



CITY COUNCIL AGENDA REPORT

Meeting Date: March 17, 2022

From: City Manager Clay Holstine

Subject: Resolution Restating the Creation of the Inclusion, Diversity, Equity and Accountability Committee

Community Goal Results

Community Building

Recommendation

Adopt the attached Resolution restating the creation of the Inclusion, Diversity, Equity and Accountability Committee and repealing Resolution No. 2022-07 to clarify that the City Council's initial appointments to the Committee shall serve two year, not one year, terms, and that new appointments or re-appointments will not be tied to the Council's regular election cycle.

Background

On February 3, 2022, City Council adopted Resolution No. 2022-07 formally creating the Inclusion, Diversity, Equity and Accountability (IDEA) Committee. The Resolution provides the Committee will have five to seven members and "As to the initial appointments, a majority shall be for one year terms and the remainder shall be for two year terms." The Resolution also provides that after the initial appointments, appointments (or re-appointments) will be tied to the Council's regular election cycle, with the majority of the appointments occurring in the year three council member seats are up for election and the remainder of the appointments occurring in the year two council member seats are up for election.

Initially, only four persons applied to be on the Committee and Council appointed all four persons (a majority), with the goal to appoint the remainder later this year. When the Council made those appointments, however, it made their terms of office two years, with the later appointments to have one year terms. That action was inconsistent with the language in the resolution quoted above. Moreover, because the appointments are being made in 2022, with some of those appointments being only one year terms, tying the appointments or reappointments to the Council's election cycle does not work practically.

Discussion

The simple fix is to adopt a new resolution that restates the creation of the Committee and includes those changes to the Resolution to reflect Council's intent to have the first four appointees to the Committee serve two year, not one year, terms. The Resolution will also eliminate tying the appointments/re-appointments to the Council's election cycle. The Resolution is attached. It includes repealing Resolution No. 2022-07.

Fiscal Impact

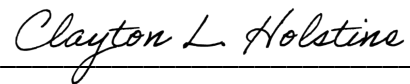
There is no fiscal impact in repealing Resolution 2022-07 and adopting a Resolution that reflects accurately the terms of office for the Council's initial appointments to the IDEA Committee and eliminates tying the appointments/re-appointments to the Council's election cycle.

Attachments

1. Resolution
2. Redlined Resolution



Ingrid Padilla, City Clerk



Clay Holstine, City Manager

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE RESTATING THE CREATION OF THE INCLUSION, DIVERSITY, EQUITY AND ACCOUNTABILITY (IDEA) COMMITTEE AND REPEALING RESOLUTION NO. 22-07

WHEREAS, on February 3, 2022, City Council adopted Resolution No. 22-07 formally creating the Inclusion, Diversity, Equity and Accountability (IDEA) Committee; and

WHEREAS, in part Resolution No. 22-07 provided that the majority of the initial appointments were to serve terms of one year and the remainder of the appointments to serve terms of two years; and

WHEREAS, City Council initially appointed only four persons to the IDEA Committee (with the goal to appoint the remaining members later this year) but provided that the terms of office for those four members (a majority) would be two year terms, with the appointments to follow to have one year terms; and

WHEREAS, that action of the City Council was inconsistent with the language in Resolution No. 22-07; and

WHEREAS, the City Council wants to make clear that the initial four appointees are to serve two year terms, not one year terms; and

WHEREAS, after the initial appointments, Resolution No. 22-07 tied the timing of the appointment/re-appointment of Committee members to the Council's election cycle but on closer examination, that timing does not work practically.

NOW, THEREFORE, the City Council of the City of Brisbane resolves as follows, restating the creation of the Inclusion, Diversity, Equity and Accountability Committee:

Section 1. Creation

There is hereby created a permanent Inclusion, Diversity, Equity and Accountability (IDEA) Committee to consist of five to seven public members appointed by the City Council. Committee members will serve without compensation and will serve in an advisory capacity to the Council. Members of the Committee must at all times during their service be residents of the City or work within the City.

Section 2. Appointment

The City Council shall appoint all Committee members after soliciting applications from the community. City Council shall use (among others) the following criteria for selecting persons to be appointed to the Committee:

1. Demonstrated interest in inclusion, diversity, and equity issues
2. Willingness to bring diverse perspectives to the Committee
3. Willingness to dedicate sufficient time and effort
4. Does not work for the City of Brisbane

The Council interview and appointment process shall be similar to the process utilized by the City Council in the appointment of other committees and commissions. As to the initial appointments, a majority shall be for two-year terms and the remainder shall be for one-year terms.

Within 30 days of the expiration of a member's term of office, a member may request the City Council to re-appoint the member to the Committee. The City Council may re-appoint the member to the Committee without re-interviewing the member.

