

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENDALE, CALIFORNIA AMENDING THE
PROCEDURE TO ADDRESS COMPLAINTS OR
ALLEGATIONS OF MISCONDUCT AGAINST MEMBERS
OF BOARDS AND COMMISSIONS**

WHEREAS, the Council of the City of Glendale ("Council") adopted Resolution 24-129 to modify the formal procedure to address complaints or allegations of misconduct against members of boards and commissions;

WHEREAS, the Council desires to amend the procedure to address complaints and allegations to coincide with the change in the nomination process allowing for individual councilmember nominations to the Boards and Commissions

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF GLENDALE, CALIFORNIA THAT:**

1. Resolution No. 24-129 is hereby repealed.

The following procedure for addressing complaints or allegations of misconduct raised against a member of certain boards and commissions is hereby approved and adopted:

- A. **Written Complaint:** In the event a written complaint or allegation of misconduct is filed with a Department Head, a member of the City Council, the City Manager or the City Attorney, the complaint will be forwarded to and reviewed by the City Manager to initially make a threshold determination of whether same warrants an informal investigation or review by the Department Head with staffing authority over the particular board or commission or whether the matter is of such a serious nature as to require an investigation by the City

Attorney. When the City Manager receives the written complaint, notice thereof shall be provided to the Councilmembers who were part of the panel that nominated the board or commission member who is the subject of the complaint.

B. **Verbal Complaint:** Verbal complaints shall be addressed by the Department Head with staffing responsibility for the board or commission. If a verbal complaint is found by the Department Head to be of a serious nature or is evidence of a pattern of inappropriate conduct, the Department Head shall seek to obtain the complaint in writing. If the person lodging the complaint cannot or will not reduce the complaint to writing, the Department Head shall prepare and provide a written summary of the verbal complaint to the City Manager and Councilmembers who were part of the panel that nominated the subject of the complaint.

C. **Process for Review of Complaints or Allegations of Minor Violations of Code of Conduct or other Improper Behavior:** If a complaint is referred or assigned to the Department Head for review, the Department Head will conduct a review, determine the validity and severity of the complaint or allegation, and if minor or the result of a miscommunication or misunderstanding, shall meet with the subject of the complaint or allegation, discuss same and provide suggestions for avoiding the issue, miscommunication or misunderstanding in the future. The Department Head will also inform the City Manager, City Attorney, and the Councilmembers who were part of the panel that nominated the subject of the complaint of the outcome of the review and the action taken,

if any.

D. Process for Review of Complaints or Allegations of Serious or Repeated Violations of Code of Conduct or Other Improper Behavior:

- (1) In the event a complaint is determined to be of sufficient severity, or the matter involves a complaint against an individual who has previously been counseled for a complaint or allegation of misconduct which was found to be true, the matter will be referred by the City Manager to the City Attorney for an investigation and report.
- (2) At the conclusion of the investigation, and the receipt of a report from the City Attorney, the Councilmembers who were part of the panel that nominated the individual to the board or commission along with the City Manager, City Attorney and relevant Department Head (the review committee) shall meet with the board or commission member who is the subject of the complaint to discuss the complaint or allegations, the severity thereof and what action, if any, will be recommended to the entire Council. In lieu of the procedure outlined above, the Councilmembers who were part of the panel that nominated the individual to the board or commission may discuss the matter with the board or commission member directly, and may recommend discipline to the Council up to and including removal. The Council will be informed if no action is recommended.

E. Notice to Affected Board or Commission Member: The subject of a written complaint will be notified of the complaint during the review process at a time determined appropriate by the Department Head or City Manager. In the event

the complaint is verbal, the subject will be notified by the Department Head at a time as determined appropriate by the Department Head.

- F. **City Council Consideration:** Should the matter be recommended to the City Council for action, the matter will be placed on the next available City Council agenda for discussion and determination by the City Council regarding the appropriate level of discipline up to and including removal.
- F. **Invalidity of Action—No New Rights:** The process herein creates no property or other interest in a position on a board or commission. The process established by this Resolution is for administrative convenience and consistency. Appointees to Boards and Commissions serve solely at the pleasure of the Council, and the Council retains the absolute right to remove a member of a board or commission at any time, for any reason. Failure to follow the procedure(s) set forth herein in any respect shall not invalidate any action by the Council to discipline or remove a member of a board or commission.
- G. **Handling of Performance and Other Issues:** Should issues arise which are not in the nature of a "complaint" under paragraphs A or B herein, but arise from performance issues such as non-participation in meetings, the Department Head may request the City Manager to convene the review committee [see paragraph D(2)] to meet with the member of the board or commission to discuss the issue (s). At the conclusion of the meeting the review committee may make a recommendation to the council regarding further action.
- H. **Rights of Council to Retain Original Jurisdiction:** In any case other than

a referral to the entire City Council, any individual councilmember may at any time, publicly request that the item be agendized for discussion and action by the entire City Council, subject to the Council's procedures for placing matters on the agenda. Nothing herein requires the City Council to agendize a request by the subject of a complaint.

- I. **Applicability–Generally:** The procedure outlined herein shall apply to all boards and commissions created by Charter or ordinance of the City.

Adopted this _____ day of _____, 2024.

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

I, Suzie Abajian, Ph.D., City Clerk of the City of Glendale, certify that the foregoing Resolution No. _____ was adopted by the City Council of the City of Glendale, California, at a special meeting held on the _____ day of _____, 2024, and that same was adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk