

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Deborah S. Traffenstedt, Administrative Services Director/City Clerk *DST*

DATE: June 13, 2006 (CC Meeting of 06/21/06)

SUBJECT: Consider Adopting Revised City Council Policies Resolution and Rescinding Resolutions 2004-2160 and 2006-2466

BACKGROUND

The City Council's Policies Resolution was last updated in 2004; however, there have been various agenda items since 2004 directing staff to incorporate new policies or amendments to existing policies in the next update of the Council Policies Resolution. Staff has prepared a draft resolution (attached) to incorporate the new policies and/or policy amendments.

DISCUSSION

The attached draft revised City Council Policies Resolution includes new policy language and revisions to policies as shown with legislative format, and as summarized below:

- Index - An index of the City Council policies incorporated in the Policies Resolution has been added to the last recital (pages 2 and 3 of the resolution).
- Policy 1 (Street Naming) – Language has been added to clarify the current procedure for approval of street names.
- Policy 3 (Expense Reimbursement) - Language has been added to this policy to provide compliance with Assembly Bill (AB) 1234 requirements on the duties for which legislative body members may receive compensation and written policy concerning what occurrences qualify legislative body members to receive reimbursement of expenses for travel, meals, and lodging and related requirements, including the filing of expense reports. The City Council provided direction for the amended language at the Council's April 5, 2006, regular meeting. (See also Policy 30 for AB 1234 ethics training requirements).
- Policy 8 – Position titles have been updated and the Public Safety Standing Committee has been added.
- Policy 9 (Ordinances) – Minor edits.
- Prior Policy 12 (Guidelines for the City's Social Services Account) – deleted at the recommendation of the City Attorney based on the California Constitution Article

reduction and recycled-content product procurement practices that are proposed to be incorporated as a new policy, should also be rescinded, and that a revised Policies Resolution should be adopted that incorporates all of the following policies:

- Policy 1 – Street Naming
- Policy 2 – Repayment Documents for Villa Campesina Deferred Loans
- Policy 3 – Meeting, Training, and Conference Expense Reimbursement
- Policy 4 – Reports from Appointees
- Policy 5 – Advertising and Appointment Policy for Citizen Appointments to Boards, Commissions and Committees
- Policy 6 – Active Adult Center Advisory Committee
- Policy 7 – Teen Council
- Policy 8 – City Council Standing Committees
- Policy 9 – Process for Preparation of Initial Drafts of Ordinances by City Departments
- Policy 10 – Temporary Use Permit Fee Waivers
- Policy 11 – Non-Profit Organizations Annual Facility Reservation Policy
- Policy 12 – Refunds for Business Registration
- Policy 13 – Flag Etiquette
- Policy 14 – Conflict of Interest Appraisal
- Policy 15 – Pre-Qualification of Bidders
- Policy 16 – Harassment in the Workplace
- Policy 17 – Waiver of Street Sweeping Parking Restrictions for Vehicles with Handicapped Driver License Plates or Placard
- Policy 18 – City Council Comments on Development Projects Before the Planning Commission
- Policy 19 – Authorization for City Manager to Approve Small Claims Court Filing and Civil Compromise for City Claim Against Another Party Having a Value Not to Exceed \$5,000.00, and Authorization for City Manager to Allow, Settle and/or Compromise Any General Liability Claim Filed Against the City Having a Value Not to Exceed \$5,000.00
- Policy 20 – Authorization for the Issuance and Countersigning of Warrants Pursuant to Chapter 3.12 of the Moorpark Municipal Code
- Policy 21 – Employee, Contract Staff, and Consultant Letters of Recommendation and Background Check Response
- Policy 22 – Employee Anniversary Recognition Program
- Policy 23 – City Payment for Employee Recognition at the Time of Retirement from the California Public Employees Retirement System (CalPERS)
- Policy 24 – Cellular Telephone
- Policy 25 – Park Naming
- Policy 26 – Accounts Receivable Collection
- Policy 27 – First-Time Home Buyer Affordable Housing Program
- Policy 28 – Crossing Guard Warrant
- Policy 29 – Ethics Training for Members of the Legislative Body
- Policy 30 – Procedure for Filing a Complaint Against a City Employee or Contract Staff
- Policy 31 – City Public Sidewalk Maintenance and Repair
- Policy 32 – Waste Reduction and Recycled-Content Product Procurement Practices

Policy 33 – Americans with Disabilities Act Grievance

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. POLICY 1 - STREET NAMING

The Community Development Director, in consultation with the City Manager and in conjunction with the Ventura County Fire Department shall determine street names for recommendation to the City Council. All street names shall be approved by the City Council subject to the concurrence of the County Fire Department prior to approval of a final subdivision map. The following criteria shall be used: North/South streets shall be designated as avenues or roads; East/West streets as streets or drives; and cul-de-sacs as circles, courts or places.

SECTION 2. POLICY 2 - REPAYMENT DOCUMENTS FOR VILLA CAMPESINA DEFERRED LOANS

The City Manager is authorized to execute all deferred loan repayment documents for Villa Campesina Affordable Housing Development (Tract 4147).

SECTION 3. POLICY 3 – MEETING, TRAINING, AND CONFERENCE EXPENSE REIMBURSEMENT

On various occasions it will be necessary for City officials, elected and appointed, and staff to attend meetings, seminars, training, and/or conferences outside the City or County on City business. Such occasions fall basically into the following categories:

1. Meetings/Seminars/Training Sessions, which do not Require Overnight Accommodations;
2. Meetings/Seminars/Training Sessions which Require Overnight Accommodations, or which Require an Expenditure Exceeding \$250.00;
3. Travel for Special Meetings or Training;
4. ~~Council and Commissioner Travel~~ Legislative Body Authorized Expense Procedures; and
5. Mileage Reimbursement for City Appointees to Boards, Commissions, and Committees.

This policy is intended to identify the procedures for receiving approval for travel and reimbursement of expenses. The City Manager may issue further rules for City employees that are consistent with this policy.

1. Meetings/Seminars/Training Sessions, which do not require overnight accommodations (one day or less and return)

- A. The costs of registration, meals, parking and mileage for private vehicle use are allowable City expenses, and Departments Heads, the Assistant City Manager, and City Manager shall be required to pre-approve City reimbursement for employees they supervise.
 - B. Department Heads, Assistant City Manager, and City Manager may not approve ~~attendance~~ approve attendance unless funds have been ~~budgeted~~ been budgeted and are available for the subject purpose.
 - C. Wherever possible, registration fees will be paid in advance by the City. The individual attending shall typically advance mileage and parking costs.
 - D. Upon return to the City, the individual attending shall complete a petty cash reimbursement form for total costs less than \$50.00, or a "Travel Authorization and Reconciliation Report" form (available on City Share/City Share/Finance/Forms) when total costs exceed \$50.00. The reimbursement form shall be submitted to the Department Head, Assistant City Manager, or City Manager for approval, as applicable.
 - E. Meal and travel expenses will be reimbursed consistent with the more detailed policy language included, below, for subsections 2.E. and 2.F. of this policy, with the exception that rental car reimbursement is not permitted for one day or less training with no lodging.
2. Meetings/Seminars/Training Sessions, which Require Lodging or an Expenditure Exceeding \$250.00
- A. Allowable Expenditures. The costs of registration, lodging, meals, parking, and mileage for private vehicle use are allowable City expenses. Attendance at City expense shall be subject to the advance approval of the City Manager, if funds have been appropriated for the travel. Otherwise, attendance shall require approval and an appropriation of funds by the City Council.
 - B. Travel Expense Report. A "Travel Authorization and Reconciliation Report" form (available on City Share/City Share/Finance/Forms) is to be completed for each employee traveling. The Department Head must approve the form, indicating that sufficient funding is included in the budget. Once approved by the Department Head, the report is to be submitted to the City Manager for approval at least one week prior to the City Council Meeting preceding the date of the Conference/Training Session. The City Manager shall either approve/disapprove the travel or refer to the City Council and recommend attendance/non-attendance based on the availability of funds, proposed content of the meeting, and other meetings in the same general subject area, which may be scheduled later during the budget year.

Following City Manager or City Council approval, the Department Head must ensure the form is submitted to Finance staff in a timely manner.

- C. Registration. Registration will be paid in advance by regular warrant whenever possible. A registration form shall be completed by the department and submitted to the Finance Division with the approved Travel Authorization and Reconciliation Report form. Finance will process the warrant and mail the registration form.
- D. Lodging. The City will pay lodging expenses for City employees during business travel requiring one or more overnight stays. The City will pay for lodging for the evening preceding or subsequent to a meeting or business event when the employee would have to travel at unreasonably early or late hours to reach his or her destination. Payment for pre-event lodging shall require City Manager approval and will typically not be approved if the total miles of travel from City Hall to the site of the event are less than 75 miles. Costs for lodging must be reasonable based on availability of hotels and proximity to conference/training location. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the employee at the time of booking. Receipts are required. Lodging may be guaranteed or paid by a City credit card. Each Department Head shall use his/her card for guaranteeing or paying for rooms for employees within their department. When requesting a check for lodging, an employee shall attach a copy of the approved Travel Authorization and Reconciliation Report form. The request shall typically be submitted to the Finance Division no less than three (3) weeks prior to travel. Finance will process the warrant and give it to the Department Head to give to the appropriate employee.

