



# CITY BOARD, COMMISSION, COMMITTEE AND TASK FORCE

## POLICY & PROCEDURES HANDBOOK

MAY 2008

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## INTRODUCTION

The City of Arcata is a General Law City with a Council-Manager form of government. This type of government consists of an elected City Council and a City Manager, who is appointed by the Council. The City Council also appoints the City Attorney.

The City Council sets policy for the City of Arcata and the City Manager and staff are responsible for carrying out that policy. The various Committees, Commissions, Boards and Task Forces are advisory to the City Council. The Planning Commission and Design Review do have decision-making authority, which can be appealed to the Council. A staff liaison is appointed by the City Manager to assist each of the advisory bodies in carrying out their roles and in ensuring compliance with protocol.

To encourage participation and help this structure of government work effectively, the Arcata City Council has established various committees, commissions, boards and task forces over the years. For these "bodies" to serve as originally intended requires the participation of an informed and dedicated public. These "bodies" generally make recommendations on a wide variety of issues brought before the City Council. This allows for thoughtful citizen input and involvement in matters that directly affect their community, while at the same time providing a necessary service to the City.

The purpose of this handbook is to outline the responsibilities and functions of the "bodies" as assigned by the City Council. It also contains general procedures and requirements specified by the State of California, the Arcata Municipal Code, and the City Council. These requirements should be given careful consideration and review. Certain sections of the handbook will outline suggested actions for the benefit of meeting these requirements and for the efficient and productive conduct of public business.

## Structure and Organization

### RELATIONSHIP TO THE CITY COUNCIL

The Arcata City Council, by virtue of its status as governing body, has the authority to define and oversee the actions of every committee, commission, board and task force. The purpose of these advisory bodies is to provide assistance to the City Council by exploring the many issues that the Council faces and to make recommendations based upon the best public input. This, in essence, puts the various "bodies" in a supportive relationship to the City Council which relies on them for its own effective governance. The Planning Commission and Design Review have certain powers that are established in State law and City Ordinance. However, their decisions can be appealed to the City Council. The Members of the City Council are the only ones elected by the People of Arcata and are ultimately responsible for making the final decisions in all matters.

The City Council initially influences these bodies by selecting and appointing members. The Council provides them with general policy direction, while at the same time allowing them the freedom to investigate fully. The City Council also has the ability to remove any appointee at any time with a majority vote of the Council.

The City Council will schedule study sessions with committees and commissions when needed or as requested in writing to the Mayor by the chair. In addition, each committee and commission is responsible for making an annual report to the City Council on its work activity.

### APPOINTMENTS

As members resign, have their terms expire, or are removed, vacancies are created which are filled by interested community members. The City Managers Office announces vacancies as these openings arise. Applications are made available in the City Managers Office. Members whose terms expire will be contacted regarding interest in reappointment. Vacancies on the Board of Permit Appeals, Planning Commission or Design Review Commission will be announced 90 days prior to expirations and members whose terms expire are encouraged to apply for reappointment. The annual expiration date of a term shall be as specified in Arcata Municipal Code Title II, Chapter 3 – Boards and Commissions (AMC II-3).

The City Council will interview all qualified applicants. A majority vote of the Council is needed for appointment.

### QUALIFICATIONS

Unless otherwise expressly provided under specified sections for each commission and committee in AMC II-3, all boards, commissions and committees shall be comprised of seven members; no less than five members shall be residents of the City of Arcata, and the remaining two must live or work in the Arcata Planning Area.

Additional qualifications may be set by the Council to further the work of the body.

## ORIENTATION OF NEW MEMBERS

Upon written notification of appointment by the Mayor, newly appointed members shall receive a copy of this Handbook and should become familiar with the work of the body they are about to serve. Efforts should be made by the newly appointed member to contact the staff liaison assigned to the body for an introduction to the current issues. Review of previous meeting minutes should also give the new member a chance to gain an overview of the work by the body.

## TERMS OF OFFICE

Board Members: The term of office for members of a board shall be four years.

Commission Members: The term of office for members of a commission shall be four years with the exception of the Design Review Commission which shall be three years.

Committee Members: The term of office for members of a committee shall be three years.

## REMOVALS

The City Council may remove members by a majority vote. In addition, the Ordinance requires automatic removal upon notification of the Council of the following absences from regular meetings.

Boards: Two absences within a calendar year.

Commissions: Four absences within a calendar year.

Committees: Three absences within a calendar year.

## ORGANIZATION

Each body shall elect a chair and vice-chair as follows.

Boards: Once every four years.

Commissions & Committees: Annually, at the first regularly scheduled meeting of the fiscal year.

## MEETING PROCEDURES AND REQUIREMENTS

The internal proceedings of a body must comply with state statutes, the Arcata Municipal Code Title II, Chapter 3 – Commissions and Committees (AMC II-3) and procedures determined by the Arcata City Council. All meetings are “public meetings” and must comply fully with the open meetings law better known as the Ralph M. Brown Act or simply – Brown Act. The Brown Act is very specific and a copy is attached for further understanding. It is very important that all members understand the Brown Act and follow it in every detail.

REGULAR MEETINGS: Meeting dates may be twice a month, monthly, or as needed depending upon the body. Please refer to the schedule attached that shows the frequency, time and location of all regularly scheduled meetings. At least 72 hours prior to the start of the meeting, an agenda must be posted and accessible to the public. The agenda must contain the time, date and place of the meeting and each item which will be discussed. The agenda must be adhered to in all meeting situations. A quorum is required for any decisions to be made on public business, except that a meeting can be adjourned without a quorum.

ADJOURNED MEETINGS: A meeting may be adjourned to a time and place specified in the order of adjournment. The adjourned meeting must be noticed and conducted under the same agenda and regulations as the regular meeting. A notice of adjournment must be posted within 24 hours near the place where the meeting was adjourned and in the City Notices display.

