

RECEIVED

APR 12 2005

CITY CLERK'S OFFICE
SANTA BARBARA, CA

RULES AND REGULATIONS
OF
THE BOARD OF FIRE AND POLICE COMMISSIONERS
OF THE
CITY OF SANTA BARBARA, CALIFORNIA
1967

Approved by the City Council
9 January 1968

Amended 3 October 1968

Amended 3 September 1971

Amended 2 August 1979

Amended 24 July 1980

Amended 26 February 1981

RULES AND REGULATIONS
OF
THE BOARD OF FIRE AND POLICE COMMISSIONERS
OF THE
CITY OF SANTA BARBARA, CALIFORNIA
(Adopted Pursuant to Section 804 of the
City Charter of Said City)

ARTICLE I

ADMINISTRATION

Section 1.1 - Definitions

The following terms wherever used in these Rules and Regulations shall have the meanings hereinafter set forth unless otherwise indicated:

- (a) 'Board' shall mean the Board of Fire and Police Commissioners of the City of Santa Barbara, California.
- (b) 'City' shall mean the City of Santa Barbara, California.
- (c) 'Charter' shall mean the Charter of the City of Santa Barbara, California.
- (d) 'Chairman' shall mean the Chairman of the Board.
- (e) 'Secretary' shall mean the Secretary of the Board or an Assistant Secretary acting in the absence of the Secretary.
- (f) 'Department' or 'Departments' shall mean the Police and/or Fire Department of the City.
- (g) 'Chief' or 'Chiefs' shall mean the Chief of the Police Department and/or the Chief of the Fire Department and their respective Assistant Chiefs or any other member of said Departments when acting as Chief in the absence of the Chief.
- (h) 'Subordinate' or 'employee' shall mean any person holding a position (other than a civil position) whether permanent or temporary in the Departments.
- (i) 'Position' shall mean any office position or place of employment in the Departments other than a civil position.

- (j) 'Civil position' shall mean a position which is not occupied or designed for a professional firefighter or professional police officer.
- (k) 'Title' shall mean the name prescribed for a position for all persons occupying such positions and for the designation of the position on the payroll.
- (l) 'Grade' shall mean a designation for compensation determination purposes by which graduated rates may be indicated or determined for each position or group of positions.
- (m) 'Eligible' shall mean a person who, by virtue of having taken and passed an examination, is entitled by law to certification for employment on the Police or Fire Department or has legally held a position in the Police or Fire Department and is entitled to be re-certified.

Section 1.2 - Repeal of All Prior Rules and Regulations

All prior Rules and Regulations of the Board adopted 11 December 1956, and as subsequently amended, are hereby repealed.

Section 1.3 - Chairman and Vice Chairman

The Board shall elect one of its members Chairman and one of its members Vice Chairman for a term of one year and until their respective successors are duly elected and qualified, in accordance with the provisions of Section 804 of the City Charter. In the event of the absence of both the Chairman and Vice Chairman at the time of an appointed Commission meeting, the member of the Commission present who is the senior member in line of service shall be Acting Chairman and call the meeting to order for the transaction of the business before the Commission.

Section 1.4 - Secretary

The Board shall appoint a Secretary who may but need not be a member of the Board and who shall serve at the pleasure of the Board, subject to the required designation of the City Administrator.

Section 1.5 - Assistant Secretaries

The Board may appoint one or more assistant secretaries who may but need not be members of the Board and who shall serve at the pleasure of the Board, subject to the required designation of the City Administrator.

Section 1.6 - Meetings

- (a) Regular meetings of the Board shall be held at the Police Department, 215 East Figueroa Street, at 5:30 o'clock p.m. on the fourth Thursday of each calendar month; provided that if said day be a holiday, the Board shall decide at the next previous regular meeting when to have the next regular meeting. Date, time, and place of regular meetings may be changed from time to time by order of the Board and in conformance with Government Code Sections 54950-54958.
- (b) Meetings shall be public except that, at the discretion of the Board, personnel matters may be determined in executive session to the extent allowed by law.
- (c) Special meetings may be called at any time by the Chairman or Secretary or any three members of the Board upon giving twenty-four hours advance notice in writing or orally to each member of the Board and giving such further notice as may be required by the provisions of Sections 54950-54958 of the Government Code.
- (d) Three members of the Board shall constitute a quorum. No action of the Board shall be effective unless a majority of the members present concur therein.

Section 1.7 - Change of Meeting Place - Lack of Quorum

- (a) If the Conference Room at the Police Department is occupied at the time set for any Board meeting, the Board meeting may be adjourned to any other suitable place in the Police Department by oral proclamation made in the Conference Room at the time specified for the opening of such Board meeting.
- (b) If at any meeting, regular, special, or adjourned, no quorum is present, it may be adjourned by any Board member or Secretary present until the next succeeding business day at the same hour.