Department Heads may use their City credit card to charge lodging for themselves and other employees traveling to the same conference. Employees may also use personal credit cards with reimbursement requests submitted after the conference.

- E. Meals. The traveler may receive a per-diem allowance for meals plus tips. The per diem allowance shall conform to the currently allowed Internal Revenue Service (IRS) allowance for the city of travel and does not require substantiation with receipts. Regarding partial days, travel beginning on or before 7:00 a.m. qualifies for breakfast. A return time beyond 1:30 p.m. qualifies for lunch. Return times beyond 7:00 p.m. qualify for dinner. Travelers will not be reimbursed for the cost of a lunch or dinner meal, if such meal is already paid for and provided as part of the conference expenses, and the per-diem allowance will be reduced accordingly, per the IRS published allowance. Breakfast shall be considered to occur between 12:00 midnight and 11:00 a.m.; lunch 11:00 a.m. to 4:00 p.m.; and dinner 4:00 p.m. to 12:00 midnight at the time zone of the location of the meal.

The City will pay reasonable and customary gratuities and tips during City business travel. Tips for meals are included in the standard per diem rate.

If no per diem rate is published for the city of travel, or if the traveler prefers, receipts may be submitted for food and tips up to \$50.00 per day based on the limits of \$10.00 for breakfast, \$15.00 for lunch and \$25.00 for dinner.

Advance payments of per diems are permitted for multi-day conferences only. A request for a per diem advance shall be submitted to the Finance Division, typically no less than three (3) weeks prior to travel. Finance will process the warrant and give it to the department head to give to the appropriate employee.

- F. Travel. Use of air, train, private car or bus shall be selected on the basis of the most reasonable and appropriate method, taking into consideration distance, time, and total costs to the City after all expense items are tabulated, including travel time and salary costs. Travel for all personnel shall be in coach class or equivalent service.

While traveling, the use of rental vehicles is to be discouraged. Hotel courtesy buses, local shuttle services or public transportation, if available, should be utilized between airports and meeting locations. If a shuttle service is used from home to the airport, bus, or train terminal, the cost for the shuttle shall not exceed the cost for personal vehicle mileage reimbursement plus parking (if the trip originates or ends at the employee's residence, personal vehicle mileage reimbursement shall be calculated based upon the number of miles between the travel destination and either the employee's designated work location or residence, whichever is the shortest distance). Taxi service shall be used only when no other convenient, less costly mode of transportation is available. Rental vehicles may be approved in advance by the City Manager when no other transportation is available, or when alternate transportation would be more expensive or impractical. When rental vehicles are used, the least expensive vehicle practical will be used. Payment for air travel is to be made by City credit card at the time of booking. If a travel agency will invoice for the payment, that method may be used. Employees may also use personal credit cards and then request reimbursement from the City.

Employees pre-approved to use personal vehicles for travel will be reimbursed for mileage at the then current Internal Revenue Service mileage rate; however, the total expense of said travel shall not exceed the combined total of the round-trip air fare to the destination, plus the private vehicle mileage expense to and from the airport and appropriate parking fees. Use of a privately owned vehicle on City business requires the driver to possess a valid California driver's license and to carry automobile insurance. Any

damages to the vehicle or service repairs are of a personal nature, and are not reimbursed by the City. Reimbursement will be based on the vehicle and not on the number of employees attending (i.e. the owner of the vehicle will be paid and not the passengers). If the trip originates or ends at an employee's residence, personal vehicle mileage compensation shall be based upon the number of miles between the travel destination and either the employee's designated work location or residence, whichever is the shortest distance. Expenses such as tolls and parking will be fully reimbursed upon presentation of the original receipt. Valet parking will only be reimbursed if there is no self-parking option.

Reimbursement for use of a personal vehicle for local travel is not applicable to those management employees receiving an automobile allowance. These employees may, however, receive reimbursement if travel is outside of the six county area of Santa Barbara, Ventura, Los Angeles, San Bernardino, Riverside and Orange Counties.

- G. Final Expense Report. A final Travel Authorization and Reconciliation Report form is to be completed by the employee within ten (10) days of completing the travel. Any reimbursement requests not submitted within 30 days of the meeting date may not be honored and traveler shall assume all costs, unless waived by the City Manager. Unsubstantiated advances may result in the issuance of an IRS form 1099 to the traveler. The report is to include a final accounting of all expenses related to the travel, including expenses already paid by the City (by warrant or credit card) and expenses paid by the employee. All hotel bills, rental bills, airline ticket invoices and other receipts are to be attached to the form. If the employee has received, or is requesting, the per diem amount for food and tips, receipts for meals are not required. If any reimbursement to the City is required, a personal check in the correct amount is to be submitted with the expense report.

Items of a personal nature are not reimbursable including movies (in-room or at the theater), entertainment, premium television services, sporting events, alcoholic beverages, laundry/dry-cleaning, spas, gyms, massage, barber, magazines, shoeshine, travel insurance, purchase of clothing or toiletries, loss of tickets, fines or traffic violations, excess baggage, valet service, spouse/and or guest accommodations, office equipment and other items of a personal nature. If unauthorized expenses have been paid by the City (i.e. via credit card), the employee will be responsible for immediate reimbursement to the City. Reimbursement of travel expenses received from an outside source must be forwarded to the Finance Division upon receipt.

The final Travel Authorization and Reconciliation Report form is to be signed by the Department Head, Assistant City Manager, or City Manager, as applicable, and submitted to the Finance Division for verification. If payment

is due to the employee, the payment will be processed in the next available warrant cycle.

3. Staff Travel - Special Meetings or Training for which Funds are not Appropriated.

Attendance at a special meeting or training, for which funds are not appropriated, attendance by the City of Moorpark is deemed urgent, and which occurs at a time which precludes advance approval by the Council as a whole, may be authorized by the Mayor and one other member of the City Council, subject to the ratification of the expense and appropriation of funds at the next regular Council Meeting.

4. ~~Council and Commissioner Travel~~ Legislative Body Authorized Expense Procedures

It is the policy of the City of Moorpark to reimburse members of the City Council, Planning Commission, and Parks and Recreation Commission and any other member of the legislative body (as defined by Government Code Section 54952) that receives reimbursement of expenses, for actual and necessary expenses incurred in the performance of their official duties.

The travel and expense reimbursement of the legislative body as defined in Government Code Section 54952 (including but not limited to members of the Council, the Planning Commission, and the Parks and Recreation Commission) shall be governed by the same rules contained in this policy for City employees, withand the following exceptionadditional requirements listed below.

A. The certified Travel Authorization and Reconciliation Report form shall be reviewed and subject to the approval of the City Council Budget and Finance Committee. If a member of the Budget and Finance Committee submits a Travel Authorization and Reconciliation Report form, it shall be subject to the approval of the two most senior, by tenure, members of the City Council who are not members of the Budget and Finance Committee.

B. The following types of expenses generally constitute authorized legislative body expenses:

a. Use of personal vehicle for business travel outside the City limits (reimbursed at the per mile reimbursement rate for City employees and volunteers and consistent with Policy 3, Section 5);

b. Communicating with representatives of regional, state and national government on City adopted policy positions;

c. Attending educational seminars designed to improve public officials' skill and information levels;

- d. Participating in regional, state and national organizations whose activities affect the City's interests;
 - e. Lodging, Meals, and Travel – Traveler may receive a per-diem allowance consistent with the provisions of Policy 3, Sections 2.D, 2.E, and 2.F. Any expense for which reimbursement is requested (which is not subject to the per diem requirements of this policy) shall include a statement of the reason/purpose and who else was in attendance, even if reimbursement is not requested for others in attendance. The cost of a meal shall not exceed the applicable Internal Revenue Service (IRS) per diem reimbursement rate for the Los Angeles area regardless of the location.
- C. Items that are of a personal nature are not reimbursable (examples are listed in Policy 3, Section 2.G).
- D. Legislative body members (City Council, Planning Commission and Parks and Recreation Commission) shall briefly report on meetings attended at City expense at the next regular meeting for that legislative body member. If multiple members of the same legislative body attended the same meeting, a joint report may be made.
- E. If a reimbursement rate for travel, meals, lodging and other actual and necessary expenses is not specifically identified in this policy, then the Internal Revenue Service rates for reimbursement as established in publication 463 or any successor publication shall be used for those items.
- F. All expenses not covered by this policy shall be approved by the City Council in a public meeting before the expense is incurred.
- G. Pursuant to Section 53232.4 of the Government Code, penalties for misuse of public resources or falsifying expense reports in violation of expense reporting policies may include, but are not limited to the following: (a) The loss of reimbursement privileges; (b) Restitution to the local agency; (c) Civil penalties for misuse of public resources pursuant to Government Code Section 8314; and (d) Prosecution for misuse of public resources pursuant to Section 424 of the Penal Code.
5. Mileage Reimbursement for City Appointees to Boards, Commissions, and Committees

City Council public appointees to boards, commissions, and committees, that do not receive an honorarium and require travel outside of the Moorpark City limits, shall be eligible to receive mileage reimbursement for attendance at regular and special meetings of that board, commission, or committee. Mileage will be calculated from the appointee's residence in Moorpark as the point of departure to the meeting

location. Mileage expense reimbursement for the use of a personal vehicle for travel shall be at the rate currently allowed by the Internal Revenue Service, and as verified by the ~~City Clerk~~Finance Director annually. The appointee shall complete the City's Travel Authorization and Reconciliation Report form, and submit the form to the City Clerk at the end of the month, with the meeting agenda attached as supporting documentation for the mileage reimbursement claim. The City Clerk will submit the ~~Travel~~the Travel Authorization and Reconciliation Report form to the City Council Budget and Finance Committee for review and approval.