SPECIAL MEETINGS: the chair or a majority of committee members may call Special meetings. Written notices shall be used to notify each member of that body. Written public notification must be given at least 72 hours before the meeting takes place. The notice must specify the time and place and the business to be transacted. No other business can be considered at these meetings than that which is stated on the notice. This is the one occasion where the meeting can be held outside of the regularly set location. However, the meeting must be held at an ADA accessible location within the Arcata City Limits.

ATTENDANCE/ABSENCES: Attendance is an essential element of committee business. If less than a quorum is present, no public business can be conducted. Repeated absences create an automatic vacancy as noted earlier.

QUORUM: A quorum is a majority of the members (51%) of the authorized membership of a particular body. A quorum is needed to conduct committee business. A quorum is based upon the full number of seats on a body as designated by the Ordinance (regardless of vacancies). An example of this would be a seven person body with two vacancies; of the remaining five active members, four would need to be present for a meeting to be conducted. If there is not a quorum the members present may call for adjournment of the meeting to a later date (as described earlier).

AGENDA: An agenda must be prepared for each meeting. The standard format to be followed is that of the Council Agenda as described in the Council Protocol Manual. Action can only be taken on items listed on the agenda. By a 2/3rds-majority vote, items can be rearranged for the sake of timing of presentation. The language of each agenda item must contain sufficient description to enable the public to determine the general nature of the subject matter and the

direction of any action recommended so that they may seek further information on items of interest, and make an informed decision if they wish to attend a meeting and give public input. Public interaction and participation is encouraged. One of the required "Agenda Items" on each agenda for all bodies is an "Oral Communication" section.

**MINUTES:** Minutes of all meetings must be kept to provide a sense of what happened at the meeting. Minutes will be kept in "action minutes" form. Action minutes list the time and date, and place of the meeting, the members and staff in attendance, the members absent, and a clear and concise description of the action taken. An exception would be Planning Commission Hearings where a description of the discussion would be of value. A copy of the approved minutes and the audio tapes will be and filed with City Clerk. Additions and corrections of the minutes may be made only in public meetings, with the approval of the body, not by the private requests of individual members. All meetings are taped and tapes retained by the City Clerk for the period required by law.

**MEETING PROCEDURE:** Four basic principles of procedure that should be adhered to:

1. Courtesy and justice to all
2. Consider one thing at a time
3. The minority must be heard
4. The majority of the body must prevail

The reason for following these basic principles is to allow for order and fair deliberation of meetings. The Chair is responsible for insuring all of the above.

If there are any other procedural questions, the chair should refer to the City Council Protocol Manual (available in each department office), this Handbook, or contact the City staff liaison to the body.

## **CONFLICT OF INTEREST** **PROVISIONS**

The Political Reform Act controls conflicts of interests of public officials including members of any of the bodies involved in this Handbook. The conflict of interest law is one of the most complicated laws affecting local government. The law is implemented and enforced by the Fair Political Practices Commission, who has issued comprehensive implementing regulations. To understand the Political Reform Acts impact on a member's actions, it is suggested that, if there are any questions, that you discuss the law and potential conflicts with the City Attorney or a private attorney.

If you are a Member of the Planning Commission or Design Review, there are serious implications to the Conflict of Interest laws. Some conflicts only require a disclosure. Others, such as action on an issue within 300 feet of your residence or a property you own or have an interest in will require that you declare the conflict and leave the meeting room. Obviously, if you will personally gain economically from the decision to be made you probably have a conflict of interest. In addition, there is a real ethical question about a Commission Member presenting their own project before a Commission of which they are a Member.

Please refer to the City Council Protocol Manual, Chapter 6, for additional information. Also, please note that the Planning Commission, Design Review Commission, Nuclear Weapons Free Zone Commission, and Economic Development Committee must file Conflict of Interest forms with the City Clerk's Office. Failure to file the forms in a timely manner results in an automatic vacancy.

## TITLE II—ADMINISTRATION

**CHAPTER 3—BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCES**

(Previous Title II replaced by Ord. 1292, eff. 6/18/1999; Amd. Ord. 1299, eff. 3/04/2000; Ord. 1304, eff. 5/19/2000; Ord. 1305, eff. 5/19/2000; Ord. 1352, eff. 5/20/2005; Ord. 1353, eff. 8/19/2005; Ord. 1367, eff. 1/18/2008; Ord. 1385, eff. 1/2/2009)

**ARTICLE 1—GENERAL PROVISIONS****Sec. 2200 Purposes and Findings.**

- A. The Council recognizes that City business is best conducted by reliance on citizen involvement through the use of permanent and temporary ad hoc committees. State law allows the Council to establish committees for different purposes, and with varying amounts of delegated decision-making or advisory authority.
- B. The Council finds that citizen participation in permanent and temporary committees can be encouraged through efforts to simplify the procedures followed by the different committees. Therefore, to the greatest extent possible, the Council therefore seeks to make consistent internal procedures and to precisely define the jurisdictional scope of authority of the different committees.

**Sec. 2201 Definitions. (Ord. 1367, eff. 1/18/2008)**

Unless expressly defined otherwise, the following definitions shall govern the construction of this ordinance. The definition of a word applies to any of its variants.

- A. Board. "Board" shall mean a standing committee created by the Council pursuant to specific statutory direction and with final decision-making authority as specifically provided herein. Decisions of a board are considered final action and are not revisable by the Council.
- B. Commission. "Commission" shall mean a standing committee created by the Council with final decision-making authority as specifically provided herein. Decisions of a commission are reviewable by the Council through established appeal procedures. Commission members shall obtain ethics training, as required by AB 1234, Government Code section 53234, et seq.
- C. Committee. "Committee" shall mean a standing committee created by the Council for purposes of providing advice and recommendation to the Council and City staff.
- D. Task Force. "Task Force" shall mean a temporary committee created by the Council for specific purposes. The task force shall have advisory powers only, and shall cease to exist after a designated time. For purposes of this ordinance, an ad hoc committee shall be treated as a task force.

