

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: August 24, 2023

PREPARED BY: Anthony J. Mejia, City Clerk

REQUEST: JOINT CITY COUNCIL AND HOUSING AUTHORITY PUBLIC HEARING TO CONSIDER REMOVAL OF BLAIR ARMSTRONG FROM THE PALM DESERT HOUSING COMMISSION IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 34282

RECOMMENDATION:

1. Pursuant to Health and Safety Code Section 34282, conduct a hearing on the removal of Blair Armstrong from the Palm Desert Housing Commission.
2. Find Blair Armstrong to be in neglect of duty of his obligations as a Housing Commissioner and remove him from the Palm Desert Housing Commission, effective immediately.

BACKGROUND/ANALYSIS:

On June 23, 2022, the City Council/Housing Authority appointed Blair Armstrong to the Housing Commission for a term ending June 20, 2025. Since that time, Mr. Armstrong accrued six (6) unexcused absences in the past twelve (12) months. Over the past several months, City staff has attempted to reach out to Mr. Armstrong via emails, voicemails, and letters with no response.

The Palm Desert Municipal Code (PDMC) includes a provision for automatic resignation of a member due to excessive unexcused absences; however, Health and Safety Code Section 34282 specifically pertains to the removal of a Housing Commissioner and supersedes the PDMC.

Pursuant to Section 34282, a Housing Commissioner may be removed for reasons of inefficiency, neglect of duty, or misconduct in office. However, such action requires City Council/Housing Authority action at a hearing. Commissioner Armstrong must be informed of the charges at least 10 days prior to the hearing, and have the opportunity to be heard at the hearing.

As such, it is necessary for the City Council/Housing Authority to make one of the findings above in order to proceed with his removal from the Housing Commission. Staff recommends that the City Council/Housing Authority find that Commissioner Armstrong's pattern of absence from Housing Commission meetings and lack of communication with staff constitutes "neglect of duty" of his office, and that the City Council/Housing Authority remove Commissioner Armstrong from the Housing Commission, effective immediately.

FINANCIAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

1. Notice of Public Hearing – Certified Letter, dated July 10, 2023
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