SECTION 4. POLICY 4 - REPORTS FROM APPOINTEES

1. Reports are required from appointees to the following:
Area Agency on Aging
Area Housing Authority
Citizens Transportation Advisory Committee
Air Pollution Control District Advisory Committee
2. A report shall be required for each scheduled meeting of the agency, authority, district, commission or committee and is due in written form to the City Council five (5) days following the meeting.

In lieu of a written report, an oral report may be presented to the Council under the public comment portion of the next regularly scheduled City Council meeting after the meeting of the agency, authority, district, etc.

3. Where the City is represented by more than one person, the appointees shall coordinate and collaborate their efforts so only one report is presented to the Council.
4. If neither the appointee nor alternate is in attendance at a meeting of the agency, authority, district, etc., or if the meeting is canceled, that will be reported to the Council by the appointee(s) as prescribed above.

SECTION 5. POLICY 5 - ADVERTISING AND APPOINTMENT POLICY FOR CITIZEN APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

1. At the end of each calendar year, an Appointments List will be prepared and posted at the City Community Center, Moorpark Library, and on the City's Home Page, of all citizen appointive positions and their expiring term of office (in compliance with the Maddy Act requirements, Government Code Section 54973). A contact number and request for communication with the City Clerk will be included, to allow residents to obtain information on any requirements for the appointed positions, and to facilitate communication with the City Clerk in the event a citizen has an interest in being placed on the appointee resource list. Notice of the availability of the Appointments List shall also be provided on the City's local government channel. The Appointments List and notice of availability shall remain posted for the month of

January. In addition, the Local Appointments List shall be made available for the public to purchase for the actual cost of reproduction.

2. Not later than 30 days prior to the expiring term of office of a citizen appointee, the City Clerk will prepare and distribute a press release to all newspapers of local distribution and radio stations that have requested such notice, advertising the citizen appointment opportunity. The City Clerk will also post such notice on the City's Home Page, local government channel, and at the City Community Center.
3. Interested persons will be asked to submit a City Board, Commission, and Committee Application.
4. When an unscheduled vacancy occurs on the Planning Commission, Parks and Recreation Commission, or other City Council appointed board, commission, or committee, notice will be posted (in compliance with the Maddy Act requirements), and advertisement of the citizen appointment opportunity will be initiated by the City Clerk in the same manner as for an expiring term, unless the City Council determines that the vacancy will not be filled due to the length of the remaining term of office.
5. The City Clerk shall maintain a resource list of citizens who have expressed an interest in serving as appointees on advisory boards, commissions and committees and will mail an application at the time of the next advertisement.
6. In order to be considered for City Council appointment to a board, commission, or committee, the applicant must be a resident of the City of Moorpark and shall also be a registered voter, with the following exceptions:
 - A. There is no registered voter requirement for Teen Council.
 - B. An applicant for the Public Art Advisory Committee must reside within the City's Area of Interest, and/or must be employed or a business owner within the City limits.
7. As per Government Code Section 40605, the Mayor shall make all appointments to boards, commissions and committees.
8. The procedure for appointments shall be as follows:
 - A. The Mayor shall solicit suggested nominees from members of the Council.
 - B. Prior to making a motion for appointment, the Mayor shall announce the names of all persons he/she intends to nominate, and in the order to be nominated, for a board, commission, or committee.

- C. The Mayor shall then make a motion putting forth each individual name to be approved for appointment.
- D. A second shall be required.
- E. The Council shall vote on each appointment individually.

SECTION 6. POLICY 6 – ACTIVE ADULT CENTER ADVISORY COMMITTEE

1. Purpose

The Active Adult Center Advisory Committee is intended to assist with the development of programs and activities of interest to local seniors and facilitate communication between City staff and senior adult participants.

2. Membership and Organization

All appointments to the Active Adult Center Advisory Committee shall be made by the Mayor of the City of Moorpark, with approval of the City Council, consistent with the adopted Council policy on procedure for appointments. The Committee shall consist of five members, age 60 or older. The Active Adult Center Advisory Committee members shall be residents and registered voters of the City. The term of the appointment shall be for two years. If a vacancy occurs otherwise than by expiration of a term, an appointment may be made to fill the unexpired portion of the term of office in accordance with Policy 5 of this resolution (Advertising and Appointment Policy for Citizen Appointments to Boards, Commissions and Committees). The appointment for a new two-year term shall occur at the reorganization meeting of the City Council held every even-numbered year in accordance with Policy 5 of this resolution.

If there are three (3) consecutive, unexcused or excused absences, or five (5) total absences during the term of an Active Adult Center Advisory Committee member, the seat of such member shall be deemed immediately vacant. Vacancies shall be filled in a manner that is consistent with Policy 5.

The Active Adult Center Advisory Committee shall conduct itself in an orderly fashion at all meetings and shall follow and obey the standing rules established by the ~~Community Services~~Parks, Recreation and Community Services Department.

No member of the Active Adult Center Advisory Committee shall use the title of Active Adult Center Advisory Committee member on any form of communication unless authorized by the ~~Community Services~~Parks, Recreation and Community Services Director and then channeled through the Active Adult Center Advisory Committee for approval.

The Active Adult Center Advisory Committee shall not present or purport to represent any position, policy, or direction for the City of Moorpark without the prior approval of the City Council.

The Active Adult Center Advisory Committee shall hold monthly meetings at the Active Adult Center at a day and time approved by the Committee at the first annual meeting. Meetings shall be open to all interested participants. The Committee shall annually elect its chair and vice-chair from its appointed members. City staff will attend all meetings and provide administrative support to the Committee.

3. Duties and Responsibilities

- A. Assist in the selection and planning of activities and programs of interest to seniors, including special events and holiday programs, by bringing forth ideas and suggestions.
- B. Serve as program host/hostess by encouraging other seniors to participate, assist with activity registration and related program details.
- C. Advise ~~Community Services~~ Parks, Recreation and Community Services Department staff as to specific and changing needs of participating and non-participating seniors so that appropriate activities may be scheduled.
- D. Assist with program surveys and evaluations.
- E. Assist with dissemination of public information of interest to seniors through word of mouth and by actively participating in programs.
- F. Provide liaisons with various community organizations that offer programs and services to seniors by bringing outside information to the Active Adult Center.
- G. Discuss and make recommendations to staff as to policies and procedures related to the operation and scheduling of the Active Adult Center.
- H. Participate in preparation of an annual report to the City Council.

SECTION 7. POLICY 7 – TEEN COUNCIL

1. Purpose

The purpose of the Teen Council shall be to investigate and make recommendations to City staff on recreational programming and other matters of concern to Moorpark teens, and such other duties and functions as may be specifically assigned to the Teen Council by the City Council.

2. Goals

To encourage young residents to actively participate in the operations of their City government in a positive and productive manner.

To provide a mechanism which facilitates communication and a spirit of involvement by youth in City government.

To provide a learning experience for Teen Council members that is conducive to leadership growth.

3. Membership and Organization

All appointments to the Teen Council shall be made by the Mayor of the City of Moorpark, with approval of the City Council, consistent with the adopted Council policy on procedure for appointments (Policy 5). The Teen Council shall consist of no less than seven (7) and no more than eleven (11) members, with a goal of having a minimum of one (1) representative from each grade level from 7th grade to 12th grade.

All representatives must be City of Moorpark residents and must be enrolled in school. Special attention should be given to insure that all middle schools and high schools in Moorpark have some representation on the Teen Council. Representatives would typically be limited to not serving more than a total of three years on the Teen Council to allow more teens the opportunity to serve as a Teen Council representative.

In addition to the advertisement procedures specified in Policy 5, applications for Teen Council shall be made available at City Hall, Arroyo Vista Recreation Center, Moorpark High School, Moorpark Community High School, Chaparral Middle School, and Mesa Verde Middle School.

Teen Council members shall each serve a one (1)-year term commencing on July 1 of each year. If there are three (3) consecutive unexcused or excused absences, or five (5) total absences during the term of a member, the seat of such member shall be deemed immediately vacant. If a vacancy occurs otherwise than by expiration of a term, an appointment may be made to fill the unexpired portion of the term of office in accordance with Policy 5 of this resolution (Advertising and Appointment Policy for Citizen Appointments to Boards, Commissions and Committees).

The Teen Council shall conduct itself in an orderly fashion at all meetings and shall follow and obey the standing rules established by the Community Services Parks, Recreation and Community Services Department. A meeting quorum shall be defined as a majority of the total appointed members.

No member of the Teen Council shall use the title of Teen Council member on any form of communication unless authorized by the Community Services Parks, Recreation and Community Services Director and then channeled through the Teen Council for approval.

The Teen Council shall not present or purport to represent any position, policy, or direction for the City of Moorpark without the prior approval of the City Council.

The Teen Council shall hold monthly meetings with the day, time and location to be determined at the first annual meeting of the Teen Council. Meetings shall be open to all interested participants. The Teen Council shall annually elect its chair and vice-chair from its appointed members. City staff will attend all meetings and provide administrative support to the Teen Council, including establishment of the agenda.