**Sec. 2202 Creation, Appointment and Removal. (Amd. Ord. 1352, eff. 5/20/2005)**

- A. Creation. The Council may create boards, commissions, committees and task forces as required or convenient. Boards, commissions and committees shall be created by ordinance. Task forces may be created by either motion or resolution of the Council.
- B. Appointment. Members of a board, commission, committee or task force shall be appointed by the Council, shall serve at the pleasure of the Council and shall serve without compensation. Except where expressly provided otherwise, all boards, commissions and committees shall be comprised of seven members; no less than five members shall be residents of the City of Arcata, and the remaining two may live or work in the Arcata Planning Area.

C. Vacancies. Ninety days prior to the expiration of a term on the Board of Permit Appeals, Planning ~~<10>~~ Commission or Design Review Commission, the City Manager shall announce each vacancy, and shall state that it is seeking applicants and shall set forth the qualifications required, if any. The Council may interview each applicant, after which a majority of the Council may select the most qualified applicant to fill the vacancy. Incumbent members are encouraged to reapply for additional terms. Vacancies occurring during the middle of a term shall be filled by appointment for the unexpired portion of the term, in the same manner provided herein for initial appointment.

D. Removal. The Council may remove any member by majority vote at a regularly scheduled Council meeting.

#### **Sec. 2203 Term. (Amd. Ord. 1352, eff. 5/20/2005)**

A. Board Members. The term of office for members of a board shall be four years. The annual expiration date of a term shall be as specified in this Ordinance. Terms shall be staggered.

B. Commission Members. Except as specifically provided otherwise herein, the term of office for members of a commission shall be four years. The annual expiration date of a term shall be as specified in this Ordinance. Terms shall be staggered.

C. Committee Members. The term of office for members of committees shall be three years. The annual expiration date of a term shall be as specified in this Ordinance. Terms shall be staggered.

#### **Sec. 2204 Absences.**

A. Boards. If any member of a board is absent for two meetings in a calendar year, the secretary to the board shall certify that fact to the Council and the Council shall thereafter declare the position on the board to be vacant.

B. Commissions. If any member of a commission is absent for four regularly scheduled meetings in a calendar year, the secretary to the commission shall certify that fact to the Council and the Council shall thereafter declare the position on the commission to be vacant.

C. Committees. If any member of a committee is absent for three regularly scheduled meetings in a calendar year, the secretary to the committee shall certify that fact to the Council and the Council shall thereafter declare the position on the committee to be vacant.

#### **Sec. 2205 Organization.**

A. Boards. Each board shall elect its chairperson and vice-chairperson once every four years from among its appointed members. The elected chairperson and vice-chairperson shall serve for the duration of their terms.

B. Commissions and Committees. Each commission and committee shall annually, at the first regularly scheduled meeting of the fiscal year, elect its chairperson and vice-chairperson from among its appointed members.

C. Task Forces. Each task force shall elect its chairperson and vice-chairperson at its first regularly scheduled meeting from its appointed members.

#### **Sec. 2206 Meetings: Notice; Quorum.**

A. Notice. All boards, commissions, committees, and task forces are subject to the Ralph M. Brown Act, Government Code Section 54950 et seq. Notice of all meetings shall satisfy the minimum requirements of such Act. Any board, commission, committee or task force may vote to cancel a regularly scheduled meeting as needed.

B. Special Meetings. Any board, commission, committee or task force may meet more frequently than <11> permitted by its regular meeting schedule if considered necessary or expedient by the chairperson. Such special meetings shall be noticed in accordance with requirements of the Ralph M. Brown Act. Any board, commission, or committee may request a joint meeting with the City Council or with other boards, commissions or committees.

C. Quorum. A majority of the board, commission, committee or task force shall constitute a quorum for purposes of conducting business.

D. Annual Report. All commissions, committees and task forces shall deliver an annual report to the Council.

### **Sec. 2207 Minutes.**

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The Secretary shall take minutes at each meeting and shall make such minutes available within a reasonable time following each meeting and shall be subject to approval by the appropriate body.

## **ARTICLE 2—PLANNING COMMISSION**

### **Sec. 2208 Creation, Powers and Duties.**

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The Planning Commission is hereby created. Its powers and duties shall be as specified in the State Planning and Zoning Law, Title 7 of the Government Code. These powers and duties are outlined as follows:

- A. To serve in an advisory capacity to the City Council and City staff on all matters pertaining to planning and the physical development of the City and surrounding areas.
- B. To provide recommendations to the City Council regarding the preparation, adoption, amendment, administration, and implementation of the General Plan and its various elements, the Local Coastal Plan, and Specific Plans.
- C. To provide recommendations to the City Council regarding preparation, adoption, amendment and implementation of the City's land use, zoning, subdivision, development review, design review, environmental review, and other related policies, ordinances, and standards.
- D. To review and take action to approve, approve subject to conditions or modifications, or to deny various applications for development or use of land as provided in the City's Land Use and Development Guide, Title IX of the Arcata Municipal Code.
- E. To review and make decisions with respect to Negative Declarations, Environmental Impact Reports, and other environmental documents prepared for private and public projects.
- G. To review and make decisions regarding the consistency of proposed acquisition or disposition of real property by the City with the General Plan and any applicable Specific Plans, as provided by State Law.
- H. To review and make decisions with respect to the consistency of proposed capital improvement projects and programs with the General Plan and any applicable Specific Plans, as provided by state law.
- I. To exercise any other powers and duties as may be assigned by state law or by the Land Use and Development Guide, Title IX of the Arcata Municipal Code.

### **Sec. 2209 Meetings.**

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The Planning Commission shall hold regular meetings twice monthly.

### **Sec. 2209.1 Term. (Amd. Ord. 1352, eff. 5/20/2005)**

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The annual expiration date of a term for a Planning Commission member shall be July 31.

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**Sec. 2210 Secretary.**

The Director of Community Development, or his/her designee, shall be the Secretary to the Commission.

