



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JANUARY 27, 2026**

FROM: CITY MANAGER'S OFFICE **WARDS: ALL**

SUBJECT: ADOPT A RESOLUTION TO REVISE THE CITY COUNCIL RULES OF PROCEDURE AND ORDER OF BUSINESS RELATED TO ELIGIBILITY FOR SERVICE ON CITY BOARDS AND COMMISSIONS FOR INDIVIDUALS INVOLVED IN ACTIVE LITIGATION AGAINST THE CITY

ISSUE:

That the City Council consider adopting a resolution to revise the City Council Rules of Procedure and Order of Business to establish an eligibility requirement for service on City Boards and Commissions for individuals involved in active litigation against the City.

RECOMMENDATIONS:

That the City Council adopt the attached resolution repealing Resolution No. 24318 and revising the City Council Rules of Procedure and Order of Business to establish an eligibility requirement for service on City Boards and Commissions for individuals involved in active litigation against the City.

BACKGROUND:

The City Council Rules of Procedure and Order of Business (Rules of Procedure) establish the framework for the conduct of City Council meetings and related functions and activities. The Rules of Procedure are intended to ensure that City Council business is conducted in an orderly and fair manner and to establish uniform norms and procedures to support an efficient and orderly legislative process.

On October 24, 2025, the City Council adopted Resolution No. 24318, which revised and updated the City Council Rules of Procedure and Order of Business and repealed the prior resolution. Resolution No. 24318 represents the most recent update to the Rules of Procedure and remains in effect today.

The City Charter provides the City Council with authority over the appointment, service, and removal of members of City Boards and Commissions. Article VIII, Section 802 of the Charter provides that members of boards and commissions serve at the pleasure of the Mayor and City Council, are nominated and appointed from the qualified electors of the City, and are subject to

removal by the Mayor and City Council. Section XIV of the Rules of Procedure addresses Boards and Commissions, including provisions related to appointments and eligibility for service.

At the January 6, 2026 City Council meeting, Councilmember Mill requested that an item be brought back to establish an eligibility requirement related to service on City Boards and Commissions for individuals involved in litigation against the City.

DISCUSSION:

This item proposes a limited revision to the Rules of Procedure related to eligibility for service on City Boards and Commissions. Specifically, the proposed revision would amend Section XIV of the Rules of Procedure to establish an eligibility requirement providing that individuals involved in active litigation against the City may not be appointed.

Establishing this eligibility requirement supports the City Council's interest in maintaining confidence in the advisory role of Boards and Commissions and ensuring that those bodies can carry out their responsibilities without the appearance of conflicting interests. The proposed revision provides clear and uniform guidance for appointments and continued service consistent with City Council's authority under the City Charter.

This eligibility requirement is intended to apply uniformly to all City Boards and Commissions and would be incorporated into the existing Rules of Procedure through adoption of the revised resolution repealing Resolution No. 24318. All other provisions of the City Council Rules of Procedure would remain unchanged.

Here is the proposed revision:

XIV. BOARDS, COMMISSIONS, AND COMMITTEES

A. For Citywide vacancies on any boards and commissions, the Mayor shall **recommend nominate** an applicant for appointment by the Mayor and City Council. For Ward-specific seats, the Councilmember for the Ward shall **recommend nominate** an applicant for appointment by the Mayor and City Council. **Neither the Mayor nor the Councilmember shall nominate any applicant for such appointment who has a pending lawsuit against the City.**

The only nomination and appointment that this restriction would not apply to is when a position on a board or commission remains vacant for sixty days or more. Under such circumstances, per City Charter section 803 and 805, the Mayor has the authority to appoint, without Council approval, and the City Council cannot limit the Mayor's authority without a Charter revision.

FISCAL IMPACT:

There is no fiscal impact associated with adoption of the proposed resolution.

Prepared by: Krystelle Schneider, Senior Management Analyst

Approved by: Mike Futrell, City Manager

Approved as to form: Rebecca McKee-Reimbold, Interim City Attorney

Attachments: Revised Resolution