Section 3. Term of Office

After the initial two-year and one-year appointments, Committee members appointed or re-appointed shall all serve for a term of two years unless the appointment is to fill a vacancy created other than by expiration of a term, in which event the appointment shall be for the unexpired portion of the term. If a Committee member no longer lives or works in the City, or resigns, the member's seat on the Committee shall be deemed to be vacant and the individual shall no longer serve on the Committee. Any Committee member may be removed with or without cause by a vote of the majority of the City Council.

Section 4. Officers

The Committee shall elect from its members a Chair and a Vice Chair. Members are encouraged to rotate Chair and Vice Chair annually.

Section 5. Meetings

The Committee shall meet monthly unless otherwise approved by the Committee. Meetings of the Committee shall be held at a location to be determined by the Committee or the Committee staff and notice of each meeting shall be provided in the manner prescribed by the Brown Act. The Committee shall determine the time, dates, and location of the meetings subject to the availability of meeting facilities and support staff. Meetings will be open to the public and efforts will be made to encourage attendance and participation by members of the public. The Committee may, from time to time, also hold joint meetings as needed with the City Council, and other commissions and committees.

Section 6. Quorum

A quorum is necessary for a Committee meeting to be held. A majority of the authorized members of the Committee shall constitute a quorum. For example, if the City Council has

authorized five members of the Committee, then three members shall constitute a quorum; if City Council has authorized six or seven members of the Committee, then four members shall constitute a quorum.

Section 7. Repeal of Resolution No. 22-07.

Resolution No. 22-07 is hereby repealed.

Section 8. Effective Date

This resolution is effective immediately upon its passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council at a regular meeting on March 17, 2022.

COLEEN MACKIN, MAYOR

I hereby certify that the foregoing resolution was adopted by the Brisbane City Council at a regular meeting held on March 17, 2022 by the following vote:

AYES:

NOES: None

ABSENT: None

ABSTAIN: None

Ingrid Padilla, City Clerk

Approved as to form



Thomas McMorrow, City Attorney

RESOLUTION NO. 2022-~~XX~~07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE RESTATING THE FORMALLY CREATED THE INCLUSION, DIVERSITY, EQUITY AND ACCOUNTABILITY (IDEA) COMMITTEE AND REPEALING RESOLUTION NO. 2022-07

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WHEREAS, in part Resolution No. 2022-07 provided that the majority of the initial appointments were to serve terms of one year and the remainder of the appointments to serve terms of two years; and

WHEREAS, City Council initially appointed only four persons to the IDEA Committee (with the goal to appoint the remaining members later this year) but provided that the terms of office for those four members (a majority) would be two year terms, with the appointments to follow to have one year terms; and

WHEREAS, that action of the City Council was inconsistent with the language in Resolution No. 2022-07; and

WHEREAS, the City Council wants to make clear that the initial four appointees are to serve two year terms, not one year terms; and

WHEREAS, after the initial appointments, Resolution No. 2022-07 tied the timing of of the appointment/re-appointment of Committee members to the Council's election cycle but on closer examination, that timing does not work practically.

NOW, THEREFORE, the City Council of the City of Brisbane resolves as follows, restating the creation of the Inclusion, Diversity, Equity and Accountability Committee:

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The Council interview and appointment process shall be similar to the process utilized by the City Council in the appointment of other committees and commissions. As to the initial appointments, a majority shall be for ~~two~~-year terms and the remainder shall be for ~~one~~-year terms.

Within 30 days of the expiration of a member's term of office, a member may request the City Council to re-appoint the member to the Committee. The City Council may re-appoint the member to the Committee without re-interviewing the member.

Section 3. Term of Office

After the initial ~~two~~-year and ~~one~~-year appointments, ~~Committee members shall serve staggered, two-year terms, with the majority of terms to commence in the years that three Council seats are scheduled to be filled by regular election and remaining terms to commence in the years that two seats are scheduled to be filled by regular election. Thereafter,~~ Committee members appointed or re-appointed shall all serve for a term of two years unless the appointment is to fill a vacancy created other than by expiration of a term, in which event the appointment shall be for the unexpired portion of the term. If a Committee member no longer lives or works in the City, or resigns, the member's seat on the Committee shall be deemed to be vacant and the individual shall no longer serve on the Committee. Any Committee member may be removed with or without cause by a vote of the majority of the City Council.

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Section 7. Repeal of Resolution No. 2022-07.

Resolution No. 2022-07 is hereby repealed.

Section ~~8~~7. Effective Date

This resolution is effective immediately upon its passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council at a regular meeting on ~~March 17~~February~~3~~, 2022.

COLEEN MACKIN, MAYOR

I hereby certify that the foregoing resolution was adopted by the Brisbane City Council at a regular meeting held on ~~March 17~~~~February 3~~, 2022 by the following vote:

AYES: ~~Councilmembers Cunningham, Davis, Lentz, O'Connell and Mayor Mackin~~


NOES: None

ABSENT: None

ABSTAIN: None

Ingrid Padilla, City Clerk

Approved as to form



Thomas McMorrow, City Attorney