4. Duties and Responsibilities

- A. Attend all Teen Council meetings and other Teen Council activities.
- B. Actively participate in at least one Teen Council subcommittee, as approved by the City staff representative to the Teen Council.
- C. Solicit, receive, and relay to City staff input and suggestions about any matters of concern to the teen residents in Moorpark.
- D. Participate in publicity and promotional activities of the Teen Council.

SECTION 8. POLICY 8 - CITY COUNCIL STANDING COMMITTEES

1. Standing Committees

The Council Standing Committees shall be:

- Budget and Finance
- Affordable Housing/Community Development
- Economic Development
- Public Works, Facilities and Solid Waste
- Transportation and Streets
- Public Safety

Each committee shall consist of two Council members and a designated alternate. One member of the Budget and Finance Committee shall be the Mayor or Mayor Pro Tempore. This does not preclude both the Mayor and Mayor Pro Tempore from serving on this committee at the same time. The Budget and Finance Committee shall serve as the Mobilehome Hardship Review Panel, along with the mobilehome park owner, in compliance with Section 5.52.140.B of the Moorpark Municipal Code; however, if the Mayor is not a member of the Budget and Finance Committee, then the Mobilehome Hardship Review Panel shall consist of the Mayor and the Mayor Pro Tempore along with the mobilehome park owner. The Public Safety Committee shall consist of the Mayor and Mayor Pro Tempore.

2. Committee Appointments

With the approval of the majority of the members of the City Council, the Mayor shall make all appointments to Standing Committees of the City Council, including the designated alternate. The appointments shall be made at the first regularly scheduled meeting in January of each odd-numbered year and at the reorganization meeting of the City Council in each even-numbered year.

3. Alternates to Committees

To avoid potential Brown Act violations of having more than two City Councilmembers consider an item at the committee level, each City Councilmember should determine: a) pursuant to applicable provisions of the Political Reform Act, if a potential conflict of interest exists (consult with the City Attorney if necessary); b) although there is no conflict of interest under the Political Reform Act, there is a desire to avoid an appearance of conflict; or c) if for other reasons a decision is made not to participate. If a Councilmember should so determine/decide not to participate, then that City Councilmember shall contact the designated alternate to serve in his/her place for that item. If the City Councilmember determines/decides not to continue participating after having been involved in Committee discussions of a specific item, he/she should contact the City Attorney to determine if the alternate can serve on the Committee for that item. If an alternate has a conflict or otherwise is not available, the Mayor shall serve or request another City Councilmember to serve.

4. Ad Hoc Committee

Items shall be assigned to Standing Committees whenever possible. If not so assigned, at the Mayor's discretion, an Ad Hoc Committee shall be formed.

Ad Hoc Committees are not generally subject to the provisions of the Brown Act unless composed of members other than less than a quorum of the legislative body.

5. Assigned Staff

Budget and Finance - ~~Administrative Services~~ Finance Director
Affordable Housing/Community Development - Community Development
Director
Economic Development - Assistant City Manager
Public Works, Facilities and Solid Waste — City Engineer/Public Works
Director
Transportation and Streets — City Engineer/Public Works Director
Public Safety – Assistant City Manager

The City Manager may designate an alternate and/or substitute as determined necessary.

6. Meeting Schedule

A regular meeting schedule for Standing Committees shall be approved by minute action of the City Council at the first regularly scheduled meeting in January of each year.

7. Agenda and Reports out of Committee

The assigned staff person to a Council Committee will prepare an agenda for the Committee meetings. In addition, the staff person will provide action minutes to the full Council within seventy-two (72) hours of the Council Committee meeting showing the Committee's recommendation.

Concurrence with the staff's recordation of Committee recommendation(s) to the full Council will be completed prior to the adjournment of the Committee meeting in order to accurately report to the full Council via the action minutes. Action minutes will not be formally ~~be~~-approved by the Committee.

8. Committee Assignments

The City Manager shall maintain a list of specific assignments for each Standing Committee. The list shall be distributed to the Mayor, City Council and City Staff each calendar quarter (January, April, July and October).

9. Items Referred to Committee

Items may be referred to Committee from City Council approved objectives; by the Council at a Council meeting; by staff; or by an individual Councilmember.

10. Items Referred to the Full Council from Committee

A consensus of the Committee is required to send an item back to the full Council. A consensus relative to a recommendation on the item need not have been reached.

SECTION 9. POLICY 9 - PROCESS FOR PREPARATION OF INITIAL DRAFTS OF ORDINANCES BY CITY DEPARTMENTS (If the draft ordinance is initiated by the Planning Commission or Parks & Recreation Commission, the process may deviate from that outlined here.)

1. Step One - Staff confers with the City Attorney at a scheduled meeting after first determining if the City Manager wants to participate. Staff will bring any sample ordinance to the meeting.

City Attorney to determine lead time (Step One to Step Six), except when the City Manager determines that staff priorities or Council direction require adjustment of the lead time, but generally a minimum of two weeks in most instances will be required -- possibly longer depending upon the length, complexity of the ordinance and quality of the sample ordinances. Agenda deadlines should be considered in determining lead time. The meeting with the City Attorney shall be scheduled on the first Wednesday afternoon of the month by contacting the Executive Secretary.

2. Step Two - Staff confers with City Clerk for codification determination and section number confirmation.
3. Step Three - Staff drafts the ordinance for content and format and if necessary reviews with City Manager during the drafting process.
4. Step Four - City Manager and City Clerk reviews draft ordinance.
5. Step Five - E-mail draft ordinance to City Attorney.
6. Step Six - City Attorney reviews for content and form; makes changes in legislative format and returns draft ordinance, making comments if required.

Management staff, ~~to the Management Analyst and Associate Planner level,~~ who are authorized by the Department Head, may seek input directly from the City Attorney.

7. Step Seven - Staff reviews changes made by City Attorney, if any, and discusses with City Attorney and City Manager as needed. Meeting with City Attorney to be scheduled on the first Wednesday afternoon of the month.
8. Step Eight - Recognize and reconcile differences. If differences cannot be reconciled, talk to the City Manager, if still unable to reconcile differences, write the staff report to recognize the points of disagreement.
9. Step Nine - If needed, schedule the agenda item, and public hearing if required, after City Attorney and City Manager have approved the draft ordinance.

SECTION 10. POLICY 10 - TEMPORARY USE PERMIT FEE WAIVERS

1. Once each calendar year, a City of Moorpark organization having non-profit status may apply for and be granted a temporary use permit fee waiver for one event.
2. The Community Development Director shall waive a Temporary Use Permit Fee pursuant to this Policy after an eligible organization has submitted: a) a completed temporary use permit application; b) a request for fee waiver; and c) proof of non-profit status.
3. Examples for which Temporary Use Permits are issued are special events such as Christmas tree sales, promotional parking lot sales, church carnivals, Country Days and sidewalk sales.
4. The Temporary Use Permit shall be issued for a single event of less than thirty (30) consecutive days in duration.

SECTION 11. POLICY 11 - NON-PROFIT ORGANIZATIONS ANNUAL FACILITY RESERVATION POLICY

1. Once each calendar year, a City of Moorpark organization having a non-profit status, may reserve the Arroyo Vista Recreation Center or the Moorpark Community Center to hold one (1) event with only direct staff costs being charged to that organization.
2. Those events which qualify shall be of a nature whereby the benefit of the event will serve the community and/or involve all those City residents who are interested in this event. Examples for which these procedures may apply include citywide events by Girl or Boy Scouts, service organization events, including fund-raising activities, and special events, such as Country Days, which have a direct benefit to City residents.
3. Regular organizational meetings or activities shall not qualify for this reduced fee.
4. Direct staff costs shall be defined as hourly staff costs, including all personnel benefit costs required for the event.
5. The ~~Community Services~~ Parks, Recreation and Community Services Director shall waive the standard rental fees pursuant to these procedures after an eligible organization has submitted: a) A completed Facility Reservation Form; b) a request for fee waiver; and c) proof of non-profit status.
6. One-time events shall further be defined as an event for one day per calendar year, not to exceed twelve (12) hours.

7. City staff shall maintain a record of each organization's request for the one-time-event fee, and shall notify the organization if they have already used their one-time-event option within a calendar year.

~~SECTION 12. POLICY 12 - GUIDELINES FOR THE USE OF THE CITY'S SOCIAL SERVICES ACCOUNT~~

- ~~1. Each Councilmember and the City Manager is authorized to expend funds as the need may arise and receive reimbursement for said expenditures from the City's Social Services Account up to an amount not to exceed \$250.00 per occurrence when said individual has made this determination.~~
- ~~2. When said expenditure is made, the individual will cause the reimbursement request to be placed on the City Council's next regular meeting agenda for approval by the City Council.~~

SECTION 132. POLICY 132 - REFUNDS FOR BUSINESS REGISTRATION

The City will not issue refunds for business registration permits.

SECTION 143. POLICY 143 - FLAG ETIQUETTE

1. The Flag of the United States of America and the Flag of the State of California will be displayed at each municipal facility which has an appropriate flagpole.
2. The National and State Flags are to be displayed daily from the start of the business day through the close of the business day during the normal work week. Flags may be flown 24 hours per day if appropriately lighted.
3. Flag etiquette allows the flag to be displayed during inclement weather provided it is made of all weather material (such as the flags the City uses). If it rains after raising of the flag, the flag will remain on the pole. If it is raining prior to raising the flag, the flag will not be raised; however, it may be raised later, weather permitting, and remain until close of the business day.
4. Flags will be flown at half-staff when ordered by the President or the Governor of the State as follows:

President, Ex-President or President elect	30 days
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Vice President, the Chief Justice or retired Chief Justice of the United States or	10 days
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the Speaker of the
House of Representatives

Associate Justice of
the Supreme Court; a
Secretary of an
executive or military
department; a former Vice
President; or Governor
of a State, territory
or possession.

