



**CONSENT CALENDAR**

**Agenda Item # 4**

**AGENDA REPORT SUMMARY**

**Meeting Date:** July 11, 2017

**Subject:** Resolution No. 2017-30: Repeal of Resolution No. 2009-33 regarding Standards for Volunteer Service

**Prepared by:** Chris Jordan, City Manager

**Attachment(s):**

1. Resolution 2017-30, with Attachment

**Initiated by:**

City Council

**Fiscal Impact:**

Not applicable

**Environmental Review:**

Not applicable

**Policy Question(s) for Council Consideration:**

Resolution 2009-33 was adopted to disallow certain individuals from volunteering to work at City Hall. Does the City Council wish to repeal this resolution?

**Summary:**

- At its June 13, 2017 meeting, the City Council requested that staff prepare a resolution repealing Resolution 2009-33.
- Resolution 2009-33 disallowed certain individuals from being able to volunteer at City Hall.
- The City Manager has the authority to make this determination if the Manager believes there is a conflict of interest or that an individual volunteer is not meeting the City's ethical standards.
- All materials provided to the City's Community Development Department that could be handled by a volunteer are subject to public disclosure laws and therefore are not confidential.

**Staff Recommendation:**

Staff recommends the Council adopt Resolution No. 2017-30, repealing Resolution 2009-33.



**Subject:** Resolution No. 2017-30: Repeal of Resolution No. 2009-33 regarding Standards for Volunteer Service

---

### **Purpose**

Resolution 2017-30 repeals a previously approved resolution disallowing certain volunteers from working behind the counter at City Hall and requiring all City Hall volunteers to sign an agreement that they will treat all materials as confidential.

### **Background**

Resolution 2009-33 restricts access to volunteer positions behind the counter at City Hall. Any volunteer who has a “history of being financially involved (whether as a developer, investor, lender, adviser, or otherwise)” in develop the industry in Los Altos is, essentially, not allowed to volunteer to work behind the counter at City Hall. The resolution indicates that the public may perceive these individuals as having influence over recommendations and that they may not be fair and impartial.

Currently, the City Manager has the authority to determine who can work in City Hall and establish standards for behavior. Also, Resolution 2009-33 prohibits volunteers to work with materials that are confidential; all such materials provided to City Hall staff as part of a development or building permit application are subject to public disclosure. Any materials containing proprietary or exempt information would not be handled by a volunteer.

At its meeting of June 13, Mayor Prochnow asked if the City Council would consider a resolution repealing 2009-33. By consensus, the City Council agreed to consider such a resolution.

### **Options**

1. Approve Resolution 2017-30, repealing Resolution No. 2009-33.
2. Do not approve Resolution 2017-30.

### **Recommendation**

Staff recommends Option 1.

**RESOLUTION NO. 2017-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
REPEALING RESOLUTION NO. 2009-33 REGRADING STANDARDS FOR  
VOLUNTEER SERVICE**

**WHEREAS**, in 2009, the Los Altos City Council adopted Resolution No. 2009-33 setting certain limitations for individuals providing volunteer services at City Hall; and

**WHEREAS**, Resolution No. 2009-33 disallowed volunteer service behind the counter at City Hall by individuals who had a history of being involved in the development industry; and

**WHEREAS**, Resolution 2009-33 assumed that City Hall volunteers were perceived as having influence over City staff recommendation regarding projects and that the City Council was desirous of ending any such perception; and

**WHEREAS**, any volunteers at City Hall were required to sign an agreement that they would treat all development materials as confidential; and

**WHEREAS**, the need for such restrictions is not considered necessary as the documents received at City Hall are all, with very few exceptions, subject to public disclosure; and

**WHEREAS**, the City Manager has the authority to determine who may work or volunteer for the City and establish standards for such service,

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby repeals Resolution 2009-33, a Resolution of the City Council of the City of Los Altos Adopting Ethical Standards for Volunteer Service Behind the Counter at City Hall, located at Attachment A.

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the \_\_\_\_ day of \_\_\_\_, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Mary Prochnow, MAYOR

Attest:

---

Jon Maginot, CMC, CITY CLERK

Resolution No. 2017-30

Page 1

**ATTACHMENT 1**

**RESOLUTION NO. 2009-33**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADOPTING ETHICAL STANDARDS FOR VOLUNTEER SERVICE BEHIND THE COUNTER AT CITY HALL**

**WHEREAS**, the City of Los Altos desires to be regarded as maintaining the highest ethical standards regarding land use decisions; and

**WHEREAS**, the public's perception of being fair and impartial is, in many ways, just as important as in fact being fair and impartial; and

**WHEREAS**, regardless of economic conditions, there has been a continual stream of private real estate developments in the City, along with occasional larger private developments, which often involve requests for variances, conditional uses, development bonuses, and other benefits or exceptions; and

**WHEREAS**, volunteers at City Hall may be perceived by the public as having undue influence on various City decision makers; and

**WHEREAS**, these concerns are heightened if the volunteer has a history of being financially involved in significant private real estate developments in Los Altos; and

**WHEREAS**, these policies are adopted as a preventative measure;

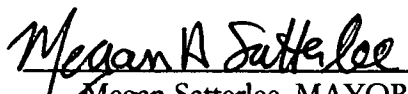
**NOW THEREFORE, BE IT RESOLVED**, that the Volunteer Service Policy adopted by the City Council on July 28, 2009 is hereby rescinded and replaced with the following policies as ethical standards for Los Altos, and do not replace or diminish all other ethical standards imposed by federal, state, or local rules or laws:

1. Any person who are either currently involved or has a history of being financially involved (whether as a developer, investor, lender, adviser, or otherwise) in private real estate developments (other than personal residence) in Los Altos, where such developments have gone before the Planning Commission and/or the City Council for variances, design approvals, development bonuses, etc., should not regularly serve as a volunteer behind the counter at City Hall. This policy is not intended to apply to service on various committees or commissions, or attendance at various meetings that occur at City Hall.

2. Any person who serves as a volunteer behind the counter at City Hall will sign an agreement prepared by the City Manager to treat as confidential the various documents and information such person may see, hear, or handle during such volunteer service.

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 25th day of August 2009 by the following vote:

AYES:           PACKARD, CARPENTER, CASAS, BECKER, SATTERLEE  
NOES:           NONE  
ABSENT:        NONE

  
Megan Satterlee, MAYOR

Attest:

  
Susan Kitchens, CITY CLERK 9-2-09