

CITY OF PALM DESERT

APPOINTED BODIES

CITY CLERK'S OFFICE 2025

THE BROWN ACT

Golden Rule: Decisions and deliberations must occur in public meetings



Exceptions: Ceremonial events, conferences, community meetings, and individual contacts

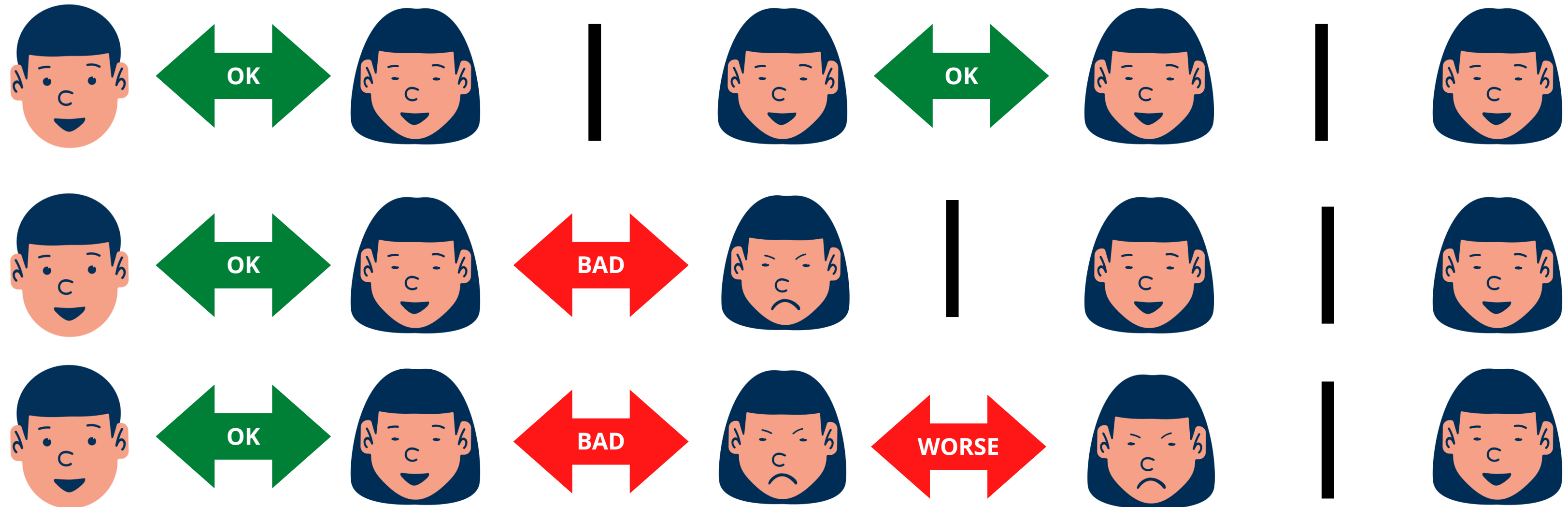


Bottom Line: Avoid discussing committee business with members outside of a meeting



WARNING: Serial Meetings

Communications whether verbal or written (emails or text messages) which "daisy chains," leading to a discussion and potential decision outside of the public meeting:



Statement of Economic Interest (NetFile)



Assuming Office
within 30 days



Annual Statement
April 1 of every year



Leaving Office
within 30 days

When You Have A Conflict of Interest – Recusal



Announce Your Conflict

You must announce you have a financial conflict & describe the nature of the conflict



Leave the Meeting Room

You may not influence the decision and must leave the meeting room



To Speak During Public Comment

If you would still like to comment as a member of the public, please contact the City Attorney or Clerk

AB 1234: State-Required Ethics Training (NetFile)

- All Appointed Members
- Minimum of 2 hours of state-approved ethics training
- Must be renewed every two years
- Certificate are time monitored
- **IMPORTANT:**
Choose the course for Local Officials, not State Officials





Failure to Comply with Law

PDMC 2.34.100

Members who fail to complete mandatory training or required disclosures by the deadline will be automatically suspended five days after the City Clerk certifies that three notifications were sent. Service is immediately reinstated upon compliance.

