

CITY OF SALINAS

HANDBOOK

FOR

PUBLIC OFFICIALS



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DISCLAIMER

This handbook is offered as a guide for public officials. However, it is not all inclusive nor is it intended to supercede any federal, State, or local laws. It is the individual's responsibility to ensure compliance with all applicable laws in regard to carrying out their duties as a public official.



SECTION 1.

THE GROWING COMMUNITY OF SALINAS

Salinas is situated with California's central coast area, approximately one hundred miles southeast of San Francisco and ten miles east of the Pacific Ocean. The City occupies approximately nineteen square miles, near the mouth of the agriculturally rich Salinas Valley, known as the "salad bowl of the world." It is the home of the California Rodeo and the birthplace of Nobel/Pulitzer Prize winning novelist John Steinbeck.

Elias Howe founded Salinas in 1856 when he decided to build a tavern on the crossroads of Main and Market Streets. The crossroad was the center of east-west traffic from Monterey to Hollister and on the main north-south travel route – one of the main factors in the location of the southern Pacific railroad in Salinas in 1868. This made Salinas the commercial center of Monterey County, and in 1872 the County seat was moved to Salinas.

On September 17, 1872, 112 of the 150 qualified voters signed a petition to incorporate the town as "Salinas City." The Governor signed the "Act to Incorporate Salinas City" on March 4, 1874 and Isaac Julian Harvey became the first Mayor. In 1919, a Charter amendment deleted the word "City" and the official name became "Salinas." A Charter amendment approved by voters in 1979 changed the City's name to "City of Salinas." Salinas means salt marshes in Spanish, and the City was named for a nearby river where these marshes abound. The City seal contains the impression of a rising sun over mountains with row crops in the foreground. The City colors are green and gold. Both the City seal and the City colors reflect the "green gold" of the agricultural industry in this area.

Salinas' population has grown from 13,917 in 1950 to over 150,000 today. Salinas' culture diversity is reflected in its rich ethnic and cultural make up. Providing adequate facilities and services for this growing population is one of the primary responsibilities of elected and appointed officials to assure that our City remains a viable, desirable community in which to live and prosper, both now and in the future.

SECTION 2 GOVERNMENTAL STRUCTURE

THE CITY CHARTER AND THE CITY CODE

As a charter city, Salinas has supreme authority in the area of municipal affairs subject to constitutional limitations and State laws relating to matters of statewide concern. The Charter may only be amended by Salinas' voters.

In 1967, the City Council authorized the codification of all Ordinances of a general and permanent nature into the City Code. The City Code may be viewed on the City's website at www.ci.salinas.ca.us

THE CITY COUNCIL

Salinas has the Council-Manager form of government. The City Council is composed of seven members, including the Mayor, who is elected at large, and six Councilmembers elected by District. While Councilmembers are elected by district, they represent the City as a whole and consider the interests of the entire community when weighing their decisions.

The Mayor serves a two-year term and Councilmembers serve four-year terms. Regular City elections coincide with the State general election in November of even numbered years. Any citizen shall be eligible to hold the office of Mayor or Councilmember provided that they are qualified electors on the date of filing of nomination papers and have been a resident of the district for which they are running at least twenty-eight days preceding the opening date of the filing of nomination papers. The incumbent shall forfeit office upon ceasing to reside within the district.

The City Council enacts local laws and establishes policy to promote the community's interests. The Mayor presides at all meetings of the Council and signs ordinances, resolutions, and contracts. The Mayor has a voice and vote in all proceedings, but has no veto power. The Mayor appoints one of the Councilmembers to serve as Mayor Pro Tem in his/her absence.

The Mayor and Councilmembers in Salinas are not full-time officials, and incumbents frequently are employed or own businesses. Councilmembers devote a great amount of time to office preparing for and attending Council, subcommittee, regional and intergovernmental meetings, and community events. Responsibilities require the Councilmember's attention during regular business

hours, evenings, and weekends, and Councilmembers must also be accessible to constituents.