Day of death to day of interment

Member of Congress

Day of death and day following

By order of the President

Period to be prescribed

By order of the Governor;
at the death of any local
public safety officer
killed in the line of duty.

Day of death to day of interment

5. Flags will be flown at half-staff from the day of death to the day of interment for any currently seated Member of the City Council, Member of the City Council Elect or any previously seated Member of the City Council.
6. Flags will be flown at half-staff from the day of death to the day of interment for any currently serving City Manager or City Department Head.
7. Flags will be flown at half-staff from the day of death to the day of interment for any City employee killed in the line of duty.
8. When a flag is no longer fit for display, it will be destroyed in a dignified way such as by an American Legion Post at Flag Disposal Ceremonies on Flag Day (June 14) each year.
9. It is the responsibility of the ~~Community Services~~ Parks, Recreation and Community Services Department or the service contractor of an offsite municipal building (such as City Engineering/Building & Safety) to display the National and State Flags at municipal facilities in accordance with the pamphlet {"Our Flag" published by the Joint Committee on Printing United States Congress by authority of House Concurrent Resolution 361, 100th Congress (includes Title 36, Chapter 10 of the United States Code).
10. The City Manager or his designee is to determine at what location(s) flags are to be flown 24 hours and for ceremonial purposes.

11. The flag policy for the City of Moorpark Police Services Center shall be consistent with Nos. 1 through 10 of Council Policy 14 and will also include the following provisions:
 - A. Flags may be flown at half-staff and for the same length of time as followed by the Ventura County Sheriff's Department (Sheriff), consistent with other facilities managed by the Sheriff, so long as the Sheriff's Department is a tenant at the Police Services Center; and
 - B. Flags may be flown at half-staff and for the same length of time as followed by the California Highway Patrol (CHP), consistent with other facilities managed by the CHP, so long as the CHP is a tenant at the Police Services Center.

SECTION 14. POLICY 14 - CONFLICT OF INTEREST APPRAISAL

1. Conflict of Interest Appraisals shall be allowed to provide proof and rebut the presumption that the financial effect of a governmental decision on real property, in which a public official has an economic interest, is presumed to be material (Section 18705.2 of Title 2, Division 6, California Code of Regulations), as provided below:
 - A. Two conflict of interest appraisals shall be allowed per year per Councilmember if real property in which a Councilmember has an economic interest is the subject of a City Council decision or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision.
 - B. One conflict of interest appraisal shall be allowed per year per Planning Commissioner, if real property in which a Planning Commissioner has an economic interest is the subject of a Commission decision or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision.
 - C. One conflict of interest appraisal shall be allowed per year per for the City Manager, if real property in which the City Manager has an economic interest is the subject of a City government decision or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision.
 - D. One conflict of interest appraisal shall be allowed per year for the Community Development Director, if real property in which the Community Development Director has an economic interest is the subject of a City government

decision or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision.

2. The amount of funding for conflict of interest appraisals shall be a budgetary consideration determined during the budget process as the Council looks at actual projects that are likely to be considered during the following fiscal year.

SECTION 15. POLICY 15 – PRE-QUALIFICATION OF BIDDERS

1. City Program

The City Manager shall cause to be prepared, the City of Moorpark Bidder Pre-Qualification Program [herein "City Program"]. The City Program shall set forth guidelines and procedures related to the pre-qualification of bidder for Projects as defined herein. The City Program shall be consistent with the requirements of a) Sections 1103, 4107 and 20101 [AB574] of the Public Contracts Code and statues amendatory or supplementary thereto, and b) the bidder pre-qualification model documents promulgated by the State Department of Industrial Relations [herein "DIR"]. The City Program shall be maintained and updated as needed, by the City Manager or his/her designee.

2. Applicability

All construction projects with an estimated construction cost exceeding one million dollars (\$1,000,000.00) [herein "Project"] shall require the pre-qualification of bidders. To that end, the bidding documents for all Projects shall include provisions for the pre-qualification of bidders in a manner consistent with the procedures and requirements set forth in the City Program. Notwithstanding the above, certain exceptions to these requirements may be authorized as follows:

- A. The City Manager may waive bidder pre-qualification for any Project, provided a report is forwarded to the City Council at least ten (10) days prior to the Notice Inviting Bids, stating the reasons for, and/or the benefits resulting from, such a waiver; and
- B. The City Council may waive these requirements for any Project.

3. Project Specific Program vs. Annual Program

The DIR "model documents" describe two separate programs: a) one for "project specific" bidder pre-qualification; and b) one for an annual bidder pre-qualification process. The City Program shall set forth a project specific bidder pre-qualifications process. However, should it be determined by the City Manager that it would be in the best interest of the City to administer an annual bidder pre-qualifications process for a number of Projects, the City Program shall be modified for such purpose,

provided all such revisions and modifications are consistent with the requirements of the DIR model documents.

4. Evaluation Committee

Pre-qualification packages shall be reviewed and scored by an Evaluation Committee. The Evaluation Committee for each Project or annual process shall consist of one (1) to three (3) staff members or consultants retained for such purpose, as determined by the City Manager or his/her designee.

5. Appeals Panel

The Appeals Panel shall consist of one or more staff members or consultants retained for such purpose, as determined by the City Manager, provided that no member of the Evaluation Committee shall sit on the Appeals Panel. Further appeal shall be to the City Council in accordance with Section 2.04.080 of the Municipal Code.

SECTION 16. POLICY 16 – HARASSMENT IN THE WORKPLACE

1. Purpose

To provide guidelines for employees and volunteers to prohibit and prevent unlawful harassment in the workplace and to define procedures for reporting and investigating alleged incidents of unlawful harassment. This policy shall cover sexual harassment as well as all other forms of unlawful harassment as described herein.

2. Policy

The City is committed to providing a work environment that is free of unlawful harassment. In keeping with this policy, the City strictly prohibits harassment of any kind, including harassment on the basis of race, religion, color, national origin, ancestry, mental or physical disability, medical condition, marital status, sex, age, sexual orientation, or any other characteristic protected under federal law, state law or local ordinance. The policy prohibits harassment by any City personnel including managers, supervisors, and non-supervisory employees or volunteers. No manager or supervisor shall use his/her authority to solicit sexual favors from others.

In enforcing this policy, the City strictly prohibits unlawful harassment of employees or volunteers in any form including verbal, physical, and visual harassment. Some examples of these types of harassment are:

Verbal harassment which may consist of jokes, epithets, slurs, name calling, negative stereotyping; unwelcome remarks about an individual's body, color, physical characteristics, appearance or talents; questions about a person's

sexual practices; and patronizing terms or remarks that relate to a protected characteristic;

Physical harassment can include physical interference with normal work, impeding or blocking movement, assault, unwelcome physical contact, staring at a person's body, and threatening, intimidating or hostile acts that relate to a protected characteristic as set forth above;

Visual harassment may involve offensive or obscene photographs, calendars, posters, cards, cartoons, drawings and gestures; display of sexually suggestive or lewd objects; unwelcome notes, letters, or e-mail; and any other written or graphic material that denigrates or shows hostility or aversion toward an individual that is placed on walls, bulletin boards, or elsewhere on the City's premises or circulated in the workplace.

In addition to the above forms of unlawful harassment, sexual harassment may also include, but is not limited to, making unwelcome sexual advances and requests for sexual favors, and any other verbal or physical conduct of a sexual nature by fellow employees, volunteers, or supervisors when:

- A. Submission to such conduct is made an explicit or implicit term or condition of employment;
- B. Submission to or rejection of such conduct by a individual is used as the basis for employment decisions (promotion, retention, performance appraisal, work assignment, etc.) affecting the individual; or
- C. Such conduct has a purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

No manager or supervisor shall use his/her authority to solicit sexual favors from others.

It is the impact of the harassment, not the intent that counts. In determining whether conduct was unwelcome, the perspective is that of the person who feels harassed. The behavior is still considered unwelcome when the person consented to the conduct in order to avoid adverse treatment.

Any form of retaliation against any person reporting a claim of harassment or otherwise participating or assisting in any investigation of a harassment claim is expressly prohibited and will be considered a violation of this policy.

3. Procedures

- A. Filing Complaint. If a City employee or volunteer believes he or she has been harassed by another City employee, volunteer, contract City employee, vendor, appointed or elected official, or any other person, in violation of this policy, the affected employee or volunteer should promptly report the facts of the incident and the names of the individuals involved to his or her immediate supervisor, Department Head, Human Resources Division staff (~~Assistant to City Manager/City Clerk~~ Administrative Services Director or Human Resources Assistant/Analyst), or directly to the City Manager.

If the harassment complaint involves the City Manager, the affected employee or volunteer, or the supervisor that receives the complaint, should promptly report the facts of the incident to the ~~Assistant to City Manager/City Clerk~~ Administrative Services Director, who will then forward the complaint to the City Attorney and City Council. If the ~~Assistant to City Manager/City Clerk~~ Administrative Services Director is unavailable for more than a day, the complaint shall be reported to the Human Resources Assistant/Analyst, who will then forward the complaint to the City Attorney.

