

City Of Long Beach

City Clerk Department  
333 W. Ocean Blvd  
Long Beach, CA 9802  
Phone (562) 570-6101

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# Authorities, Boards, Commissions, and Committees Handbook

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**Approved by the Long Beach City Council on**



**MESSAGE FROM THE CITY CLERK:**

*Welcome and congratulations on your appointment as a City of Long Beach Commission or Board member. As a member, it is your task to provide the Long Beach City Council with your advice and information on a wide variety of matters. Over the years, the services and programs provided by the City have expanded. Without your insight, many decisions made for this City would have been done without adequate information and thought. The detailed studies and considered advice of boards and commissions are key to creating new programs and policies that will make this City the best it can be.*

*Serving on a board is leadership in a significant way in that your actions can speak louder than words. Serving on a board or commission is a rewarding experience where constituents can be directly involved in major decision making to improve our community.*

*A democracy relies on the participation of its constituents and those courageous enough to keep alive and balance multiple opinions relative to good city policy and governance. It is the duty of the government to listen to its people, but it's the responsibility of the people to speak.*



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# INTRODUCTION

## A. CITIZEN PARTICIPATION

Long Beach's system of authorities, boards, commissions, and committees provides one way for residents who have special experience or interests to participate in the City's decision-making process by advising the City Council on numerous issues. Other ways for citizens to get involved in local government include speaking at public hearings, speaking before the City Council and its subcommittees, participating in neighborhood-based organizations, petitioning, and letter writing.

The boards and commissions system provides the opportunity to interact creatively with people of all ages, interests, and backgrounds. Democracy can be realized when citizens are able to come together across neighborhood and economic lines to assist in making the community decisions that will shape all of their lives. While commissioners are themselves appointed from within the community, it is important that they in turn ensure that a wide variety of viewpoints from the rest of the community are considered when commissions make recommendations to the City Council. Commissioners should treat these widely varying viewpoints of other commissioners and members of the public with respect so that all citizens are encouraged to participate in government.

Please note that in this manual the term "commissions/ commissioners" is inclusive of authorities, committees, boards and the members of such agencies.

For additional information, please contact your commission liaison, who is your primary contact with the City. If more assistance is required you may also contact the City Clerk department at (562) 570-6101.

Thank you for your service and your dedication to the City of Long Beach.

## B. COMMISSION ORIGINS

Commissions originate from four different sources: the City Charter, City Council action, vote of the people, and state mandate.

### City Charter

Six Charter Commissions exist in the City of Long Beach. The City Charter, approved by the voters, governs each of these commissions. The Long Beach City Charter is analogous to the Constitution.

### City Council Action (Ordinance or Resolution)

Some commissions are created through City Council action when they see a need for an additional commission. An ordinance is a law of the City; all laws of the City are codified in the Long Beach Municipal Code. A resolution is a statement of City policy.

### Vote of The People

Some commissions derive their authority from measures adopted directly by the voters, by initiative, and can only be changed with a vote of the people.

### State Mandate

Some commissions are required by the state, for which their duties and purposes are outlined by the state codes. For example, all cities are required to have a Planning Commission.

## C. CURRENT LIST OF COMMISSIONS

The following is a list of the commissions that currently exist in The City of Long Beach; the numbers in the parenthesis show the number of members on each commission:

- Charter Commissions:
  - ❑ Citizens Police Complaint Commission (11)
  - ❑ Civil Service Commission (5)
  - ❑ Harbor Commission (5)
  - ❑ Parks and Recreation Commission (7)
  - ❑ Planning Commission (7) (This is a State mandated commission as well)
  - ❑ Water Commission (5)
  
- Council Action (Ordinance or Resolution) Commissions:
  - ❑ Airport Advisory Commission (9)
  - ❑ Belmont Shore Parking and Business Improvement Area Advisory Commission (7)
  - ❑ Bixby Knolls Parking and Business Improvement Area Advisory Board (11)
  - ❑ Board of Examiners, Appeals, and Condemnation (7)
  - ❑ Board of Health and Human Services (15)
  - ❑ Cable Communications Advisory Commission (11)