Section 1.8 - Agenda

The agenda for each meeting shall be prepared by the Secretary and furnished to each Board member and the Chiefs twenty-four hours in advance of the meeting and shall be posted on the Departments' bulletin boards at least twenty-four hours in advance of such meeting. Items for the formal agenda must be submitted to the Secretary by 5:00 p.m. on the Thursday preceding regular meetings. This does not preclude the addition of ex-agenda items at the pleasure of the commission.

Section 1.9 - Minutes

The Secretary of the Board shall record the minutes of each meeting including the time and place thereof, the names of the members of the Board present, all official acts of the Board, the votes given by members, records of any member's dissent with his reasons for dissenting if such member so requests, and shall cause the minutes to be written up forthwith and presented for approval or amendment at the next regular meeting. The minutes or a true copy thereof certified by the Secretary shall be open to public inspection at all times.

Section 1.10 - Communications

Communications and requests of the Board shall be made in writing and shall be filed with the Secretary at least twenty-four hours in advance of the meeting at which the same are to be presented unless such requirements are waived by the Board.

Section 1.11 - Records

The Secretary shall keep the records of the proceedings of the Board and have charge of and be responsible for the safe-keeping of the books, records, and other property, the same to be kept in an appropriate office or offices to be specified from time to time by order of the Board entered in its minutes. The Secretary shall generally conduct the correspondence of the Board and perform such other duties as may be assigned by the Board. In the absence of the Secretary, an Assistant Secretary shall perform the duties of the Office.

Section 1.12 - Suspension of Rules

These Rules shall not be suspended or deviated from except by a four-fifths vote of the entire Board.

Section 1.13 - Amendments

These Rules and Regulations shall not be amended without first posting on the Departmental bulletin boards and in a conspicuous place in City Hall a full copy of the proposed amendment together with a notice of time and place for a public hearing thereon, which shall be held at least two weeks after said notice is first so posted.

Section 1.14 - Notices

Any notice required hereunder may be served personally or by prepaid United States Mail addressed to the person served by mail. It shall be deemed given on the day following its deposit in the mail.

The foregoing rules and regulations of the Board of Fire and Police Commissioners of the City of Santa Barbara, California, were duly and regularly adopted by the Board of Fire and Police Commissioners on 7 December 1967, at a duly and regularly called, noticed, and held regular meeting of said Board of Fire and Police Commissioners.

The rules were amended on 3 October 1968, 3 September 1971, and 2 August 1979. Commissioner John K. Hass, serving as Chairman of the Commission at the time of adoption, signed the original copy; it was witnessed by I. Claire Duffey, Secretary. The rules have also been amended on 24 July 1980 and 26 February 1981.

Oath of Office - Identification Cards

Article XX, Section 3, of the Constitution of the State of California requires that an oath of office be administered. After appointments are made, a Deputy administers a written oath in the City Clerk's Office or by a Notary Public, and appointees are provided with identification cards identifying them as members of the board, commission, or committee to which they have been appointed.

Term of Appointment

Most terms of office for the City Advisory Groups are four years. The terms are staggered so that all terms do not expire in any one year. Members serve until their successors are appointed and qualified. If a member resigns before the expiration of a term, his or her replacement serves out the remainder of that term.

Successive Terms of Members of Boards, Commissions, and Committees

Resolution No. 95-106 adopted June 27, 1995, states that it is the policy of the City Council that wide community participation be sought in affairs of municipal government and that membership on the City Advisory Groups be open, insofar as is practicable, to all competent and interested persons who meet the stated qualifications. Pursuant to that policy "no member of an advisory group shall serve for longer than two consecutive full terms, consisting of an uninterrupted period of eight years, with the following exceptions. Members of the Sign Committee shall serve no more than two consecutive two-year terms consisting of an uninterrupted period of four years, and the tenant members of the Housing Authority shall serve no more than four consecutive two-year terms consisting of an uninterrupted period of eight years. If the Council finds that a particular member of an advisory group has unique qualifications that are of special benefit to the city, then said member may be reappointed to the same advisory group."

Serving On More than One City Advisory Group

Because of the wealth of expertise available in our community, it is the City Council's preference that people serve on just one board, commission, or committee that is advisory to the City Council. The exception is in the case of the City Advisory Groups that are created for a limited term and purpose and that require a limited time commitment from their members. This does not include those members serving on a board, commission, or committee that is not advisory to the City Council such as the Housing Authority Commission, Santa Barbara Metropolitan Transit Board, and the Central Coast Commission for Senior Citizens.

2/260. COMMISSION SECRETARY

2/260.10 Designation Of. The Board appoints a Secretary who may, but need not be a member of the Board, who serves at the pleasure of the Board, subject to the required designation of the City Administrator.

