COUNCIL AGENDA: 12/19/17
ITEM: 2.7

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Toni J. Taber, CMC City Clerk

SUBJECT: **BOARDS AND COMMISSIONS APPOINTMENTS**

DATE: December 8, 2017

REPLACEMENT

REASON FOR REPLACEMENT

The Council Appointment Advisory Commission's nominee for the Human Services Commission no longer meets the residency requirement as required by Council Policy 0-4.This replacement memorandum transmits the new nomination.

RECOMMENDATION

Approve the following Board and Commission appointments:

(a) Arts Commission
  (1) District 3 Seat: Appoint XXX for a term of 12/19/17 to 6/30/20;

(b) Clean Energy Community Advisory Commission **DEFERRED**
  (1) CAAC-Nominated Seat 1: Appoint XXX for a term of 1/1/18 to 12/31/19;
  (2) CAAC-Nominated Seat 2: Appoint XXX for a term of 1/1/18 to 12/31/19;
  (3) CAAC-Nominated Seat 3: Appoint XXX for a term of 1/1/18 to 12/31/19;
  (4) CAAC-Nominated Seat 4: Appoint XXX for a term of 1/1/18 to 12/31/21;
  (5) CAAC-Nominated Seat 5: Appoint XXX for a term of 1/1/18 to 12/31/21;
  (6) CAAC-Nominated Seat 6: Appoint XXX for a term of 1/1/18 to 12/31/21;
  (7) At-Large Seat 1: Appoint XXX for a term of 1/1/18 to 12/31/19;
  (8) At-Large Seat 2: Appoint XXX for a term of 1/1/18 to 12/31/21;
  (9) At-Large Seat 3: Appoint XXX for a term of 1/1/18 to 12/31/21;
  PART (b) DEFERRED TO 1/9/18

(c) Downtown Parking Board
  (1) Downtown Parking Representative Seat: Appoint XXX for a term of 12/19/17 to 6/30/20;

(d) Housing and Community Development Commission
  (1) Mobilehome Resident Representative Seat: Appoint Martha O'Connell for the term of 12/19/17 to 12/31/18;

(e) Human Services Commission
  (1) District 6 Seat: Appoint Rita Holiday for the term of 12/19/17 to 12/31/20;

(f) Parks and Recreation Commission
  (1) District 3 Seat: Appoint XXX for a term of 12/19/17 to 6/30/21; and

CONTINUED RECOMMENDATION

(g) Senior Citizens Commission
(1) District 5 Seat: Appoint Robert Gill for the term of 12/19/17 to 6/30/21.

OUTCOME

Appointment to the vacant seats will create a full membership on each of the Commissions to continue commission business.

BACKGROUND

On May 7, 2013, the City Council approved the Boards and Commission Consolidation Ordinance. Among the changes implemented in the ordinance were updates to the nomination process for the Arts Commission, Downtown Parking Board, Housing and Community Development Commission, Human Services Commission, Parks and Recreation Commission, and Senior Citizens Commission.

Section 2.08.180 of the San Jose Municipal Code indicates that each Councilmember, including the Mayor, shall nominate one Commissioner to each Council-Nominated Commission. In the event that a Councilmember or Mayor fails to provide a nominee or request additional recruitment, the Council Appointment Advisory Commission shall be authorized to submit a nominee to the City Council for formal appointment.

Clean Energy Community Advisory Commission

On October 24, 2017, the City Council adopted Ordinance No. 30013 establishing the Clean Energy Community Advisory Commission. The Council Appointment Advisory Commission shall review all applicants and make a nomination to the City Council for six (6) special eligibility seats. Per Section 2.08.2120 of the San José Municipal Code, whenever possible, at least six (6) members shall have expertise in one (1) of the following categories: community outreach, policy advocacy, clean energy programs, industry, labor, education, not-for-profits, environmental associations, and advocacy organizations. The current nominees for these vacant seats meets at least one of the requirements. The Mayor shall nominate the remaining three (3) seats.

Downtown Parking Board

Under the San José Municipal Code Section 2.08.3620, the Mayor recommends members to the City Council for Council approval. The current candidate for the vacant Downtown Parking Representative meets the special eligibility requirement of "An owner or representative of an owner of a private off-street parking facility located downtown" as required by San José Municipal Code Section 2.08.3630.B.

Housing and Community Development Commission

Pursuant to Section 2.08.2820.A. of the San José Municipal Code, one member of the Housing and Community Development Commission shall be a person recommended by an organization of owners of San José mobilehome parks. The nominee for the Council Appointment Advisory Commission-Mobilehome Resident Representative Seat meets the special eligibility requirement for the vacant seat.

