

## Article VIII

### APPOINTIVE BOARDS AND COMMISSIONS

#### Section 800. In General.

There shall be the following named advisory boards and commissions which shall have the powers and duties herein stated. In addition, the City Council may create by ordinance such additional advisory boards or commissions as in its judgment are required, and may specify the number of members thereof, their terms and manner of appointment, and may grant to them such powers and duties as are consistent with the provisions of this Charter.

#### Section 801. Appropriations.

The City Council shall include in its annual budget such appropriations of funds as in its opinion shall be sufficient for the efficient and proper functioning of such boards and commissions. It also may by ordinance fix and establish the compensation, if any, to be paid to members of any such boards or commissions.

#### Section 802. Appointments. Terms.

The members of each of the board or commissions hereinafter named in this Article shall be appointed by the City Council from the qualified electors of the City, shall remain qualified electors during their term of office, and shall not hold any full time paid office or employment in the City government. They shall be subject to removal by motion of the City Council adopted by the affirmative votes of a majority of the total membership thereof. The members thereof shall serve for terms of four (4) years and until their respective successors are appointed and qualified. The terms shall be staggered so that the number of terms on any such board or commission expiring in any year shall not differ by more than one (1) from the number of terms expiring any other year. Such terms shall expire on December thirty-first of the appropriate year. A vacancy occurring before the expiration of a term shall be filled by appointment for the remainder of the unexpired term. (Approved by election held November 2, 1982.)

#### Section 803. Existing Boards.

The members of the boards and commissions holding office when this Charter takes effect shall continue to hold office thereafter until their respective terms of office shall expire and until their successors shall be appointed and qualified. This section shall apply only to boards or commissions which are continued in existence under this Charter. If the membership of any board or commission is reduced or increased by this Charter, the members to be added or eliminated shall be determined by the City Council. The terms of the members of any existing board or commission shall be adjusted, if necessary, to comply with the provisions of this Charter.

#### Section 804. Meetings. Chairman.

As soon as practicable, following the first day of July of every year, each of such boards and commissions shall organize by electing one (1) of its members to serve as presiding officer at the pleasure of the board or commission. All meetings of said boards and commissions shall be open to the public and all persons shall be permitted to attend such meetings, except that the provisions of this sentence shall not apply to executive sessions to consider the appointment, employment, discipline or dismissal of a public officer or employee or to hear complaints or charges against any such officer or employee.

The City Administrator shall designate a recording secretary for each of such boards and commissions who need not be a member of such board or commission, and who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own rules and regulations, which shall be subject to the approval of the City Council. Copies of such rules shall be kept on file in the Office of the City Clerk where they shall be available for public inspection.

**Section 805. Oaths. Affirmations.**

Each member of any such board or commission, and the secretary thereof, shall have the power to administer oaths and affirmations in any investigation or proceeding pending before such board or commission.

**Section 806. Planning Commission. Powers and Duties.**

There shall be a Planning Commission consisting of seven (7) members. The City Attorney, or one (1) of his assistants or deputies, shall attend all meeting of the Planning Commission unless excused therefrom. The Planning Commission shall have the power and duty to:

- (a) Recommend to the City Council, after a public hearing thereon, the adoption, amendment or repeal of a General Plan, or any part thereof, and any specific or precise plans it may deem advisable for guidance in the physical development of the City.
- (b) Exercise such functions with respect to land subdivisions as shall be provided by ordinance not inconsistent with the provisions of this Charter.
- (c) Exercise such functions with respect to zoning, buildings, land use, redevelopment, conservation, proposed public works and related matters as may be prescribed by ordinance not inconsistent with the provisions of this Charter.
- (d) Perform such other functions not inconsistent with this Charter as may be delegated to it by the City Council. (Approved by election held November 2, 1982.)

**Section 807. Library Board. Powers and Duties.**

There shall be a Library Board consisting of five (5) members which shall be a continuation of the previously existing Board of Library Trustees, and which shall have the power and duty to:

- (a) Make recommendations to the City Council as to policy concerning the operation and conduct of City Libraries and all Library facilities for which the City is responsible.
- (b) Recommend to the City Council rules and regulations and by-laws for the administration and protection of such Libraries and Library facilities.
- (c) Recommend to the City Council the duties and qualifications of the Librarian.
- (d) Make recommendations on policy concerning the acquisition, disposition, availability and use of books, journals, reports, maps, publications and other personal property.
- (e) Make recommendations concerning the purchase or lease of real property and the rental or provision for adequate facilities, buildings or rooms for Library purposes.
- (f) Consider with the Librarian the annual budget for Library purposes during the process of its preparation and make recommendations with respect thereto to the City Council and the City Administrator.
- (g) Within sixty (60) days after the close of each fiscal year, report to the City Council on the work, accomplishments and condition of the Libraries during the preceding fiscal year and on such other matters deemed expedient by the Library Board.
- (h) Exercise such other functions not inconsistent with this Charter as may be prescribed by ordinance.