- ❑ California State University Headquarters Building Joint Powers Authority (5)
  - ❑ Citizens' Advisory Commission on Disabilities (15)
  - ❑ Commission on Youth and Children (19)
  - ❑ Community Development Advisory Commission (15)
  - ❑ Cultural Heritage Commission (15)
  - ❑ Economic Development Commission (17)
  - ❑ Greater Long Beach Workforce Development Board (37)
  - ❑ Homeless Services Advisory Committee (11)
  - ❑ Human Relations Commission (13)
  - ❑ Long Beach Housing Authority (11)
  - ❑ Long Beach Housing Development Company Board (14)
  - ❑ Long Beach Transportation Company Board of Directors (7)
  - ❑ Marine Advisory Commission (9)
  - ❑ Municipal Golf Commission (13)
  - ❑ Public Safety Advisory Commission (13)
  - ❑ Redevelopment Agency (7)
  - ❑ Senior Citizen Advisory Commission (15)
  - ❑ Sustainable City Commission (10)
- Vote of the People:
    - ❑ Pedestrian Safety Advisory Committee (13)
  - State Mandate:
    - ❑ Disabled Access Appeals Board (5)
  - Miscellaneous:
    - ❑ Arts Council for Long Beach (28)
    - ❑ Metropolitan Cooperative Library System Advisory Board (1)
    - ❑ Relocation Appeals Board (5)
    - ❑ Vector Control District (2)

## D. COMMISSION FUNCTION

Commission functions fall into four major categories. Commission functions can and often do cross one or more category.

### Quasi-Judicial

Certain commissions hold the authority to make decisions, which require or restrict the action of individuals. For example, the Planning Commission has the right to approve or deny permits, subject to appeal to the City Council.

### Administrative

Some commissions may have the power to appoint, discipline, and dismiss their own employees. For example, the Harbor Commission has the power to hire its own staff.

Advisory to the City Manager

Certain Boards make recommendations to the City Manager when it comes to personnel hiring, discipline, or firing. For example, the Citizens Police Complaint Commission makes recommendations to the City Manager regarding the discipline of police officers.

Advisory to the City Council

All commissions advise the City Council concerning policies and programs upon request of the City Council.



## SERVING ON A COMMISSION

This chapter addresses all aspects of the process of becoming a commissioner, serving on the commission, the responsibilities tied in with the position, and leaving the commission.

### A. MEMBERSHIP

This section outlines the steps required to be taken throughout the commission process, from applying to serve on a commission to the completion of service.

#### 1) **APPLICATION/ SELECTION PROCEDURES**

The following are the procedures required for one to apply and be selected for a commission.

##### a. Residency Requirements

The members of each body must reside in the City at the time of appointment, and must maintain residence within the City at all times during their service on the advisory body. This is as stated in the Long Beach Municipal Code (LBMC) § 2.18.050 (B). In some instances, residency is determined by business ownership.

##### b. Application

Most commissions apply through the Mayors' office where the application can be picked up and turned in. Departments are responsible to assist the Mayor's Office in community outreach and application distribution. Refer to Appendix B for a copy of application or go online to:

<http://www.longbeach.gov/mayor/commissions/application.asp>

##### c. Appointment

Appointments are generally made by the Mayor and then approved by the City Council. See LBMC § 2.18.050(A). Appointments to charter commissions and the Redevelopment Commission are first referred to the City Council Personnel and Civil Service Committee before being heard by the full Council. See LBMC § 2.03.065.

Appointments for the Pedestrian Safety Advisory Committee are made by the City Manager. For this exception, and to learn more about this committee's particular set of rules, see LBMC § 10.68.010.

## 2) **ENROLLMENT**

Once appointed and approved, these are the procedures that must be completed before being enrolled on the commission: the completion of Orientation, Form 700, ethics training, fingerprinting, and the oath of office; which will not be administered before the completion of the previously mentioned requirements.

### a. Orientation With City Clerk Department

An approved candidate for the commissioner position must attend a brief orientation in the City Clerk Department upon approval by Council. Candidates will be required to complete enrollment information before taking the seat as a commissioner, absent extenuating circumstances. After completing this information the Oath of Office will then be administered.