An employee or volunteer who believes he or she has suffered retaliation for reporting any violation of this policy or otherwise participating in any investigation should immediately bring such facts to the attention of the Human Resources Division staff or directly to the City Manager.

- B. Investigation. Supervisors and managers must immediately report any claims of unlawful harassment to the Human Resources Division staff and/or directly to the City Manager. The Human Resources Division staff shall coordinate a prompt, objective, and thorough investigation of any such complaints, after consultation with the City Attorney. At the conclusion of the investigation, the City Manager will make a determination if any individual has violated the prohibition against unlawful harassment. If the complaint includes the City Manager, the City Council will make the determination if any individual has violated the prohibition against unlawful harassment.
- C. Confidentiality. An investigation related to a complaint under this policy will be conducted with confidentiality and respect for the rights of all individuals involved. Information related to the investigation will be provided on a need-to-know basis only.
- D. Corrective Action. The City does not tolerate unlawful harassment of any kind. The City Manager shall take appropriate corrective action whenever such harassment is determined to have occurred. For employees, the corrective action taken shall be remedial and disciplinary in nature and will be commensurate with the severity of the offense. The disciplinary action shall be designed to prevent further unlawful harassment and may include termination.

E. Documentation. All corrective actions taken shall be documented by the Human Resources Division and/or City Attorney. The documentation shall include a summary of the investigation and an explanation of the appropriateness of the corrective actions. All harassment related investigation files shall be retained by the City Attorney's office until such time as file destruction is approved by the City Council in accordance with records retention requirements.

F. Notification to Complainant.

- 1) The complainant will be informed by the Human Resources Division staff or City Attorney's office that action has been taken.
- 2) The Human Resources Division staff or City Attorney's Office will instruct the complainant to immediately report recurring or continuing harassment.
- 3) When recommended by the City Attorney's office, the Human Resources staff shall request the complainant to sign a form acknowledging the following:
 - (a) The complainant has been informed that corrective action has been taken; and
 - (b) The complainant has been informed to immediately report the continuation or recurrence of harassment.

G. Unwarranted Harassment Complaint or False Accusation. A record of a harassment complaint brought in good faith will not be included in an employee's personnel file if the complaint is found to be unwarranted after conducting an investigation. If a complaint is found to be a malicious false accusation, the employee who brought forth the complaint will be subject to disciplinary action.

H. Employee/Volunteer Acknowledgment of Receipt of Harassment in the Workplace Policy. All employees and volunteers shall be required to sign a form on the first day of employment or volunteer work acknowledging the following:

I acknowledge receipt of the City of Moorpark Harassment in the Workplace Policy. I understand that it is my responsibility to read and comprehend its contents. If I have any questions, I shall contact my Supervisor or Department Head.

SECTION 17. POLICY 17 – WAIVER OF STREET SWEEPING PARKING RESTRICTIONS FOR VEHICLES WITH HANDICAPPED DRIVER LICENSE PLATES OR PLACARD

It is the Council's policy that vehicles with handicapped driver license plates or placard shall be exempt from the City's street sweeping parking restrictions.

SECTION 18. POLICY 18 – CITY COUNCIL COMMENTS ON DEVELOPMENT PROJECTS BEFORE THE PLANNING COMMISSION

It is the Council's policy to avoid any attempt to influence the recommendations or decisions of the Planning Commission. Accordingly, Councilmembers shall refrain from making or submitting comments on a project while the matter is before the Planning Commission and shall instead make such comments at the time of the Council's consideration of the matter as the decision-making body; or in the case of the Planning Commission acting as the final decision-making body, a Councilmember wishing to make comment on the matter may act to call the matter up before the Council on appeal consistent with Section 17.44.090 of the Municipal Code, rather than comment on the matter while it is before the Planning Commission.

Notwithstanding the foregoing, a Councilmember may make or submit a comment on a matter while it is before the Planning Commission, if the Councilmember does not participate in consideration of the matter when that matter is before the City Council. In such a situation, the Councilmember shall make clear at the time of any comment that the Councilmember is making or submitting such comment as an individual, rather than in his or her capacity as a Councilmember.

Additionally, a Councilmember may submit written comments on a project during the CEQA comment period for an EIR, if the Councilmember wishes written responses to be generated by the City to such written comments. If the Councilmember submits such comments, the Councilmember need not refrain from participating in consideration of the project at the Council level, provided that such written comments must be limited to the environmental issues associated with the project.

SECTION 19. POLICY 19 - AUTHORIZATION FOR CITY MANAGER TO APPROVE SMALL CLAIMS COURT FILING AND CIVIL COMPROMISE FOR CITY CLAIM AGAINST ANOTHER PARTY HAVING A VALUE NOT TO EXCEED \$5,000.00 AND AUTHORIZATION FOR CITY MANAGER TO ALLOW, SETTLE AND/OR COMPROMISE ANY CLAIM FILED AGAINST THE CITY HAVING A VALUE NOT TO EXCEED \$50,000.00

~~It is the Council's policy that the City Manager shall have the authority to approve the filing of a small claims court action, with the City as the plaintiff, when money is owed the City. The City Manager shall also have the authority to settle and/or compromise any claim of the City against another party, when the value of the City's claim does not exceed \$5,000.00.~~

~~SECTION 20. POLICY 20 - AUTHORIZATION FOR CITY MANAGER TO ALLOW, SETTLE AND/OR COMPROMISE ANY GENERAL LIABILITY CLAIM FILED AGAINST THE CITY HAVING A VALUE NOT TO EXCEED \$50,000.00~~

It is the Council's policy that the City Manager shall have the authority to approve the filing of a small claims court action, with the City as the plaintiff, when money is owed the City. The City Manager shall also have the authority to settle and/or compromise any claim of the City against another party, when the value of the City's claim does not exceed \$5,000.00.

Pursuant to the authority provided in California Government Code 935.4, the City Council authorizes the City Manager by written order to take administrative actions necessary to allow, settle, and/or compromise any general liability claim filed against the City having a value less than \$50,000.00, in the quickest most efficient manner possible, including a written order for a warrant to be drawn upon the treasury of the City in the amount for which a claim has been allowed, compromised or settled for an amount not to exceed \$50,000.00.

~~SECTION 240. POLICY 240 - AUTHORIZATION FOR THE ISSUANCE AND COUNTERSIGNING OF WARRANTS PURSUANT TO CHAPTER 3.12 OF THE MOORPARK MUNICIPAL CODE~~

Demand warrants shall be issued for payment of operational expenses related to the purchase of goods, services or equipment, and payroll warrants shall be issued to compensate employees for services rendered or to pay for benefits or other related personnel costs.

The City Manager is hereby designated to countersign warrants signed by the Mayor or Mayor Pro Tempore in the absence of the City Treasurer.

Any payroll warrant shall be signed by the City Manager, Mayor, or Mayor Pro Tempore, and countersigned by the City Treasurer, City Manager, City Clerk, or City Treasurer designee; however, the City Manager may not countersign his own signature.

Any demand warrant shall be signed by the Mayor or Mayor Pro Tempore and shall be countersigned by the City Treasurer, City Manager, City Clerk, or City Treasurer designee, except demand warrants less than or equal to \$2,500.00 may be signed by the City Manager and countersigned by the City Treasurer, City Clerk, or City Treasurer designee. In the absence of the City Manager, the City Manager may authorize the City Treasurer to sign and the City Clerk to countersign demand warrants less than or equal to \$1,000.00.

SECTION 221. POLICY 221 - EMPLOYEE, CONTRACT STAFF, AND CONSULTANT LETTERS OF RECOMMENDATION AND BACKGROUND CHECK RESPONSE

Given the liability potential related to letters of recommendation and responses to background check inquiries, the Council's policy is that letters of recommendation and background check responses shall be restricted in accordance with this policy.

All current or former City employee, contract staff, private contractor, consultant, or other business entity letters of recommendation and testimonials written by a City employee, contract staff, or City Council appointee (including but not limited to Planning Commissioners and Parks and Recreation Commissioners), and pertaining in any way to the business of the City, must be approved by the City Manager or his/her designee. Prior to any staff response to a background check inquiry for contract staff, private contractor, or a consultant, the ~~Assistant to City Manager/City Clerk~~ Administrative Services Director or City Manager approval is required.

All background check inquiries for current or former City employees shall be directed to the City's Human Resources Division staff for response.

City Councilmembers shall contact the City Manager prior to providing any letter of recommendation for a current or former City employee, contract staff, private contractor, and/or consultant, to ensure that such Councilmember is made aware of any liability and/or human resources related concerns.

SECTION 232. POLICY 232 - EMPLOYEE ANNIVERSARY RECOGNITION PROGRAM

The City Manager shall have the authority to approve an Employee Anniversary Recognition Program for regular and management employees consistent with the dollar limits set forth in this policy. All years of service will be calculated on a cumulative basis and will not include unpaid leave of absence time.

