to pass.

4. Postpone to a Time Certain. Any Commissioner may move to postpone the pending question to a time certain. This motion continues the pending main motion to a future date as determined by the Commission at the time the motion is passed. The motion must be seconded and requires a majority vote for passage.

5. Commit or Refer. Any Commissioner may move that the matter being discussed should be referred to a commission for further study. The motion must be seconded and requires a majority vote for passage. The motion may contain directions for the commission, as well as a date upon which the matter will be returned to the Commission's agenda. If no date is set for returning the item to the Commission agenda, any Commissioner may move, at any time, to require the item be returned to the agenda. The motion must be seconded and a majority vote is required for passage if the item is to come back at a future date certain, or a two-thirds vote if the item is to be immediately discussed by the Commission at the time the motion to return is made.

6. Amend. Any Commissioner may amend the main motion or any amendment made to the main motion. Before the main motion may be acted upon, all amendments and amendments to amendments must first be acted upon. A motion to amend must be seconded, and requires a majority vote for passage. An amendment must be related to the main motion or amendment to which it is directed. Any amendment which substitutes a new motion rather than amending the existing motion is out of order and may be so declared by the Chair.

7. Postpone Indefinitely. Any Commissioner may move to postpone indefinitely the motion on the floor, thus avoiding a direct vote on the pending motion and suspending any further action on the matter. The motion must be seconded and requires a majority vote for passage.

MOTIONS OF PRIVILEGE, ORDER AND CONVENIENCE

The following actions by the Commission are to insure orderly conduct of meetings and are for the convenience of the Chair and Commission. These motions take precedence over any pending main or subsidiary motion and may or may not be debated as noted.

1. Call for Orders of the Day. Any Commissioner may demand that the agenda be followed in the order stated therein. No second is required and the Chair must comply unless the Commission, by a two-thirds vote, sets aside the orders of the day.

2. Question of Privilege. Any Commissioner, at any time during the meeting, may make a request of the Chair to accommodate the needs of the Commission or the Chair. Admissibility of question is ruled on by the Chair.

3. Recess. Any Commissioner may move for a recess. The motion must be seconded and a majority vote is required for passage. The motion is debatable.

4. Adjourn. Any Commissioner may move to adjourn at any time, even if there is business pending. The motion must be seconded and a majority vote is required for passage. The motion is not debatable.

5. Point of Order. Any Commissioner may require the Chair to enforce the rules of the Commission by raising a point of order. The point of order shall be ruled upon by the Chair.

6. Appeal. Should any Councilmember be dissatisfied with a ruling from the Chair, he/she may move to appeal the ruling to the full Council. The motion must be seconded to put it before the Council. A majority vote in the negative or a tie vote sustains the ruling of the Chair. The motion is debatable and the Chair may participate in the debate.

7. Suspend the Rules. Any Commissioner may move to suspend the rules if necessary to accomplish a matter that would otherwise violate the rules. The motion requires a second, and a two-thirds vote is required for passage.

8. Division of Question. Any Commissioner may move to divide the subject matter of a motion which is made up of several parts in order to vote separately on each part. The motion requires a second and a majority vote for passage. This motion may also be applied to complex ordinances or resolutions.

9. Reconsider. Except for votes regarding matters which are quasi-judicial in nature or matters which require a noticed public hearing, any member of the Commission with the prevailing may move for a reconsideration of that action at the same or next succeeding meeting to correct inadvertent errors or to consider new information not available at the time of the vote. The motion must be seconded and requires a majority vote for passage, regardless of the vote required to adopt the motion being reconsidered. If the motion to reconsider is successful, the matter to be reconsidered takes no special precedence over other pending matters, any special voting requirements related thereto still apply, and the actual reconsideration of the question shall be heard at the next regularly scheduled meeting. After the actual reconsideration of the question has been acted upon, no other motion for reconsideration thereof will be made without unanimous consent of the members present. In the case of a tie vote, the prevailing side of the Commission will be deemed to be those commissioners who voted in the negative.

10. Rescind, Repeal or Annul. The Commission may rescind, repeal or annul any prior action taken with reference to any legislative matter so long as the action to rescind, repeal or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements or unless otherwise specified by law.

AUTHORITY OF THE CHAIR. Subject to appeal, the Chair shall have the authority to prevent the misuse of the legitimate form of motions, or the abuse of privilege of renewing certain motions, to obstruct the business of the Commission by ruling such motions out of order. In so ruling, the Chair shall be courteous and fair and should presume that the moving party is making the motion in good faith.

COMMISSION RESPONSIBILITIES

PROVIDING POLICY ADVICE TO THE TOWN COUNCIL

The primary role of the commission is to provide advice on policy to the Council. To understand the context of this responsibility, it is necessary to understand the responsibilities of the other major structural components of the Town's organization: the Council and staff.

Council has the sole responsibility for setting Town Policy. The reason it alone has this responsibility is because it is the only group of people elected by a vote of the people. Council sets a variety of types of policies. Assistance with these policies is what is relevant to advisory commissions. Policies are those that describe the vision the community has set for itself. Policies are those that identify (1) what services/regulations the Town should provide, (2) for which people and (3) at what cost.

Often, the Council may be able to answer all of these questions itself. However, on complex issues, the Council may not have time to do much more than agree that policies need to be developed and to identify some initial direction. In these instances, the Council will look to the advisory commissions to study the issue and develop alternative policies that could be adopted by the Council. Recommendations by the advisory commissions to the Council need to include a range of policy alternatives from which the Council can choose and a discussion of the ramifications of each. The advisory commission should also inform the Council which of the alternatives is its preferred alternative.

The advisory commission is in a support role to the Town Council. The Town Council sets the agenda of what policies it wants the Town organization to address and then refers to the advisory commissions those policy issues on which it needs research and analysis assistance.

The advisory commission's job is at the policy level, not at a sub-policy level or an administrative level. That is, the advisory commission looks at policy development at the same fundamental level as the Town Council: What services? To which people? At what cost? It is not the responsibility of the advisory commission to have the Town Council come up with the "major" policies and the advisory commission to come up with the sub-policies necessary to implement a particular policy.

Once the advisory commission has recommended its alternatives and the Council has adopted a particular policy, it is then staff's job to implement the policy. It is the staff's job to create the sub-policies, program requirements, operating procedures, etc. to implement whatever policy has been set in place by the Council. Before the Council adopts a policy, it is incumbent the Council determine how detailed the policy statement has to be. In some areas, the Council will be comfortable in providing general direction to staff and providing staff considerable discretion in implementation. In others, the Council will not feel comfortable in letting go of an issue until it establishes detailed statements of policy -- thereby limiting the amount of discretion the staff will have.

Once the Council has adopted a policy and the staff has the responsibility for implementation, there is still a responsibility for the commission: being available to assist staff in implementing policies. This is the second responsibility of a commission.

ASSISTING STAFF IN PROGRAM IMPLEMENTATION

This second responsibility of advisory commissions requires members to change hats and relate to staff differently from the way it relates to staff when operating in its policy advisory role. In the policy advisory role, the staff generally works at the request of the commission to help research an issue and help to identify policy alternatives. In meeting its obligations with respect to program operations, the roles are reversed and the advisory commission becomes a group of people that works at staff's request to help staff meet its operational responsibilities.

COMMISSION EXPENSES

The Town Council establishes a Town Budget every year, which is effective July 1. The Town staff is responsible for administering the budget. The budget includes appropriations (authority to expend up to a designated amount of money) for each of the Town's departments. The appropriation includes some funding to cover miscellaneous advisory commission expenses. Incurring Town expenses should occur in the manner described for a typical commission expense: providing training for commission members. When training opportunities arise through workshops or conferences, etc. it is critical the commissioner planning to attend receive in advance (1) commission authorization and (2) staff approval of anticipated Town costs. Specific types of travel and training expenses costs which are not eligible for reimbursement can be obtained from staff.

CONDUCTING THE PUBLIC BUSINESS
RELATED LAWS AND POLICIES

All Public Agencies in California must comply with certain laws that ensure:

- The public is involved in the decision-making progress,
- The decision-makers will not realize financial or economic gain from their participation in the decision,
- That information generated and maintained by the agency is open for public inspection, and
- Public Officials are trained and maintain current understanding of ethics.

