



# Memorandum

**TO:** CITY COUNCIL

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

**SUBJECT:** SEE BELOW

**DATE:** June 18, 2021

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## **SUBJECT**

### **EXPEDITING THE COMMISSION APPOINTMENT PROCESS FOR VARIOUS COMMISSIONS**

## **RECOMMENDATION**

Approve an Ordinance of the City of San Jose amending Sections 2.08.2140, 2.08.2220, 2.08.2640, 2.08.2830, 2.08.3040, 2.08.3240, and 2.08.3440 of Chapter 2.08 of Title 2 of the San José Municipal Code to Expedite the Appointment Process for Various Commissions When the Council Appointment Advisory Commission is Unable to Meet.

## **BACKGROUND**

Various commissions have special eligibility or other seats that in certain circumstances, are nominated after a review of applications and interview by the Council Appointment Advisory Commission (CAAC). Over the last several years, the Council Appointment Advisory Commission has had difficulty attaining quorum to meet. This has led to a domino effect where special eligibility seats on other commissions are not able to be filled in order to meet quorum. The proposed ordinance allows the Mayor to nominate to the special eligibility seats for the following commissions if CAAC is unable to meet, with Council making the final appointments:

- Clean Energy Community Advisory Commission
- Historic Landmarks Commission
- Housing and Community Development Commission
- Human Services Commission
- Library and Education Commission

For district seat vacancies on the Neighborhoods Commission occurring outside the regularly scheduled caucus process, the proposed ordinance allows the councilmember for that district to nominate, with Council making the final appointment.

## **ANALYSIS**

The Council Appointment Advisory Commission (CAAC) has been given the task of interviewing and nominating those persons on certain council commissions that require special expertise. This

allows them to look at the composition of the commission and the expertise of the applicant and select a person who will best fulfill the special needs of the commission. When the CAAC is unable to meet due to lack of quorum, an alternative person would need to make the selection. If the Mayor is that person, he and his staff can interview the applicants as needed and make a selection based on the person who will best fulfill the special needs of the commission. The district appointments will continue in the commissions as they are currently nominated. The Commissions that have special seats are as follows:

- **Clean Energy Community Advisory Commission**-- six members shall have expertise in one of the following categories: community outreach, policy advocacy, clean energy programs, industry, labor, education, not-for-profits, environmental associations, and advocacy organizations
- **Historic Landmarks Commission**--Whenever possible, at least three members shall have professional expertise in one of the following disciplines: architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, to the extent such professionals are available in the community.
- **Housing and Community Development Commission**--One member shall be an owner or manager of a residential rent stabilized property. One member shall be a tenant of a residential rent stabilized rental unit. At least five members shall represent low income households, which for the purposes of this requirement means a person who meets one or more of the following criteria: 1. The person is a member of a low- or moderate-income household as defined by HUD as at or below eighty percent of the area median income pursuant to 24 CFR 92.2. 2. The person is an elected member of a neighborhood organization in a low- or moderate-income neighborhood (fifty-one percent of the neighborhood is at or below eighty percent of the area median income as defined by HUD). 3. The person is a resident of a city council designated neighborhood targeted under the place-based neighborhoods initiative to receive federal funding. 4. The person is employed by an organization which has as its primary purpose to serve the interests of low-income residents. F. The commission should also include members with experience related to development, lending, community development, homeless services, or federal funding.
- **Human Services Commission**--At least one member of the commission shall be a disability service provider or representative of the disabled community, and at least one member of the commission shall be a domestic violence service provider or a domestic violence survivor.
- **Library and Education Commission**--At least four (4) members of the commission shall have education subject matter expertise.

HONORABLE MAYOR AND CITY COUNCIL

Subject: Commission appointment process

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

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

### **PUBLIC OUTREACH**

This memorandum has been posted on the City Clerk's website as part of the June 18, 2021 City Council Meeting Agenda.

### **COORDINATION**

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

### **CEOA**

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



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TONI J. TABER, CMC  
City Clerk

For questions, please contact Toni J. Taber, City Clerk, at (408) 535-1270.