COUNCIL MEETINGS

Chapter 2, Article I of the City Code outlines the rules of procedure for City Council meetings. The Brown Act is codified in the California Government Code, Sections 54950, et seq.

The City Council adopts a meeting schedule at the beginning of each calendar year, which is subject to change. With some exceptions, the Council generally meets on the first three Tuesdays of each month in the Council Rotunda at 200 Lincoln Avenue. The meeting agenda is posted in the Rotunda and City Clerk's Office on the Thursday before the meeting, at which time staff reports are provided to the City Council. Meetings generally convene at 4 p.m. and may recess for dinner. The meeting may reconvene at 7:30 p.m. if there are numerous items or items of special interest.

Minutes of meetings are usually available in the City Clerk's Office by Thursday following the meeting. Minutes reflect the actions taken by the City Council and a summary of discussion. The minutes are not verbatim; however, audiotapes of the meetings are available. Additionally, the Monterey County Office of Education televises segments of the meetings.

COUNCIL LEGISLATIVE ACTIONS

The Council exercises its legislative powers and acts upon administrative matters by adopting Ordinances, Resolutions, or Minute Orders.

Ordinances are used to establish local laws and regulations enforceable within the limits of the City's boundaries such as zoning. With some exception, Ordinances generally are not adopted for at least five days after introduction, and go into effect thirty days after adoption. Ordinances may be subject to the referendum power of the people. State law and the City Code require that certain actions of the Council, such as zoning code amendments, require duly noticed, formal public hearings. Ordinances may be amended or rescinded only by the adoption of another ordinance, or by referendum or initiative.

Resolutions customarily are adopted to authorize the execution of contracts, to approve public works specifications and to authorize bids, and in similar administrative functions where separate written documentation of an action is desirable or mandated by law. Salinas also uses a Consent Resolution authorizing

actions on routine items by one motion. Actions not requiring an Ordinance or Resolution may be approved by minute order of the Council

SALINAS REDEVELOPMENT AGENCY

In 1960, the Salinas City Council established the Salinas Urban Renew Agency for the purpose of participating in redevelopment programs as authorized by the State of California Health and Safety Code. In 1981, the City Council changed the name of the Urban Renewal Agency to the Salinas Redevelopment Agency to more precisely reflect the activities in connection with downtown and East Salinas revitalization and neighborhood improvement programs. The City Council sits as the governing body of the Agency.

SECTION 3

CITY COMMISSIONS



COMMISSIONS GENERALLY

Commissions are established by ordinance. Currently, there are six Commissions:

- **Airport Commission**
- **Library Commission**
- **Planning Commission**
- **Recreation-Park Commission**
- **Traffic and Transportation Commission**
- **Youth Commission**

The Mayor and each of the six City Councilmembers appoint representatives from the City at large to each Commission. All Commissioners except Youth Commissioners must be eligible to vote in Salinas' municipal elections at the time of their appointment and continuously during their term of office. A Commissioner who has moved residence from the City shall be considered to have resigned from office. Commissioners serve until successors are appointed, unless removed sooner by action of the Council or unless they have moved from the City.

While Commissioners may be appointed by individual Councilmembers, they serve the entire community and must consequently consider the best interests of the City as a whole when voting on an item.

ORGANIZATION AND CONDUCT OF MEETINGS

Each Commission shall, at its first meeting following July first, select by affirmative vote of the entire membership a chair who shall serve for not more than two consecutive terms. In the same manner, each Commission shall select a Vice Chair to preside in the absence of the Chair. The time and place of meetings, and the procedure for the conduct of business shall be determined by each Commission subject to approval of the City Council. The number of members necessary to constitute a quorum for the transaction of business shall be established by majority vote of each Commission provided that the number so established shall not be less than a majority of each Commission's entire membership.

Commission meetings are subject to the State open meeting law requirements. Agendas and copies of background reports are forwarded to Commissioners prior to each meeting.

