

RESOLUTION NO. _____

RESOLUTION ADOPTING ADMINISTRATIVE ORDER
NUMBER 2-16 TO BE APPLICABLE TO ELECTED AND
APPOINTED OFFICIALS

WHEREAS, it is the policy of the City of Fresno to maintain and foster a work environment in which all employees can work free of discrimination, harassment, or retaliation for having complained about suspected illegal conduct; and

WHEREAS, numerous federal, state, and local laws regulate behavior related to a discrimination and harassment free workplace, including City of Fresno Administrative Order 2-16, "Discrimination and Harassment Policy and Complaint Procedure"; and

WHEREAS, the Council believes it is important to understand the same standards and remedies also apply to the City's elected and appointed officials, who are otherwise not necessarily covered by the City's Administrative Orders.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. City of Fresno Administrative Order 2-16 (AO 2-16) is hereby made applicable to all City elected and appointed officials, in addition to employees, except as modified in this Resolution; elected officials shall include the Councilmembers and the Mayor; appointed officials shall include the City Manager, City Attorney, City Clerk, Council Assistants, and Controller, plus appointed members of Charter commissions and boards.

2. All suspected violations of AO 2-16 involving elected or appointed officials shall be reported, whether the person reporting is a victim, observer, or supervisor of a person who is potentially a victim of conduct covered by the AO.

3. Suspected violations committed by an elected or appointed official shall be reported to the City Attorney, the City Manager, or the Director of Personnel Services, whichever the reporting party is most comfortable discussing the matter with.

4. The City Attorney, in cooperation with the City Manager and Director of Personnel Services, shall take all appropriate actions to investigate and potentially offer options for remedial action to the Council, Mayor, Manager, or an appropriate agency having jurisdiction over the matters. If the City Attorney believes there may be a conflict in handling the matter, independent counsel may be employed. The City Attorney shall make necessary and appropriate reports as to the status of the matters.

5. Any future changes to AO 2-16 shall also apply, and the changes shall be reviewed by the City Attorney to determine whether they substantially affect this Resolution and whether Council should consider an amendment to this Resolution to address the changes.

6. The City Attorney shall arrange annual training on the matters covered in AO 2-16 for the elected and appointed officials, which shall be focused on the issues involving their positions, roles, and responsibilities.

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7. This resolution shall take effect upon its adoption.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the day of _____, 2016.

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2016
Mayor Approval/No Return: _____, 2016
Mayor Veto: _____, 2016
Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

BY: _____
Douglas T. Sloan
City Attorney