The few exceptions allowed to these laws would involve a determination by the Town Attorney.

It is important for Commissioners to be aware that these regulations exist and have a basic understanding of the requirements. It is also important that Commissioners seek guidance from the Commission's staff wherever there is a question. The Commission's staff is trained to assist with general information and should seek advice from the Town Attorney when needed.

While the general descriptions of these laws are provided below – it is important that all Commissioners understand that the scope of these laws are larger and more comprehensive than summarized in this handbook.

ETHICS TRAINING (AB 1234)

In order to meet the requirements of California state law (AB 1234), all appointed Planning Commissioners, Parks and Recreation Commissioners and Senior Citizen Advisory Commissioners are required to receive no less than two hours of training in general ethics principles and ethics laws every two years. Newly appointed commissioners should complete the required ethics training within the first year of appointment.

The youth members as well as ad hoc committee members are not subject to this required training.

TRAVEL AND OTHER EXPENSE

All travel and other expenses, where reimbursement is expected, must have budgetary approval in advance from the staff liaison. State law (AB 1234) requires officials seeking reimbursement to file an expense report, as well as make an oral report on the meeting or conference attended at its next regularly scheduled meeting.

STATEMENTS OF ECONOMIC INTEREST (FORM 700)

Only members of the Planning Commission are required to file annual Statements of Economic Interest (Form 700) with the Town Clerk for forwarding to the Fair Political Practices Commission, annually and upon assuming or leaving office.

OATH OF OFFICE

Each newly appointed commissioner is required to take the Oath of Office as administered by the Town Clerk or his/her designee. Upon completion of the oath, the commissioner is authorized to attend meetings and vote.

RELATIONSHIPS WITH THE TOWN COUNCIL

An advisory commission's role is advisory to the Town Council. The projects and issues upon which advisory commissions deliberate are delegated by the Town Council. There should be a two-way communication so that the commissioners are aware of the long and short term goals and policies which the Council has adopted, and that the Council is receptive to new ideas which are presented by the advisory commission.

It is likely that at one time or another, the Council will not take the advice of the advisory commission. However, your own measure of success is not whether or not the Council accepts your specific recommendation; instead the measure is whether or not the Town Council found your analysis useful and presentation of policy alternatives, and the ramifications of each.

Finding a comfortable relationship with the Council should be handled on an individual basis, but the following are some suggestions to remember that may be a good guide for you as you begin to find your way around in the political environment:

- Each advisory commissioner has an obligation to "vote his/her conscience" and will have to resolve conflicts he/she may have between a personal viewpoint and what is perceived as the "public interest."

- Contact with the Council should never be used to circumvent the staff or your commission.

- The advisory commission should not willingly or openly embarrass the staff or Council, or vice versa.

- The advisory commission should assist the Council in developing public trust in the advisory commission system.

- Should a controversy arise within the advisory commission, counsel and guidance are available from the staff. Advisory Commission/Council issues that can best be solved through a problem solving approach shall first be addressed by the advisory commission Chair and the Mayor. If this does not resolve the issue, the Council may meet as a group with the advisory commission.

- It should be a rare instance when an individual commissioner attempts to influence or persuade the Council to assume a posture that may be in opposition to the advisory commission's position as a whole.

- Should a split opinion exist on advisory commission action, the majority report would be sent as the recommendation to the Council, with some attached explanation relating reasons for any dissent and any other minority reports.

RELATIONSHIPS WITH STAFF

There is typically one staff person assigned to each advisory group to act as secretary, to serve as one channel of communication between the advisory commission and the Council, and to research and investigate questions raised by the advisory commission. On work the advisory commission is preparing for the Council, staff is entitled to participate in advisory commission deliberations and to make recommendations. Staff suggestions may not be accepted all the time, but it is important that good relationships exist between the advisory commission and staff, so that together a reasonable solution can be derived. The following are some ways to avoid misunderstandings and to keep the channels of communication open:

- Contact should be with the staff member assigned to the advisory commission. When an individual commissioner wants to make contact with a higher level supervisor (i.e. the Town Manager), the commissioner is asked to notify the assigned staff person of this contact.

- Contact with staff members should clearly be in the framework of the advisory commission assignment.

- Commissioners should not ask for individual reports, favors, or special considerations.

- Citizen complaints heard by commissioners should be referred directly to the staff person assigned to the advisory commission.

- Commissioners should realize that its recommendations are to be made to the Town Council, not to staff.

- If an advisory commission desires information which will require an excessive amount of the staff liaison's time, the liaison may need to get approval from his/her supervisor.

Town staff is required by the Town Council to make recommendations which may or may not agree with those of the advisory commission. The staff is required to fairly present the advisory commission's recommendations and explain them, but will not defend them if in disagreement. If a staff recommendation to the Council is contrary to an advisory commission recommendation, staff should give reasonable notice of the disagreement to the advisory commission Chair. When appropriate, and especially when the Town staff recommendation is not in accord with the approved advisory commission position, the advisory commission Chair or delegated representative should communicate in writing or be present at the Town Council meeting to report the advisory commission's recommendations. What the Council seeks is full and complete information, including a range of options on a given issue. Information critical to the decision

making process, which the Council seeks from both the staff and the advisory commission, is the nexus between (1) the options and recommendations and (2) the General Plan.

In working with advisory commissions in their policy advisory role, staff has a responsibility:

- To serve if requested as secretary and to provide research assistance on issues under study by the advisory commission.

- To initiate suggestions so that the advisory commission has an idea how to seek out information or a resolution of the problem.

- To promote a team spirit, so that advisory commissioners can participate in a manner that will maximize their satisfaction in the organization. Recognizing commissioner contributions and encouraging involvement are two ways to let everyone know that their ideas are welcome.

- To inform commissioners about activities, projects and work that is taking place elsewhere in the organization and among other advisory commissions, particularly as these relate to issues under study by the advisory commission.

- To present a balanced report on controversial issues, so that both positive and negative aspects can be readily identified.

When the advisory commission becomes involved in helping the Town staff implement programs, it is no longer involved in its policy advisory role. Instead, it now has "changed hats" and has become a group of volunteers. As such, the commissioners are now subject to the same rules that apply to all other Town volunteers, working at the direction of staff.

RELATIONSHIPS WITH THE TOWN ATTORNEY

The primary work of an advisory commission is to consider different policy alternatives. Prior to the conclusion of a commission's research it may have a question as to whether or not a particular option is allowed by law. In these instances, the advisory commission should forward its questions to its staff liaison who will obtain an answer consulting with the attorney as necessary. Depending on the complexity of the matter, the Town Attorney may choose to provide a written opinion or appear at a commission meeting. It is important that the involvement of the Town Attorney, through staff, be requested by the commission and not by an individual commissioner.

RELATIONSHIPS WITH COLLEAGUES ON THE COMMISSION

Much of your work will involve reconciling contradictory viewpoints to build a consensus around common goals and objectives.

It is important that you cooperate with the other advisory commissioners and make every effort to understand differing points of view. One way of fostering this cooperation is for each commissioner to ensure that meetings proceed in an orderly and constructive manner by being familiar with the basic rules of parliamentary procedure as described in this Handbook.

Other important points you should consider in working with other advisory commissioners are as follows:

- Always respect the other individual's viewpoint, even though it may be opposite of yours.
- Allow other advisory commissioners adequate time to present their views fully before making comments.
- Be open and honest at all times.
- Recognize new commissioners and see that they are made welcome and receive assistance in becoming acquainted with the advisory commission.
- Represent the whole Town, not a special group or interest. The question, "What is best for the entire community?" should take precedence over, "What is best for my special interest group?"

RELATIONSHIPS WITH OTHER ADVISORY COMMISSIONS

The Town has a number of advisory commissions and sometimes there is an overlap of the policy areas for which each is responsible. Consequently, when issues arise which relate to the work of more than one advisory commission, the Council has to choose which advisory commission is the most appropriate. Occasionally, advisory commissions that have not been given responsibility for a project may want to provide input on an issue to the commission which has been assigned responsibility. When this occurs, it is incumbent upon the chair of the commission wishing to address the assigned commission discuss this with the Chair. This discussion is to occur before a second advisory commission gets involved in an issue assigned to others.

