



Legislation Details (With Text)

File #: 18-607 **Version:** 1 **Name:**

Type: Consent Item **Status:** Passed

File created: 11/13/2018 **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority

On agenda: 11/19/2018 **Final action:** 11/19/2018

Title: SUBJECT: Adoption of Resolution Rescinding Resolution 2017-10 and Adopting a Values Statement, Adopting the Ethics and Code of Conduct for City Council Meetings, and Adopting Rules of Order and Procedure for the Conduct of City Council Meetings

REPORT IN BRIEF

Considers the adoption of Resolution 2018-78 to adopt a values statement, ethics and code of conduct for city council meetings, and to adopt rules of order and procedure for the conduct of City Council meetings.

RECOMMENDATION

City Council - Adopt a motion adopting Resolution 2018-78, a Resolution of the City Council of the City of Merced, California, rescinding Resolution 2017-10 and adopting a Values Statement, adopting the Ethics and Code of Conduct for City Council meetings, and adopting Rules of Order and Procedure for the conduct of City Council meetings.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution 2018-78.pdf

Date	Ver.	Action By	Action	Result
11/19/2018	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

Report Prepared by: Phaedra A. Norton, City Attorney

SUBJECT: Adoption of Resolution Rescinding Resolution 2017-10 and Adopting a Values Statement, Adopting the Ethics and Code of Conduct for City Council Meetings, and Adopting Rules of Order and Procedure for the Conduct of City Council Meetings

REPORT IN BRIEF

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RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2018-78**, a Resolution of the City Council of the City of Merced, California, rescinding Resolution 2017-10 and adopting a Values Statement, adopting the Ethics and Code of Conduct for City Council meetings, and adopting Rules of Order and Procedure for the conduct of City Council meetings.

ALTERNATIVES

1. Approve with amendments (specified in motion); or,
2. Continue to a future meeting; or
3. Take no action.

AUTHORITY

Charter of the City of Merced, Sections:

200 Powers

201 Procedures

407 Regular Meetings

408 Special Meetings

409 Place of Meetings

410 Quorum-Proceedings

411 Public Participation

CITY COUNCIL PRIORITIES

Further government transparency and public engagement.

DISCUSSION

Council Member Serratto requested a review and update of the City Council's Code of Conduct and Ethics Resolution pursuant to City Council Administrative Policies and Procedures C-1. A subcommittee consisting of Council Members Serratto, McLeod, and Pedrozo was formed to review the code of conduct and ethics language. The subcommittee's suggested revisions were reviewed by the City Council at the November 5, 2018. At the meeting, the City Council requested additional modifications to the proposed Resolution as follows:

Page 3, Section 7. "Communication": Pursuant to Council direction, the language "members shall refrain from receiving information outside of an open public meeting or the agenda materials, except on advice of the City Attorney" was deleted, so that it reads:

"For adjudicative matters pending before the body, members shall publicly disclose substantive information that is relevant to a matter under consideration by the body which they may have received from sources outside of the public decision-making process."

Page 7, Section 1 under "CITIZEN PARTICIPATION": Pursuant to Council direction, the word "shall" was replaced with "should" with regard to the completion and submittal of the Request to Speak card to the City Clerk, so that it reads:

"In order to speak during oral communications, on an agenda item, or at a public hearing, a speaker should complete a Request to Speak card and submit it to the City Clerk. For Oral Communications, the Request to Speak card should be submitted prior to the City Clerk's calling for speakers."

Page 11, Section 14., "ABSENCE OF MAYOR AND MAYOR PRO TEMPORE": Pursuant to Council direction, the language "selected alphabetically in rotation on an annual basis." was deleted, so that it

reads:

“In the absence of the Mayor and Mayor Pro Tempore, the Chair shall be occupied by one of the City Council Members present.”

The adoption of Resolution 2018-78 is requested for the purpose of adopting the Values Statement, the Ethics and Code of Conduct for City Council meetings, and the Rules of Order and Procedure for the conduct of City Council meetings.

ATTACHMENTS

1. Resolution 2018-78