Public Records Act

- All records (documents, emails, text, voicemail) pertaining to city business, regardless of its location (personal devices and accounts) must be disclosed upon request.
- Best Practice: Do not text/email about City business without including a staff member so that it is captured in the City's server.

Disclosure



Boards, Commissions, Committees, & Taskforces

Prior to 2023, terms like Boards, Commissions, Committees, and Taskforces were used inconsistently without clear definitions; since then, we've established that Boards and Commissions are decision-making bodies, while Committees and Taskforces serve in an advisory capacity to the City Council.

01

Boards & Commissions

Have final decision making authority, unless appealed to the City Council.
Examples: Planning Commission, Building Board of Appeals, and Architectural Review Commission

02

Committees & Taskforces

Advisory bodies to the City Council.
Examples: Cultural Arts Committee, Homelessness Taskforce, and Parks and Recreation Committee

Roles and Responsibilities

Staff Liaison

- Serves as the City Manager's delegate to the committee.
- Leads the agenda preparation
 - Ensures topics are within committee purview
 - Preparing SR and background materials
 - Decides order of agenda items
- Keeps the City Manager informed of committee activities
- Facilitate communication between the committee and city staff/council
- Remain neutral and facilitate discussions without influencing decisions
- Advisor to the Chairperson on meeting protocols



Recording Secretary

- Prepares and publishes agenda
- Sends notification email & supplemental
- Prepares meeting minutes
- Tracks attendance
- Ensures compliance with Brown Act
- Advisor to the Staff Liaison on meeting protocols
- Intervenes only when necessary



Roles and Responsibilities

Chairperson/Vice Chairperson

- Appointed at the first meeting after July 1 to a one-year term
- Vice Chairperson serves in the absence of the Chairperson

Facilitator of Meetings

- Ensures meetings run efficiently and fairly
- Follows the agenda and keeps discussions on track
- Encourages balanced participation from all members

Neutral Leader

- Guides discussions without dominating or advocating
- Ensure all viewpoints are heard without bias
- Summarizes key points and builds consensus

Enforces Rules & Procedures

- Upholds Brown Act and parliamentary procedures
- Maintains decorum and professionalism

Committee Members

Be Prepared

- Understand the purpose and mission of the committee
- Review the agenda packet materials in advance
- Submit questions in advance to seek clarity

Act in the best interest of the community

- Set aside personal agendas and bias
- Decline gifts, favors, or promises of future benefits
- Uphold the highest ethical standards/recuse when conflicted

Maintain civility

- Avoid personal attacks, abusive conduct, or disrespectful remarks
- Maintain decorum and professionalism
- Respect the presiding officer and their ruling on matters of parliamentary procedure



Agenda Management

PDMC 2.34.080:

"The staff liaison of each appointed body shall oversee approving and placing items on the agenda."

Ensure topics align with committee purview

Prepare SR and background materials

Agendas should be posted one week in advance

AGENDA CATEGORIES

Over the past year, all agendas have been updated to similar formats for consistency and ensuring residents can expect the same process regardless which meeting they attend.

Consent Calendar

01

A group of routine or non-controversial items approved together in one motion without discussion, unless a commissioner requests to pull an item for separate discussion.

Business Items

02

Business items are individual agenda topics that require discussion, deliberation, and a separate vote.

Informational Reports

03

Brief updates on projects, activities, or other matters within the committee's scope. No formal action can be taken.

Annual Work Plans



Annual Work Plans

- Ensure committees are focused and aligned with City Council priorities
- Helps City leadership allocate resources
- Prevent taking on projects outside their purview w/o authorization



Developing a Work Plan

- Typically 3-5 objectives
- Can be recurring significant efforts or new initiatives
- Multi-year objectives should be renewed annually.
- Must be approved by the City Council (consent)



Amendments

- A request for a significant effort (beyond a presentation or project update) may trigger a WP amendment
- Agendize discussion of amending the work plan and seek approval
- Amended Work Plans must be approved by the City Council