Advisory commissioners need to be sensitive to the amount of time that is spent on studying an issue. Often, issues being studied are awaiting resolution by one or more members of the public; the public does not usually appreciate having an issue being moved around from commission to commission, thereby creating an impression the issue is lost in a maze of bureaucracy.

RELATIONSHIPS WITH THE OTHER ORGANIZATIONS

It is not unusual for other organizations to contact advisory commissions and ask for your opinion or ask for support on a matter of importance to their organization. For example, the California Parks & Recreation Society may ask Windsor's Park and Recreation Commission for its opinion on a particular bill in the State Legislature or may ask our Commission to contact state legislators. Advisory commissioners need to be careful in their response. For example, in the situation just described, it is the Town Council that needs to take a position on pending state legislation and has the authority to speak on behalf of the Town to state legislators. On the other hand if the California Park and Recreation Society (of which the Commissioners are members) is polling its members in order to help the California Parks and Recreation Society develop a Society position on an issue, then commissioners may convey their positions without Town Council involvement. These examples certainly are, at best, only suggestive of the preferred way to handle questions and requests for support from outside organizations. If you are in doubt as to

how to handle a particular request, discuss the matter with staff or staff's liaison, who will keep members of the Council informed.

RELATIONSHIPS WITH THE PUBLIC

Support citizen participation.
The public interest is continuously reformulated through debate. Advisory commissioners must recognize the right of citizens to influence decisions that affect their well-being, advocate a forum for meaningful citizen participation and expression in the process and facilitate the clarification of community goals, objectives, and policies. One of the most difficult things to do is to get an accurate reading of the "public opinion." It is difficult to resist the conclusion that when a issue attracts a roomful of spirited people to your meeting, then the rest of the population must also feel the same way about the issue. Advisory commissions are encouraged to seek additional methods of gathering citizen input that will result in a representative cross section of the community being heard.

Expand choice and opportunity for all persons.
Commissioners must strive to expand choice and opportunity for all persons, recognize a special responsibility to plan for the needs of disadvantaged persons, and urge the alteration of policies, institutions, and decisions which oppose such needs.

Facilitate access to information.
Commissioners must facilitate access. Individuals and public and private agencies possibly affected by a prospective decision need to receive adequate information in advance of the decision.

Maintain public confidence.
In performance of the public trust, the conduct of commissioners should be such as to maintain public confidence in the commission.

MEETINGS

DUTIES OF THE CHAIR

The Chair of the advisory commission presides at all meetings of the advisory commission and is a spokesperson for the commission. In the absence of the Chair, the Vice Chair temporarily assumes the Chair's duties. Duties include the following:

- Prior to all meetings, prepare the advisory commission meeting agenda, with assistance from the staff.

- Ensure that consideration of items on the agenda moves along without delay and that petitioners, proponents and opponents are heard but not allowed to disrupt the meeting.

- The Chair should clarify ideas as they are discussed and repeat motions made in order that all the commissioners understand the wording of the item on which they are to vote. The Chair is responsible for ensuring that advisory commission actions are properly moved, seconded and voted upon. The Chair is the Commission's parliamentarian and shall apply the same parliamentary rules as apply to the Town Council.

- For situations not covered by the Council's parliamentary rules, the Chair shall determine the procedure to be followed; the Chair's decision in these instances is subject to being overruled by vote of the advisory commission.

- The Chair should see that the advisory commission considers the major issues and does not become sidetracked by lesser concerns.

- The Chair should attempt to identify the points of agreement among the opinions of the commissioners in order to build a consensus.

AGENDA MATERIALS

The Agenda and supporting materials should be distributed to the advisory commission and be available to the public not less than 72 hours prior to the meeting. At the meeting, action may be taken only on those items listed on the agenda. Under certain emergency circumstances, items can be added to the agenda at the meeting, but typically discussion and action on items not on the agenda must be held over to a subsequent meeting so they can be noticed on the agenda.

Sometimes it is unavoidable that supporting materials for topics on an agenda may not be delivered with the agenda, and could arrive at any time -- up to being distributed at the meeting itself. The commission needs to make its own judgment about whether the lateness of the receipt of the material creates a situation where discussion or action on the agenda item should be deferred until the next meeting.

OPEN MEETINGS

All meetings, including "informal" or "study" sessions of the commission are open to the public. Agendas must be properly posted in advance so that the public has an opportunity to learn about upcoming meetings. A 72 hour advance notice is required for regular meetings and a 24 hour notice for special meetings.

Advisory commissions are subject to the State statute referred to as the "Brown Act." This law requires the commission to do its business in public. There are certain exceptions to the public meeting law which allow the Council to meet in closed session. These exceptions do not apply to the advisory commissions. Contact staff for additional information.

The public must be allowed to be heard at advisory commission meetings, subject to reasonable rules of the commission. At regular meetings, a place on the agenda must allow for public comments -- including presentations by the public on items not on the agenda.

Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of the Brown Act and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under the Brown Act is guilty of a misdemeanor. If a quorum of commissioners discusses an item by telephone and reaches agreement on an action to be taken, they may be violating the Brown Act. This would be the case even if the quorum was achieved through a series of one-to-one phone calls.

A more detailed explanation of the Brown Act is available from your staff liaison and from the Town Clerk.

SB 343 – DOCUMENTS RELATED TO OPEN SESSION AGENDAS

Any writings or documents provided to a majority of the Planning Commission/Advisory Commissions regarding any item on the agenda after the posting of the agenda and not otherwise exempt from disclosure, will be made available for public review at the Windsor Civic Center, located at 9291 Old Redwood Highway, Building 400, Windsor, during normal business hours, and on the Town's website at www.townofwindsor.com.

If the supplemental materials are made available to the members of the Planning Commission/Advisory Commissions at the meeting, a copy will be available for public review at the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400, Windsor, CA 95492.

These writings will be made available in appropriate alternative formats upon request by a person with a disability, as required by the Americans with Disabilities Act.

TYPICAL PROCEDURE FOR HANDLING AGENDA ITEM

1. The Chair states the title of the agenda item.

2. The staff gives an oral report explaining the action requested, the facts and issues, and the staff recommendations.

3. Commissioners ask questions of staff; however this is not the time for commissioners to begin discussing their viewpoints on the issue.

4. The Chair acknowledges any correspondence about the application that has been received.

5. Members of the public are heard. All interested speakers are given an opportunity to speak once. The Chair needs to consider time constraints when deciding to allow speakers to be heard a second time.

6. Applicants and members of the public are given the opportunity to rebut earlier comments.

7. The Public testimony portion is closed.

8. Commissioner discussion and action by the advisory commission.

With respect to those members of the public wishing to speak, the following guidelines are offered:

- Names and Addresses. All speakers are asked to state their names and addresses for the record on a voluntary basis. They may also request to be notified about any future meetings on their intended subject.

- Questions. Questions for commissioners, other people in the audience, and the staff should be directed through the Chair, rather than directly at the person.

- Brief Presentations. As much as possible, speakers should express their comments concisely and briefly. In general, five minutes is a good rule of thumb for the maximum length of a speech by a person representing an organization and three minutes for statements of individuals. Speakers should try not to repeat earlier statements.

  Groups are urged to designate one or two speakers per group.

- Relevancy. Remarks should be directed to the merits of the application and not to the character of the applicant or any other speakers.

CONFLICT OF INTEREST

Common law generally prohibits public officers, including advisory commissioners, from engaging in activities in which their private interests conflict with their public duty. As one court has stated, "a public officer is impliedly bound to exercise the powers conferred on him with disinterested skill, zeal, and diligence, and primarily for the benefit of the public."

The Political Reform Act of 1974 (also known as "Proposition 9") provides that no local official shall make, participate in making, or in any way attempt to use his/her official position to influence a government decision in which he/she knows, or has reason to know, he or she has a financial interest.

Commissioners are not prohibited from representing public interest groups before the Town Council or other advisory commissions. Under such circumstances, however, a commissioner should state on the record that he or she is appearing before the advisory commission or Council in his/her private capacity only, not as a commissioner. Advisory commissioners are urged to take all possible steps to avoid even the appearance of impropriety in any presentation which they may make to other advisory commissions or to the Council.

