CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Toni J. Taber, MMC

SUBJECT: **SEE BELOW**

DATE: July 30, 2026

Approved

Date:

COUNCIL DISTRICT: Citywide

SUBJECT: Amendments to Council Policy 0-4 and San José Municipal Code Title 2.08 related to Boards and Commissions

RECOMMENDATION

(a) Adopt a resolution approving amendments to City Council Policy 0-4, "Consolidated Policy Governing Boards and Commissions" streamlining the boards and commissions appointment process, and requiring boards and commissions to follow City Council Policy 0-37 enabling virtual and hybrid meetings.
(b) Approve an ordinance amending Chapter 2.08 of Title 2 of the San José Municipal Code related to various boards and commissions.

SUMMARY AND OUTCOME

Approval of this item will streamline the Boards and Commissions appointment process by amending Council Policy 0-4. It will also codify the April 2024 Council action to sunset the Neighborhoods Commission, dissolve the Council Appointment Advisory Commission, and update Chapter 2.08 to reflect these changes. Additional changes pursuant to consolidation and cost reductions for boards and commissions as referenced in the Mayor's March Budget Message will return as a separate item.

BACKGROUND

On May 7, 2013, Council Policy 0-4 was consolidated with three other Council Policies relating to Boards and Commissions as part of an overhaul of the Boards and Commission program. In August 2016, Council Policy 0-4 was amended to address the appointment process, give commission members direction on what their roles and duties are, and give staff direction on their roles and duties. This policy was last updated

in 2020 to add references to commissions created since the 2016 update. The proposed update is designed to allow staff the room to pivot as changes in software and best practices arise.

In April 2024, the Council voted to sunset the Neighborhoods Commission directing the City Manager or designee to return with actions to complete that direction. Approval of this item will codify that direction along with other clean up items for Chapter 2.08.

ANALYSIS

City Council Policy 0-4 is the Consolidated Policy Governing Boards and Commissions. It includes sections on the recruitment, selection, appointment, and resignation process; the requirements for board members and commissioners; board and commission governance and operations; code of conduct; authority of boards and commissions; board and commission recognition; and implementation.

The proposed edits includes:

- Removal of the requirement for conflict of interest checks for advisory commissions such as Climate Advisory Commission, Library and Education Commission, Measure T Oversight Committee, Parks and Recreation Commission, and Senior Commission, and reserves it for the decision making and quasi-judicial bodies such as Airport Commission, Appeals Hearing Board, Arts Commission, Civil Service Commission, Downtown Parking Board, Board of Campaign and Political Practices, Retirement Boards (Public Members only), Historic Landmarks Commission, Housing & Community Development Commission, and Planning Commission. This change will reduce administrative workload while still maintaining appropriate safeguards where decisions have direct financial or regulatory impacts.

- Removing the specific details on the application process and moves them to a process established by the City Clerk. This is modeled after the appointment process for the employee elected seats of the retirement boards (SJMC 2.08.1070.D.2), and will allow City Clerk staff to update the application process as new software and new best practices arise.

- Add an additional excused absence if the board or commission has found good cause, identical to that currently allowed for the Retirement Boards.

- Codifying the action the City Council took on April 30, 2024 to “direct the City Manager or her designee to sunset the Neighborhoods Commission.”

- Sunset the Council Appointment Advisory Commission (CAAC) which is the nominating body for special eligibility seats on the Library and Early Education

Commission, Historic Landmarks Commission, Climate Advisory Commission, Housing and Community Development Commission.

The last time CAAC was able to meet was September 2020. With 2-3 applicants received per year, there have not been enough applicants to generate a quorum, nor enough of a pool to allow Councilmembers to be able to choose from more than one applicant.

There is already a provision in the Municipal Code (2.08.2220) for when the CAAC cannot meet: "If the Council Appointment Advisory Commission is unable to meet, persons to those commission seats that have special eligibility requirements may be appointed upon the Mayor's nomination to the City Council and the City Council's approval of such nomination." Removal of the CAAC will move those appointments permanently into the Mayor's authority, as well as save staff time by eliminating a commission.