**Sec. 2211 Conflict of Interest Code.**

The provisions of the City of Arcata Conflict of Interest Code, Title II, Chapter 8, shall apply to all members of the Planning Commission.

**ARTICLE 3—HISTORIC AND DESIGN REVIEW COMMISSION****Sec. 2212 Transfer of Historic and Design Review Responsibilities to Planning Commission.**

All powers, duties and functions of the Historic and Design Review Commission and/or the Design Review Committee as created and defined in the City's Land Use Code (LUC), Land Use and Development Guide (LUDG), and Local Coastal Plan (LCP) are hereby transferred to the Planning Commission. In addition to fulfilling the powers, duties and functions of the Historic and Design Review Commission and Design Review Committee, the Planning Commission shall also fulfill the following historic and/or design review functions:

- A. To review and take action to approve, approve subject to conditions and modifications, or to deny applications for design review permits as provided in the Land Use and Development Guide, Title IX of the Arcata Municipal Code, and any successor land use code adopted by the City.
- B. To exercise any other powers and duties as may be assigned by Title IX of the Arcata Municipal Code which includes the Land Use and Development Guide in the Coastal Zone portions of the City and the Land Use Code, or any successor land use code or Local Coastal Program amendments that are adopted by the City.
- C. To implement the Historic Landmarks Element of the City of Arcata General Plan: 2020. (Ord. 1367, eff. 1/18/2008; Ord. 1401, eff. 4/16/2010; Ord. 1474, eff. 5/20/2016)

**Sec. 2213 Reserved.****Sec. 2214 Meetings.**

*Repealed by Ord. 1474. (Ord. 1367, eff. 1/18/2008)*

**Sec. 2215 Membership.**

*Repealed by Ord. 1474. (Ord. 1367, eff. 1/18/2008; Ord. 1401, eff. 4/16/2010)*

**Sec. 2216 Term.**

*Repealed by Ord. 1474. (Ord. 1352, eff. 5/20/2005; Ord. 1367, eff. 1/18/2008)*

**Sec. 2217 Secretary.**

*Repealed by Ord. 1474. (Ord. 1367, eff. 1/18/2008)*

**Sec. 2218 Conflict of Interest Code.**

*Repealed by Ord. 1474. (Ord. 1367, eff. 1/18/2008)*

**ARTICLE 4—NUCLEAR WEAPONS FREE ZONE AND PEACE COMMITTEE**

**Sec. 2219 Creation, Powers and Duties. (Amd. Ord. 1299, eff. 3/04/2000; Ord. 1353, eff. <sup><13></sup> 8/19/2005; Ord. 1367, 1/18/2008)**

The Nuclear Weapons Free Zone and Peace Committee is hereby created. Its powers and duties shall be as follows:

A. To maintain and regularly update a publicly accessible list of nuclear weapons contractors, which the City Manager, or his/her designee, shall use to screen contracts to ensure their compliance with the requirements of the Arcata Municipal Code, Title V, Chapter 9 (Nuclear Weapons Free Zone Act). The list of nuclear weapons contractors shall be composed of the most current information available, including reports of contracts with federal agencies known to enter into contracts for nuclear weapons work (specifically including the Departments of Defense and Energy), information obtained from other jurisdictions with nuclear weapons free contracting requirements, and such other information as the City Manager, or his/her designee, or the Nuclear Weapons Free Zone and Peace Committee may consider useful in complying with the requirements of said Act.

B. Coordinate community activities that promote peace in Arcata, such as:

1. The observation of the Nuclear Weapons Free Zone Commemoration Day within the City of Arcata during the week of August 6 of each year;
2. The creation and distribution of peace book covers;
3. Neighborhood community building; and,
4. Workshops on non-violent conflict resolution, public forums and peace summits, speakers and written materials on nuclear weapons, weapons-related waste, the impacts of war on our community, and alternatives to war.

C. Cooperate with local schools, school boards and colleges as a resource for promoting peace among our children and youth with activities such as:

1. Non-violent conflict resolution trainings;
2. Assistance and support in the development of peace curricula;
3. Assuring honesty and integrity to prevent harassment of students by recruiters.

D. Develop and maintain contacts with similar committees in other cities.

E. Review and make recommendations to the City Council on peace-related resolutions or ordinances brought before the Council for consideration.

F. Maintain contact with Pacific Gas and Electric Company regarding spent nuclear fuel storage through a liaison to the P.G. & E. Community Advisory Board.

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**Sec. 2220 Meetings. (Amd. Ord. 1352, eff. 5/20/2005; Ord. 1367, eff. 1/18/2008)**

The Nuclear Weapons Free Zone and Peace Committee shall hold regular meetings once monthly or as necessary upon the call of the Chair.

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**Sec. 2220.1 Membership. Deleted by Ord. 1353, eff. 7/20/05.**

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**Sec. 2220.2 Term. (Amd. Ord. 1352, 5/20/2005; Ord. No. 1367, 1/18/2008)**

The annual expiration date of a term for a Nuclear Weapons Free Zone and Peace Committee member shall be January 31.

**Sec. 2221 Secretary. (Amd. Ord. 1352, eff. 5/20/2005; Ord. 1367, eff. 1/18/2008)**

The City Manager, or his/her designee, shall serve as the Secretary to the Nuclear Weapons Free Zone and Peace Committee.

**Sec. 2222 Conflict of Interest Code. Repealed by Ord. 1367, eff. 1/18/2008.**

**ARTICLE 5—BOARD OF PERMIT APPEALS**

**Sec. 2223 Creation, Powers and Duties.**

The Board of Permit Appeals is hereby created. Its powers and duties shall be to hear and act upon appeals and decisions made by the Building Official of the City of Arcata.

**Sec. 2224 Meetings.**

The Board of Permit Appeals shall meet as necessary and upon call of its Secretary.

**Sec. 2225 Membership.**

The Board of Permit Appeals shall consist of five members appointed by the City Council. At least two of the five members shall be experienced in building construction and one member shall be a public member. It is not necessary that members of the Board of Permit Appeals live or work in the Arcata Planning Area.