COMMISSION DUTIES

Commissions advise and make recommendations to the City Council. Subject to appeal to the City Council, the Planning Commission has the authority to approve, modify, or disapprove Conditional Use Permits and zoning variances as specified in the City's Zoning Code.

Commission responsibilities are outlined in Chapter 2 of the City, as outlined below:

➤ Airport Commission

The Airport Commission studies and makes recommendations to the City Council on all matters relating to the technical operation, sale, lease, rental, improvement, development and beautification of the Airport's facilities and buildings. The Airport Commission generally meets the fourth Thursday of the month at 7 p.m..

➤ Library Commission

The Library Commission studies and makes recommendations to the City Council regarding administrative rules and regulations governing the operations and use of the Salinas Public Library facilities. The Library Commission generally meets the second Thursday of each month at 6 p.m..

➤ Planning Commission

The Planning Commission promotes and ensures the comprehensive and adequate planning of the City. The Commission approves, conditionally approves, or disapproves applications for Conditional Use Permits or Zoning variances that do not meet the criteria for consideration by the Community Development Director. The Planning Commission makes recommendations regarding the approval or disapproval of Subdivision Maps, and land use and zoning plans. The Planning Commission generally meets the first and third Wednesdays of each month at 3:30 p.m..

➤ Recreation-Park Commission

The Recreation-Park Commission studies and makes recommendations to the Council on all matters relating to the sale, lease, rental, operation, improvement, development and beautification of any and all parks and park buildings and facilities owned or controlled by the City. The Commission advises the City Council and City Manager on the promotion and planning of a comprehensive and adequate recreation-park program for the City. The Recreation-Park Commission generally meets the second Wednesday of each month at 7 p.m..

➤ **Traffic and Transportation Commission**

The Traffic and Transportation Commission makes recommendations regarding improvements to traffic flow and safety on City streets, and locations of traffic control devices, speed zones, and traffic islands. The Commission advises on the safe use of public streets, crosswalks, sidewalks, alleys, parking lots, and curb parking. The Commission studies and makes recommendations regarding municipal transportation systems. The Traffic and Transportation Commission generally meets on the second Thursday of each month at 7 p.m..

➤ **Youth Commission**

The Youth Commission is comprised of twenty-eight students between thirteen and eighteen years of age. The Commission advises the City Council on recreational activities and issues affecting youth. The Commission generally meets on the second and fourth Mondays of each month at 6:30 p.m..

SECTION 4

BOARDS AND COMMITTEES



Standing Boards and Committees are established by Resolution or other action of the City Council. Boards and Committees currently include:

- **Animal Shelter Committee**
- **Board of Appeals**
- **Design Review Board**
- **Grievance Board**
- **Measure V Budget Oversight Committee**
- **Police Community Advisory Committee**

COMMITTEE AND BOARDS

➤ **Animal Shelter Committee**

The Animal Shelter Committee assists in developing public information regarding companion animals, updating city animal ordinances, and enhancing community outreach and education. Additionally, the Committee will consider the creation of a non-profit organization to work in partnership with the City's Animal Shelter. Committee meetings are held on the fourth Wednesday of each month beginning at 6:30 p.m. at the Animal Shelter. Appointees must reside within Salinas' city limits.

➤ **Design Review Board**

The Design Review Board promotes development in the Central City Redevelopment Project Area and ensures harmony with Salinas' unique character. Members represent various professional skills or segments of the community. The Board is comprised of:

- 2 licensed architects
- 1 allied professional (landscape architect, building designer, graduate architect, or interior designer)
- 1 Planning Commissioner
- 1 licensed building contractor
- 2 business community members
- 1 member from the community at large
- 1 member of the Oldtown Salinas Association
- 1 member of the Salinas United Business Association

The Design Review Board meets on call. Board members serve a six-year term. Members are exempt from residence requirements. However, they should be involved in Salinas through their business or employment.