- Reducing frequency of meetings for commissions other than Planning Commission and Civil Service Commission to quarterly unless staff determines that more or less frequent meetings are necessary to fulfill their statutory responsibilities.

- The proposed resolution requires Commissions to follow Policy 0-37 enabling virtual/hybrid meetings for all commissions. This creates a clear governance framework by requiring all commissions to follow the same policy, promoting consistency, transparency, and public confidence while minimizing the risk of differing practices across departments.

Racial Equity Impact Analysis

- Streamlining the process reduces waiting periods, which can especially help applicants from underrepresented groups who may not have the time or resources to navigate long, bureaucratic processes. However, if outreach and recruitment strategies are not also strengthened, the process may still favor those already connected or familiar with City procedures, potentially reinforcing inequities in representation. At the same time, streamlining the application process can free up staff time to expand and improve outreach.

- Allowing good cause as determined by the applicable board or commission for a valid reason for excused absences ensures that commissioners who have unforeseen or unanticipated absences are not penalized . This change removes a participation barrier that has historically affected underrepresented communities, particularly those with fewer workplace flexibilities or limited access to civic engagement opportunities.

By allowing the commissions to determine the validity of an excused absence rather than being limited to statutory reasons, the City reinforces its commitment to inclusion and equity while fostering a more welcoming environment for commissioners of all backgrounds. Clear communication of this policy will be important to ensure commissioners understand how to request an excused absence and feel supported in doing so.

- Removing the CAAC moves authority to the Mayor, ensuring appointments can actually be made rather than stalled for lack of quorum. This may speed up filling seats with special qualifications. However, eliminating the CAAC also removes a layer of community-driven review, centralizing appointment power with the Mayor and potentially limiting diversity unless equity is explicitly built into the review and nomination process.

- Eliminating routine conflict of interest checks for advisory commissions removes unnecessary barriers where decisions do not have direct financial impact, and may reduce intimidation for applicants less familiar with government procedures. However, without clear communication, some may perceive this as lowering accountability. That perception could disproportionately affect trust in communities already feeling excluded from government processes.

- Removing the Council Appointment Advisory Commission will move the special seats as noted above into the Mayor's authority allowing staff to review applications for special seats and look at the qualifications of the applicant and the needs of the commission; however, this could also create the appearance of bias.

- Return to hybrid meetings for Commissions increases accessibility for both members of the commissions and the public.

Demographic data is collected on a voluntary basis and will be reported on a publicly available dashboard being created by the City Clerk's Office, expected by Summer 2026.

EVALUATION AND FOLLOW-UP

Staff will provide a report to City Council via an Information Memorandum in Spring 2027 summarizing the impact of these changes, including application volume, appointment timelines, and demographic trends. This report will help assess whether the streamlined process has improved efficiency and representation.

The City Clerk and City Manager will return in the fall to address the following item from the Mayor's March Budget message:

Commission Restructuring San José currently has fifteen commissions to support a variety of workloads. Each Commission requires significant coordination across the subject matter expert department, the City Clerk, and City Council. Historically the structure and number of our commissions are regularly reviewed to ensure each body is able to deliver a significant impact. The City Clerk and City Manager are directed to explore amending the current number, structure, and operation of our various committees in an effort to streamline and reduce the demand on staff capacity.

COST SUMMARY/IMPLICATIONS

The removal of the Neighborhoods Commission and the Council Appointment Advisory Commission will generate cost savings for the City by eliminating the need to staff meetings and process applications for these bodies. Significant time savings are also expected, which translates into reduced City costs by streamlining the application process and eliminating routine conflict of interest checks for advisory commissions.

Additionally, granting the City Clerk the authority to update the application process as new software and best practices become available will improve efficiency and reduce administrative workload. Time saved through these changes will be redirected to other critical projects and services.

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the August 11, 2026 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

Toni J. Taber, MMC
City Clerk, Office of the City Clerk

For questions, please contact Toni J. Taber, MMC, City Clerk, Office of the City Clerk, at city.clerk@sanjoseca.gov or (408) 565-1260.