The laws and regulations regarding conflicts of interest are rapidly changing. Also, whether or not a conflict exists is sometimes very specific to the facts of a particular situation. If a commissioner has any questions about the possibility of a conflict of interest, he/she is urged to contact the Town Attorney.

VOTING ABSTENTION POLICY

When a voting member of an advisory commission is legally required to abstain from voting, he/she is also forbidden to participate or influence the other commissioners or staff in any way. If a commissioner decides to abstain from voting for legally required reasons, the commissioner must disclose the conflict and leave the meeting room during all discussions on the subject. The minutes should also state that the member did not participate in discussion of the matter and include the reason for the abstention.

Several statutes and common law rules governing conflicts of interest apply to advisory commissioners. Planning Commissioners, Parks and Recreation Commissioners, and Senior Citizen Advisory Commission members may need more information from staff and/or the Town Attorney. Advisory commissioners especially may want to seek out guidance when issues under discussion are within 500 feet of their residence or other property they own.

INDIVIDUAL RIGHTS VERSUS ADVISORY COMMISSION RESPONSIBILITIES

HOW CAN YOU PARTICIPATE IN POLITICAL ACTIVITIES?

Local government elections in California are nonpartisan. Council appointments to Town advisory commissions are made without regard to political party affiliation. Acceptance of an appointment to an advisory commission does not in any manner restrict your participation in political activities at any level of government, be it local, state or federal. However, to reflect the fact that only elected officials may set Town policy. If you are a candidate for an office, such as Town Council, you may state that you have been (or are) an advisory commissioner on your campaign literature. If you currently serve on an advisory commission, you can include this on the official ballot.

HOW DO YOU REPRESENT YOURSELF AS A CITIZEN ON NON-ADVISORY COMMISSION ISSUES?

This is one of the most sensitive areas for a commissioner to understand and address. As a concerned citizen, you have every right to express your views on issues and concerns that are important to you. However, the very fact that you have been appointed as a commissioner to represent the Town does place you in a highly visible position in the community. You should avoid referring to your role as a commissioner when addressing the Town Council on issues unrelated to the advisory commission you serve on. The Council requires that you follow the procedure adopted for citizens who address the Council and simply state your name and address. If someone points out that you are a commissioner, you should emphasize that you are speaking as a citizen, representing yourself. The same is true if you are addressing other organizations.

ONE LAST WORD

The Town Council would like to thank you for accepting this position and for devoting your time and effort to become actively involved in this community.

ATTACHMENTS

1. Ordinance No. 92-07 – Establishing a Planning Agency Consisting of a Planning Commission
2. Ordinance No. 2003-169 – Amending Section 1-5-105 (Planning Commission Appointment) and Section 1-5-110 (Members, Removal from Office) of the Town of Windsor Code
3. Planning Commission By-Laws
4. Resolution No. 2656-10 – Amending the established Parks and Recreation Commission roles and responsibilities including the appointment and removal of members
5. Resolution No. 2746-10 – Amending established Senior Citizen Advisory Commission Roles and Responsibilities, Appointment and removal of members and name change to Senior Citizen Advisory Commission

ORDINANCE NO. 92-07

AN ORDINANCE OF THE TOWN OF WINDSOR

ESTABLISHING A PLANNING AGENCY CONSISTING OF A PLANNING COMMISSION

THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES ORDAIN AS FOLLOWS:

Section 1. Planning Agency Established. Pursuant to Government Code Sections 65000 et seq. (the Planning and Zoning Law), there is hereby established a planning agency consisting of a Planning Commission.

Section 2. Planning Commission: Appoint. The Planning Commission shall consist of five members nominated by each Council Member and appointed by the Town Council. They shall be appointed for a term of four years except that the members first appointed shall, at their first meeting, determine by lot that three members shall serve initially for a four year term and two members a two year term. Terms shall begin on the date of the first meeting of the Commission. If a vacancy occurs otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of the term.

Section 3. Members: Removal From Office. Although a member shall be appointed for a term, he or she may be removed by a majority vote of all the members of the Town Council. A member who fails, without permission, to attend three successive meetings of the commission is subject to removal.

Section 4. Expenses. Planning Commission members shall be entitled to reimbursement for expenses as the Town Council may approve.

Section 5. Chairperson; Rules; Records and Meetings. The Planning Commission shall elect a Chairperson and Vice Chairperson from its membership annually. In the absence or disability of either the Chairperson or Vice Chairperson, the Commission may designate a temporary Chairperson. The Commission shall hold at least one regular meeting each month and such other meetings as may be necessary. The Commission shall adopt rules for the transaction of its business and shall keep a public record of its resolutions, transactions, findings and determinations. The rules shall provide that not less than three affirmative votes shall be required to recommend matters to the Town Council for adoption. The Commission shall appoint a secretary who may be one of its members or someone else.

Section 6. Functions. The Planning Commission shall perform those functions described by the Planning and Zoning Law, including those functions specified in Government Code § 65103.

Section 7. Effective Date. This Ordinance shall take effect immediately pursuant to Government Code section 36937(b) as an urgency ordinance. The urgency is based on the following facts:

A. The Town of Windsor was incorporated July 1, 1992;

B. Section 65101 of the Government Code requires the Town Council to create a Planning Commission.

Section 8. Posting. The Town Clerk of the Town of Windsor shall cause this Ordinance to be posted in at least three (3) public places in the Town of Windsor in accordance with Section 36933 of the Government Code of the State of California.

PASSED, APPROVED AND ADOPTED this 1st day of July, 1992, by the following vote:

AYES: JULIE ADAMSON, MAUREEN MCDANIEL, ALLAN RAWLAND, BARBARA SIEGLER AND MAYOR JOSEPH D. RODOTA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Joe Rodota
MAYOR

ATTEST:

Paul A. Dillon
TOWN CLERK

323\Res\07.Ord

CLERK'S CERTIFICATE
I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 92-07 of the Town of Windsor and that said ordinance was published according to law.
Audrey Hooper, Deputy
Town Clerk
Dated: 7-07-03

ORDINANCE NO. 2003-169

AN ORDINANCE OF THE TOWN OF WINDSOR AMENDING SECTION 1-5-105 (PLANNING COMMISSION APPOINTMENT) AND SECTION 1-5-110 (MEMBERS, REMOVAL FROM OFFICE) OF THE TOWN OF WINDSOR CODE

THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES ORDAIN AS FOLLOWS:

Section 1. Windsor Municipal Code Section 1-5-105 is hereby amended to read in its entirety as follows:

> "1-5-105 Planning Commission; Appointments. The Planning Commission shall consist of five members. Each Councilmember shall appoint one Planning Commissioner for a term coinciding with the term of the Councilmember making the appointment. Terms shall begin on the date of the first meeting of the Commission after appointment. If a vacancy occurs otherwise than by expiration of term, it shall be filled by appointment by the Councilmember whose previous appointee has caused the vacancy to occur."

Section 2. Windsor Municipal Code Section 1-5-110 is hereby amended to read in its entirety as follows:

> "1-5-110. Members: Removal From Office. Although a member shall be appointed for a term, he or she may be removed at the sole discretion of the Councilmember who made the appointment. A member who fails, without permission, to attend three successive meetings of the Commission is subject to removal. The seat vacated by the removal of a member shall be filled by appointment by the Councilmember who appointed the member removed."

Section 3. Effective Date. This Ordinance shall take effect and be in force 30 days following its adoption.

Section 4. Posting. The Town Clerk of the Town of Windsor shall cause this Ordinance to be posted in at least three (3) public places in the Town of Windsor in accordance with Section 36933 of the Government Code of the State of California.

PASSED, APPROVED AND ADOPTED this 21st day of May 2003 by the following vote:

AYES: **COUNCILMEMBERS ALLEN, MOREHOUSE, SALMON AND MAYOR PRO TEM FUDGE**
NOES: **NONE**
ABSTAIN: **NONE**
ABSENT: **MAYOR SCOTT**

Deborah Fudge
MAYOR

ATTEST:

Andrea Hoover
DEPUTY TOWN CLERK

TOWN OF WINDSOR
PLANNING COMMISSION
BY-LAWS

1. Officers and Elections

1.1 Officers shall consist of Chair, Vice Chair and Secretary.

1.2 The Chair and Vice Chair shall be members of the Commission elected therein, shall be elected by the membership and shall serve at their will.