➤ **Board of Appeals**

The Board of Appeals determines the suitability of alternate building materials and methods of construction and provides reasonable interpretations of the provisions of building codes. The Board meets on call. Board members serve indefinite terms. Members are exempt from residency requirements. However, they should be involved in Salinas through their business or employment. Board members serve indefinite terms.

➤ **Grievance Board**

The Grievance Board serves as a fair and impartial hearing body for City employees' grievances and disciplinary actions.

The Grievance Board is comprised of one regular member and one alternate member appointed directly by the City Council; one regular member recommended for appointment by the employee associations or as specified in the Memoranda of Understanding with the employee organizations; and one regular member recommended by the other two regular members. The Board meets on call, and Board members must be

available to meet during regular business hours. While the Grievance Board is convened on an irregular basis, Board members are at times called on to consider matters that may be heard over one or more days. Board members serve one five-year term and must be qualified Salinas electors.

➤ **Redevelopment Committee**

The Redevelopment Committee's responsibilities include advising the City Council on whether to extend and/or expand the existing Redevelopment Project areas and/or create new project areas. It is anticipated that the Committee will meet twice monthly and conclude its work by 2013. The Committee includes 11 community members representing residents, businesses, property owners, school districts, faith-based community, and non-profit organizations.

➤ **Historic Resources Board**

The seven-member Salinas Historic Resources Board will identify, protect, preserve, and restore Salinas' historic sites and cultural heritage assets and transform them into future attractions for visitors and tourists. The Board's responsibilities include advising the City Council on designation, alteration, construction, demolition and/or removal of "Historic Resources."

➤ **Measure V Budget Oversight Committee**

The Mayor and City Council shall each annually appoint one member of the public to serve on the oversight committee for the revenue that the City receives from the half-cent Transaction and Use Tax that was approved by Salinas' voters on November 8, 2005. The Committee shall prepare an annual report making recommendations on the use of the revenue received. The Committee typically meets on Mondays at 4 p.m. at City Hall in accordance with meeting dates established as needed.

➤ **Police Community Advisory Committee**

The Police Community Advisory Committee reviews and makes recommendations on Police Department policies, procedures, enforcement, and community relation strategies. The Committee also discusses problems and strategies for appropriate enforcement in specific neighborhoods. The Mayor and City Councilmembers each appoint two representatives to the Committee. Applicants must be Salinas qualified electors, and appointees serve until successors are appointed. The Committee meets on the last Wednesday of each month at 6 p.m. excluding November and December.



SECTION 5

PUBLIC OFFICIALS’

GENERAL RESPONSIBILITIES

BEFORE YOUR FIRST MEETING

In addition to reviewing material in this handbook, you should obtain copies of the open meeting law and conflict of interest guides and familiarize yourself with the requirements. Additionally, new officials should meet with the Executive Secretary assigned to the advisory body. The Executive Secretary can provide copies of previous meetings' minutes and other material to help you become familiar with the specific duties of your office.

OPEN MEETING LAW

The "Brown Act" (Government Code Section 54950, et seq.) governs meetings conducted by local legislative bodies, including the City Council and its advisory bodies. Public officials should obtain a copy of the Brown Act from the City Clerk's Office to ensure compliance with State law.

At least 72 hours prior to regular meetings, an agenda is posted both in the City Clerk's Office and the City Hall Rotunda. Special meetings may be held if called and noticed in accordance with the Act, and the notice of the meeting shall be posted at least 24 hours prior to the special meeting. Exceptions to agenda posting requirements are only allowed under very limited emergency situations as defined in the Act.

Agendas must contain a brief general description of each item of business to be transacted or discussed at the meeting. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights. Additionally, legislative body members may ask a question for clarification, make brief announcements and reports on activities, or request staff to report back or place a matter of business on a future agenda.

MEETING ATTENDANCE BY PUBLIC OFFICIALS

It is important that all elected and appointed officials attend meetings to ensure that business can be conducted effectively and to ensure fairness to the public and meeting attendees. Additionally, public officials should prepare for meetings by reading reports, obtaining answers to questions, and otherwise familiarizing themselves with issues coming before the legislative body.

The City Charter states that a Councilmember who is absent from three consecutive meetings shall forfeit his seat unless excused by the Council on account of absence from the City or illness.

While advisory body members volunteer their time in the interest of the community, it is necessary that absences be maintained at a minimum. Frequent absences may result in lack of a quorum, cancellation of meetings, and delay in acting on time-sensitive issues. If a member is unable to attend the meeting, they should request to be excused prior to the absence.

While the number of hours preparing for and attending meetings varies, Commissioners spend an average of two to three hours at each meeting and one to four hours preparing for the meeting.

CONFLICT OF INTEREST

Chapter 2A of the City Code designates positions and offices that must file Economic Conflict of Interest Statements disclosing certain assets and income in accordance with the Political Reform Act. Designated officials must file a statement upon assuming or leaving office, and annually. Statements are public records.

The Acts' primary provision prohibits public officials from making, participating in making, or attempting to influence governmental decisions in which they have reason to know they have a financial interest. Specific questions should be referred to the City Attorney's Office.

GRATUITOUS PREJUDICIAL STATEMENTS

Cities are frequently the target of claims for damages and other legal actions. Public Officials should withhold gratuitous statements that may serve to unduly invite or prejudice the City in legal proceedings.

COMMUNICATION BETWEEN CITY COUNCIL AND ADVISORY BODIES

Good communication between advisory bodies and the entire Council is critical to a shared understanding of goals and direction for the City. The City Council periodically meets in joint session with its Commissions, and Commissioners are encouraged to attend neighborhood meetings scheduled by Councilmembers when issues of concern to their advisory body will be discussed. Commissioners may wish to attend meetings of the Council when items they have considered proceed to the Council. However, Commissioners should ensure that any comments they

make accurately reflect the advisory body's position, or they should identify that they are presenting their personal opinions.

Communication between Councilmembers and their individual appointees is also important in sharing information and concerns. At the same time, advisory bodies must be able to make objective recommendations to the City Council on items coming before them.

The City Council is charged with the final decision making responsibility and is accountable for all actions taken. While the City Council gives great deference to its advisory body's recommendations, there will be times when, after due deliberation, the City Council will not adopt the advisory body's recommendations. Strong communication between the Council and its appointed bodies will foster an understanding of the common goal of promoting the community's best interest.

COMMUNICATION BETWEEN LEGISLATIVE BODIES AND CONSTITUENTS

Individuals have a constitutional right to contact their government representatives regarding issues that concern them. However, the Brown Act expressly prohibits serial meetings that are conducted through direct communications, intermediaries, or technological devices for the purpose of developing a concurrence as to action to be taken. The open meeting law handbook should be referenced for further information regarding serial meetings.

As representatives of the City, public officials are expected to relate to the community with impartiality and courtesy. Public statements should not include promises that may be construed to be binding on the elected or appointed decision-making body.

RELATIONSHIP WITH STAFF

The City Manager appoints an executive secretary, usually the department director, who provides support to the Commission. City staff serves as a resource and develops recommendations for the legislative body's consideration. Individual officials shall not direct staff to take action that should be sanctioned by the entire advisory or legislative body.

The relationship between City officials and staff calls for mutual respect and consideration. Staff may make recommendations that are not supported by the decision-making body. However, staff's professional opinions should be treated

with courtesy. Likewise, staff should respect the decision made by the decision-makers.

SECTION 6

CITY ORGANIZATION



Administration
City Attorney
Community Development Department
Economic Development
Engineering and Transportation
Finance Department
Fire Department
Library Department
Parks and Community Services
Police Department

CITY MANAGER

Under the Council-Manager form of government, the City Manager is appointed by the City Council to carry out adopted policies and to manage the City's finances and affairs. The City Manager makes policy recommendations and is responsible for oversight of all City departments. The City Manager also serves as the Executive Director of the Redevelopment Agency.