### b. Form 700

The Political Reform Act (California Government Code §§ 81000-91014) requires most state and local government officials and employees to publicly disclose their personal assets and income. They also must disqualify themselves from participating in commission decisions that may affect their personal economic interest. The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the law's provisions. All commissioners are required to fill out the Form 700. This form must be filed before assuming office, every year thereafter by April 1st, and upon leaving office. The commission liaison is responsible for the submittal of the Form 700 of all commissioners. The Oath of Office will not be administered before the form is completed and filed. For more information please visit:

<http://www.fppc.ca.gov/Act/2007Act.PDF> for the Political Reform Act or

<http://www.fppc.ca.gov/forms/700-06-07/Form700-06-07.pdf> for the Form 700.

Additionally, a copy can be picked up at the City Clerk Department.

### c. Ethics Training Assembly Bill 1234

The LBMC requires Ethics Training for commission and advisory members. LBMC § 2.07.020 (Required ethics training). In the event that a member of any City Charter commission or advisory body fails to complete the ethics training required by California Government Code Section 53234 et seq., within the time period specified therein, that person shall automatically be removed from membership from the commission or advisory body. (ORD-06-0050 § 1, 2006). This procedure must be fulfilled at the City Clerk Department before assuming office. The Oath of Office will not be administered before the initial training is completed. Failure to complete training will result in automatic termination.

d. Fingerprinting and Background Check

An appointment will need to be made with the Long Beach Police Department for fingerprinting. This must be completed before the administration of the Oath of Office and assuming the position. Departments will be “charged-back” the cost of the scanning and background check.

e. Oath of Office

According to the California Constitution in Article 20, § 3, Members of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the Oath of Office. This will be administered at the City Clerk Office upon receiving the Form 700, administering the Ethics Training, and the completion of background check. Failure to take the Oath of Office within 30 days of appointment letter result in automatic termination. Copy of Oath of Office is attached in Appendix D.

3) **TENURE AND CONDITIONS OF SERVICE**

The terms of office, regulations, attendance, and the process of completion of service are listed below.

a. Term of Office

*Charter Commissions*

The term of office of members of the Commissions set forth in this Charter shall be four (4) years, except that the term of office of members of the Harbor Commission shall be six (6) years and the term of office for Water Commission members shall be five (5) years, beginning with the first Monday after the first day of July following their respective appointments, and until their successors are appointed and take office. No person shall serve more than two (2) full terms on any one Commission. Serving any portion of an unexpired term shall not be counted as service of one term on such Commission. Long Beach City Charter § 508.

Additionally, members of the Citizen Police Complaint Commission are limited to two (2) year terms. § 1151.

*Council Action (Ordinance or Resolution) Commissions*

For non-Charter commissions, the term of office shall be two (2) years for members of each body. Members may be reappointed after their initial term, but in no event shall any person who has served four (4) consecutive two (2) year terms on the same body be eligible for reappointment to that body. Serving any portion of an unexpired term shall not be counted as service of one term. Members not eligible for reappointment may continue to serve until their successors are appointed and qualified. The specific terms of office for members of all advisory bodies are set forth in the roster.

b. Commissions with Special Regulations

A few commissions require special qualifications such as degrees or certificates, specialized backgrounds or experience. When these positions become available, any special qualifications will be noted.

c. Attendance Requirement

The members of each body may be removed by a majority vote of all members of the City Council for absence from three consecutive meetings without official permission expressed in the official minutes. LBMC § 2.18.050(F1).

d. Accommodations for Commissioners with Disabilities

Commissioners with disabilities are entitled to receive reasonable accommodations upon request in order to fully participate in board or commission meetings and events.

e. Stipends

Commission members shall receive no compensation for the performance of their official duties unless compensation is expressly provided by the City Council or the City Charter.

f. Removal by Majority Vote/Automatic Terminations

1. For charter commissions, members can be removed by action of the Mayor with the concurrence of 2/3 of the Council. Long Beach Charter § 510.
2. For non-charter commissions, the members of each body may be removed by a majority vote of all members of the City Council for the following causes:
  - a) Absence from three consecutive meetings without official permission expressed in the official minutes,
  - b) Incompetence, malfeasance, misfeasance, neglect of duty, or conviction of a crime involving moral turpitude, and
  - c) Refusal to resign from an advisory body when no longer a resident of the City. LBMC § 2.18.050 (F).
3. Automatic termination can result from the following:
  - a) Absence from three consecutive meetings,
  - b) Not filing the required Form 700;
  - c) Non-Residency within the City of Long Beach;
  - d) Failure to take the Oath of Office within 30 days of appointment letter; and
  - e) Failure to complete required Ethics Training.

g. Resignation Procedures

A commissioner wishing to resign shall submit a letter of resignation directly to the commission liaison who then shall send the original to the City Clerk for retention and to update the official commissioner roster. Department staff are requested to contact the City Clerk Department for the current procedures regarding the electronic transmission of resignation notices.