5 Years of Full-Time Service: Award gift not to exceed \$100.00.

5 Years of Part-Time Service: Award gift not to exceed \$50.00.

10 Years of Full-Time Service: Award gift not to exceed \$300.00.

10 Years of Part-Time Service: Award gift not to exceed \$200.00.

15 Years of Full-Time Service: Award gift not to exceed \$500.00.

15 Years of Part-Time Service: Award gift not to exceed \$350.00.

- 20 Years of Full-Time Service: Award gift not to exceed \$750.00.
- 20 Years of Part-Time Service: Award gift not to exceed \$450.00.
- 25 Years of Full-Time Service: Award gift not to exceed \$1,000.00.
- 25 Years of Part-Time Service: Award gift not to exceed \$550.00.
- 30 Years of Full-Time Service: Award gift not to exceed \$1,200.00.
- 30 Years of Part-Time Service: Award gift not to exceed \$650.00.
- 40 Years of Full-Time Service: Award gift not to exceed \$1,400.00.
- 40 Years of Part-Time Service: Award gift not to exceed \$750.00.

SECTION 243. POLICY 243 - CITY PAYMENT FOR EMPLOYEE RECOGNITION AT THE TIME OF RETIREMENT FROM THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS).

Regular and management employees with five or more years (60 plus months) of full-time equivalent service with the City of Moorpark will receive a contribution from the City to be used towards a retirement recognition event (for this full-time equivalent calculation, unpaid leave of absence time will not be included and regular part-time hours will be converted to equivalent full-time years). The event may be held at a City facility with the room provided free of cost, if the City Manager is provided with no less than 30 days notice of pending retirement; the event contribution is to be used for catering, decorations, gift, entertainment, and/or related costs, as approved by the City Manager to supplement event donations; and all City employees are invited to attend the retirement event. ~~and~~ There is no cash value for this retirement benefit if the employee elects to not have a retirement event. The dollar limits for the event contribution will be based on full-time equivalent service time with the City as follows:

- \$250.00 for 60 to 119 months of full-time equivalent service.
- \$500.00 for 120 to 179 months of full-time equivalent service.
- \$750.00 for 180 to 239 months of full-time equivalent service.
- \$1,000.00 for 240 to 299 months of full-time equivalent service.
- \$1,250.00 for 300 or more months of full-time equivalent service.

SECTION 254. POLICY 254 - CELLULAR TELEPHONE

A monthly cellular telephone (cell phone) allowance of \$70.00 shall be provided to each member of the City Council. Cellular telephones (cell phones) are a necessary expense for City Councilmembers, to ensure the Council is readily accessible to deal with City business. Monthly reimbursement for City Council cell phones shall be the base monthly cell phone contract amount, not to exceed \$70.00 dollars per month. In addition to the monthly allowance, the City shall reimburse each Councilmember up to a maximum of \$125.00 every two years upon submittal of an invoice showing proof of payment for a new cell phone. Each Councilmember shall obtain a cell phone service with no less than Statewide coverage nationwide access, unlimited mobile to mobile and unlimited night/weekend minutes, and voice mail and paging capabilities. To receive reimbursement for the monthly base service, each Councilmember shall complete a reimbursement form provided by the Finance Director and attach the portion of their monthly bill which identifies the base monthly charge. Information on calls made and received should not be included with the reimbursement form. The reimbursement request must be submitted to the Finance Director no later than 30 days following the date of the cell phone service invoice to obtain reimbursement.

SECTION 25. POLICY 25 – PARK NAMING

1. The City Council will direct the Parks and Recreation Commission to make recommendations on names for all new park projects during or before park construction.
2. City parks may be named in a manner which identifies the geographic location of each park. The name of a street, or the street upon which the park is located, may be part of the park name. In special circumstances, parks may be named for individuals under the following conditions: for a City of Moorpark resident who has made significant contributions that enhance and improve the quality of life in Moorpark, or a prominent state or national figure who has had a positive impact on the lives of Moorpark residents. Park names may be designated to recognize a national or historical event.
3. The City Council will consider the Parks and Recreation Commission's recommendations and will adopt the chosen park name by resolution.

SECTION 26. POLICY 26 – ACCOUNTS RECEIVABLE COLLECTION

The City of Moorpark has the need to issue invoices for various types of services such as, but not limited to, false alarms, rent for City owned facilities, grant reimbursements, not sufficient funds (NSF) checks and emergency response (DUI and property damage). The City's Accounts Receivable Collection Policy shall be as follows:

1. The first notice to a debtor of an amount due is the issuance of the City of Moorpark invoice.

2. Past due accounts will be sent a past due statement at 30 and 60 days by the Finance Department. A one-time penalty fee in the amount of ten percent (10%) and a ten percent (10%) annual finance charge shall be added each month to any fee imposed in the event the fee is not paid within thirty (30) days after the billing date. The 60-day notice will state that the account will be turned over to a collection agency unless it is immediately cleared by the date specified.
 - A. Where appropriate, debtor contact by telephone will be used during the collection process. The date and discussion will be noted on internal records.
 - B. If the debtor responds, the Finance Department will make every effort to work out a solution for payment. (such as an installment plan for larger amounts due).
 - C. If the account is paid off or cleared by other means, the correspondence will be retained in the Finance Department customer files for such time period as required by applicable law.
3. When Finance has exhausted regular means of collections, accounts will be turned over to a collection agency in a final attempt to collect before the invoice is adjusted. Documentation required for the collection agency must include a copy of the original invoice or a list of charges. Other available information such as address and driver's license number will also be sent to the collection agency, if available.
4. Finance will send a Final Notice to the debtor noting that the account will be turned over to an appropriate external collection agency and collection costs may be charged if arrangements to pay are not made within 15 days. Note: If additional charges appeared for an account that has already been turned over to a collection agency, the new final notice should be for the same collection agency.
5. If the collection agency is not successful, further action will be considered as follows:
 - A. Amounts between \$500 and \$5,000 will be presented to the City Manager for review and possible filing of a small claims court action, which may be instituted without further Council approval.
 - B. Amounts in excess of \$5,000 will be presented to the City Attorney by the City Manager for review and possible legal action, which may be instituted without further Council approval.
6. The Finance Department will keep the City Manager informed of any collection issues as part of the monthly report process. Should adjustments be necessary, after all attempts have been made to collect and the Finance Director has

determined that it is not cost effective to continue with the collection process, he/she has the authority to authorize up to \$100 per adjustment. A report of any adjustments authorized by the Finance Director shall be provided to the City Manager on a monthly basis. Any amount over \$100 up to \$1,000 may be approved for adjustment by the City Manager. A report of any adjustments made by the Finance Director and City Manager shall be provided to the City Council on a quarterly basis. Any amount over \$1,000 must be presented semi-annually to the City Council for consideration of an adjustment or other action. Documentation of all adjustments will be kept in a separate file for year-end audit purposes.

7. Each department will be immediately informed, in writing, by the Finance Department of NSF check issues each time an NSF check is received. Backup documentation showing the name, date and type of service that the NSF check covered will be sent to the respective department. It will be the responsibility of each department to determine if service is continuing to be provided and should be ceased for the individual and/or company that submitted a NSF check until payment for the NSF check is collected. Only cash, cashier's check or money orders will be accepted as payment to satisfy NSF checks.

SECTION 27. POLICY 27 – FIRST-TIME HOME BUYER AFFORDABLE HOUSING PROGRAM

Periodically, the City and/or the Moorpark Redevelopment Agency will make available for sale one or more attached or detached dwelling units to very low, low, or moderate income persons/households as further defined below as part of its First-Time Home Buyer Affordable Housing Program (Program). This policy sets forth the primary criteria for eligibility for participation in said Program and determining priority for participant selection. This policy also sets forth the primary criteria and parameters for retaining the affordable units as affordable for the longest feasible period, but in no event less than forty-five (45) years; equity sharing requirement upon resale; and establishes the requirement that upon resale the affordable dwelling unit is sold to a City/Agency approved buyer in the same income category as the original buyer at the time of the initial sale.

Other criteria to determine participant eligibility and to ensure compliance with this policy, including but not limited to purchase agreement documents, shall be established by the City Manager prior to the advertisement of the availability of one or more affordable dwelling units as part of the Program.

1. Home Buyer Qualification Guidelines:

- Low Income (less than 80 percent of Ventura County median income based on household size); Very Low Income (less than 50 percent of Ventura County median income based on household size); and when applicable Moderate income (less than 120 percent of Ventura County median income based on household size)

- First time home buyers (no previous home or mobilehome ownership)
- First priority for City of Moorpark residents who have lived in the City of Moorpark for no less than one year prior to advertisement of Program application deadline
- Second priority to people who have worked within the City of Moorpark for no less than one year prior to Program application deadline
- Third priority all others
- Five percent (5%) minimum down payment, based on sales price {No more than two percent (2%) of affordable sales price may be a qualified gift with remainder from borrower's own funds; under certain circumstances, down payment assistance loan, not to exceed one percent (1%) of affordable sales price, with four percent (4%) from borrower's own funds.}
- Non-occupant co-borrowers are not allowed

2. Selection Process:

- Advertisement of program and orientation meetings on City Home Page, City government channel, and distribution of a press release and other means as determined by the City Manager
- Mandatory attendance of all interested buyers at an orientation meeting.
- Pre-screening applications offered at orientation meetings
- Neighborhood Housing Services of America (NHTSA) underwriting guidelines to be used, subject to additional City requirements
- Home Buyer Education required prior to purchase, and post-purchase home owner workshops (foreclosure intervention, predatory lending, etc.) required after close of escrow
- A public lottery drawing shall be conducted for each of the three categories to determine priority in each category. Categories will be exhausted before moving to the next category (Category 1 first, followed by Category 2, etc.).

