



DATE: January 3, 2019

CATEGORY: Consent

DEPT.: City Manager's Office/Council
Procedures Committee

TITLE: **Resolution Amending Council Code
of Conduct Chapter 2**

RECOMMENDATION

Adopt a Resolution Amending Council Code of Conduct Chapter 2, to be read in title only, further reading waived (Attachment 2 to the Council report).

BACKGROUND

The Council Procedures Committee (CPC) is a standing Council committee that meets on an as-needed basis to discuss issues relating to City Council policies and/or procedures. At the CPC meeting on December 4, 2018, the Committee reviewed three items on the Committee work plan that were associated with Council appointments. The attached memorandum discusses the three areas reviewed at the meeting (Attachment 1). This report addresses the second of two policy changes the Committee recommends for Council adoption—modifications to the Council Code of Conduct to provide that tenure on a regional board shall be commensurate with the Councilmember's term(s) on the City Council.

ANALYSIS

This issue was raised in light of an elected City Councilmember who was appointed to a regional board (Bay Area Water Supply and Conservation Agency) and the member's Council term ended before the term of the board appointment expired. There are a few agencies that require appointments to be approved by the City's governing body, such as the Bay Area Water Supply and Conservation Agency.

Staff reviewed Mayoral procedures appointments, including the Council Code of Conduct, Section 2.2, which defines Mayor and Vice Mayor – appointment, power, and duties, and Section 2.4 defines Councilmember committees' policy and procedures. Per Section 2.4.4, the Mayor annually appoints members to standing committees. Staff

determined that the issue at hand was not an area currently addressed in policy or procedure.

The CPC reviewed these provisions and recommended clarification be added to the Code of Conduct to provide a regional appointment will be terminated at the time the Council term expires, unless action is taken by the Council to reappoint. The Committee recommends the approval of this change, as reflected in the attached Resolution (Attachment 2), with the policy language change shown on the red-line Council Code of Conduct, Chapter 2 (Attachment 3).

FISCAL IMPACT – There is no significant budgetary impact to this recommendation.

ALTERNATIVE

The City Council can modify or decline to accept the CPC recommendations.

PUBLIC NOTICING – Agenda posting.

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KST/KB/5/CAM
609-01-03-19CR-1

- Attachments:
1. CPC Report Item – December 4, 2018
 2. Resolution Amending Council Code of Conduct Chapter 2
 3. Red-line of Council Code of Conduct Chapter 2