ANALYSIS

Per Section 2.08.150 of the San Jose Municipal Code, "*...a member may be appointed to serve a term of less than four years or a term of less than the number of years established by this chapter for the particular board of commission if the council determines that it is in the best interest of the board or commission that a member serve a shorter term in order to provide for appropriate staggered terms to preserve a continuity of membership on the board or commission.*"

Due to the consolidation of a number of Boards and Commissions, their varying term end dates, and the extension of Council-Nominated Commission terms all to four years, the City Clerk's Office realigned term end dates to more equally spread out vacancies, establish staggered term end dates, and preserve a continuity of membership on the boards or commissions. The members will be appointed to a term ending on the established realigned term end date for that respective seat.

Clean Energy Community Advisory Commission

Pursuant to Section 2.08.2140, the Council Appointment Advisory Commission shall review all applicants for the Clean Energy Community Advisory Commission and make a nomination to the City Council for the six (6) special eligibility seats as required by San Jose Municipal Code Section 2.08.2120.B. On December 6, 2017, the Council Appointment Advisory Commission convened as a subcommittee to interview twenty (20) of the twenty-six (26) eligible applicants to the Clean Energy Community Advisory Commission. A subcommittee of the Council Appointment Advisory Commission will reconvene at a later date to interview the remaining six (6) candidates.

Housing and Community Development Commission

On December 6, 2017 a subcommittee of the Council Appointment Advisory Commission convened to interview two (2) qualified applicants to the Mobilehome Resident Representative seat on the Housing and Community Development Commission. Following the interviews, the subcommittee recommended Martha O'Connell to be appointed to the vacant position.

Human Services Commission

A nomination for the District 6 Seat on the Human Services Commission was not submitted. Pursuant to Section 2.08.180, the Council Appointment Advisory Commission is authorized to submit a nominee to City Council for formal appointment. The Subcommittee of the Council Appointment Advisory Commission met on December 7, 2017 and recommended Rita Holiday to be appointed to the vacant District 6 Seat on the Human Services Commission. The former nominee, Patrick Adams, notified the Office of the City Clerk on December 8, 2017 that he no longer meets the residency requirement.

Senior Citizens Commission

A nomination for the District 5 Seat on the Senior Citizens Commission was not submitted. Pursuant to Section 2.08.180, the Council Appointment Advisory Commission is authorized to submit a nominee to City Council for formal appointment. The Subcommittee of the Council Appointment Advisory Commission met on December 6, 2017 and recommended Robert Gill to be appointed to the vacant District 5 Seat on the Senior Citizens Commission.

The applications of all nominated candidates are attached. Memoranda from the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement regarding their conflicts of interest and code enforcement reviews are also included. At the time of this writing, nominations to the various Boards and Commissions are still being accepted. A supplemental memorandum will be issued transmitting all additional nominations.

EVALUATION AND FOLLOW-UP

A core duty of the Office of the City Clerk is to minimize vacancies on the Boards and Commissions. The Council Appointment Advisory Commission will continue interviews for the Clean Energy Community Advisory Commission at a later date. The nominations for Clean Energy Community Advisory Commission will be presented to City Council on January 9, 2018 at the regular City Council meeting.

PUBLIC OUTREACH

The Office of the City Clerk conducted an open recruitment for the vacancies from October 4, 2017 through November 19, 2017 with the following recruitment efforts:

- Council Offices and Board and Commission secretary's newsletters and distribution tools
- Posted on City Manager's Weekly Report
- Posted on the City's main website and Clerk Office's webpage
- Posted on City Calendar
- Distributed to all community centers and library branches

The memorandum has been posted on the City Clerk's website as part of the December 19, 2017 City Council Meeting Agenda.

COORDINATION

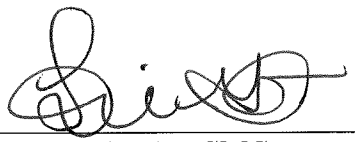
This memorandum has been coordinated with the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement.

COMMISSION RECOMMENDATION/INPUT

The Council Appointment Advisory Commission convened a subcommittee on December 6 and December 7, 2017 to nominate candidates for the Housing and Community Development Commission, Human Services Commission, and the Senior Citizens Commission. The Council Appointment Advisory Commission will meet at another date to continue interviews for the Clean Energy Community Advisory Commission.

CEQA

Not a Project, File No. PP17-010, City Administrative Activities, resulting in no changes to the physical environment.



TONI J. TABER, CMC
City Clerk

For questions, please contact Elaine Trinh, Deputy City Clerk, at (408) 535-1260.