



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Toni J. Taber, CMC  
City Clerk

**SUBJECT: BOARDS AND COMMISSIONS  
APPOINTMENTS**

**DATE:** August 9, 2019

---

## **RECOMMENDATION**

Interview applicants and consider appointments to fill Two (2) Member-at-Large Seats with terms ending November 30, 2023 on the Civil Service Commission.

## **OUTCOME**

Appointment to the vacant seats on each of the Commissions will allow the commission to continue conducting business.

## **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.

This appointment is for Two (2) Member-at-Large seats with terms ending November 30, 2023 on the Civil Service Commission. Commissioner Roy Truitt and Commission Joan Smith's terms recently expired and both are seeking reappointment to the Commission. Both Mr. Truitt and Ms. Smith are current with their Form 700s and AB1234 training. Recruitment for the Civil Service Commission opened on October 4, 2019 and closed on October 30, 2019. During this recruitment period, the Office of the City Clerk received three (3) applications for the Commission.

## **ANALYSIS**

Three (3) applicants have been invited to be interviewed by the City Council on December 10, 2019. As required by the Municipal Code, a successful applicant must receive six (6) or more votes to be appointed to the Civil Service Commission. If any seat remains unfilled, it is recommended that the recruitment be referred back to the City Clerk to secure additional applicants for consideration by the Council in 90 days.

After the interviews, the Council may make up to two (2) appointments to the Civil Service Commission for the Member-at-Large representatives for a term ending November 30, 2023. It is important that these positions be filled as soon as possible so that the Civil Service Commission can conduct their commission duties.

The applicant interview order was determined by using the California Secretary of State's Randomized Alphabet Drawing for the November 2019 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.

The interview order is:

- Joan Smith (Joan Smith is not available for interview in person on December 10, 2019, but is available on December 17, 2019. You may appoint her without interview if you choose, or continue this item to December 17, 2019 in order to interview her. [Her previous interview on January 26, 2016 can be found online.](#))
- Roy Truitt
- Robert Gill

The applications of all candidates are attached. The Memorandum from the Office of the City Attorney regarding their conflicts of interest and code enforcement reviews are also attached.

### **EVALUATION AND FOLLOW-UP**

A duty of the Office of the City Clerk is to minimize vacancies on the Boards and Commissions.

### **PUBLIC OUTREACH**

The memorandum has been posted on the City Clerk's website as part of the December 10, 2019 City Council Meeting Agenda.

### **COORDINATION**

This memorandum has been coordinated with the Office of the City Attorney.

### **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 Toni Taber, City Clerk, at (408) 535-1260.