



CITY COUNCIL STAFF REPORT

DATE: DECEMBER 16, 2015 NEW BUSINESS

SUBJECT: REVIEW AND APPOINT CITY COUNCIL SUBCOMMITTEES AND CITY COUNCIL LIAISONS TO OUTSIDE ORGANIZATIONS AND CITY COMMISSIONS AND BOARDS.

FROM: David H. Ready, City Manager

BY: City Clerk

SUMMARY

Post the November 3, 2015, General Municipal Election, the City Council should consider the review and appointments to the various City Council Subcommittees and Liaisons to outside organizations.

RECOMMENDATION:

1. Review, Reappoint and/or Appoint City Council Subcommittees and Liaisons to Outside Organizations and City Council Liaisons to certain City Commissions and Boards.
2. Adopt FPPC Form 806, authorize the City Manager to prepare and execute FPPC Form 806 *Public Official Appointments*, and direct the City Clerk to post on the City's website as required.

STAFF ANALYSIS:

The City Council routinely creates and appoints two-member ad hoc subcommittees to further study topics of limited scope and duration to advise the City Council as a whole, or the City Manager. Additionally, the City Council appoints liaisons to outside organizations and City Council liaisons to certain City Commissions and Boards as required and/or necessary for the circumstances.

Staff recommends the City Council review the current list of City Council subcommittees and liaisons to outside organizations and reappoint/appoint as necessary.

An ad hoc advisory committee, composed solely of less than a quorum of the legislative body, is exempted from the Brown Act, if the advisory committee serves a limited or single purpose, and is not perpetual, and is to be dissolved once their specific task is

completed. The City Council Finance Subcommittee, created by resolution, and standing committees are subject to the notice and meeting requirements of the Brown Act. Staff recommends that the City Council review the list of City Council subcommittees and note any modifications and make appointments.

The attached lists do not include ad hoc subcommittees to interview applicants to various commissions and boards. Those City Council ad hoc subcommittees are reviewed and updated annually as part of the yearly recruitment of Commissioners and Board Members.

Pursuant to CVAG rule, the appointment of the Executive Committee voting member is the mayor or alternate who shall be an elected Councilmember. Each city manages the appointment to the Executive Committee, and CVAG defers to each City's determination who shall be the Executive Committee voting member. Palm Springs has selected the Executive Committee by a vote of the City Council.

The FPPC amended § 18705.5 of the Regulations to authorize public officials to vote on their own appointments to compensated positions on various regional boards and commissions. However, before a public official may participate in a decision or vote to appoint themselves to a compensation position, § 18705.5 requires a new Form 806, as developed by the FPPC, be adopted by the City Council, filed and posted on the website.

As new appointments are made, Form 806 must be amended to reflect such new appointments. Therefore, after its initial adoption, Form 806 will need to be updated and adopted by the City Council, from time to time, to reflect current City Council appointments to outside regional boards, commissions, joint-power authorities, and similar agencies. The last updated FPPC Form 806 is attached for reference. Staff recommends the City Council adopt and direct that FPPC Form 806 be revised, prepared, filed and posted as required.


FISCAL IMPACT:

None.



JAMES THOMPSON

Chief of Staff/City Clerk



DAVID H. READY

City Manager

Attachments:

- Liaisons List to External Organizations
- City Council Subcommittees List
- City Council Liaisons to City Commissions/Boards
- FPPC Form 806
- FPPC Regulation § 18705.5

**CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA**



**External Organizations
Appointees and Liaisons**

Agency	Designee	Alternate
CVAG – Executive Committee	Mayor Pougnet 12-12-2007	Councilmember Mills 12-12-2007
CVAG – Energy and Environment	Mayor Pro Tem Lewin 07-11-2012	Councilmember Hutcheson 12-12-2007
CVAG – Homelessness Committee	Councilmember Foat 12-12-2007	Mayor Pro Tem Lewin 12-14-2011
CVAG – Public Safety	Mayor Pro Tem Lewin 12-14-2011	Councilmember Hutcheson 12-12-2007
CVAG – Transportation	Councilmember Foat 12-14-2011	Mayor Pro Tem Lewin 12-14-2011
Coachella Valley Conservation Commission	Councilmember Mills 12-12-2007	Councilmember Foat 12-14-2011
Coachella Valley Mountains Conservancy Board	Councilmember Mills 12-12-2007	Councilmember Hutcheson 12-12-2007
Main Street/Uptown Business Assoc.	Councilmember Hutcheson 12-18-2013	Councilmember Foat 12-18-2013
Palm Springs Chamber of Commerce	Councilmember Hutcheson 12-12-2007	Mayor Pro Tem Lewin 12-14-2011
Greater Palm Springs Convention and Visitors Bureau (CVB)	Mayor Pougnet 12-12-2007	Councilmember Mills 12-12-2007
Riverside County Community Action Commission	Councilmember Foat 10-05-2011	Dale Cook 02-15-2012
Riverside County Community Benefit Committee (Appointed by the County Supervisor)	Mayor Pougnet 12-12-2007	No alternate.
Riverside County Transportation Commission	Councilmember Foat 12-14-2011	Mayor Pro Tem Lewin 06-19-2013
Sunline	Councilmember Hutcheson 12-14-2011	Mayor Pougnet 12-14-2011
Eastern Riverside County Interoperability Regional Authority (ERICA)	Mayor Pro Tem Lewin 01-02-2013	City Manager 12-18-2013
League of California Cities Annual Conference	Councilmember Foat 07-03-13	Councilmember Mills 07-03-13
Riverside County Airport Land Use Commission	Mayor Pro Tem Lewin	
Friends of the Palm Springs Animal Shelter	Councilmember Foat	

**CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA**



Subcommittees

Standing Subcommittees:

Created	Committee	Member/Appointed	Member/Appointed
Resolution	Finance/Budget	Mayor Pougnet 12-12-07	Councilmember Foat 12-12-07
2015-07-01	Coachella Valley (CV) Link	Councilmember Foat 07-01-15	Councilmember Mills 07-01-15
2015-01-21	Homelessness	Mayor Pougnet 01-21-15	Councilmember Foat 01-21-15
2014-02-19	Water Conservation	Mayor Pougnet 02-19-14	Mayor Pro Tem Lewin 02-19-14
2013-12-18	Vacation Rentals	Councilmember Foat 12-18-13	Councilmember Mills 12-18-13
2013-11-20	BUZZ Trolley	Councilmember Foat 11-20-13	Mayor Pro Tem Lewin 11-20-13
2012-12-05	Measure "J" Oversight Commission	Councilmember Hutcheson 12-05-12	Mayor Pro Tem Lewin 12-05-12
2008-04-02	Library Remodel/Expansion	Mayor Pro Tem Lewin 12-14-11	Councilmember Mills 04-02-08
2007-12-12	Sustainability	Councilmember Foat 10-07-09	Councilmember Hutcheson 10-7-09
2007-12-12	College of the Desert	Councilmember Hutcheson 12-14-11	Councilmember Foat 01-21-09
2007-12-12	Special Events	Mayor Pougnet 12-12-07	Mayor Pro Tem Lewin 12-14-11
2006-12-07	Business Retention	Councilmember Foat 12-12-07	Councilmember Hutcheson 12-12-07
2014-03-19	iHub/CVEP	Mayor Pougnet 03-19-14	Mayor Pro Tem Lewin 03-19-14
	Walk of Stars		
	Non-motorized Transportation Plan (Bike Lanes)		

Ad Hoc Subcommittees:

Created	Committee	Member/Appointed	Member/Appointed
2015-04-01	Vacant Building and Lot Regulations	Mayor Pro Tem Lewin 04-01-15	Councilmember Hutcheson 04-01-15
2014-06-18	Historic Site Preservation Code Review	Councilmember Foat 06-18-14	Councilmember Mills 06-18-14
2014-04-02	Historic Plaza Theater	Mayor Pro Tem Lewin 04-02-14	Councilmember Mills 04-02-14

