



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JUNE 5, 2018**
FROM: CITY CLERK'S OFFICE **WARDS: ALL**
SUBJECT: POLICY FOR ACCEPTANCE AND WITHDRAWAL OF BOARD/COMMISSION RESIGNATIONS

ISSUE:

Set a policy for resignations from City boards and commissions and withdrawal of resignations for continued service; and incorporate prior policy direction on partial terms and length of appointments into the City Council Rules of Procedure and Order of Business (Meeting Rules).

RECOMMENDATIONS:

That the City Council concur with the Governmental Affairs Committee to adopt the attached resolution amending the City Council Rules of Procedure and Order of Business to provide that:

1. Resignations from City boards and commissions shall be effective immediately upon receipt by the City Clerk and forwarded to the City Council for filing;
2. Future effective dates noted in writing and submitted at the same time as the board/commission resignation shall be honored to the extent eligibility continues;
3. Withdrawal of a board/commission resignation for desired continued service shall be submitted in writing including the reason therefore, and may be considered by the Mayor and City Council, with the member remaining as resigned until such approval is granted;
4. A partial term of more than one year shall be considered a full term; and
5. Residents appointed mid-year to boards and commissions shall serve full terms of up to and not-to-exceed four years, expiring on March 1st of the corresponding year.

LEGISLATIVE HISTORY/BACKGROUND:

Resignations/Withdrawals

On June 27, 2017, Councilmember Soubirous requested consideration of a policy defining the effective date of board/commission resignations and a board/commission member's ability to rescind a resignation if they wish to continue service.

The City Council Meeting Rules (Resolution No. 23035) set forth the appointment process for the City's fifteen boards and commissions and is silent with respect to resignations. In the past year, a member of the Board of Ethics submitted a resignation followed by a withdrawal of the resignation as the member wished to continue service. Traditionally, the City Clerk has accepted

a notice of resignation and prepared a report for the City Council Consent Calendar to document the resignation in the official record.

The recommended change to the Meeting Rules would require the Mayor and City Council to consider whether or not to accept withdrawal of a board/commission resignation. The board/commission member would remain resigned until the Mayor and City Council grant the withdrawal; the act of submitting a withdrawal itself has no effect upon a resignation.

Prior Policy Direction – Codification into Meeting Rules

Unrelated to Councilmember Soubirous' request but related to board/commission appointments, the City Clerk proposes that two prior policies adopted by the City Council be incorporated into the City Council Meeting Rules for ease of reference:

- "...if a partial term is served for more than one year it will be considered as a full term by the City Council, and that members of City boards and commissions will be limited to serving for two terms." (February 26, 1980)
- "...mid-year appointments to boards and commissions shall serve full terms of up to and not-to-exceed four years, expiring on March 1st of the corresponding year." (January 27, 2009)

These policies are currently in place with no changes recommended at this time.

On May 2, 2018, the Governmental Affairs Committee with Chair Melendrez, Vice-Chair Gardner, and Member Conder present, unanimously recommended that the City Council amend the City Council Rules of Procedure and Order of Business as outlined in this report.

FISCAL IMPACT:

The cost of board/commission administration is included annually in the City Clerk's Office Budget.

Prepared by: Colleen J. Nicol, City Clerk
Approved as to form: Gary G. Geuss, City Attorney

Concurs with:



ANDY S. MELENDREZ, Chair
Governmental Affairs Committee

Attachment: Resolution
Letter