**Sec. 2226 Secretary.**

The Director of Community Development, or his/her designee, shall be the Secretary to the Board.

**ARTICLE 6—HANDICAPPED ACCESS APPEALS BOARD**

**Sec. 2227 Creation, Powers and Duties.**

The Handicapped Access Appeals Board is hereby created. Its powers and duties shall be to hear appeals of decisions made by the Building Official concerning any matter for which an appeal is allowed pursuant to Health and Safety Code Section 19957.5. In such appeals, the Handicapped Access Appeals Board shall act with the authority of and in the stead of the Board of Permit Appeals. The Handicapped Access Appeals Board shall be considered a sub-board of the Board of Permit Appeals; however, decisions of the Handicapped Access Appeals Board shall be final decisions and there shall not be right of further appeal therefrom.

**Sec. 2228 Meetings.**

The Handicapped Access Appeals Board shall meet as necessary and upon the call of its Secretary.

**Sec. 2229 Membership.**

The Handicapped Access Appeals Board shall consist of five members as follows: two shall be experienced in building construction and shall be appointed by the Board of Permit Appeals from among its members; one shall be a public member and shall be appointed by the Board of Permit Appeals from among its members except that in the event there is no public member on the Board of Permit Appeals, such member shall be appointed by the Council; two members shall be physically handicapped persons appointed by the Council. It is not necessary that members of the Handicapped Access Appeals Board live or work in the Arcata Planning Area.

**Sec. 2230 Organization.**

All rules of procedure established by the Board of Permit Appeals, and all other provisions of this Chapter ~~<15>~~ to the extent inconsistent with the express provisions of this Article or the provisions of Health and Safety Code Section 19957.5, shall be deemed to refer to and shall apply to the Handicapped Access Appeals Board.

## ARTICLE 7—PARKS AND RECREATION COMMITTEE

### **Sec. 2231 Creation, Powers and Duties. (Amd. Ord. 1352, eff. 5/20/2005; Ord. 1367, eff.**

**1/18/2008)**

The Parks and Recreation Committee is hereby created. Its powers and duties shall be:

- A. To serve in an advisory capacity to the Council, Commissions, or City staff, as appropriate, on matters pertaining to public recreation, parklands and related facilities.
- B. To serve in an advisory capacity to the Council and City staff on matters pertaining to art, literature, music, theatre, and other related activities.
- C. To recommend to the Council and City staff the acceptance or rejection of offers of donations of money, personal property and real property to be used for recreation, cultural arts, or parkland purposes.
- D. To serve in an advisory capacity to the Council and City staff with respect to the establishment of user/rental fee schedules for parks, sports fields and public facilities.
- E. To resolve differences and seek solutions to scheduling and use conflicts of City recreational facilities.
- F. To establish rules and regulations for use and improvement of public parklands, recreation areas, squares, and grounds, including playgrounds, concessions and recreational and related facilities and programs installed and maintained therein.
- G. To serve in an advisory capacity to the Council and City staff with respect to policies for the acquisition, development and improvement of parklands and recreational areas.
- H. To recommend to the Council a comprehensive recreation and parkland use program based on the needs and interest of the community to assure and stimulate public interest, and to solicit to the fullest extent the cooperation of schools, local youth and public and private agencies.

### **Sec. 2232 Meetings. (Amd. Ord. 1352, eff. 5/20/2005)**

The Parks and Recreation Committee shall hold regular meetings once monthly or as necessary on call of the Chair.

### **Sec. 2232.1 Term. (Amd. Ord. 1352, eff. 5/20/2005)**

The annual expiration date of a term for a Parks and Recreation Committee member shall be April 30.

### **Sec. 2233 Secretary.**

The Director of Public Works, or his/her designee, shall serve as the Secretary to the Parks and Recreation Committee.

## ARTICLE 8—FOREST MANAGEMENT COMMITTEE

### **Sec. 2234 Creation, Powers and Duties. (Amd. Ord. 1352, eff. 5/20/2005)**

The Forest Management Committee is hereby created. Its powers and duties shall be:

A. To serve in an advisory capacity to the Council, Commissions, or City staff as appropriate in matters relating to:

- (1) Implementation of the Arcata Community Forest/Jacoby Creek Forest Management Plan;
- (2) Forestry issues within the Arcata Planning Area; and
- (3) Forest management issues on other City-owned forest land.

B. To review timber harvest plans prior to their filing with the California Department of Forestry for conformance with the goals and policies of the Forest Management Plan, Monitoring Plans, and Recreation Plans.

C. To make recommendations to the Council for amendments to the Forest Management Plan that may become desirable based upon experience with implementation.

**Sec. 2235 Meetings. (Amd. Ord. 1352, eff. 5/20/2005)**

The Forest Management Committee shall hold regular meetings once monthly or as necessary on call of the Chair.

**Sec. 2236 Membership.**

The Forest Management Committee shall consist of seven members who shall be selected for their interest, knowledge, or experience in multi-resource forest management, which includes forest ecology, forest management, watershed management, wildlife, fisheries, botany, and recreation.

**Sec. 2236.1 Term. (Amd. Ord. 1352, eff. 5/20/2005)**

The annual expiration date of a term for a Forest Management Committee member shall be July 31.

**Sec. 2237 Secretary.**

The Director of Environmental Services, or his/her designee, shall serve as the Secretary to the Forest Management Committee.