Created	Committee	Member/Appointed	Member/Appointed
2012-12-19	Holiday Lighting	Mayor Pro Tem Lewin 12-19-12	Councilmember Mills 12-19-12
2011-12-14	Downtown – Museum Market Plaza Project	Mayor Pougnet 12-14-11	Councilmember Mills 12-14-11
	2016 Council Strategic Planning Retreat		
	Governmental Reform, Ethics and Transparency		
	Sign Ordinance Revision		
	City Hall Landscape		

**CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA**



City Council Liaisons to City Commissions, Boards, Committees

Commission/Board/Committee	Member/Appointed
Office of Neighborhood Involvement	Councilmember Foat <i>07-16-2008</i>
Airport Commission	Councilmember Mills <i>12-15-2010</i>

**Agency Report of:
Public Official Appointments**

RECEIVED Public Document
CITY OF PALM SPRINGS
2012 AUG -1 PM
JAMES THOMPSON
CITY CLERK

California Form **806**
Official Use Only
Date Posted:
08-01-2012
(Month, Day, Year)

1. Agency Name
City of Palm Springs
Division, Department, or Region (If Applicable)
N/A
Designated Agency Contact (Name, Title)
James Thompson, City Clerk
Area Code/Phone Number (760) 323-8204
E-mail CityClerk@palmsspringsca.gov

Page 1 of 2

2. Appointments

Agency, Boards and Commissions	Name of Appointed Person	App. Date and Length of Term	Per Meeting/Annual Salary/Stipend
CVAG Executive Committee	Name <u>Steve Pougnet</u> (Last, First) Alternate, if any <u>Chris Mills</u> (Last, First)	App. Date <u>12 / 12 / 07</u> Length of Term <u>None</u>	Per Meeting: \$ <u>100.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
CVAG Energy and Environment Committee	Name <u>Paul Lewin</u> (Last, First) Alternate, if any <u>Rick Hutcheson</u> (Last, First)	App. Date <u>07 / 11 / 12</u> Length of Term <u>None</u>	Per Meeting: \$ <u>75.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
CVAG Homelessness Committee	Name <u>Ginny Foat</u> (Last, First) Alternate, if any <u>Paul Lewin</u> (Last, First)	App. Date <u>12 / 12 / 07</u> Length of Term <u>None</u>	Per Meeting: \$ <u>75.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
CVAG Public Safety Committee	Name <u>Paul Lewin</u> (Last, First) Alternate, if any <u>Rick Hutcheson</u> (Last, First)	App. Date <u>12 / 14 / 11</u> Length of Term <u>None</u>	Per Meeting: \$ <u>75.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other

3. Verification

I have read and understand FPPC Regulation 18705.5. I have verified that the appointment and information identified above is true to the best of my information and belief.

David H. Ready City Manager 08-01-2012
Signature of Agency Head or Designee Print Name Title (Month, Day, Year)

Comment: _____

**Agency Report of:
Public Official Appointments
Continuation Sheet**

1. Agency Name
City of Palm Springs

Date Posted: 08-01-2012
(Month, Day, Year)