2/260.20 Duties.

- * The Secretary of the Board records the minutes of each meeting, including the time and place thereof, the names of the members present and absent, all official acts of the Board, the votes given by members, records of any member's dissent with his reasons for dissenting. If such member so requests, and causes the minutes to be written up forthwith they can be presented for approval or amendment at the next regular meeting. The minutes or a true copy thereof certified by the Secretary are open to public inspection at all times.
- * Communications and requests of the Board are made in writing and filed with the Secretary at least twenty-four hours in advance of the meeting at which the same are to be presented, unless such requirements are waived by the Board. Items of a routine nature to be included on the agenda are submitted by 5 p.m. of the Friday prior to the regular meetings.
- * The agenda for each meeting is prepared and furnished to each Board member and the Chiefs at least twenty-four hours in advance of the meeting.
- * The Secretary keeps the records of the proceedings of the Board and has charge of and is responsible for the safekeeping of the books, records, and other property; the same kept in an appropriate office or offices specified from time to time by order of the Board entered in its minutes. The Secretary generally conducts the correspondence of the Board and performs such other duties as may be designated by the Board.
- * In the absence of the Secretary, an Assistant Secretary performs the duties of the Secretary.

FIRE AND POLICE COMMISSION

2/200. GENERAL PROVISIONS

The Board of Fire and Police Commissioners is governed by Sections 800, 801, 802, 803, 804, 805, and 816 of Article VIII of the City Charter.

2/210. MEMBERSHIP

The Board of Fire and Police Commissioners is composed of five members, appointed by the City Council from the qualified electors of the City, each for a term for four years, July through June. Commissioners are subject to removal by majority vote of the Council. A vacancy may be filled for the remainder of the unexpired term by the Council. Members serve after expiration of their terms until replaced. Consecutive terms are usually limited to two.

2/220. DUTIES

- * Act in an advisory capacity to the City Council and City Administrator in all matters relating to efficient and adequate fire and police protection for the City of Santa Barbara.
- * Recommend to the City Council and City Administrator rules and regulations concerning the operation and conduct of the Fire and Police Departments.
- * Consider with the Chiefs of the respective Fire and Police Departments an annual budget of such departments and make recommendations with respect thereto to the City Council and City Administrator.
- * Recommend to the City Administrator and City Council appointments to the offices of Fire Chief and Chief of Police.
- * Grant, deny, suspend, or revoke permits which are required for certain businesses and activities, as prescribed by ordinance.

2/230. RULES AND REGULATIONS

Pursuant to Section 804 of the Charter, the Board adopted Rules and Regulations for the smooth operation of the Board, approved by Council on 9 January 1968 and amended on 3 October 1968 and 3 September 1971.

2/240. OFFICERS

2/240.10 Election Of. As soon as practical after 1 July of each year, the Board elects one of its members Chairman and one of its members Vice Chairman for a term of one year and until the respective successors are duly elected and qualified, in accordance "with the provisions of Section 804 of the Charter. The Chairmanship is rotated among all members without successive terms.

2/240.20 Absence Of. In the event of the absence of both the Chairman and Vice Chairman at the time of an appointed Commission meeting, the member of the Commission present who is the senior member in line of service shall be Acting Chairman and call the meeting to order for the transaction of the business before the Commission.

2/250. MEETINGS

2/250.10 Public Meetings. Meetings are public, except that, at the discretion of the Board, personnel matters may be determined in executive session to the extent allowed by law.

2/250.20 Regular Meetings. Regular meetings of the Board are held at the Police Department, 215 East Figueroa Street, at 7:30 p.m. on the fourth Thursday of each calendar month, unless otherwise provided for in advance. Dates and times of regular meetings may be changed from time to time by order of the Board and in conformance with Government Code Section 54950-54958.

2/250.30 Special Meetings. Special meetings may be called at any time by the Chairman or Secretary or any three members of the Board upon giving twenty-four hours advance notice in writing to each member of the Board. Members who have signed a waiver pursuant to Section 54956 of the Government Code can be notified orally less than twenty-four hours in advance.

2/250.40 Quorum. Three members of the Board shall constitute a quorum. No action of the Board shall be effective unless a majority of the members present concur therein. If at any meeting, regular, special, or adjourned, no quorum is present, it may be adjourned by any Board member or Secretary present until the next succeeding business day at the same hour.

2/250.50 Change of Meeting Place. If the Conference Room at the Police Department is occupied at the time set for any Board meeting or is unsuitable for the discussion on the agenda, the meeting may be adjourned to any other suitable place in the Police Department or elsewhere by oral proclamation made in the Conference Room at the time specified for the opening of such meeting or by designation on the agenda published by the Secretary.