1.3 Election of Chair and Vice Chair shall be held annually at the second regular meeting in January, with the exception of the appointment of new Commissioners after a Town Council election. In the case of the appointment of new Commissioners after a Council election, the annual election of Chair and Vice Chair will be held at the first meeting that the new Commissioner's are seated. REV 01/97

1.4 No member of the Commission shall serve as Chair for more than 24 consecutive months.

2. Duties of Officers

2.1 The Chair shall:

2.11 Preside at all meetings.

2.12 Call special meetings in accordance with the bylaws and the procedural requirements of the Brown Act. REV 10/01

2.13 Sign documents of the Commission.

2.14 See that all actions of the Commission are properly taken.

2.15 Participate, as necessary, in the development of the Commission Agenda.

2.16 Assign members to subcommittees, representative and liaison duties.

2.2 The Vice Chair Shall:

2.21 During the disability, disqualification or absence of the Chair, perform all the duties of the Chair.

2.22 Succeed the Chair if that position is vacated before the term is completed. The Vice Chair shall serve the unexpired term of the vacated office. A new Vice Chair shall be elected at the next regular meeting.

2.3 The Secretary Shall:

2.31 Prepare or provide for the preparation of a record of all Commission meetings.

2.32 Prepare a written agenda for all meetings of the Commission.

2.33 Insure that each agenda provides an item headed "Public Appearances" in addition to any public hearing that may be noticed on the Agenda.

2.34 Post an Agenda for each regular meeting at least 72 hours before each meeting in the designated area of the Town Hall freely accessible to members of the public. REV 10/01

2.35 Inform the Commission of all correspondence relating to the business of the Commission and attend to such correspondence where possible.

2.36 Insure that, in the preparation of the agenda, consideration is given to the Brown Act requirement: that, unless an item is listed on the agenda, the Commission is prohibited from "taking action."

2.37 Give priority to those matters referred to them by the Town Council.

2.38 Insure that all applications submitted to the Commission conform with submittal requirements established by law, the Community Development Department and the Commission.

2.39 Prepare, post and publish public notices, including notices of public hearings required by law or by the Commission.

2.40 Handle funds allocated to the Commission, in accordance with Town regulations.

2.41 Be custodian of the records and sign official documents of the Commission as directed.

3. Meeting Place, Time and Attendance

3.1 All regular meetings will be held on the second and fourth Tuesdays of the month at 5:30 p.m. in the Windsor Civic Center, Town Council Chambers, 9291 Old Redwood Hwy, Building 400, unless proper notice of a meeting at an alternate time and/or site is given. REV 5/96 REV 4/98 REV 11/02

3.2 The Commission will adopt an annual advance schedule of regular meetings in November of each year for the following year.

3.3 The Chair or a majority of the members entitled to vote may call a special meeting as deemed necessary, provided proper 24-hour notice can be given and subject to the procedural requirements of the Brown Act. REV 10/01

3.4 In conformance with Town Council policy, it is expected that Commission

members will attend at least 75 percent of regularly scheduled Commission meetings.

3.5 Members who expect to be absent from a scheduled meeting shall notify the Secretary at the earliest opportunity. The Secretary shall notify the Chair in the event the projected absences will provide a lack of quorum. A member who fails, without permission to attend three (3) successive meetings of the Commission is subject to removal. [See Windsor Town Code §1-5-110.] REV 10/01

3.6 Any meeting of the Commission may be cancelled in advance by a majority vote of the Commission. The Chair may cancel a meeting in the case of an emergency or when a majority of Members are unavailable to attend a meeting.

4. Quorum and Voting

4.1 A majority of the Commission members entitled to vote shall constitute a quorum. No business may be transacted at a regular or special meeting unless a quorum of the membership is present. If enough Commissioners abstain due to a conflict of interest so as to lose a quorum, the Commission shall exercise the rule of necessity to regain a quorum by having the disqualified Commissioners draw straws until a quorum is reached. The Commissioners so chosen shall continue to participate in that matter until concluded. The rule of necessity shall not be invoked to allow an otherwise disqualified Commissioner to vote if a quorum can be convened of other members of the agency who do not have a conflict of interest, whether or not such other members are actually present at the time of disqualification. REV 10/01

4.2 Except where otherwise required by law, actions by the Commission shall be by a majority of the quorum of the Commission present when action is taken provided however that not less than three (3) affirmative votes shall be required to recommend matters to the Town Council for adoption. [See Windsor Town Code §1-5-120.] REV 10/01

4.3 Voting will be by verbal vote. Each member present at the meeting when a question comes up for a vote shall vote for or against the measure unless disqualified from voting and he/she abstains because of such disqualification.

4.4 Individual members may submit minority reports to the Town Council on actions of the Commission. A member wishing a minority report to be made must indicate this at the time action is taken.

4.5 In the event of a tie vote, which cannot be resolved by any appropriate motion, the matter shall be delivered to the Town Council for resolution, except for items initiated by the Commission, in which event the matter shall be considered as denied.

4.6 If a member is required to abstain from voting due to prohibitions of State law, such member must also leave the podium and remain silent during any deliberation of the matter. When these circumstances exist, that Commissioner will state the reason for abstention and such reason will be noted in the minutes.

4.7 If a vote is on a resolution or a proposed ordinance, which has been sent back to staff for redrafting in accordance with directions given at a previous meeting, the vote on the redraft remains the same as was the vote on the original motion, unless a Commissioner has decided to switch his policy opinion. The vote does not reflect whether or not the redraft adequately reflects the former action.

5. Conduct of Meetings

5.1 All meetings, including "informal" or "study" sessions of the Commission will be open and public and all persons desiring to attend shall be permitted to attend any meeting.

5.2 An opportunity will be provided under the "Public Appearances" headed item for members of the public to address the Commission on matters under its jurisdiction which are not on the agenda for that meeting.

5.3 Except as otherwise provided in these bylaws, the Chair shall conduct all meetings in such a manner as deemed appropriate.

5.4 Each speaker appearing before the Commission will be requested to:

5.41 State the speaker's name and address if speaking as a resident, or identify the property or organization represented.

5.42 Make the presentation at the speaker's stand, unless maps or other visual presentation requires standing elsewhere.

5.43 Address the Commission through the Chair. There shall be no direct communication with other members, any staff member or any other individual except as recognized and authorized by the Chair.

5.5 The Commission may, either at the beginning of a hearing or pursuant to a motion to limit debate, place time limits on speakers.

5.6 Robert's Rules of Order, revised, are adopted for governing the Commission in all cases to which they may apply, and in which they are not inconsistent with the Civil Code.

6. Procedure for Consideration of Agenda Items

6.1 The following procedure will normally be observed; however, it may be rearranged by the Chair for individual items if necessary for the expeditious conduct of business.

6.11 Staff presents reports and makes recommendations.

6.12 Members may ask questions regarding the staff presentation and report. If applicable, the public hearing is opened upon completion of this procedure.

6.13 Proponents of the agenda item make presentations.

6.14 Any opponents make presentations.

6.15 Applicant makes rebuttal of any points not previously covered. If applicable, the public hearing is closed upon completion of this procedure.

6.16 Members may ask any questions it may have of the staff, proponents and opponents, and then take appropriate action.

6.2 All matters listed under "Consent Calendar" are considered to be routine and will be enacted.

6.3 No item appearing on the agenda shall be introduced for consideration after 11:00 p.m.

7. Policy

7.1 All matters of policy not covered by law shall be adopted by resolution and, when so adopted, shall be considered official policy of the Commission.

8. Information for Commission Members

8.1 To assist Commission Members in the orderly conduct of their official business, the Secretary will provide each member an initial issue and will maintain current the following:

8.11 A copy of the General Plan, an up-to-date map of Town zoning and a copy of State and Town CEQA Guidelines.

8.12 A complete file of all Town ordinances related to planning.

8.13 Copies of all applicable policies, procedures and special reports.

8.14 A schedule of terms of office.

8.15 A list of incomplete and unscheduled items.

8.16 A copy of the Town's Commissioner's Handbook.

9. Information for the Public

9.1 The Secretary shall provide for making available to the public, subject to the fee schedule adopted by the Town Council, various documents containing such information as the Planning Commission schedule, information and data required for filing various types of applications, all ordinances and policies used by the Community Development Department, these bylaws and the adopted public hearing procedure.