2. Appointments

Agency, Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Expense
CVAG Transportation Committee	Name <u>Ginny Foat</u> <small>(Last, First)</small> Alternate, if any <u>Paul Lewin</u> <small>(Last, First)</small>	<u>12 / 14 / 11</u> <small>Appt Date</small> <u>None</u> <small>Length of Term</small>	Per Meeting: \$ <u>75.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
Coachella Valley Conservation Commission	Name <u>Chris Mills</u> <small>(Last, First)</small> Alternate, if any <u>Ginny Foat</u> <small>(Last, First)</small>	<u>12 / 12 / 07</u> <small>Appt Date</small> <u>None</u> <small>Length of Term</small>	Per Meeting: \$ <u>75.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
Palm Springs Desert Resort Communities Convention and Visitors Authority	Name <u>Steve Pougnet</u> <small>(Last, First)</small> Alternate, if any <u>Chris Mills</u> <small>(Last, First)</small>	<u>12 / 12 / 07</u> <small>Appt Date</small> <u>None</u> <small>Length of Term</small>	Per Meeting: \$ <u>50.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
Riverside County Transportation Commission	Name <u>Ginny Foat</u> <small>(Last, First)</small> Alternate, if any <u>Steve Pougnet</u> <small>(Last, First)</small>	<u>12 / 14 / 11</u> <small>Appt Date</small> <u>None</u> <small>Length of Term</small>	Per Meeting: \$ <u>100.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
Sunline	Name <u>Rick Hutcheson</u> <small>(Last, First)</small> Alternate, if any <u>Steve Pougnet</u> <small>(Last, First)</small>	<u>12 / 14 / 11</u> <small>Appt Date</small> <u>None</u> <small>Length of Term</small>	Per Meeting: \$ <u>50.00</u> Estimated Annual: <input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
	Name _____ <small>(Last, First)</small> Alternate, if any _____ <small>(Last, First)</small>	_____ <small>Appt Date</small> _____ <small>Length of Term</small>	Per Meeting: \$ _____ Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18705.5. Materiality Standard: Economic Interest in Personal Finances.

(a) A reasonably foreseeable financial effect on a public official's or his or her immediate family's personal finances is material if it is at least \$250 in any 12-month period. When determining whether a governmental decision has a material financial effect on a public official's economic interest in his or her personal finances, neither a financial effect on the value of real property owned directly or indirectly by the official, nor a financial effect on the gross revenues, expenses, or value of assets and liabilities of a business entity in which the official has a direct or indirect investment interest shall be considered.

(b) The financial effects of a decision which affects only the salary, per diem, or reimbursement for expenses the public official or a member of his or her immediate family receives from a federal, state, or local government agency shall not be deemed material, unless the decision is to appoint, hire, fire, promote, demote, suspend without pay or otherwise take disciplinary action with financial sanction against the official or a member of his or her immediate family, or to set a salary for the official or a member of his or her immediate family which is different from salaries paid to other employees of the government agency in the same job classification or position, or when the member of the public official's immediate family is the only person in the job classification or position.

(c) Notwithstanding subsection (b), pursuant to Section 82030(b)(2) and Regulation 18232, a public official may make, participate in making, or use his or her official position to influence or attempt to influence, a government decision where all of the following conditions are satisfied:

(1) The decision is on his or her appointment as an officer of the body of which he or she is a member (e.g., mayor or deputy mayor), or to a committee, board, or commission of a public agency, a special district, a joint powers agency or authority, a joint powers insurance agency or authority, or a metropolitan planning organization.

(2) The appointment is one required to be made by the body of which the official is a member pursuant to either state law, local law, or a joint powers agreement.

(3) The body making the appointment referred to in paragraph (1) adopts and posts on its website, on a form provided by the Commission, a list that sets forth each appointed position for which compensation is paid, the salary or stipend for each appointed position, the name of the public official who has been appointed to the position and the name of the public official, if any, who has been appointed as an alternate, and the term of the position.

COMMENT: Cross-references: For the definition of "immediate family," see Government Code section 82029.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87100, 87102.5, 87102.6, 87102.8 and 87103, Government Code.

HISTORY

1. New section filed 11-23-98; operative 11-23-98 pursuant to the 1974 version of Government Code section 11380.2 and title 2, California Code of Regulations, section 18312(d) and (e) (Register 98, No. 48).
2. Change without regulatory effect amending section heading filed 3-26-99 pursuant to section 100, title 1, California Code of Regulations (Register 99, No. 13).
3. Editorial correction of History 1 (Register 2000, No. 25).

4. Amendment of section heading and section filed 1-17-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 3).
5. Amendment of subsection (a) filed 1-16-2002; operative 2-15-2002 (Register 2002, No. 3).
6. Amendment of subsection (b) filed 6-21-2005; operative 7-21-2005 (Register 2005, No. 25).
7. Amendment of subsection (a) filed 12-18-2006; operative 1-17-2007. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).
8. New subsections (c)-(c)(3) filed 4-23-2012; operative 5-23-2012. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2012, No. 17).