**ARTICLE 9—WETLANDS AND CREEKS COMMITTEE****Sec. 2238 Creation, Powers and Duties. (Amd. Ord. 1352, eff. 5/20/2005; Ord. 1367, eff. 1/18/2008)**

The Wetlands and Creeks Committee is hereby created. Its powers and duties shall be:

- A. To serve in an advisory capacity to the Council, Commissions, or City Staff as appropriate in matters relating to the policies affecting creeks, riparian areas, wetland and tideland resources of Arcata.
- B. To make recommendations to City staff on the management of vegetation, recreation, wildlife, and fisheries of the City-owned wetlands and creek zones, including the Arcata Marsh and Wildlife Sanctuary.
- C. To make recommendations to City staff on City-sponsored creeks and wetlands restoration and enhancement projects.
- D. To make recommendations during the environmental review process on projects that may involve or affect a creek, riparian area, wetland or tideland resource of Arcata.
- E. To provide community outreach and education in regard to stormwater pollution control, aquatic resources awareness, estuarine and riparian restoration, and creek and wetland awareness issues.

**Sec. 2239 Meetings.**

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The Wetlands and Creeks Committee shall hold regular meetings once monthly or as necessary on call of the Chair. (Amd. Ord. 1352, eff. 5/20/2005)

**Sec. 2240 Membership.**

The Wetlands and Creeks Committee shall consist of seven members who shall be selected for their interest, knowledge, or experience in wildlife, fisheries, watershed management, wetland ecology, wetland/riparian botany, water quality, or interest in, or knowledge of, Arcata's creeks, riparian areas, wetlands and tidelands.

**Sec. 2240.1 Term.**

The annual expiration date of a term for a Wetlands and Creeks Committee member shall be October 31. (Amd. Ord. 1352, eff. 5/20/2005)

**Sec. 2241 Secretary.**

The Director of Environmental Services, or his/her designee, shall serve as the Secretary to the Wetlands and Creeks Committee.

**ARTICLE 10—TRANSPORTATION SAFETY COMMITTEE****Sec. 2242 Creation, Powers and Duties.**

The Transportation Safety Committee is hereby created. Its powers and duties shall be to review all transportation safety matters and make recommendations to the Council, Commissions, or City staff as appropriate.

**Sec. 2243 Meetings.**

The Transportation Safety Committee shall hold regular meetings once a month or as necessary on call of the Chair. (Amd. Ord. 1352, eff. 5/20/2005)

**Sec. 2244 Membership.**

The Transportation Safety Committee shall consist of seven members appointed by the Council. Membership shall reflect, as much as possible, interest in all transportation modes, including pedestrian, bicyclist, mass transit and skateboarding in the City of Arcata.

**Sec. 2244.1 Term.**

The annual expiration date of a term for a Transportation Safety Committee member shall be October 31. (Amd. Ord. 1352, eff. 5/20/2005)

**Sec. 2245 Secretary.**

The Director of Public Works, or his/her designee, shall serve as the Secretary to the Transportation Safety Committee.

**ARTICLE 11—ECONOMIC DEVELOPMENT COMMITTEE****Sec. 2246 Creation, Powers and Duties.**

The Economic Development Committee is hereby created. Its powers and duties shall be:

- A. To serve in an advisory capacity to the Council, Commissions, or City staff as appropriate in matters pertaining to economic development, including but not limited to manufacturing, retail, tourism, business

expansion and revitalization and agriculture.

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B. To make recommendations to the Community Development Agency Board with respect to plans, projects and proposals affecting the Redevelopment Project Area and within the scope of the Redevelopment Plan.

C. To review economic trends and to make recommendations to strengthen the economic well being of the City. (Amd. Ord. 1352, eff. 5/20/2005)

#### **Sec. 2247 Meetings.**

The Economic Development Committee shall hold regular meetings once monthly or as necessary on call of the Chair. (Amd. Ord. 1352, eff. 5/20/2005)

#### **Sec. 2248 Membership.**

The Economic Development Committee shall consist of seven (7) members who shall be selected for their interest, knowledge or experience in one (1) or more of the following areas: banking, real estate, the arts, agriculture, small business, tourism, industry, commerce, building, housing, science and technology, or employee relations. No less than two (2) members shall be residents of the City of Arcata, and the remaining five (5) members who either live or work in the City of Arcata or the Arcata planning area. (Ord. 1425, eff. 11/16/2012)

#### **Sec. 2248.1 Term.**

The annual expiration date of a term for an Economic Development Committee member shall be January 31. (Amd. Ord. 1352, eff. 5/20/2005)

#### **Sec. 2249 Secretary.**

The Director of Community Development, or his/her designee, shall serve as the Secretary to the Economic Development Committee.

#### **Sec. 2250 Conflict of Interest Code.**

The provisions of the City of Arcata Conflict of Interest Code, Title II, Chapter 8, shall apply to all members of the Arcata Economic Development Committee.

### **ARTICLE 12—OPEN SPACE AND AGRICULTURE COMMITTEE**

#### **Sec. 2251 Creation, Powers and Duties. (Amd. Ord. 1352, eff. 5/20/2005; Ord. 1367, eff. 1/18/2008)**

The Open Space and Agriculture Committee is hereby created. Its powers and duties shall be as follows:

- A. To serve in an advisory capacity to the City Council, Commissions, or City staff as appropriate in regard to matters that relate to policies affecting open space and agriculture.
- B. To participate in the preparation and development of a detailed open space program to implement the Open Space Element of the General Plan.
- C. To provide recommendations to the Council, Commissions, or City staff as appropriate on the acquisition and/or protection opportunities for open space and agricultural lands.
- D. To provide recommendations to the Council, Commissions or City staff as appropriate for specific actions to take to secure open space.

E. To provide recommendations to the Council, Commissions or City staff as appropriate for promotion of sustainable agriculture.

#### **Sec. 2252 Meetings. (Amd. Ord. 1352, eff. 5/20/2005)**

The Open Space and Agriculture Committee shall hold regular meetings once monthly or as necessary on call of the Chair.

#### **Sec. 2253 Membership.**

The Open Space and Agriculture Committee shall consist of seven members who shall be selected for their interest, knowledge, or experience in active and passive recreation, fish and wildlife, land trusts, local agricultural farming, watershed management, wetland/riparian ecology and economic land use policy.

