

## Division 2. Boards and Commissions

### Chapter 2.60 ADVISORY BODIES

#### Sections:

- [2.60.010](#) Purpose.
- [2.60.020](#) Eligibility.
- [2.60.030](#) Term of office.
- [2.60.040](#) Appointments, reappointments, and vacancies.
- [2.60.050](#) Attendance.
- [2.60.060](#) Quorum.
- [2.60.070](#) Rules of procedure.
- [2.60.080](#) Support staff.
- [2.60.090](#) Compensation.
- [2.60.100](#) Statement of economic interest.
- [2.60.110](#) Removal.
- [2.60.120](#) Application.

#### **2.60.010 Purpose.**

---

Boards, committees and commissions (hereinafter referred to as “advisory bodies”) play an important role in city government by obtaining community input, developing recommendations and providing information to the city council. (Ord. 08-05 § 1).

#### **2.60.020 Eligibility.**

---

All advisory body members must be residents of the city unless otherwise noted. The city council or state or federal law may establish additional requirements. (Ord. 08-05 § 1).

#### **2.60.030 Term of office.**

---

A. The term of office for members of an advisory body is four years, unless otherwise noted. Each member serves until his or her successor is appointed and qualifies.

B. The following term limits are exceptions to the limits specified above:

1. Library Board of Trustees. The term of office for members of the library board of trustees is three years.<sup>1</sup>
2. Parks, Recreation and Cemetery Commission. The term of office for the student member is one year with the option of a second term at the recommendation of the commission and reappointment in accordance with BMC [2.60.040](#).
3. *Repealed by Ord. 13-08.*
4. Sustainability Commission. The term of office for the student member is one year with the option of a second term at the recommendation of the commission and reappointment in accordance with BMC [2.60.040](#).

C. Unless otherwise noted, there are no term limits for serving on an advisory body.

D. Staggered Terms. Terms of office for all new boards and commissions will be staggered. The terms of office shall be based on the number of members of the board or commission. For a five-member board or commission, the first appointment shall be for one year. The second appointment shall be for two years. The third appointment shall be for three years. All subsequent appointments shall be for four years. For a seven-member board or commission, the first appointment shall be for one year. The second and third appointments shall be for two years. The third and fourth appointments shall be for three years. All subsequent appointments shall be for four years unless otherwise noted. (Ord. 13-08 § 2; Ord. 10-01 § 1; Ord. 09-17 § 1; Ord. 08-05 § 1).

---

#### **2.60.040 Appointments, reappointments, and vacancies.**

Appointments shall be made in accordance with the city council's rules and procedures for appointments. Reappointments of eligible advisory body members shall be made in accordance with the city council's rules and procedures for appointments. Whenever a vacancy occurs within an advisory body, the vacancy shall be filled in accordance with the city council's rules and procedures for appointments. (Ord. 08-05 § 1).

---

#### **2.60.050 Attendance.**

A. All members must be active participants in order for an advisory body to function effectively and accomplish its goals. This means all members must be present unless excused from attending a meeting by the chair. If a member is absent without cause from three successive regular meetings, the office becomes automatically vacant. The chair shall immediately notify the city council of the vacancy.

B. A member is not absent without cause if his or her absence is:

1. Due to illness; or
2. Unavoidable and the member gives the secretary of the advisory body written notice before the day of the meeting that he or she will be absent and giving the reason for the absence. (Ord. 08-05 § 1).

---

#### **2.60.060 Quorum.**

A majority of the entire membership of the advisory body constitutes a quorum for the transaction of business. For example, if the body has five members, three members are a quorum. (Ord. 08-05 § 1).

---

#### **2.60.070 Rules of procedure.**

Each advisory body must maintain rules of procedure that are in accordance with the Brown Act, the open government ordinance (BMC Title [4](#)) and the council's code of conduct. (Ord. 08-05 § 1).

---

#### **2.60.080 Support staff.**

Staff support and assistance is provided, but advisory bodies do not have supervisory authority over city employees. Staff members remain responsible to their immediate supervisors and ultimately to the city manager and council. (Ord. 08-05 § 1).

---

#### **2.60.090 Compensation.**

Except as otherwise provided, advisory bodies do not receive compensation or city benefits for their service. Reimbursement for expenses in accordance with adopted city policy is allowed with prior approval. (Ord. 08-05 § 1).

---

#### **2.60.100 Statement of economic interest.**

---

Certain advisory body members may be required to file statements of economic interest (also known as conflict of interest forms) upon taking office. Determination of the need to file such forms is made in accordance with the council's conflict of interest code. (Ord. 08-05 § 1).

### **2.60.110 Removal.**

---

A member of an advisory body may be removed for cause by four affirmative votes of the council. (Ord. 08-05 § 1).

### **2.60.120 Application.**

---

This chapter applies to the following advisory bodies:

- A. Board of library trustees;
- B. Civil service commission;
- C. *Repealed by Ord. 13-09.*
- D. Parks, recreation and cemetery commission;
- E. Planning commission;
- F. Historic preservation review commission;
- G. *Repealed by Ord. 13-08.*
- H. *Repealed by Ord. 13-07.*
- I. Building board of appeals;
- J. Economic development board;
- K. Arts and culture commission;
- L. Sustainability commission;
- M. Open government commission. (Ord. 13-09 § 2; Ord. 13-08 § 2; Ord. 13-07 § 2; Ord. 10-01 § 2; Ord. 09-17 § 2; Ord. 09-16 § 1; Ord. 09-15 § 1; Ord. 08-05 § 1).

---

<sup>1</sup> The term of the library board of trustees is three years per Section [18911](#) of the California Education Code which governs municipal libraries.

---

**The Benicia Municipal Code is current through Ordinance 18-1, passed January 16, 2018.**

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

---