CITY ATTORNEY

The City Attorney is the legal advisor to the City Council, its commissions, boards, and committees, the City Manager, and City departments. This office drafts and reviews legal documents, ordinances, and policies. This office also litigates on behalf of the City, and prosecutes for violations of local ordinances.

ADMINISTRATION DEPARTMENT

Administration includes the following divisions:

- ❑ **City Manager's Office** – includes support to the City Manager and City Council
- ❑ **City Clerk's Office** – conducts municipal elections; prepares City Council meeting agendas and minutes; processes legislative actions; maintain legislative records and campaign and economic interest filings; and recruits applicants for City advisory bodies.
- ❑ **Human Resources** – recruits and hires employees for City positions; is responsible for labor relations; and administers the Personnel Rules and Regulations. Additionally, the Risk Management Office is responsible for the City's self-insured property, liability, and health, workers ' compensation, and retirement programs.

COMMUNITY DEVELOPMENT DEPARTMENT

- ❑ **Planning/Permitting** - includes community planning, development review, zoning administration, and environmental analysis.
- ❑ **Housing Services/Block Grant Administration** – is responsible for administering the City's federally funded neighborhood improvement and housing programs.
- ❑ **The Redevelopment Department is responsible for the elimination of** blighted conditions utilizing public and private investment.

- ❑ **Central City Project** – improve downtown area; administer seismic loan and façade improvement programs.
- ❑ **Sunset Avenue Project** – improve East Salinas business area; administer streetscape and façade improvement projects.

ECONOMIC DEVELOPMENT DEPARTMENT

The Department supports increased, high-salaried employment opportunities by assisting local businesses to remain competitive and attracting new, desirable businesses while enhancing revenue streams for the City organization.

ENGINEERING AND TRANSPORTATION DEPARTMENT

- ❑ **Airport** – responsible for the operations of the Municipal Airport, including the lease of airport hangars.
- ❑ **Engineering** – responsible for planning, design, and construction of public facilities, such as streets, sewers, sidewalks, curbs, gutters, storm drains, public parking lots, and public buildings.
- ❑ **Traffic Engineering** – provides for the safe and efficient movement of vehicles, bicycles, and pedestrians on the City street system.
- ❑ **Property Management** – administers property contracts, acquisitions and dispositions.

PARKS AND COMMUNITY SERVICES DEPARTMENT

Parks and Community Services provides a wide range of programs serving children and youth, families, adults, schools and community service groups while coordinating with multi-governmental jurisdictions and collaborative organizations. Programs include Recreation Centers, playgrounds, after-school and weed and seed grant programs, youth and adult sports, aquatics, and the Community Center/Sherwood Hall/Center. Additionally, the department oversees the following maintenance responsibilities:

- ❑ **Parks** – maintains over 400 acres of City parks, playgrounds, and public grounds.
- ❑ **Trees** – maintain trees on City streets, parks, and public grounds.
- ❑ **Public Service Division**– maintains streets, storm drains, City owned buildings, and the vehicle fleet. Responsible for industrial waste treatment and disposal.

FINANCE DEPARTMENT

The Finance Department is responsible for the fiscal operations of the City and Redevelopment Agency, including budget preparation and investments. The Department is responsible for accounts payable, receivable, purchasing, revenue and licensing, and reprographics. The Department also includes the Information Systems Division that is responsible for computer and technology operations.

FIRE DEPARTMENT

The Department provides fire protection, investigation, emergency medical services, fire prevention, disaster preparedness, and hazardous materials control.

LIBRARY DEPARTMENT

The Library manages resources to meet the educational, information, and recreation needs of the community, and operates the literacy program.

POLICE DEPARTMENT

The Police Department is responsible for investigations and field operations such as patrol, traffic, parking control, vehicle abatement, animal control, and school crossing guards. Additionally, the Department provides support services such as records, evidence, community relations, and school resource officers.