

## CHAPTER 3.04

## MEMBER REMOVAL FROM BOARDS, COMMITTEES, AND COMMISSIONS

## § 3.04.010. Policy.

- 1) A person appointed by the City Council to any Board, Commission or Committee (hereafter, "Commission") shall continue to serve as a member thereof except when:
  - A) The person's term of office expires and a different person has been appointed.
  - B) The person voluntarily resigns from the Commission **by providing written notice to the City Clerk.**
  - ~~B)C) The Councilmember responsible for appointing the seat has requested the member be removed.~~
- 2) A majority vote of the City Council may remove any member of a Commission for any reason including, but not limited to, conduct unbecoming a public official, violating the City's conflict of interest ordinance or failing to comply with statutory requirements such as the filing requirements under the Political Reform Act. Conduct unbecoming a public official includes the kind of conduct that any reasonable commissioner would know is incompatible or inimical to public service, would indicate a lack of fitness to perform the functions of a Commissioner or would discredit or cause embarrassment to the City.
- 3) ~~Any member of the City Council may initiate a person's removal from a Commission by requesting at a regular City Council meeting that consideration of the person's removal be placed on the Council's agenda at a regular or special meeting for discussion and potential action. If there is Council majority support to place the item on an agenda, the item will be scheduled at a meeting date acceptable to a Council majority. If the Councilmember responsible for appointing the seat wishes to remove a seated member, they shall notify the City Clerk in writing.~~
  - A) ~~Once notification of the removal is received from the Councilmember by the City Clerk, the City Clerk shall schedule the item with sufficient time for the member appeal process and~~ notify the person affected of the time and place of the meeting where the item will be agendaized on the Consent Calendar.
  - B) ~~The member subject to removal may request an appeal in writing to the City Clerk at least one week (7 calendar days) prior to the scheduled date and submit payment for any applicable fees. If an appeal request is received, the City Clerk shall reschedule the item for the next available Council meeting as a Public Hearing subject to noticing requirements. When the item is on the City Council agenda, the City Council may, by majority vote, remove the person from a Commission.~~
  - ~~3)C) Pending the appeal, the member will be listed as an excused absence from any meetings of the subject meeting body.~~

## § 3.04.020. Responsibilities.

City Clerk: Notify the person being considered for the removal of the time and place of the meeting.

**§ 3.04.030. Relevant authority.**

Stockton Municipal Code (numerous provisions).

**§ 3.04.040. Related administrative directive, city policy, city procedure.**

None applicable.

**§ 3.04.050. Related forms, documents, or links.**

None applicable.

**§ 3.04.060. Frequently asked questions.**

None applicable.

**§ 3.04.070. Update history.**

10/31/77 - Adopted by Resolution No. 34,620

2/6/84 - Amended by Resolution No. 40-380

8/25/86 - Amended by Resolution No. 86-0549

11/7/88 - Amended by Resolution No. 88-0696

1/3/89 - Amended by Resolution No. 89-0017

3/19/90 - Amended by Resolution No. 90-0174

4/1/91 - Amended by Resolution No. 91-0211

5/28/91 - Amended by Resolution No. 91-0390

2/22/93 - Amended by Resolution No. 93-0070

10/10/95 - Amended by Resolution No. 95-0490

6/10/96 - Amended by Resolution No. 96-0303

5/01/07 - Amended by Resolution No. 07-0172

8/24/10 - Amended by Resolution No. 10-0271

6/28/11 - Amended by Resolution No. 11-0175

12/13/11 - Repealed and replaced by Resolution No. 11-0332

10/09/12 - Amended by Resolution No. 2012-10-09-1203

1/26/16 - Amended by Resolution No. 2016-01-26-1203