9.2 The following language shall be printed on every Planning Commission agenda which contains a public hearing:

"If you wish to address the Commission, please state clearly your name, address, and whom you represent.

The purpose of a public hearing is to supply the Planning Commission with information that it cannot otherwise obtain. Because Commission meetings often last until a very late hour, please limit your testimony to factual information. In fairness to others, please avoid repeating previous testimony, and observe any time limits which may be announced. Thank you for your consideration.

Applicants are expected to attend or be represented at all public hearings. Failure to do so could result in delaying the processing of the application."

9.3 The public hearing procedure adopted in Section 6.1, supra, will be available to the public at every Planning Commission meeting normally to be included within the Planning Commission Information Pamphlet.

10. Staff Reports

10.1 By copy of these Bylaws and commensurate with the assigned role of providing general staff assistance to the Commission, the Planning Staff is requested to:

10.11 Prepare a brief report on each item scheduled on the agenda for transmittal to the Commission with the agenda.

10.12 Provide the aforementioned reports to the Commission at least six days prior to the meeting, except where law or Town policy makes it impractical.

10.13 Mail or otherwise deliver to the applicant a copy of the applicable report concurrent with delivery to the Commission.

10.14 Make copies of these reports available at the Town Hall to the public after they have been delivered to the Commission, with no fee for one copy.

11. Records

11.1 Each applicant shall be furnished a copy of the final resolution stating the action taken on his application.

11.2 A tape recording of each meeting shall be made and filed in the office of the Secretary of the Planning Commission. Tapes shall be retained for a period of not less than three (3) years. REV 10/01

11.3 Resolutions and other pertinent information shall be permanently filed in the office of the Secretary of the Planning Commission.

11.4 One complete copy of the "packet" of material furnished each Commissioner prior to the meeting shall be filed with the approved minutes.

11.5 Any corrections to draft Commission minutes normally should be conveyed to the Secretary prior to the beginning of the Commission meeting at which said minutes are to be considered for adoption.

12. Reports to the Town Council

12.1 In the furtherance of the role of the Commission, the Planning Staff is requested to prepare and submit a brief report to the Town Manager on all actions taken by the Planning Commission which require subsequent Town Council action. Such reports shall include minutes and approved Planning Commission resolutions.

12.2 The Chair of the Planning Commission or the designated representative may, by appropriate correspondence or personal appearance, be solely responsible to provide amplifying information to the Town Council.

12.3 In the event that a complex or unusual situation arises from a recommendation made to the Town Council by the Planning Commission, the Chair may be requested by the Town Council to respond to questions related to the recommendation. The Chair shall only represent the Commission's decision, answer relevant questions regarding the decision and not express any personal opinion (even if the Chair's vote was not on the prevailing side of the vote) regarding the matter.

12.4 The Planning Commission shall annually prepare a work plan and submit same to the Town Council for approval. [See Windsor Town Code §1-5-125.] REV 10/01

13. Statement of the Code of Ethics

13.1 Attached is a Code of Ethics which shall be applicable to the ethical conduct by members of the Commission in the performance of their official duties are contained in Exhibit A, attached hereto and made a part of these Bylaws.

14. Amending the Bylaws

14.1 Except with respect to provisions required by law, these bylaws may be amended at any meeting of the Commission, provided that notice of said proposed amendment is given to each voting member at least five days prior to said meeting. REV 10/01

15. Miscellaneous

15.1 Inconsistencies: The Town of Windsor Municipal Code, the Brown Act, or other controlling state law shall prevail over any provisions in these Bylaws which are inconsistent. REV 10/01

15.2 Non-Observance of Bylaws: These Bylaws are adopted to expedite and facilitate the transaction of the business of the Windsor Planning Commission in an orderly fashion and shall be deemed to be procedural only, and the failure to strictly observe any such Bylaws shall not affect the jurisdiction of, or invalidate any action taken by the Planning Commission. REV 10/01

15.3 Non-Exclusive Bylaws: Bylaws set forth are not exclusive and do not limit the inherent power and general legal authority of the Planning Commission, or its presiding officer, to govern the conduct of Planning Commission meetings as may be considered appropriate and not inconsistent with these Bylaws from time to time or in particular circumstances for the purposes of orderly and effective conduct of the affairs of the Town. REV 10/01

Approved by the Planning Commission on August 13, 1992 .

Amended Section 3.1 by Planning Commission on April 13, 1994.

Amended Section 1.3 by Planning Commission on July 27, 1994.

Amended Section 3.1 by Planning Commission on March 14, 1995.

Amended Section 3.1 by Planning Commission on May 23, 1996.

Add Section 12.3 by Planning Commission on June 13, 1996.

Amended Section 1.3 by Planning Commission on January 9, 1997.

Amended Section 3.1 by Planning Commission on April 9, 1998.

Amended Section 2.12, 2.34, 3.3, 3.5, 4.1, 4.2,
11.2, 12.4, 14.1, 15.1, 15.2,15.3 October 11, 2001

Amended Section 3.1 by Planning Commission on November 14, 2002

Attachments:

Exhibit "A": Town Council Policy - Code of Ethics

EXHIBIT "A"

TOWN COUNCIL POLICY
CODE OF ETHICS

In order to assist in meriting the confidence and respect of the public and our colleagues, the Commission, Board and/or Committee hereby establishes the following guidelines for ethical conduct in the practice of carrying out planning responsibilities. These ethical principles are designed for the sole purpose of providing guidance to members in the daily exercise of their duties as members. They are designed to assist a Commission, Board and/or Committee member in choosing a proper course of action when faced with an ethical dilemma. Violation of any of the listed principles should not serve as an independent source of challenge to any decision or action of the Commission, Board and/or Committee, nor should it serve as evidence of improper conduct in any challenge to any action by a member or by the Commission, Board and/or Committee as a whole. The decision to act or not to act in any given situation, which might arguably be governed by one or more of the principles, rests solely with the individual commissioner; the ethical principles do not serve as a source of power to the Commission, Board and/or Committee or to any other person to obligate any individual Commissioner to act or not act in any certain way.

Support Citizen Participation. The public interest is continuously reformulated through debate. Commission, Board and/or Committee members must recognize the right of citizens to influence decisions that affect their well-being, advocate a forum for meaningful citizen participation and expression in the process and facilitate the clarification of community goals, objectives, and policies.

Recognize the Comprehensive Nature of Decisions. Commission, Board and/or Committee members must recognize the comprehensive nature of decisions. They must balance and integrate physical, economic, and social characteristics of the community. In making decisions, they must continuously assemble and consider all relevant facts, advice, alternatives and means of accomplishing those alternatives. Special concern must be demonstrated for the long-range consequences of these decisions.

Expand Choice and Opportunity For All Persons. Commission, Board and/or Committee members must strive to expand choice and opportunity for all persons, recognize a special responsibility to plan for the needs of disadvantaged persons, and urge the alteration of policies, institutions, and decisions which oppose such needs.

Facilitate Coordination Through the Planning Process. Commission, Board and/or Committee members must facilitate coordination. They must insure that individuals and public and private agencies possibly affected by a prospective planning decision receive adequate information in advance of the decision.

Promote Balance in the Use and Conservation of Historical, Cultural and Natural Resources. Commission, Board and/or Committee members must promote balance in the use and conservation of historical, cultural, and natural resources.

Avoid Conflict of Interest. Commission, Board and/or Committee member's attention is invited to the guidelines on this subject contained in the Windsor Handbook for Commission Members.

Render Thorough and Diligent Planning Service. Commission, Board and/or Committee members must render thorough and diligent planning service. Should a member believe he or she can no longer render such service, that person should resign from the Commission. Alternatively, if the member has not sufficiently reviewed relevant facts and advice affecting a public planning decision, he or she must refrain from participating in that decision.

Seek No Favor. Commission, Board and/or Committee members must seek no favor. They must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could reasonably be inferred the gift was intended or could reasonably be expected to influence the member in the performance of his or her duties, or was intended as a reward for any public action on the member's part.