## B. CONFLICT OF INTEREST

Conflict of Interest rules exist to reinforce public confidence that City officials, employees and commissioners are acting in the best interests of the public, and not in furtherance of their own self-interests. As a general rule, commissioners should avoid situations where their official actions may affect or appear to affect their private interests, financial or otherwise.

### 1) **RELATION TO CONTRACTS**

State law prohibits commissioners from being financially interested in any City contract if your duties call on you to participate in any way or at any stage in the approval of the contract. Any participation (including discussion) in the process by which such a contract is developed, negotiated or executed is a violation of the law.

### 2) **PUBLIC DISCLOSURE REQUIREMENT**

If disqualification on a meeting agenda item is required, the commissioner must publicly disclose the interest that is the subject of the potential conflict as well as the fact that they are disqualifying themselves from any participation in the decision. The disclosure may be made orally at the public meeting and/or in writing to the board secretary and must be made a part of the agency's official records (e.g., the minutes of the meeting.) If commissioners have any further questions, please contact the City Attorney's office.

For more information please reference the Ethics Handbook at Appendix E.

## C. COMMISSION ORGANIZATION

The commissions follow Robert's Rules of Order for their meetings and their general organization. Highlights of these aspects are listed below:

### 1) **OFFICER ELECTIONS AND TERM OF OFFICE**

- a. Each commission shall have at least two officers (such as chair and vice-chair) and such other officers it deems necessary.
- b. All officers shall be elected by the members for a term of one year and no officer shall serve more than two successive terms. LBMC § 2.18.060.

### 2) **DUTIES OF OFFICERS**

The chair, or in his/her absence, the vice chair, performs the following duties:

- Presides at all meetings of the commission and ensures that the work of the commission is accomplished;
- Appoints commission members to temporary subcommittees and ad hoc committees subject to the approval of committee;
- As necessary approves agenda prior to distribution;
- Signs the correspondence on behalf of the commission;
- Represents the commission before the City Council with the approval of the commission; and
- Approves and signs commission reports to Council as prepared by the commission.

### 3) **TRANSFER OF CHAIR**

In the absence of the chair or his/her inability to act, the vice chair presides in their place. In the event that neither can perform, the remaining committee must elect a temporary chair.

### 4) **DUTIES OF COMMISSION LIAISON**

The commission liaison is a City employee assigned from the operating department normally designated to the commission. This individual assists the commission in its functions and advises them of staff's recommendations. The liaison should inform commissioners about activities, projects, and work taking place in the organization. Their duties include the following:

- Insure that commissioners file their Form 700 prior to taking part in the commission, every year there after by April 1<sup>st</sup> and upon leaving office;
- Insure that commissioners complete their required Ethics Training before taking their position as a commissioner;
- Execute commission meeting and agenda process to maintain compliance with the Brown Act, including tasks such as preparation of the agenda and minutes, notices, records of votes and attendance utilizing the City's legislative information management system. System training will be provided by the City Clerk Department;
- Serve as the primary contact to the City Clerk Department for the commission;
- Notify the City Clerk Department of resignations;
- Request permission from the City Manager or department director to have extensive staffing; and
- Initiate suggestions to help lead commissioners in the right direction.

## COORDINATION WITH COUNCIL

In this chapter certain roles and procedures pertaining to the relationship between commission and City Council are outlined.

### A. COORDINATION WITH COUNCIL

Some commissions' main function is to report and advise the City Council on issues. This section outlines major ways of doing so.

#### 1) **RELATIONSHIP TO COUNCIL**

The City Council welcomes advice and input from City commissions. The Council relies on the various commissions to have a large number of viewpoints and talents to help solve City problems.

