

RESOLUTION NO. 6905

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS,
CALIFORNIA, CENSURING COUNCIL MEMBER FRANCES MARQUEZ
FOR VIOLATIONS OF THE CITY OF CYPRESS CODE OF ETHICS AND
THE CITY OF CYPRESS CONDUCT CIVILITY, CONDUCT AND
GOVERNANCE POLICY

WHEREAS, it is the duty of all Council Members to act in the public's interest; respect good governance processes; and perform their duties professionally and ethically; and

WHEREAS, the laws of the State of California; the City of Cypress Charter; the City of Cypress Code of Ethics; and the City of Cypress Civility, Conduct and Governance Policy establish legal and other obligations on Council Members' behavior, conduct, and compliance with requests and direction from City management; and

WHEREAS, on (or about) September 7, 2022 and September 8, 2022, Council Member Marquez violated the City of Cypress Code of Ethics, and the City of Cypress Civility, Conduct and Governance Policy; and

WHEREAS, on (or about) September 7, 2022 and September 8, 2022, Council Member Marquez used her office as a City of Cypress Council Member to secure the opportunity to speak to Cypress High School students; and

WHEREAS, prior to meeting with students at Cypress High School, Council Member Marquez was provided guidance by Cypress High School regarding permissible and impermissible topics; and

WHEREAS, Council Member Marquez ignored the guidance provided by Cypress High School; and

WHEREAS, Council Member Marquez's actions prompted at least one Cypress High School instructor to revisit the guidance about permissible and impermissible topics with Council Member Marquez; and

WHEREAS, Anaheim Union High School District has characterized Council Member Marquez's actions as unacceptable; and

WHEREAS, Anaheim Union High School District was sufficiently troubled by Council Member Marquez's actions that it revoked her access to Cypress High School students; and

WHEREAS, the City Council has received numerous and consistent complaints from residents about Council Member Marquez's actions at Cypress High School; and

WHEREAS, students and parents reported that Council Member Marquez's presentation "started out about politics and running for office, but quickly changed to how nobody gets along, how everybody is out to get her, how the City is being sued due to redistricting, and how the City Council is going against what the residents want"; and

WHEREAS, students and parents reported that Council Member Marquez's presentation was "one sided and negative towards the rest of the City Council"; and

WHEREAS, Council Member Marquez also brought two candidates for local elected office with her to Cypress High School; and

WHEREAS, students and parents reported that Council Member Marquez and the candidates handed out campaign flyers and cards promoting the candidates, asked students to take the cards home and discuss them with their parents, to not throw them away because they were expensive, and offered students service hours in exchange for working on behalf of the candidates; and

WHEREAS, students and parents reported that it is obvious to them that the purpose of Council Member Marquez's class visits was not to teach about the importance of voting and the voting system, but to promote the candidates and her agenda; and

WHEREAS, when the Mayor asked Council Member Marquez about the parent's and student's complaints at the September 12, 2022 City Council meeting, Council Member Marquez was not forthcoming about her actions at Cypress High School or the content of her presentation and denied what the students and parents reported; and

WHEREAS, Council Member Marquez, who routinely recounts her decades long involvement in government and politics, is or should be aware of the inappropriate nature of her actions; and

WHEREAS, Council Member Marquez failed to adhere to guidance from Cypress High School or consult the City Manager or City Attorney regarding the nature and purpose of her visit to Cypress High School; and

WHEREAS, Council Member Marquez's actions brought disrepute to the City, strained the relationship between the City and Cypress High School, and strained the relationship between the City and Anaheim Union High School District; and

WHEREAS, Council Member Marquez's actions created the impression that Cypress High School and Anaheim Union High School District share her views on issues before the City Council and endorse the two candidates for local office who accompanied her; and

WHEREAS, Council Member Marquez's actions have undermined students' and parents' confidence in the City and the democratic election process; and

WHEREAS, Council Member Marquez violated the following elements of the City of Cypress Code of Ethics (attached): E1, E2, E3, E10, and E12

WHEREAS, Council Member Marquez violated the following elements of the City of Cypress Civility, Conduct and Governance Policy (attached): C2, C3, C6, C8, C9, C13, C15, C18, C19, and G10; and

WHEREAS, Council Member Marquez violated the City of Cypress Code of Ethics and the City of Cypress Civility, Conduct and Governance Policy when she used her office to secure access to students at Cypress High School; misrepresented issues before the City Council; denigrated other Council Members; and participated in political campaigning during the school day at Cypress High School; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CYPRESS DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. The recitals set forth above are incorporated herein by this reference.

Section 2. The City Council finds that Council Member Marquez intentionally violated the City of Cypress Code of Ethics and the City of Cypress Civility, Conduct and Governance Policy.

Section 3. The City Council formally censures Council Member Marquez for the reasons stated herein.

Section 4. The City Council directs Council Member Marquez to issue a formal, written apology to Anaheim Union High School District and Cypress High School no later than seven days after this Resolution is approved.

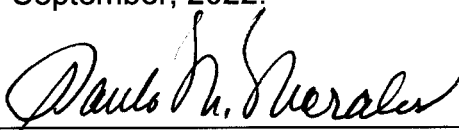
Section 5. The City Council revokes Council Member Marquez's appointment to the Orange County Council of Governments General Assembly (Alternate), the Southern California Association of Governments General Assembly (Alternate), and the City of Cypress Veteran Recognition Ad Hoc Subcommittee.

Section 6. As authorized by Ordinance 1193, the City Council imposes a \$100 fine on Council Member Marquez. The fine shall be paid to the City Clerk within 30 days of the date imposed.

Section 7. As authorized by Ordinance 1193, the City Council suspends Council Member Marquez's City Council salary and stipend for 90 days effective October 1, 2022.

This Resolution shall be effective upon its adoption. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED and ORDERED by the City Council of the City of Cypress, California at a regular meeting held on 26th day of September, 2022.


MAYOR OF THE CITY OF CYPRESS

ATTEST:


CITY CLERK OF THE CITY OF CYPRESS

STATE OF CALIFORNIA)
COUNTY OF ORANGE)^{SS}

I, Alisha Farnell, City Clerk of the City of Cypress, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the said City Council held on the 26th day of September, 2022, by the following roll call vote:

AYES:	4	COUNCIL MEMBERS:	Minikus, Peat, Hertz-Mallari and Morales
NOES:	1	COUNCIL MEMBERS:	Marquez
ABSENT:	0	COUNCIL MEMBERS:	None


CITY CLERK OF THE CITY OF CYPRESS