Do Not Disclose or Improperly Use Confidential Information for Financial Gain. Commission, Board and/or Committee members must not disclose or improperly use confidential information for financial gain. They must not disclose to others or use to further a personal interest confidential information acquired by them in the court of public duties.

Ensure Access to Public Planning Reports on an Equal Basis. Commission, Board and/or Committee members must ensure that the nonconfidential reports and records of the Commission, Board and/or Committee are open on an equal basis to all inquirers. They must ensure that public hearings on planning questions permit presentation of information on behalf of any party to a question only at the scheduled hearing, not in private, unofficially, or with other interested parties absent. Partisan information received in the mail or by telephone or other communication must be made part of the public record by the member receiving such information.

Respect the Other Individual's Viewpoint. Commission, Board and/or Committee members must always respect the other individual's viewpoint even though it may be opposite to their own.

Maintain Public Confidence. In their performance of the public trust, Commission, Board and/or Committee members must conduct themselves so as to maintain public confidence in the Commission, Board and/or Committee and the Town of Windsor.

Approved by the Council-elect on June 10, 1992.

RESOLUTION NO. 2656-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR RESCINDING RESOLUTION NO. 418-95 AND AMENDING THE ESTABLISHED PARKS AND RECREATION COMMISSION ROLES AND RESPONSIBILITIES INCLUDING THE APPOINTMENT AND REMOVAL OF MEMBERS

WHEREAS, on April 5, 1992, the Windsor Town Council established a Parks and Recreation Advisory Commission to serve in an advisory capacity to the Town Council for the purpose of park planning and development, recreation activities, programming and leisure and Parks and Recreation; and

WHEREAS, on April 5, 1995, the Windsor Town Council superseded Resolution No. 92-92 with Resolution No. 418-95; and

WHEREAS, on May 17, 1995, the Windsor Town Council established a Windsor Teen Advisory Council in an effort to represent the interests of youth and teens in Windsor; and

WHEREAS, on May of 2003, the Windsor Town Council changed the name of the Teen Advisory Council to the Teen Advisory Task Force to convene on an "as needed basis" to assist the Town on issues pertaining to the youth population; and

WHEREAS, the service strategies and trends in the field of parks and recreation have evolved, the Parks and Recreation Commission approved and recommended to the Town Council the revised roles and responsibilities of the Parks and Recreation Commission on September 9, 2009; and

WHEREAS, on February 17, 2010, Council approved the composition of the Parks and Recreation Commission to include two youth representatives to be recruited and recommended by Windsor High School faculty and student body; and

WHEREAS, the Windsor Town Council wishes to maintain a Park and Recreation Commission for the purpose of serving in an advisory capacity to the Town Council and to the Parks and Recreation Director to support the Parks and Recreation Department in "Creating Community through People, Parks and Programs"; and

NOW, THEREFORE, the Town Council of the Town of Windsor does RESOLVE as follows:

Section 1: There shall be a Parks and Recreation Commission organized as follows:

Appointment of Commission; Term

All Commission members must be residents of the Town of Windsor.

The Parks and Recreation Commission is composed of five adult members and two youth members with a junior (11th grade) or senior (12th grade) status at Windsor High School.

Adult Members: Each Council member appoints one applicant to the Commission. The Commission member's term of office is concurrent with the appointing Council member's term. If there are vacancies prior to the completion of a term, the Council member who appointed the individual to the Commission shall appoint another applicant to replace his/her prior appointee.

Youth Members: Each member must be in good academic standing, maintaining at least a 2.5 GPA (C average) and serve on the Commission for a term of one year commencing in May.

Seat 1: Environmental Studies Core student in the Windsor Institute for Sustainability & the Environment (WISE) Academy - Parks and Recreation Commissioner
   a. Submit an application and cover letter to the assigned WISE Academy teacher advisor in charge of this focus area.
   b. Upon faculty approval, one eligible WISE Academy student shall be elected by WISE Academy students.

Seat 2: Student Council - Parks and Recreation Commissioner
   a. Submit a completed "petition to run for office" through the student government elections process at Windsor High School.
   b. Complete a Teacher Recommendation form to qualify for student body elections.
   c. One eligible student shall be elected by the student body.

Both seats will be appointed by Council by majority vote at their first meeting of May each year. The youth commissioners will hold a non-voting status, serving in an "input only" capacity.

Removal of Members
Adult Members: Although a member shall be appointed for a term, he or she may be removed at the sole discretion of the Councilmember who made the appointment. A member who fails without permission, to attend three successive meetings of the Commission is subject to removal. The seat vacated by the removal of a member shall be filled by appointment by the Councilmember who appointed the member removed.

Youth Members: Although a member shall be appointed for a term, he or she may be recommended for removal at the discretion of the Town Council. A member who fails without permission, to attend three successive meetings of the Commission is subject to removal. Removal is subject to majority vote of the Council. The seat vacated by the removal of a member shall be filled by a Windsor High School teacher advisor.

Officers of Commission
The Commission shall elect a chair and vice chair at its first meeting. The term of office shall be one year unless the term of the member of the commission expires sooner in

which case a successor shall be selected by the commission. A successor shall act as chair for the unexpired term remaining. A youth commissioner is not eligible to serve as a chair or vice chair but may be assigned to lead a specific task or project, as needed.

Organization and Procedures
A majority vote is required to approve recommendation on any matter that is presented to the commission which requires a vote. A quorum shall consist of three members of the Commission. The Commission shall adopt rules and procedures consistent with Town Council norms and regulations.

Meetings
The Commission shall establish regular dates and times for its meetings. Meetings shall be at Town Hall unless otherwise noticed.

Parks and Recreation Commission Mission
The Parks and Recreation Commission shall have the duty of serving in an advisory capacity to the Town Council and the Parks and Recreation Director to support the Parks and Recreation Department in "Creating Community through People, Parks and Programs" by accomplishing its nine-part mission:

- Strengthen Community Image and Sense of Place
- Support Economic Development
- Strengthen Safety and Security
- Promote Health and Wellness
- Foster Human Development
- Increase Cultural Unity
- Protect Natural and Cultural Resources
- Facilitate Community Problem Solving
- Provide Recreation Experiences:

The Parks and Recreation Commission may endeavor in the following roles and responsibilities for the benefit of the Town of Windsor and its community:

A. To be available to staff and the Town Council to assist as volunteers in implementing the Parks and Recreation Department goals.

B. Advise Town Council and the Parks and Recreation Director on policies, procedures, rules and regulations relating to the conduct of recreation centers, public parks, trails and facilities, open space, programs and services in the Town, including rates or fees to be charged.

C. Advise on recreation programs, services and special events administered by the Parks and Recreation Department to meet the needs of the community and recommend review by the Town Council as needed.

D. Review, evaluate and recommend to the Town Council park and recreation facility acquisition, development, maintenance and operation methods that are sustainable and energy efficient.

E. Assist in collecting and disseminating information on the parks and recreation facilities and programs available to Windsor residents.

F. Advise and guide civic groups, youth organizations and interested individuals who wish to plan community events or engage in community service projects for the benefit of the Town and the community as staff resources and time permits.

G. Provide assistance and support in the planning and operation of Town-sponsored community events to support economic development and community building.

H. In cooperation with the Parks and Recreation Department make recommendations to Town Council with respect to priorities for expenditures, revenue, grants and cost recovery targets.

I. Review and advise the Town Council and Parks and Recreation Director on the biennial operating and capital improvement plan budgets for the Parks and Recreation Department.

J. Assist and advise Town Council and Parks and Recreation Director in the update, administration and implementation of the Parks and Recreation Master Plan.

K. Provide a forum for residents to express their views related to public parks and recreation facilities, programs and services, and other related issues. Promote interest, cooperation, problem solving and support among public, private and non-profit organizations.

L. Assist in assessing present and future needs of the Town with respect to recreation, music, public art, special events, volunteers, programs, services, parks and facilities as needed.

M. To provide input and advice from a wide and diverse spectrum of youth on issues affecting and concerning the teen population of the Town.

N. To empower the youth of the Town by providing an avenue for their expression and participation in local governance and town development.