#### 2) **PRESENTING AGENDA ITEMS TO COUNCIL**

Commissions are welcome to request an item be placed on the City Council agenda. Commissioners must act through the department liaison. The liaison will work with the City Manager to request placement in the agenda at an appropriate time. Due to limited time available in City Council meetings, placement cannot be guaranteed and is up to the discretion of the City Manager. In addition to requesting that the City Manager place an item on an agenda, all citizens (including commissioners) have the right to request that a Councilmember or the Mayor place an item on the Council agenda.

#### 3) **ANNUAL REPORT**

Commissions are required by the Long Beach Municipal Code to submit an annual report.

LBMC § 2.18.090

- A. Each body shall present an annual written report of its activities for the past year to the Mayor and City Council; it may also make appropriate recommendations. The report shall include the following:
1. The name of the body;
  2. Its objectives and functions;
  3. A reference to all reports and recommendations presented to the City Council, including the number of subject matters referred by the City Council;
  4. The number of meetings held;

5. Attendance records of all members;
  6. The number of public hearings conducted;
  7. The amount of money, if any, expended in support of that body;
  8. A list of city personnel who regularly assist that body; and
  9. A recommendation as to whether that body should be abolished, modified or continued.
- B. The department liaison shall forward the original report to the City Council and shall maintain a copy. Such reports shall be open to public inspection.

4) **COUNCIL MEETINGS AND AGENDAS**

Regular City Council meetings are held every Tuesday except the last Tuesday of the month. Commissioners are welcome to attend and participate in the public comment period. When commissioners address the Council they should clarify whether they are speaking on their own behalf or on the behalf of the commission, at the beginning of their commentary. Only the chair of a commission, or a member who has the prior approval of the commission, should speak on behalf of the commission.



## COMMISSION PROCEDURES

This chapter is intended to highlight and assist commissioners and staff with meeting-to-meeting operations required for a well-functioning commission.

### A. WORK PROGRAM

Commissioners may find it helpful to establish a yearly work program to set goals for the upcoming year. In it they could outline specific projects and estimated dates of completion. However, the commission controls its own ways of conducting business, and so it may decide on alternate procedures to conduct work efficiently and effectively.

### B. MEETINGS

This section is designed to help commissioners and staff to understand the meeting process from writing the agenda, the type of meetings, regulations, minutes and record keeping.

#### 1) **REQUIREMENT TO MEET IN PUBLIC**

The Brown Act (California Government Code § 54950 et seq.), adopted by the State of California, requires that commission meetings be held in public when a commission majority is present and thus allow all persons to attend such meetings. Reasons valid for holding closed sessions are very limited. Specific cases must be cleared by the City Attorney prior to the scheduling of the meeting. For more information on the Brown Act regulations, reference Appendix E or visit:

[http://ag.ca.gov/publications/2003\\_Intro\\_BrownAct.pdf](http://ag.ca.gov/publications/2003_Intro_BrownAct.pdf) for the complete act.

#### 2) **REQUIREMENT TO BE ACCESSIBLE TO PUBLIC**

All meetings must be held in an accessible location, and whenever possible at a City owned facility.

#### 3) **REQUIREMENT TO ALLOW FOR PUBLIC PARTICIPATION**

##### a. Opportunity for Public Comment

The Brown Act requires that agendas for legislative bodies provide an opportunity for the public to address the body. Please refer to the Act or attachment in Appendix E for more information on procedures and time limits.

b. Formal Participation/Presentations

An individual wishing to formally address the commission or make a presentation must submit a written request to the commission liaison and if appropriate it will be scheduled on a future agenda. Once the request is on the agenda, the commission may grant or deny the presentation.

4) **TYPES OF MEETINGS**

Please consult the Brown Act or reference Appendix E for more information.

a. Public Hearing

Public Hearings are held when required by law or when the commission determines that such a hearing would be desirable. When law requires the hearing, that law may also specify the procedure for that hearing.

b. Workshops

Workshops are designed to elicit citizen input in an informal manner, it allows for citizens to interact with commissioners, which also allows commissioners to work on matters in more depth. Workshop sessions do not culminate in action at that meeting. Actions and recommendations should be taken at the next regular meeting.

c. Sub-committees and Ad Hoc committees

Sub-committees are designed to allow commissioners to discuss particular items for an indefinite length of time. Sub-committees are subject to the Brown Act if they have on going jurisdiction on a matter.

