

ORDINANCE NO. 2015-0026

Adopted by the Sacramento City Council

August 18, 2015

AN ORDINANCE REPEALING AND ADDING CHAPTER 2.110 AND AMENDING SECTION 2.40.030 OF THE SACRAMENTO CITY CODE, RELATING TO ESTABLISHMENT OF THE SACRAMENTO COMMUNITY POLICE COMMISSION

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

To strengthen the trust between the Sacramento Police Department and the citizens of Sacramento, the city council replaces the Community Racial Profiling Commission with a new citizen commission to advise the mayor and city council on bias-free policing and the implementation, evaluation, and sustainability of efforts intended to strengthen community-police relations.

SECTION 2.

Chapter 2.110 of the Sacramento City Code is repealed.

SECTION 3.

Chapter 2.110 is added to the Sacramento City Code to read as follows:

Chapter 2.110 SACRAMENTO COMMUNITY POLICE COMMISSION

2.110.010 Commission established.

The Sacramento Community Police Commission is established.

2.110.020 Purpose of commission.

The commission is established for the purpose of providing recommendations to the mayor and city council on bias-free policing and the implementation, evaluation, and sustainability of efforts intended to strengthen community-police relations.

2.110.030 Powers and duties of commission.

The powers and duties of the commission are as follows:

- A. To advise the mayor and city council on bias-free policing;
- B. To advise the mayor and city council regarding the Sacramento Police Department's training programs, workforce diversity, community engagement, and accountability; and
- C. At least annually, to report and make recommendations to the mayor and the city council regarding the activities of the commission and the Sacramento Police Department's efforts to strengthen bias-free policing and community-police relations.

2.110.040 Appointment of members and qualifications.

- A. The initial members of the commission shall be appointed by the mayor with the concurrence of a majority of the city council. Members of the commission in subsequent terms shall be nominated by the personnel and public employees committee and appointed by the mayor with the concurrence of a majority of the city council.
- B. The commission consists of 11 members meeting the following criteria:
 - 1. Seat 1: A member who (a) resides or works in the city, (b) is a member of a faith based organization that is located in the city or provides services to city residents and is a tax-exempt religious organization under the United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
 - 2. Seat 2: A member who (a) resides or works in the city, (b) is a member of a civil rights organization that promotes elimination of prejudice and discrimination and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
 - 3. Seat 3: A member who (a) resides or works in the city, (b) is a member of either (i) a business organization located in the city, or (ii) a philanthropic organization that is located in the city and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
 - 4. Seat 4: A member who (a) resides or works in the city, (b) is a member of an organization that represents and advances the interests of minority groups and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.

5. Seat 5: A member who (a) resides or works in the city, (b) is a member of an organization that works with youth in poor and distressed neighborhoods and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
6. Seat 6: A member who (a) resides or works in the city, (b) is a member of an organization that provides assistance to persons who are homeless or suffer from mental illness and is a tax-exempt charitable organization under United States Internal Revenue Code section 501(c)(3), and (c) has been nominated by the organization to serve on the commission.
7. Seat 7: A member who (a) resides or works in the city, (b) is an employee or an adjunct professor of an academic institution, and (c) possesses expertise in criminal justice matters.
8. Seat 8: A member who resides in the city.
9. Seat 9: A member who resides in the city.
10. Seat 10: A member who is a former peace officer.
11. Seat 11: A member who has been nominated by the Sacramento Police Officers Association.

2.110.050 Term of office-Vacancy.

Except as provided in this section for the length of the terms of the initial appointees, members of the commission shall serve a term of four years. A member shall hold office until his or her successor has been appointed.

Terms shall be staggered. The terms of the initial appointees to odd-numbered seats 1, 3, 5, 7, 9 and 11 shall expire on December 31, 2017 and the terms of the initial appointees to even-numbered seats 2, 4, 6, 8 and 10 shall expire on July 1, 2019. Thereafter, all members shall be appointed to serve four-year terms.

No member shall serve more than two consecutive terms. The terms established for the initial appointees constitute a full term for the purpose of calculating the two consecutive term limit.

If a vacancy occurs during the term of any member, a successor to serve the unexpired term shall be appointed in accordance with the requirements set forth in section 2.110.040. A successor appointed to complete an unexpired term may be

eligible to serve up to two consecutive terms in addition to the unexpired term in accordance with section 2.40.120.

2.110.060 Conflict of interest and financial disclosure statements.

The provisions of Article III of chapter 2.16 governing conflicts of interest of board and commission members shall apply to members of the commission. In addition, all appointees to the commission are required to file statements disclosing financial interests pursuant to a conflict of interest code adopted for the commission.

2.110.070 Chairperson and organization of the commission.

At its first meeting, and annually thereafter, the commission shall elect a commission chairperson and vice chairperson from among the members appointed to seats 1 through 9 as described in section 2.110.040. The chairperson and vice chairperson shall hold office at the pleasure of the commission. When there is a vacancy in the office of chairperson or vice chairperson, the commission shall fill that office from among the members appointed to seats 1 through 9 as described in section 2.110.040. The commission may adopt rules and procedures for the conduct of its business and may do any other things necessary or proper to carry out its functions, which may include the formation of one or more committees. Staff support to the commission shall be provided by the Sacramento Police Department and the Office of Public Safety Accountability, and one or more city employees that may be designated by the city manager.

2.110.080 Commission meetings.

The commission shall meet at least eight times annually. The meetings shall be noticed and held in accordance with the provisions of the Ralph M. Brown Act (California Government Code section 54950 et seq.). The commission has the authority to notice and hold special meetings in the manner specified by the Ralph M. Brown Act.

2.110.090 Quorum - Voting.

The quorum required for the commission to conduct business is six members. The affirmative vote of a majority of the members present and eligible to vote is necessary to approve any item.

2.110.100 Compensation.

Pursuant to City Charter section 29, the compensation commission shall establish the compensation that members of the commission receive for attending commission meetings.

2.110.110 General requirements.

Unless specifically provided otherwise in this chapter, the general requirements set forth in chapter 2.40, governing the appointment of board and commission members, attendance at board and commission meetings, voting, term limits, and removal, apply to the commission. A member is subject to removal for good cause, neglect of duty, or misconduct as provided in City Charter section 232.

SECTION 4.

Section 2.40.030 of the Sacramento City Code is amended to read as follows:

2.40.030 Applicability.

The provisions of this article shall apply to persons recommended to the mayor by the personnel and public employees committee as appointees for positions on the city council and the following boards and commissions:

Administration, Investment and Fiscal Management Board of the City Retirement System

Board of Plumbing Examiners

Civil Service Board

Construction Code Board of Appeals

Housing Code Advisory and Appeals Board

Old Sacramento Variance Appeals Board

Parks and Recreation Commission (Two Seats)

Planning and Design Commission (Four Seats)

Preservation Commission

Retirement Hearing Commission

Sacramento City Public Facilities Financing Corporation

Sacramento Community Police Commission

Utilities Rate Advisory Commission

Adopted by the City of Sacramento City Council on August 18, 2015, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer, Warren
and Mayor Johnson

Noes: None

Abstain: None

Absent: None

Attest:

Shirley Concolino Digitally signed by Shirley Concolino
DN: cn=Shirley Concolino, o=City of Sacramento, ou=City
Clerk, email=sconcolino@cityofsacramento.org, c=US
Date: 2015.08.25 10:11:04 -07'00'

Shirley Concolino, City Clerk

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