O. To provide the general teen population of the Town with a voice in Town government to serve as the means of implementing projects or programs recommended by the teens and approved by the Town Council

P. Communicate the value of parks and recreation as an essential service by creating community through people, parks and programs.

Q. Town Council may assign other responsibilities or special projects to the Parks and Recreation Commission.

Section 2: This Resolution supersedes Resolution No. and 418-95.

PASSED, APPROVED AND ADOPTED this 7th day of April 2010, by the following vote:

AYES:	**COUNCILMEMBERS ALLEN, FUDGE, GOBLE, SCHOLAR AND MAYOR SALMON**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

SAM SALMON, MAYOR

ATTEST:

MARIA DE LA O, TOWN CLERK

RESOLUTION NO. 2746-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR RESCINDING RESOLUTION NO. 362-94 AND AMENDING THE ESTABLISHED SENIOR CITIZEN ADVISORY COUNCIL ROLES AND RESPONSIBILITIES, APPOINTMENT AND REMOVAL OF MEMBERS AND NAME CHANGE TO SENIOR CITIZEN ADVISORY COMMISSION

WHEREAS, the Senior Center Agreement (Agreement) between the Town of Windsor and Brookscreek Associates was executed on June 1, 1994;

WHEREAS, on September 7, 1994, the Windsor Town Council adopted Resolution No. 362-94 establishing a Senior Citizens Advisory Council to make recommendations concerning the use and governance of the Senior Center and Pool; and

WHEREAS, the Windsor Senior Center Declaration of Covenants, Conditions and Restrictions (CC&R's) for the Brooks Creek Subdivision was executed on January 13, 1995;

WHEREAS, the intent of the Agreement and CC&R's is to support the Town with the provision of a Senior Center and Pool for the primary purpose of serving the senior citizens of Windsor; and

WHEREAS, per the Agreement and CC&R's the Senior Advisory Committee/Senior Citizen Advisory Council forwards recommendations to Town staff and the Town Council, as appropriate; and

WHEREAS, per the Agreement and CC&R's, terms of office and other rights and responsibilities of the Senior Advisory Committee/Senior Citizen Advisory Council shall be set by Town Council; and

WHEREAS, it is the desire of the Town Council to update and make consistent the appointment and removal of members as well as a name change to the Senior Advisory Committee/Senior Citizen Advisory Council; and

WHEREAS, on July 27, 2010, the Senior Citizen Advisory Council reviewed proposed changes to the establishment of the Senior Citizen Advisory Council Resolution and recommended approval by the Windsor Town Council; and

WHEREAS, on October 26, 2010, the Senior Citizen Advisory Council recommended that Town Council approve a name change to the "Senior Citizen Advisory Commission".

NOW, THEREFORE, the Town Council of the Town of Windsor does RESOLVE as follows:

Section 1:
The following changes are hereby made to the former Senior Citizen Advisory Council (occasionally referred to as "the Committee"):

Name of Committee
The name of the Committee shall be the Senior Citizen Advisory Commission which is referred to in the Agreement as Senior Advisory Committee and in the CC&R's as Senior Citizen Advisory Council.

Appointment of Committee; Term
All Committee members must be residents of the Town of Windsor.

The Senior Citizen Advisory Commission shall be comprised of Senior Citizens, defined in the Agreement and CC&R's as a person age 55 or older, and their guests, their spouses, their co-habitants, or persons age 45 or older who are providing primary physical or economic support for such persons.

Per the Agreement and CC&R's, the Senior Advisory Committee/Senior Citizen Advisory Commission is composed of eleven (11) members:

Five (5) members at large: each Councilmember appoints one applicant to the Commission. The Commission member's term of office is concurrent with the appointing Councilmember's term. If there are vacancies prior to the completion of a term, the Councilmember who appointed the individual to the Commission shall appoint another applicant to replace his/her prior appointee.

Two (2) residents from the Alden Woods and California Creekside Subdivisions: by a simple majority vote, Town Council shall appoint Commission members to serve four year terms, the appointment of which shall be staggered by two years.

One (1) member at large: by a simple majority vote, Town Council shall appoint a Commission member to serve a four year term.

Up to three (3) residents from the Brooks Creek Subdivision: by a simple majority vote Town Council shall appoint Commission members to serve a four year, staggered term. Representation may be reduced or eliminated if the obligations of the imposed assessment of $200 per lot in the Brooks Creek Subdivision go below the following percentages of the total cost to operate the Senior Center and Pool:

Percentage of Cost	Representation
30%	2
20%	1
10%	0

If the number of representatives from Brooks Creek Subdivision is less than three (3), based on the formula above, Town Council may "back fill" the reduced number of Brooks Creek representatives with "at large" appointments by a simple majority vote, to serve a four year, staggered term(s).

Removal of Members
Five (5) members at large: although a member shall be appointed for a term, he or she may be removed at the sole discretion of the Councilmember who made the appointment for any reason or for no reason. A member who fails without permission, to attend three successive meetings of the Commission is subject to removal. The seat vacated by the removal of a member shall be filled by appointment by the Councilmember who appointed the member removed.

All other representatives: although a member shall be appointed for a term, he or she may be removed from the Commission for any reason or no reason at the discretion of the Town Council. A member who fails without permission, to attend three successive meetings of the Commission is subject to removal. Removal is subject to a simple majority vote of the Council. The seat vacated by the removal of a member shall be filled by Town Council by a simple

majority vote.

Officers of Commission
The Commission shall elect a chair and vice chair at its January meeting. The term of office for the chair and vice chair shall be one year unless the term of the member of the Commission expires sooner in which case a successor shall be selected by the Commission. A successor shall act as chair for the unexpired term remaining.

Organization and Procedures
A majority vote of the Commission members present is required to approve recommendations on any matter that is presented to the Commission which requires a vote. A quorum shall consist of the majority of the then occupied Commission member seats. The Commission shall adopt rules and procedures consistent with Town Council norms and regulations.

Meetings
The Commission shall establish regular dates and times for its meetings. Meetings shall be at Town Hall unless otherwise noticed.

The Senior Citizen Advisory Commission Mission:
The Senior Citizen Advisory Commission shall have the duty of serving in an advisory capacity to the Town Council to support the recreation programs and services offered to senior citizens and persons with disabilities.

The Senior Citizen Advisory Commission may endeavor in the following roles and responsibilities for the benefit of the senior citizens in the Town of Windsor:

A. Advise Town Council and the Parks and Recreation Director on policies, procedures, rules and regulations relating to the operation of the Senior Center and Pool;

B. Advise on recreation programs, services and special events administered by the Town to meet the needs of the senior citizen community and recommend review by the Town Council as needed;

C. Engage in studies, research and education as is necessary to assist Town staff and Town Council;

D. Meet and cooperate with other governmental agencies at the Federal, State and County levels also charge with similar functions;

E. Encourage the development of a planned and orderly approach to the delivery of service for seniors within the Town;

F. Promote senior citizen activities and programs offered by the Town;

G. Stimulate business and other segments of the community to become involved in efforts to address senior citizens and needs;

H. Cooperate with existing public and private agencies to develop programs to further the development and increase the public awareness of seniors in the Town of Windsor;

I. In cooperation with Town staff, make recommendations to Town Council with respect to

priorities for expenditures, revenue, grants and cost recovery targets;

J. Review and advise the Town Council and Parks and Recreation Director on the biennial operating and capital improvement plan budgets for the Senior Center Division;

K. Provide a forum for senior citizen residents to express their views related to public parks and recreation facilities including the pool, programs and services to meet special physical and social needs of senior citizens and the disabled, and other related issues;

L. Assist in assessing present and future needs of senior citizens with respect to recreation, music, public art, special events, volunteers, programs, services, parks and facilities as needed;

M. Communicate the value of parks and recreation as an essential service by creating community through people, parks and programs;

N. Town Council may assign other responsibilities or special projects to the Senior Citizen Advisory Commission.

Section 2: Resolution No. 362-94 is hereby rescinded.

PASSED, APPROVED AND ADOPTED this 3rd day of November 2010, by the following vote:

AYES:	**COUNCILMEMBERS ALLEN, FUDGE, GOBLE, SCHOLAR AND MAYOR SALMON**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

SAM SALMON, MAYOR

ATTEST:

MARIA DE LA O, TOWN CLERK