Ad Hoc committees are designed for a specific issue for a specific amount of time. Ad Hoc committees are not subject to the Brown Act because they are made up of less than quorum. For more information please reference the Brown Act.

5) **MEETING REGULATIONS**

- The subject matter must be clearly stated.
- Where a public hearing is mandated by law, the specified form and timing of the advanced notice is 72 hours prior to regular meeting and 24 hours prior to a special meeting.
- When conducting a hearing, the procedures depend on the subject matter and time available. When a hearing is run in a quasi-judicial fashion, minimal requirements for receiving testimony must be met. These include but are not limited to an introduction by the liaison or the chair, testimony by affected parties, interested citizens and the presentation of documents.
- Hearings should be formally declared open by the chair and should be terminated by commission motion.

- Findings that may be needed must be formally stated for the record.
- Any action resulting from the hearing must be clearly stated for the record. Under state law, action is prohibited on any matters not publicly noticed.
- If no action is taken, it should be announced by the chair and advise the public of when action is expected to take place.
- If a commissioner cannot participate because of conflict of interest, it should be noted at the commencement of the hearing.

## C. COMMISSION AGENDA

This section is designed to give an overview of the agenda process and structure.

### 1) **AGENDA TITLES/PURPOSES**

The purpose of the agenda is to inform the public about the topics that will be discussed at the meeting. It is required by the Brown Act that the titles be as specific as necessary to fully describe the topic at hand.

### 2) **AGENDA FORMAT**

Prior to the scheduled meeting, the agenda needs to be formatted and distributed to include: Roll Call, Public Comment, Approval of Minutes, Public Hearing, Old Business, New Business, and Adjournment. Please refer to Appendices E & F for a sample.

### 3) **SUBMISSION OF AGENDA REPORTS**

All reports prepared by staff assisting the commission need to be submitted to the department director for policy and operational clearance about 3 full working days prior to mailing out deadline.

### 4) **DISTRIBUTION OF AGENDA PACKETS**

For those commissions staffed by the City Clerk department, it is requested that all necessary documents be submitted eight full working days prior to the meeting. For these commissions, the City Clerk Department will mail out agenda packets no later than seven days prior to the meeting to commissioners and any other required individuals. For all commissions, complete agendas must be made available to the public and commissioners 72 hours prior to the meeting, and 24 hours prior to a special meeting. Agendas may be distributed to other departments that work with the commission or those that find interest in it. The City's goal is to post all agendas on the Internet. To find an agenda for those commissions that are currently posting on the Internet, please go to:

[http://www.longbeach.gov/cityclerk/comm\\_agenda.asp](http://www.longbeach.gov/cityclerk/comm_agenda.asp)

For other commissions, please contact the department liaison.

## D. MINUTES

In this section, the process of noting and recording minutes is explained.

### 1) **ACTION MINUTES**

An accurate record of the commission's proceedings must be kept either by the City Clerk staff or by the liaison executive secretary of the commission. The action minutes will state the date, time, place of the meeting, attendance of members and staff, and a description of the actions taken. Approved motions are indicated by "moved, seconded, or carried" and include the breakdown of the vote.

Minutes are then presented to the commission for approval in the next meeting. If any corrections are made, the corrected minutes shall be approved as corrected.

### 2) **TAPING MINUTES**

It is the policy of the City to record the meetings by tape/video streaming. The tapes/video streaming must be maintained in accordance with the City's Records Retention Schedule.

## E. OFFICIAL COMMISSION RECORDS

All agendas, minutes, reports, communications, tapes, videos, and any other related material, should be kept in an organized manner as to facilitate the passing on of documents from one staff person to the next. It is the responsibility of the commission liaison or executive secretary to keep such documents in order.

## APPENDICES

- A. Boards and Commissions Chart
- B. Sample Application
- C. Form 700
- D. Oath of Office
- E. Robert's Rules of Order Quick Reference Outline
- F. Handbook for Long Beach City Officials and Employees