3. First-Time Home Buyer Affordable Housing Program Participant Exclusion List:

- Moorpark City Council, Moorpark Planning Commission, and Moorpark Parks and Recreation Commission
- Mayor and City Council appointees including but not limited to Air Pollution Control District Advisory Committee, Area Housing Authority, Public Art Advisory Committee, Senior Center Advisory Committee, Area Agency on Aging, Citizens Transportation Advisory Committee, and Teen Council
- All City employees in non-competitive service (management positions)
- Financial institutions participating as lenders for the Home Buyer Program
- Developers and Developer's General Contractor(s) for specific projects they developed or constructed that contain 1 or more affordable units
- City contractors involved with City/Moorpark Redevelopment Agency First-Time Home Buyer Affordable Housing Program and affiliates of these City

contractors, as determined by the City Manager on a case-by-case basis, which may include title and escrow companies, contractors, subcontractors, subsidiaries, partnerships, and affiliates of these City contractors;

- Family members are excluded for all of the above-listed participant exclusions. "Family members" is defined as follows: mother, father, grandfather, grandmother, aunt, uncle, cousin, sister, brother, son, daughter, step-son, step-daughter, son-in-law, daughter-in-law, nephew, niece, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, spouse as defined as a partner in marriage (California Civil Code Section 4100), and domestic partner as defined by California Family Code Section 297 and including the requirement for the filing of a Declaration of Domestic Partnership with the Secretary of State.

SECTION 28. POLICY 28 – CROSSING GUARD WARRANT

The warrant for the provision of a Crossing Guard at a roadway intersection in the City of Moorpark is a minimum of five (5) elementary school-age (Kindergarten through fifth grade) pedestrians per hour.

SECTION 29. POLICY 29 – ETHICS TRAINING FOR CITY COUNCIL, PLANNING COMMISSION, AND PARKS AND RECREATION COMMISSION.

All City Councilmembers, Planning Commissioners, and Parks and Recreation Commissioners, and any other member of the legislative body (as defined by Government Code Section 54952) that receives any type of compensation, salary, or stipend or reimbursement of expenses, shall attend ethics training within twelve (12) months of assuming office and receive no less than two (2) hours of said training within two (2) years of assuming office and every two (2) years thereafter (except a member whose term of office ends before January 1, 2007). In January of every year, the City Clerk shall provide the City Council, Planning Commission, and Parks and Recreation Commission with information on training available to meet the requirements of this policy and applicable state law. The City Clerk shall maintain a record of completion on the required ethics training for each person consistent with applicable state law.

SECTION 30. POLICY 30 - PROCEDURE FOR FILING A COMPLAINT AGAINST A CITY EMPLOYEE OR CONTRACT STAFF

All charges or complaints against an employee or contract staff shall be submitted to the City Manager in writing for appropriate action. The City Manager may waive the requirement for the complaint to be in writing if he/she determines an accommodation is needed; an example would be a disability accommodation. The City Manager shall determine whether the complaint shall be referred to the Human Resources/Risk Management Division for investigation or resolved by the Department Head to whom the employee or contract staff reports.

City staff supervisors shall be instructed to refer any person with a verbal complaint about an employee and/or contract staff received during regular office hours to the Human Resources/Risk Management Division. Human Resources staff will then meet privately with the person requesting to file a complaint to either resolve the complaint or provide instruction on the City's written complaint procedure.

Consistent with the City Council Rules of Procedure for City Council meetings, a speaker that verbally complains about an employee of the City, or any employee of a private firm or public agency providing a contract service to the City, during a Council meeting will be directed to contact the City's Human Resources/Risk Management Division for assistance in documenting and resolving their complaint.

SECTION 31. POLICY 31 – CITY PUBLIC SIDEWALK MAINTENANCE AND REPAIR

1. Inspection: All public sidewalks shall be inspected at least once per year.
2. Maintenance: All public sidewalks shall be maintained in good condition.
3. Repair: Any sidewalk defect causing a vertical separation of three-quarters of an inch (3/4") or greater shall be repaired. Repair may include any appropriate methods as determined by the Public Works Department, including but not limited to grinding or sidewalk replacement. Efforts should be undertaken to remove or minimize the possibility of a reoccurrence of the sidewalk problem caused by tree roots.

SECTION 32. POLICY 32 - WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT PRACTICES

1. The City of Moorpark shall purchase and use reusable, recyclable, and recycled products whenever possible to the extent that such use does not negatively impact health, safety, economic constraints, performance standards or operational efficiency.
2. When approved by the City Manager, a not-to-exceed ten (10) percent price preference may be given to qualified products that are reusable, recyclable, or made from recycled material.
3. Recycled paper shall be used for products that are highly visible to the public, including letterhead, copy paper, and business cards.
4. When recycled products are used, reasonable efforts shall be undertaken to label them to indicate that they contain recycled materials.
5. All City staff shall practice waste reduction procedures, such as duplex copying, avoiding excess packaging, and minimizing use of disposables (toner cartridges, kitchen supplies, etc.).

6. Each City department shall examine purchasing requirements and maximize use of products that are durable, reusable, recyclable, and made from recycled feedstock. Such products could include office supplies, compost, motor oil, paint, tires, and construction materials.
7. Contractors and consultants bidding to provide products or services to the City should demonstrate compliance with the City's purchasing and waste reduction practices to the greatest extent possible.
8. The City shall develop conditions of approval for new residential and commercial construction that will provide adequate space for recycling activities. Conditions shall also be developed that encourage use of recycled building materials and maximize opportunities for the recycling of demolition and construction materials.
9. The City shall investigate joint purchasing opportunities with other local governments as a way to maximize economic benefit to all jurisdictions.
10. Staff from the Finance Department and Parks, Recreation, and Community Services Department shall meet annually to review purchasing practices and shall propose any identified changes to the City Manager for possible adoption and implementation.

SECTION 33. POLICY 33 – AMERICANS WITH DISABILITIES ACT GRIEVANCE

1. Purpose

This policy has been created to comply with the Americans with Disabilities Act (ADA), 28 Code of Federal Regulations Part 35.107. This policy provides a procedure to be followed to respond to individuals, or a specific class of individuals, who believe they have been subject to discrimination on the basis of disability by the City, not including employment related discrimination complaints. The Competitive Service employees of the City of Moorpark are subject to the grievance procedures contained in the City Council adopted Personnel Rules, and all other City employees are subject to the discrimination complaint grievance procedures adopted in a City Manager approved administrative procedure.

2. Authority

This policy has been adopted by the City Council for use in all departments.

3. Definitions

The following terms are used in this policy:

- A. ADA: Americans with Disability Act of 1990.

B. ADA Coordinator: Responsible employee with a working knowledge of the requirements of ADA and designated to coordinate the City's efforts to comply with and carry out the City's ADA responsibilities. The Administrative Services Director is the ADA Coordinator for the City of Moorpark.

C. CFR: Code of Federal Regulations.

D. TDD: Telecommunications Device for the Deaf.

4. Confidentiality

The ADA Coordinator maintains confidentiality with regard to complaints, consultations, mediations, and records, unless disclosure is notwithstanding the requirements of litigation and court proceedings. If the disclosure of information to another person is necessary to proceed with an investigation, the complainant or their designated representative will be advised first and consulted on whether and/or how to proceed.

5. Retaliation

Retaliation against a person who files a complaint of discrimination or harassment, participates in an investigation of such a complaint, or opposes an unlawful employment practice is prohibited by Federal and State law and City policy. Anyone who believes she or he has been retaliated against for filing a complaint of discrimination or harassment is encouraged to report the retaliatory actions to the ADA Coordinator.

6. Complaint Procedure

This procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. This procedure shall be liberally construed to protect the substantial rights of interested persons, to meet appropriate due process standards, and to assure compliance with the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City. The City's Personnel Rules govern employment-related complaints of disability discrimination for Competitive Service Employees. A City Manager approved administrative procedure shall govern employment-related complaints of disability discrimination for all other employees.

All other discrimination complaints pertaining to compliance with the ADA should be in writing and contain information about the alleged discrimination, such as the name, address, and phone number of the complainant, and location, date, and description of the problem. Alternative means of filing a complaint, such as a personal interview, use of a TDD, or a tape recording of the complaint, will be made

available for persons with disabilities upon request. A non-written complaint will only be accepted for disability accommodation.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation to:

Administrative Services Director, ADA Coordinator
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or her/his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or her/his designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio recording. The response will explain the position of the City and offer options for substantive resolution of the complaint.

7. Appeal

If the response by the ADA Coordinator or her/his designee does not satisfactorily resolve the issue, the complainant and/or her/his designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager.

Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager will respond in writing, and, where appropriate, also respond in a format accessible to the complainant, with a final resolution of the complaint. Any appeal of the City Manager's decision would be pursuant to Section 2.04.080 of the City Municipal Code.

The file retention period for all written ADA complaints received by the City and responses from the City will be included in the City's Records Retention Schedule.

SECTION 2634. This Council Policies resolution shall be updated from time to time as needed but not less often than following each General Municipal Election. The revised resolution will be presented to the City Council for review and adoption.

SECTION 2735. City Council Resolutions Nos. ~~93-949, 99-1576 and 2002-2040~~ are 2004-2160 and 2006-2466 are hereby rescinded.

SECTION 2836. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

Resolution No. 2004-21606-_____
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PASSED AND ADOPTED this 21st day of ~~January, 2004~~ June, 2006.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

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