**Section 808. Board of Civil Service Commissioners. Powers and Duties.**

There shall be a Board of Civil Service Commissioners consisting of five (5) members, none of the members of which while a member of said Board or for a period of one (1) year after he has ceased for any reason to be a member, shall occupy or be eligible for appointment to any salaried office of employment in the service of the City. The Board of Civil Service Commissioners shall have the power and be required to:

- (a) Act in an advisory capacity to the City Council and City Administrator on personnel administration.
- (b) After a public hearing thereon, recommend to the City Council, the adoption, amendment or repeal of personnel rules and regulations.
- (c) Make any investigation upon request of the City Council or upon its own motion concerning the administration of personnel or conditions of employment in the municipal service and report its findings to the City Council and City Administrator.
- (d) Hear appeals of any officer or employee under the Civil Service System, who is suspended, demoted or removed, and report in writing to the appointing power and City Council, its findings, conclusions, recommendations and decision thereon, and its decision shall be binding on the appointing or removing power.
- (e) Exercise such functions with respect to personnel or the Civil Service System, not inconsistent herewith, as may be prescribed by this Charter or by ordinance.

**Section 816. Board of Fire and Police Commissioners. Powers and Duties.**

There shall be a Board of Fire and Police Commissioners composed of five (5) members. The Board of Fire and Police Commissioners shall have the following powers and duties:

- (a) 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.
- (b) Recommend to the City Council and City Administrator rules and regulations concerning the operation and conduct of the Fire and Police Departments.
- (c) 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.
- (d) Recommend to the City Administrator and City Council appointments to the offices of Fire Chief and Chief of Police.
- (e) Exercise such other functions, powers and duties not inconsistent with this Charter as may be prescribed by ordinance.

**Section 817. Historic Landmarks Commission. Powers and Duties.**

There shall be an Historic Landmarks Commission consisting of nine (9) members. Commission members shall have demonstrated knowledge of the history and architecture of the City of Santa Barbara. Notwithstanding Section 802 of this Charter, up to four (4) members of the Commission need not be electors of the City, and may be non-residents. At least two (2) members shall be licensed architects, one (1) member shall be a professional architectural historian, and one (1) member shall be a licensed landscape architect. In addition, there shall be one or more members who may not qualify for the above categories and who shall represent the public at large.

The Historic Landmarks Commission shall have the power and duty to:

- (a) Recommend to the City Council that certain structures, natural features, sites or areas having historic, architectural, archaeological, cultural or aesthetic significance be designated as a Landmark;
- (b) Designate certain structures or objects having historic, architectural, archaeological, cultural or aesthetic significance as Structures of Merit;
- (c) Review and approve, disapprove, or approve with conditions, plans for exterior alteration, demolition, relocation, moving, or construction of or on (1) any structures or real property within El Pueblo Viejo Landmark District, (2) any structures or real property within any designated Landmark District, (3) any additional property authorized by action of the City Council; (4) a designated Landmark. The area described in Section 22.22.100 of the Santa Barbara Municipal Code as it exists at the time of this amendment shall comprise El Pueblo Viejo Landmark District. Its boundaries may be expanded by the City Council through the adoption of appropriate ordinances. Any applicant may appeal in writing to the City Council from any action or decision of the Historic Landmarks Commission, whereupon the City Council may approve, conditionally approve or disapprove such application and the decision of the City Council shall be final. Any structure, natural feature, site or area owned or leased by any public entity shall not be subject to the provisions of this Section with the exception of those owned or leased by the City unless the City Council determines in its discretion that such review is unnecessary;
- (d) Perform such other functions or duties, not inconsistent with this Charter, as may be prescribed by ordinance. (Approved by election held November 2, 1993; effective November 29, 1993.)

**Article IX**

**BOARD OF EDUCATION**

**Section 900. State Law Governs.**

The manner in which, the times at which and the terms for which the members of the Board of Education shall be elected or appointed, their qualifications, compensation and removal and the number which shall constitute such Board shall be as now or hereafter prescribed by the Education Code of the State of California.

**Section 901. Effect of Charter on District.**

The adoption of this Charter shall not have the effect of creating any new school district nor shall the adoption of this Charter have any effect upon the existence or boundaries of any present school district within the City or of which the City comprises a part.

