



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Approve Amendment to City Council Protocol Manual Section 5.2 (Commission Appointments) to Add Language Regarding Removal Process

MEETING DATE: November 2, 2011

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve amendment to City Council Protocol Manual Section 5.2 (Commission Appointments) to add language regarding removal process.

BACKGROUND INFORMATION: At the request of the Mayor, this item is being brought forward to ensure that the City Council Protocol Manual sets forth a complete and accurate process for both appointments and removals of board, committee and commission members. At the present time, only an appointment process is in place. The City Clerk's office is contacted on a regular basis by the City's liaisons to the various boards, committees and commissions with questions regarding the appointment and removal processes. The language suggested below outlines both processes.

"5.2 Board, Committee and Commission Appointment and Removal

Appointment

Resolution No. 2003-156, adopted by the Lodi City Council on August 20, 2003, establishes the policy regarding appointment of persons to membership on a City board, committee, and commission [hereinafter "Commission"]. Commission applicants, with the exception of the Greater Lodi Area Youth Commission, must be registered voters of San Joaquin County, and Site Plan and Architectural Review Commission applicants must be registered voters of the City of Lodi. Pursuant to LMC Section 2.16.010, "Established—Appointment," Planning Commission applicants must be registered voters of the City of Lodi. Those applicants not meeting this requirement will be notified by the City Clerk's Office that their application does not meet specifications and cannot be considered for appointment. Applications are to be accepted by the City Clerk for 30 days and shall remain valid and on file for one year. Exception: Full-time and par-time City employees are prohibited from serving on a commission.

Those seeking appointment to a commission must submit an application to the City Clerks Office. Those commissioners whose terms have expired must submit a new application (terms are not automatically renewed), and the City Clerk will notify said Commissioners with a letter and new application form. Following the close of the 30-day application period, copies of all applications will be provided to Council Members for informational purposes, as well as to the appropriate staff liaisons, who will be asked to provide feedback on each candidate, including those seeking reappointment.

APPROVED:

A handwritten signature in black ink, appearing to read "K. Bartlam".

Konradt Bartlam, City Manager

The Mayor shall conduct interviews and submit recommendation(s) for appointment to the City Clerks Office for placement on the City Council agenda for motion action. Exception: The Greater Lodi Area Youth Commission may conduct independent interviews of all applicants, providing the Mayor with a ranking of the top ten, which he/she shall use in selecting qualified candidates.

Following Council appointment, the successful candidate(s) will be notified by the City Clerks Office via letter of the appointment and Conflict of Interest filing obligation. Copies of the letter and completed application form(s) will be forwarded to the appropriate staff liaison, who will contact the successful candidate(s) regarding meeting dates and times and responsibilities. The City Clerks Office will notify the unsuccessful candidates of the outcome and confirm the status of their application (i.e. currently valid; has or about to expire; etc.).

Removal

A person appointed by the City Council to a Commission shall continue to serve as a member thereof except when:

1. The person's term of office expires and a different person has been appointed.
2. The person voluntarily resigns from the Commission.
3. The person no longer resides and/or is a registered voter within the required jurisdiction.
4. The person fails to attend three (3) consecutive meetings of the Commission and does not have prior approval for said absences by way of a majority action of the Commission.

A majority vote of the City Council may remove any member of a Commission for any reason including, but not limited to, conduct unbecoming a public official, violating the City's Conflict of Interest Code, failing to comply with statutory requirements, or failing to attend fifty percent (50%) of the Commission meetings in a calendar Year. Conduct unbecoming a public official includes the conduct that any reasonable commissioner would know is incompatible to public service, would indicate a lack of fitness to perform the functions of a commissioner or would discredit or cause embarrassment to the City.

Any member of the City Council may initiate a person's removal from a Commission by requesting that consideration of the person's removal be placed on the Council's agenda at a regular or special meeting for discussion and potential action. The City Clerk shall notify the person affected of the time and place of the meeting. When the item is on the City Council agenda, the City Council may, by majority vote, remove the person from a Commission."

It is therefore recommended that the City Council approve the above-referenced amendment to Section 5.2 of the Protocol Manual setting forth a complete process for both appointments and removals.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.



Randi Johl
City Clerk