



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 10/04/2022

ITEM NO: 11

DATE: September 29, 2022
TO: Mayor and Town Council
FROM: Gabrielle Whelan, Town Attorney
SUBJECT: Adopt the Updated Town Council Code of Conduct Policy as Recommended by the Policy Committee

RECOMMENDATION:

Adopt the Updated Town Council Code of Conduct Policy as Recommended by the Policy Committee.

BACKGROUND:

At the Town Council Retreat meeting on September 17, 2022, the Council discussed among other things the roles and responsibilities of the Mayor and individual Councilmembers as it relates to external communications. At the conclusion of the retreat the Council requested that the Council Policy Committee examine potential modifications to the Town Council Code of Conduct.

At its September 27, 2022 meeting, the Council Policy Committee unanimously agreed to forward a recommendation to the Town Council to approve proposed updates to the Town Council Code of Conduct Policy (see Attachment 1).

DISCUSSION:

During discussions of roles and responsibilities for external communications, there was general agreement around two primary themes for potential policy modification.

The first was that, prior to the Council adopting a policy stance based on the outcome of a Council vote, individual Councilmembers should have the latitude to express their general opinions on issues during the policy development phase of the deliberative process.

Reviewed by: Assistant Town Manager and Town Clerk

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SUBJECT: Code of Conduct Policy Update

DATE: September 29, 2022

DISCUSSION (continued):

The second was that once a majority vote has occurred resulting in the adoption of a policy directive, the Mayor would be the primary contact for communicating those policies. In addition, the Council discussed clarifying language around the ability for Councilmembers to explain individual votes whether in the majority or minority.

Attachment 1 contains the draft (redlined) language for the Committees consideration.

CONCLUSION:

This action will clarify roles and responsibilities of the Mayor and individual Councilmembers as it relates to external communications

COORDINATION:

The preparation of this report was coordinated with the Town Clerk, the Town Manager, and the Town Attorney.

FISCAL IMPACT:

Amendments to the Town Council's Code of Conduct will not have a fiscal impact.

ENVIRONMENTAL ASSESSMENT:

Amending the Town Council's Code of Conduct is not a project defined under CEQA, and no further action is required.

Attachments:

1. Draft Redline Town Council Code of Conduct