



AGENDA SUMMARY  
EUREKA CITY COUNCIL

TITLE: City Council Handbook

DEPARTMENT: City Attorney & City Clerk

PREPARED BY: Pamela J. Powell, City Clerk  
Autumn E. Luna, City Attorney

PRESENTED FOR: Action      Information only      Discussion

RECOMMENDATION

Rescind Resolution No. 2017-25; and  
Adopt a Resolution of the City of Eureka adopting the “Councilmember Handbook” detailing the Ethics and Conflict of Interest codes governing the Eureka City Council.

FISCAL IMPACT

No Fiscal Impact      Included in Budget      Additional Appropriation

DISCUSSION

The City Council adopted a Code of Conduct – drafted by a former City Attorney – by a narrow margin of 3 to 2 in May of 2017. The Code included provisions that were questioned by the two dissenting Councilmembers, with one member refusing to sign the document. The former Mayor declined to utilize the document’s enforcement mechanisms against the dissenting Councilmember and subsequently sent a letter rescinding his signature on the document. The main issue with the 2017 document were first amendment concerns regarding Council and Committee member’s use of their title when supporting candidates seeking office. Additionally, the Charter of the City of Eureka is the law that governs the Council’s ability to censure an elected official. Charter changes can only be changed by a vote of the people. The practice of Councilmembers, Board, Commission and Committee members signing the document has not been enforced since its passage in May 2017.

The Council and Commission members follow California Fair Political Practices Commission (FPPC) laws and guidance. This include ethics training every two years through AB 1234 beginning in 2005. The FPPC and the City of Eureka also require an annual filing of the Form 700 Conflict of Interest Code. This form is available for public review on both the State and City websites.

This agenda item and the attached draft Council Handbook provides the Council with an opportunity to adopt a handbook that details and explains the laws and regulations regarding ethics and the conflict of interest code that is required by law.

The Boards, Commission and Committee's Handbook was adopted in 2022 and provides ethics and conflict of interest code information required for Boards and Commissions. These handbooks are both designed to provide the guidance necessary for members of Council and the City's commissions, thereby eliminating need for the 2017 conduct document. Adopting this Council Handbook confirms the City of Eureka's commitment to strong ethics and transparency.