#### **Sec. 2253.1 Term. (Amd. Ord. 1352, eff. 5/20/2005)**

The annual expiration date of a term for the Open Space and Agriculture Committee member shall be April 30.

#### **Sec. 2254 Secretary.**

The Director of Environmental Services, or his/her designee, shall be secretary to the Open Space and Agriculture Committee.

### **ARTICLE 13—COMMITTEE ON DEMOCRACY AND CORPORATIONS**

#### **Sec. 2255 Creation, Powers and Duties. (Added Ord. 1304, eff. 5/19/2000; Amd. Ord. No. 1352, eff. 5/20/2005)**

The Committee on Democracy and Corporations is hereby created. Its powers and duties shall be as follows:

- A. To research and present to the City Council, Commissions or City staff as appropriate, options on how our community is taking action to control "pattern restaurants" from moving into downtown areas.
- B. To cooperate with other communities that are working on socially responsible investing and procurement policies.
- C. To advise the City Council, Commissions, or City staff as appropriate and provide educational opportunities to the citizens of Arcata, with prior City Council approval, on ways to promote "free and fair trade" and to oppose and provide alternatives to the World Trade Organization and any other global trade treaties that subvert democracy.
- D. To advise the City Council, Commissions, or City staff as appropriate and provide educational opportunities to the citizens of Arcata, with prior City Council approval, in matters relating to ordinances and actions our community can take regarding corporations that have negative social and environmental impact.
- E. To recommend a policy that the City Council can implement to do business with corporations that demonstrate ethical and exemplary civic practices, and which do not violate fair labor standards or have convictions for violating environmental laws.
- F. Advise the City Council, Commissions or City staff as appropriate and provide education opportunities to the citizens of Arcata, with prior City Council approval, regarding policies, procedures and regulations which foster and sustain locally owned businesses, publicly, or locally owned, services and worker-owned cooperatives and collectives.

#### **Sec. 2256 Meetings. (Added Ord. 1304, eff. 5/19/2000; Amd. Ord. 1352, eff. 5/20/2005)**

The Committee on Democracy and Corporations shall hold regular meetings once monthly or as necessary ~~203~~ on call of the Chair.

**Sec. 2257 Membership. (Added Ord. 1304, eff. 5/19/2000)**

The Committee on Democracy and Corporations shall consist of seven members who shall be selected for their interest, knowledge, or experience in the topics to be addressed by the Committee.

**Sec. 2257.1 Term. (Amd. Ord. 1352, eff. 5/20/2005)**

The annual expiration date of a term for the Committee on Democracy and Corporations member shall be July 31.

**Sec. 2258 Secretary. (Added Ord. 1304, eff. 5/19/2000; Amd. Ord. 1352, eff. 5/20/2005)**

The Community Development Director or his/her designee shall serve as the Secretary to the Committee on Democracy and Corporations.

**ARTICLE 14—ENERGY COMMITTEE****Sec. 2260 Creation, Power and Duties. (Added Ord. 1305, eff. 5/19/2000; Amd. Ord. 1352, eff. 5/20/2005; Ord. 1367, eff. 1/18/2008)**

The Energy Committee is hereby created. Its powers and duties shall be as follows:

- A. To study, evaluate and make recommendations to the City Council, Commissions, or City staff as appropriate regarding energy efficiency, energy conservation and conversion to greener energy sources within the community.
- B. To study, evaluate and provide energy information, education and program administration to the City Council, Commissions, or City staff as appropriate.
- C. To advise the City Council, Commissions, or City staff as appropriate on energy considerations in City planning and regulation.
- D. To advise the City Council, Commissions, or City staff as appropriate on potential ways for City to generate its own energy.

**Sec. 2261 Meetings. (Amd. Ord. 1305, eff. 5/19/2000; Ord. 1352, eff. 5/20/2005)**

The Energy Committee shall hold regular meetings once monthly or as necessary on call of the Chair.

**Sec. 2262 Membership. (Amd. Ord. 1305, eff. 5/19/2000)**

The Energy Committee shall consist of seven members who shall be selected for their interest, knowledge, or experience in energy usage, conservation, regulation and/or generation.

**Sec. 2262.1 Term. (Amd. Ord. 1352, eff. 5/20/2005)**

The annual expiration date of a term for the Energy Committee member shall be October 31.

**Sec. 2263 Secretary. (Amd. Ord. 1305, eff. 5/19/2000)**

The Director of Environmental Services or his/her designee shall serve as the Secretary to the Energy Committee.

**ARTICLE 15 - TRANSACTIONS AND USE TAX OVERSIGHT COMMITTEE**

**Sec. 2270 Findings.**

The City Council for the City of Arcata makes the following findings:

- A. Limited revenue has led to the inability of the City to adequately maintain much of the City's road infrastructure as well as provide police services commensurate with community need.
- B. On November 4, 2008, the voters approved a ballot measure imposing a three-quarter cent general transactions and use tax (referred to as "sales tax") in the City of Arcata for 20 years.
- C. As a general tax, state law requires that all money received from the sales tax be paid to the City's general fund from which the City Council may authorize expenditures for any and all governmental purposes. The City may commit the increased general fund revenue attributable to the sales tax to improving the City's road infrastructure and public safety services only through its appropriation of the general fund.
- D. Based on this, the City Council finds that its annual budget process and determination of general fund expenditures in regard to the public works (streets) and public safety activities, can be greatly improved by input from a citizen's committee.
- E. The purpose of this ordinance is to create an oversight committee to review prior year general fund support of activity budgets for public works (streets) and public safety relative to historical expenditures in those activities.

**Sec. 2271 Creation, Powers and Duties.**

The Transactions and Use Tax Oversight Committee is hereby created. Its powers and duties shall be as follows:

To review the City of Arcata general fund public works (streets) and public safety activity budgets based on historical data and need.

In November of each year, to report to the City Council the result of the review conducted in Section 2271(A), and make recommendations for general fund expenditures for the following fiscal year in the public works (streets) and public safety activity budgets.

