



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 5/06/2025

ITEM NO: 11

DATE: April 25, 2025
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: Approve the Revised Town Council Code of Conduct Policy 2-4 and Adopt
New Board, Committee, and Commission Code of Conduct Policy

RECOMMENDATION:

Staff recommends the Town Council approve the revised Town Council Code of Conduct Policy 2-04 and adopt the new Board, Committee, and Commission Code of Conduct Policy, as recommended by the Policy Committee.

BACKGROUND:

The Town Council currently has an adopted Code of Conduct Policy, which provides guidelines and procedures related to the Town Council's relations and communications with each other Boards and Commissions, the public, the media, and Town staff. In addition, the Policy outlines Council Members's roles and conduct before, during, and outside of Council meetings, including the specific duties of the Mayor and Vice Mayor. The Policy was last updated October of 2022. Since that time, questions have arisen regarding communication between Council Members and Commissioners with the media and the public, as well as concerns about the process for handling Code of Conduct complaints and enforcement mechanisms.

In response to these concerns, the Council Policy Committee was tasked with reviewing the Town's Code of Conduct policy. The Committee convened several times this year to discuss potential updates, with the goal of improving clarity and promoting good governance through respectful and transparent conduct among Town officials

DISCUSSION:

This year, the Policy Committee held four meetings to review and update the Town's Code of Conduct. At its January 29, 2025, meeting, the Committee began its review by identifying key

PREPARED BY: Wendy Wood
Town Clerk

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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areas in the existing policy that could benefit from clarification and enhancement. The Committee agreed that the revised Code should support a respectful and transparent environment, reflect best practices in public governance, and comply with all relevant legal requirements.

On February 25, 2025, the Policy Committee reviewed an initial set of proposed revisions. The Policy Committee recommended several revisions to enhance clarity, consistency, and alignment with legal requirements. The Committee proposed language to promote transparency during public meetings, updates to better align with Fair Political Practices Commission (FPPC) guidelines, and refinements to the enforcement process, including procedures for handling complaints and clarifying roles in the review process. The Committee also supported the inclusion of an annual summary of complaints provided by the Town Attorney or Town Manager. Additionally, the Committee expressed interest in developing a separate Code of Conduct policy tailored specifically for Boards, Committees, and Commissions.

On March 25, 2025, the Policy Committee continued its review of the Town Council Roles and Responsibilities, including Code of Conduct Policy 2-04, and recommended several refinements to improve clarity, reduce redundancy, and ensure alignment with legal and procedural standards. Updates included streamlining the language in the preamble, clarifying the process for selecting a Council Member to act in the place of the Mayor, and refining expectations for communication during public meetings. Additional adjustments were made to improve the consistency and accuracy of legal references, enhance guidelines for Council communication, and clarify that the enforcement process includes a reminder of the potential implications of substantiated violations. With these changes, the Committee recommended the policy be forwarded to Council for consideration and approval.

At its meeting on April 22, 2025, the Committee reviewed the proposed updates to the Board, Committee, and Commission Code of Conduct Policy and provided feedback on key revisions. The discussion focused on clarifying the role and expectations of Commissioners, including language related to service at the will of the Council, procedures for activities conducted outside of regular meetings, and communication protocols. The Committee supported the recommended changes and reached consensus on forwarding the updated policy to the Town Council for consideration.

CONCLUSION:

The Policy Committee has completed a thorough and thoughtful review of the Town's Code of Conduct, engaging in a collaborative process over four meetings from January through April 2025. The updated Code of Conduct Policy 2-04 clarifies expectations for the conduct of elected officials and outlines roles and responsibilities that promote effective and respectful governance. The new Code of Conduct Policy for Boards, Committees, and Commissions

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establishes consistent behavioral standards for appointed officials, encouraging constructive engagement with staff, Council, and the community. Together, these policies provide clear guidance for elected and appointed officials, staff, and the public. Staff recommends that the Town Council consider the Committee's proposed revisions and approve and adopt the policies.

COORDINATION:

This report was prepared in coordination with the Town Manager and the Town Attorney.

FISCAL IMPACT:

There is no fiscal impact associated with the approval of the proposed policies.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Redline Council Code of Conduct Policy 2-04
2. Current Code of Conduct Policy
3. Draft Boards, Committee, and Commission Code of Conduct Policy