



CENSURE POLICY

City Council Procedures and Protocols

DISCUSSION OF CENSURE POLICY



- Follows up on Council referral. Council's expressed concerns include:
 - Calibrating the response to the seriousness of conduct.
 - Questions about what might trigger enforcement action.
 - Concern to avoid politically-motivated action.
- Staff drafted language as a starting point for the Committee's consideration.
- Tonight: discuss the draft, give direction to staff for refinements, and make a recommendation to Council.

Draft Policy

- Adds Section 8.2 “Enforcement” to the Procedures and Protocols Handbook
- Enforcement action could be considered in response to one violation or repeated violations of written policies or law:
 - the Handbook
 - state or federal law
 - another Council-approved document
- Includes a graduated menu of options
- Includes procedures to ensure fair process

Multi-Step Process

- Council discussion would be initiative by two or three Council Members through a Colleagues Memo. Memo may propose an action or simply start a discussion.
- The subject Council Member has an opportunity to respond.
- Council could:
 - Take no action
 - Clarify a policy or initiate a new policy
 - Issue an admonition
 - Initiate an investigation
 - Agendize a formal disciplinary hearing

Formal Disciplinary Hearing

- Subject Council Member gets notice and relevant materials.
- May be represented, rebut allegations, question accusers, and offer additional written or oral material. Formal rules of evidence do not apply.
- Council could:
 - Take no action
 - Issue an admonition
 - Direct corrective action
 - Issue an informal reprimand
 - With clear and convincing evidence, adopt a written resolution of censure

Additional Potential Sanctions

- Removal from committees or other assignments
- Restrictions on City-related travel



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