

ORDINANCE NO. 08-24 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND
LIMITING SERVICE TO SERVING ON ONLY ONE CITY BODY AT A TIME AND
ESTABLISHING A NEPOTISM POLICY FOR BOARDS, COMMISSIONS,
COMMITTEES AND TASK FORCES**

WHEREAS, maximizing public participation in government effectuates fundamental principles of democracy; and

WHEREAS, the residents of Richmond have a strong commitment to participating in their local government; and

WHEREAS, the City of Richmond ("City") has established numerous boards, commissions, committees, and task forces to facilitate public participation in government and thereby ensure representation of diverse viewpoints and interests; and

WHEREAS, limiting individual participation to a single City body allows for greater and more diverse participation; and

WHEREAS, permitting an individual with close familial ties or close business associations with one or more elected City officials to be appointed to a City board, commission, committee, or task force may facilitate the influence or the appearance of influence of the elected City official over the respective member of such board, commission, committee or task force; and

WHEREAS, such influence or the appearance of influence should be avoided; and

WHEREAS, the City is committed to merit-based hiring and employment system, and nepotism in hiring and employment practices is antithetical to such a merit-based civil service system.

NOW, THEREFORE, the City Council of the City of Richmond does ordain as follows:

SECTION 1. Article III (Boards and Commissions) of the City of Richmond Municipal Code is hereby amended by adding the following:

"Section 3.14. COMMISSIONS GENERALLY

3.14.010 – Commissions Generally

This Chapter is not specific to particular boards and commissions but applies to all City boards and commissions.

3.14.020 – Service on Only One City Body.

A. One Appointment

A person may be appointed to serve on only one City Board, Commission, Committee, or Task Force at a time.

B. Complete Term

Any person currently serving on a City Board, Commission, Committee or Task Force upon adoption of this ordinance, who would otherwise be disqualified by the terms of this Chapter, may serve out the remainder of their current terms but will thereafter be subject to the restrictions of Section 3.14.020.

3.14.030 Nepotism Restrictions

A. Purpose.

The purpose of this section is to restrict an elected City official appointing a relative or business associate to a City board, commission, committee or task force. This is intended both to include

wider participation on City bodies, and limit undue influences or the appearance of influence by the elected City official over the board member, commissioner, or task force member.

B. Relatives.

A relative of a currently seated City Council Member, City Manager, or City Department Head shall not be eligible for appointment to any City board, commission, committee or task force. "Relative" means a spouse, registered domestic partner, parent, sibling, child, in-law, grandparent or grandchild, or any other legally related person living in the same household as a currently seated City Council Member, City Manager, or City Department Head.

C. Business Associates.

A business associate of a currently seated City Council Member, City Manager, or City Department Head shall not be eligible for appointment to any City Board, Commission, Committee or Task Force. "Business Associate" means any person who receives income, whether from investments or as compensation from the same entity, whether it be a commercial or non-profit entity, as a currently seated City Council Member, City Manager, or City Department Head.

D. Current Term.

Any person currently serving on a City Board, Commission, Committee or Task Force upon adoption of this ordinance, who would otherwise be disqualified by the terms of this Section 3.14.030, may serve out the remainder of their current term."

SECTION 2. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

SECTION 3. This Ordinance becomes effective thirty days after final adoption.

First introduced at a regular meeting of the City Council of the City of Richmond held on July 2, 2024, and finally passed and adopted at a regular meeting held on September 10, 2024, by the following vote:

AYES: Councilmembers Bana, McLaughlin, Willis, Zepeda, Vice Mayor Jimenez, and Mayor Martinez.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

RECUSED: Councilmember Robinson.

PAMELA CHRISTIAN

CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

EDUARDO MARTINEZ
Mayor

Approved as to form:

DAVE ALESHIRE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Ordinance No. 08-24 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on September 10, 2024.



Pamela Christian, Clerk of the City of Richmond