Scenario 1

**A Committee Member
pushes a topic outside the
committee's jurisdiction**

S1: Recommended Approach

1. Initial Intervention (Chairperson's Role):

- Politely redirect the discussion: *"I appreciate your interest in this issue, but it falls outside the committee's responsibilities. Let's stay focused on today's agenda items."*

2. Staff Liaison's Role in Reinforcement:

- Provide clarification: *"That's a City Council-level decision, not within the purview of this committee. If you'd like, I can direct you to the appropriate department or help you request an item for City Council consideration."*
- Offer an alternative: *"We can check with the City Manager's office on whether this issue is being addressed elsewhere."*

3. Final Redirect (Chairperson's Role):

- If the member persists, reinforce committee boundaries: *"We have a process for adding items to future agendas, but since this is not within this committee's authority, it would not be appropriate for discussion here. Let's move on to the next item."*
- If disruptions continue, the Chair may call for a recess or remind members of meeting decorum.



Scenario 2

**A Committee wants to
direct staff on operational
matters**

Operations vs. Committee Purview

Operational Decisions (Handled by City staff)

- Day-to-day administration of City services and programs
- Managing budgets, contracts, and personnel
- Determining workflows, timelines, and resources
- Implementing Council-approved policies and regulations
- Making technical or compliance-based decisions

Example:

- Selecting a contractor for a project
- Adjusting staff schedules or workload
- Choosing how to implement a marketing strategy

Committee Purview (Your Advisory Role)

- Providing recommendations on programs, policies, or priorities referred to the committee
- Offering community-based insight on how proposed actions may affect residents
- Identifying emerging trends, needs, or opportunities within the committee's focus area
- Reviewing and commenting on draft plans, designs, or outreach strategies

Examples:

- Recommending locations or features for future park development (Parks & Rec)
- Suggesting strategies to increase public engagement in civic programs (Civic Engagement)
- Recommending cultural preservation goals for historic properties (CRPC)
- Identifying gaps in library programs or resources to better serve the community (LAC)
- Offering insight on local impacts of homelessness initiatives (HTF)

S2: Recommended Approach

1. Initial Intervention (Chairperson's Role):

- Politely correct the misunderstanding: "Our role is to make recommendations, not to direct city staff on operations. Any operational decisions need to go through the City Manager."

2. Staff Liaison's Role in Reinforcement:

- Cite Palm Desert Municipal Code (PDMC) § 2.04.050 & § 2.04.060, which clarify that operational decisions fall under the authority of the City Manager: *"Per PDMC, staff may take direction only through the City Manager's office, not from committees or individual members."*
- Offer an alternative approach: *"If you'd like to formally recommend an action, the committee can make a motion for staff to research the feasibility of the idea and present it to City Council."*

3. Final Redirect (Chairperson's Role):

- If the committee persists in giving direct instructions, reaffirm city policies: *"To stay compliant with city governance, we need to follow the appropriate channels. If this issue is a priority, we can document it as a formal recommendation to City Council."*
- Redirect and move forward: *"Since this falls outside our jurisdiction, let's refocus on today's agenda."*



Scenario 3

**A heated debate erupts
over an item NOT on the
agenda**

S3: Recommended Approach

1. Initial Intervention (Chairperson's Role):

- Quickly refocus discussion: *"I understand this is an important issue, but since this topic is not on today's agenda, we cannot have a full discussion or take action at this time. If this is a priority, we can request that it be placed on a future agenda."*

2. Staff Liaison's Role in Reinforcement:

- Cite Brown Act (§ 54954.2) to explain why non-agendized topics cannot be discussed: *"Under the Brown Act, discussions must be noticed on the agenda to ensure transparency. Since this topic was not formally agendized, we cannot engage in extended discussion or make decisions on it today."*
- Offer alternatives: *"If the committee wants to pursue this issue further, we can either:*
 - *Formally request it be placed on the next agenda for discussion and possible action.*
 - *Staff can note the concern and direct it to the appropriate city department outside of this meeting."*

3. Final Redirect (Chairperson's Role):

- If members persist, firmly reinforce compliance: *"This discussion is now out of order. To comply with city policy and the Brown Act, we must return to our scheduled agenda items."*
- If disruptions continue, call for a brief recess to restore order.





THANK YOU!