


COUNCIL COMMUNICATION

	Number:	19-558	Meeting:	December 16, 2019
	Agenda Item:	54 ABC	Roll Call:	[_____]
	Submitted by:	Scott E. Sanders, City Manager		

AGENDA HEADING:

Amend Chapters 2 and 42 of the Municipal Code regarding boards, commissions, committees and agencies to address gender balance, appointment requirements and elimination of the Citizen Odor Board and Des Moines Music Commission.

SYNOPSIS:

Recommend approval of the staff recommendation and the ordinance regarding boards, commissions, committees and agencies to address gender balance, appointment requirements and elimination of the Citizen Odor Board and Des Moines Music Commission.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- Gender balance is required on all City boards and commissions that are established by the Iowa Code. Boards currently required by state statute to be gender balanced include:
 - Des Moines International Airport Board
 - Civil Service Commission
 - Historic Preservation Commission
 - Housing Services Board
 - Human and Civil Rights Commission
 - Library Board of Trustees
 - Plan and Zoning Commission
 - Water Works Board of Trustees
 - Zoning Board of Adjustment
- In addition, staff recommend also requiring that the Park and Recreation Board be gender balanced.
- Individuals that have engaged in any of the following behaviors during their term or for five (5) years preceding, will not be appointed or reappointed to any board or commission:
 - Failed to pay any local, state or federal tax or other similar financial obligation to such governmental entities when due and such amount continues unpaid, in whole or in part.
 - Failed to abide by all federal, state, and local laws applicable to the appointment in any manner.

- Misrepresented or falsified any information or omitted material information on any communication with the city, including without limitation falsifying or deliberately misrepresenting or omitting material information regarding the person's professional qualifications, criminal history, degrees, or employment history when submitting the board and commission application.
 - Falsified or deliberately misrepresented or omitted material information regarding any information submitted to the city, federal, state, or other governmental agencies.
 - Failed to account properly for funds that were entrusted to the person or otherwise converted public property or funds to the personal use of the person.
 - Engaged in any other unprofessional or unethical conduct.
- The Music Commission has not met for over seven (7) years. The City now has a vibrant music industry with many venues that offer live music and it is evident that the City supports live music. The Music Commission has served its purpose and met its goals. It is no longer necessary and should be abolished.
 - The Citizen Odor Board is recommended to be eliminated; however, City Council will continue to receive a report from the odor hotline and enforcement actions.

PREVIOUS COUNCIL ACTION(S):

Date: July 15, 2019

Roll Call Number: [19-1138](#)

Action: [Enacting](#) a new Chapter 74 of the Municipal Code regarding Parks and Recreation Board and Parks and Recreation Department and Director; regulating conduct for the use of parks and recreation facilities; fees for rental and use of parks facilities and programs and mobile food vendors. ([Council Communication No. 19-325](#)) Moved by Gatto that this ordinance be considered and given first vote for passage, refer to the City Manager and City Attorney to add gender balance to the requirements for appointment of members. Motion Carried 7-0.

Date: June 11, 2018

Roll Call Number: [18-1015](#)

Action: [From](#) Council Member Josh Mandelbaum, to speak regarding the Plan and Zoning Commission. Moved by Gatto to receive and file comments and document presented; refer to the City Manager to schedule a work session in July regarding gender balance and other items regarding Boards and Commissions. Motion Carried 7-0.

Date: July 18, 2005

Roll Call Number: 05-1701, 05-1702, and 05-1703

Action: Amending Chapter 2 of the Municipal Code establishing a Des Moines Music Commission. Moved by Hensley that this ordinance do now pass, #14,465. Motion Carried 7-0.

(A) Communication from the City Clerk, submitting applications received. Moved by Hensley to receive and file. Motion Carried 7-0.

(B) Approving membership structure. Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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