To review and make recommendations on other general fund matters as the City Council may direct through resolution.

**Sec. 2272 Meetings.**

The Transactions and Use Tax Oversight Committee shall meet as necessary on call of the Chair.

**Sec. 2273 Membership.**

The Transactions and Use Tax Oversight Committee members may simultaneously serve on other City of Arcata Boards, Commissions, Committees and Task Forces, subject to eligibility criteria in Section 2202(B). The Transactions and Use Tax Oversight Committee shall be established to consist of seven members who shall be selected as follows: one member shall be from the Transportation Safety Committee recommended by the Public Works Director; one member shall be a community member recommended by the Police Chief; and one member shall be selected by each of the City Council members, and shall have experience with budgetary and fiscal processes and an understanding of relevant community issues. Future vacancies of the five City Council selected members shall be appointed by a majority of the Council, and such members shall have experience with budgetary and fiscal processes and an understanding of relevant community issues.

**Sec. 2274 Term.**

The terms of the Committee members shall be four (4) years and will be staggered at two (2) year intervals. The annual expiration date of a term shall be December 31st. (Ord. 1421, eff. 10/5/2012)

### **Sec. 2275 Secretary.**

The Director of Finance or his/her designee shall serve as the Secretary to the Transactions and Use Tax Oversight Committee.

### **Sec. 2276 Committee Sunset Date.**

The Transaction and Use Tax Oversight Committee will automatically sunset in November 2028 when the sales tax is no longer imposed.

## **ARTICLE 16—HISTORIC LANDMARKS COMMITTEE**

### **Sec. 2277 Creation, Powers and Duties.**

The Historic Landmarks Committee is hereby created. Its powers and duties shall be:

- A. To serve in an advisory capacity to the Council, Commissions, or City staff as appropriate in matters pertaining to structures, sites or neighborhoods having special character or special historic, architectural, cultural or aesthetic interest or value.
- B. To make recommendations to City staff concerning Certified Local Government status, developing a Noteworthy Structure List and promoting other historic preservation activities. This includes coordinating with HSU for listing of State-owned historic structures.
- C. To make recommendations to City staff regarding the update of the City's historic resources inventory.
- D. To provide community outreach and education concerning historic resource preservation and the benefits of landmark designation. The Committee shall encourage public involvement and education in preserving Arcata's heritage of older buildings. (Ord. 1401, eff. 4/16/2010)

### **Sec. 2278 Meetings.**

The Historic Landmarks Committee shall meet monthly or upon the call of its Secretary. (Ord. 1401, eff. 4/16/2010)

### **Sec. 2279 Membership.**

The Historic Landmarks Committee shall consist of five members who shall be selected for their interest and knowledge, by virtue of training or experience, of Arcata's social, built and cultural environment or of design and building technology. It is not necessary that members of the Committee live or work in the Arcata Planning Area as required by Section 2202. (Ord. 1401, eff. 4/16/2010)

### **Sec. 2279.1 Term.**

The expiration date of a term for a Historic Landmarks Committee member shall be July 31st. (Ord. 1401, eff. 4/16/2010)

### **Sec. 2280 Secretary.**

The Director of Community Development, or his/her designee, shall serve as the Secretary to the Historic Landmarks Committee. (Ord. 1401, eff. 4/16/2010)

**The Arcata Municipal Code is current through Ordinance  
1476, passed September 7, 2016.**

Disclaimer: The City Clerk's Office has the official version of the Arcata Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.





## City of Arcata Code of Ethics

### For Members of City Council, Boards, Commissions, Committees & Task Forces

#### PREAMBLE:

The citizens, businesses and organizations of the City of Arcata are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity. In keeping with the City's commitment to excellence, the effective functioning of democratic government, therefore, requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials be independent, impartial and fair in their judgment and actions;
- Public office be used for public good, not for personal gain;
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City Council of the City of Arcata has adopted a Code of Ethics for members of the City Council and of the City's Boards, Commissions, Committees and Task Forces to assure public confidence in the integrity of local government and its effective and fair operation.

1. **Acts in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the City Council, Boards, Commissions and Committees.
2. **Comply with the Law.** Members shall adhere to their sworn oath of office to support and defend the Constitution of the United States of America and the Constitution of the State of California against all enemies foreign and domestic. These laws include but are not limited to: the United States and California Constitutions, laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open processes of government and City ordinances and policies.
3. **Conduct of Members.** Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of council, boards and commissions, the staff or public.
4. **Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council and boards and commissions

governing the deliberation of public policy issues, meaningful involvement of the public and implementation of policy decisions of the City Council by City staff.

5. **Conduct of Public Meetings.** Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body or otherwise interfering with the orderly conduct of meetings.
6. **Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
7. **Communication.** Members shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process.
8. **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.
9. **Gifts and Favors.** Members shall not take any special advantage of services or opportunities for personal gain by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits, which might compromise their independence of judgment or action or give the appearance of being compromised.
10. **Confidential Information.** Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City of Arcata. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
11. **Use of Public Resources.** Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.
12. **Representation of Private Interests.** In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City of Arcata, nor shall members of Boards, Commissions and Committees appear before their own bodies or before the Council on behalf of private interests of third parties on matters related to the areas of service of their bodies.
13. **Advocacy.** Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When representing their individual opinions and positions, members shall

explicitly state they do not represent their body or the City, nor will they allow the inference that they do.

14. **Independence of Boards, Commissions, Committees and Task Forces.** Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of Board, Commission, Committee or Task Force proceedings.
15. **Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.
16. **Implementation.** As an expression of the standards of conduct for members expected by the City, the Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the City Code of Ethics. In addition, the Code of Ethics shall be annually reviewed by the City Council, Boards, Commissions and Committees, and the City Council shall consider recommendations from boards and commissions and update it as necessary.
17. **Compliance and Enforcement.** The Code of Ethics expresses standards of ethical conduct expected for members of the City Council, Boards, Commissions and Committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met and that the public can continue to have full confidence in the integrity of government.