



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: APPOINTMENTS TO THE
CIVIL SERVICE COMMISSION

DATE: October 19, 2018

RECOMMENDATION

- (a) Interview applicant(s) who satisfy the Attorney-at-Law Seat qualifications for appointment on the Civil Service Commission;
- (b) Appoint one (1) candidate to the Attorney-at-Law Seat to a term ending November 30, 2022;
- (c) Interview applicant(s) for appointment to the Public Member Seat on the Civil Service Commission;
- (d) Appoint one (1) candidate to the Public Member Seat to a term ending November 30, 2022; and
- (e) If any vacancies remain, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration.

OUTCOME

Appointment to the upcoming vacancies on the 5-member Civil Service Commission will allow for a fully constituted Commission.

BACKGROUND

The Civil Service Commission is established in the City Charter, Section 1001. The Commission consists of five members appointed by Council, no more than four members shall be of the same sex, and at least one member shall be an attorney-at-law. The attorney must be licensed to practice law in the State of California and shall have practiced law in the State for at least five years prior to appointment. All members must be registered voters in the City of San Jose during their term of office. There are no term limits for the Civil Service Commission.

Under the City Charter, Section 1001, the Civil Service Commission has the following functions, powers, and duties:

- A. To recommend to the Council the adoption, amendment or repeal of Civil Service Rules relating to the matters specified in Section 1102 of Article XI of this Charter;
- B. To make any investigation which it may consider desirable concerning the administration of personnel in the Classified Service;

- C. To make recommendations to the Council, the City Manager or to any other appointive power on matters relating to the administration of personnel in the Classified Service; and
- D. To exercise and perform such other powers and duties as are expressly given to it by other provisions of this Charter; and to exercise such other powers and perform such other functions and duties as may be prescribed by the Council not inconsistent with the provisions of this Charter

The appointments are for upcoming vacancies, one (1) Attorney-at-Law Seat and one (1) Member-at-Large seat. Commissioners Sharon Hightower and Michael Wilcoxon terms are set to expire on November 30, 2018.

ANALYSIS

On August 2, 2018 the Office of the City Clerk issued a vacancy flyer recruiting for the upcoming vacancies on the Civil Service Commission. Recruitment for these seats closed on September 23, 2018. At the close of recruitment, the Office of the City Clerk received three (3) applications. Two (2) applicants indicated they were applying for the Attorney-at-Large seat and one (1) applicant applied for the Member-at-Large seat.

The Office of the City Clerk has confirmed with the Santa Clara County Registrar of Voters that all applicants are registered voters with the City of San José. All applicants have been invited to be interviewed by the City Council on October 30, 2018.

The applicant interview order was determined using the California Secretary of State's Randomized Alphabet Drawing for the November 6, 2018 General Election Ballot. Applicants will be sequestered in another location so that they may not view or hear the interviews of other applicants until they are called to appear.

Attorney-at-Large Candidates

- Sharon Hightower
- Julia Van Roo

Member-at-Large Candidate

- Michael Wilcoxon

Council can also elect to appoint one of the two (2) Attorney-at-Law applicants for the Member-at-Large seat. If any seats remain unfilled, it is recommended that the recruitment be referred back to the City Clerk to secure additional applicants for consideration.

The applications of the 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.

EVALUATION AND FOLLOW-UP

A core duty of the Office of the City Clerk is to minimize vacancies on the Boards and Commissions. If any vacancies remain, it is recommended that the City Council direct the City Clerk to continue recruitment.

PUBLIC OUTREACH

The Office of the City Clerk conducted several open recruitments for the Public Member Seat beginning August 2, 2018 through September 23, 2018 with the following recruitment efforts:

- Council Offices and Boards and Commission secretary's newsletters and distribution tools
- Posted on the City's Brown Act Board
- Posted on the City Manager's Weekly Report
- Posted on the City's main website and Clerk's Office webpage
- Posted on City Calendar
- Distributed to all community centers and library branches
- Promoted through NextDoor.com from August 7, 2018 through August 22, 2018.

This memorandum has been posted on the City Clerk's website as part of the October 30, 2018 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 recommended actions have no commission input or recommendation.

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.