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**Title:** CONSIDER APPROVING A REVISED COUNCIL POLICY & PROCEDURE (CPP) NO. 3.19 REGARDING FLOWERS - AUTHORIZING AND ORDERING (CITY COUNCIL)

**Sponsors:**

**Indexes:**

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**Attachments:** 1. Redline, 2. Final Proposed CPP 3.19

Date	Ver.	Action By	Action	Result
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**Report to Mayor and City Council**

Tuesday, February 07, 2023

Consent

**SUBJECT:**

**CONSIDER APPROVING A REVISED COUNCIL POLICY & PROCEDURE (CPP) NO. 3.19 REGARDING FLOWERS - AUTHORIZING AND ORDERING (CITY COUNCIL)**

**I. SUMMARY**

This staff report is on the agenda at the request of Mayor Davis-Holmes and transmits a revised Council Policy & Procedure (“CPP”) No. 3.19 regarding Flowers - Authorizing and Ordering, for City Council consideration.

CPP 3.19 establishes the procedure for requesting and authorizing flowers to be sent by the City to eligible individuals. For years under the existing policy, the City has sent flowers to various individuals, including present and past City elected officials, Commissioners, Committee and Board members, and full-time and part-time employees, for reasons including bereavement offerings and get well or sympathy expressions.

Staff has prepared a revised version of CPP 3.19, which has been expanded to include parents, spouses, registered domestic partners, and children of these City officials and employees as eligible recipients of flowers.

Clarifying language has also been added regarding the purposes for which flowers can be sent. As stated in the proposed policy, authorized purposes include (i) bereavement

offerings provided in memory of and concurrent with the passing of a spouse, registered domestic partner, parent, child or sibling of the recipient, and (ii) get well or sympathy expressions for serious injuries or illnesses of the recipient or a person in the recipient's care.

Note that flowers sent for the latter purpose to a recipient who is required to file a FPPC Form 700 may constitute a reportable "gift" within the meaning of the Political Reform Act/FPPC regulations that would need to be reported by the recipient on their Form 700 if the value of the flowers is over \$50. However, sending flowers pursuant to the policy serves the public purposes of the City including as stated in the background section of this report, and as such does not constitute a gift of City funds for purposes of the City's Charter restrictions.

A redline version of CPP 3.19 is included as Exhibit 1 for City Council consideration. A clean revised version is provided as Exhibit 2.

## **II. RECOMMENDATION**

(1) MAKE the finding of public purpose as stated in the background section of this report; and

(2) APPROVE the revised version of CPP No. 3.19 as included in Exhibit 2, based on the aforementioned finding.

## **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate and that is consistent with applicable laws.

## **IV. BACKGROUND**

Finding: Sending flowers to eligible recipients for the authorized purposes set forth in the proposed policy will not only constitute an act of compassion and kindness to the benefit of the recipient, it will have the public purposes of inspiring the confidence and faith of members of the community in the City as an agency that cares for its residents, thus promoting the attractiveness of the City to the community as a potential employer as well as increasing the likelihood that community members will be willing to engage in acts of public or civic service in the City such as (without limitation) becoming a City commissioner or volunteer.

## **V. FISCAL IMPACT**

There is no direct fiscal impact associated with this report.

## **VI. EXHIBITS**

1. Redline (pgs. 3 - 4)

2. Final Proposed CPP 3.19 (pgs. 5 - 6)

Prepared by: City Attorney's Office and City Manager's Office