



**TOWN OF LOS GATOS
COUNCIL POLICY COMMITTEE REPORT**

MEETING DATE: 11/26/2024
ITEM NO: 2

DATE: November 20, 2024
TO: Council Policy Committee
FROM: Chris Constantin, Town Manager
SUBJECT: Discuss and Make a Recommendation to the Town Council to Approve the Modifications to Town Council Policy 2-11 "Commission Appointments, Residency, and Attendance Requirements, and Establishing a Quorum" Related to Attendance

RECOMMENDATION:

Discuss and make a recommendation to the Town Council to approve the modifications to Town Council Policy 2-11 "Commission Appointments, Residency, and Attendance Requirements, and Establishing a Quorum" related to attendance.

BACKGROUND:

The Town Council Commission Appointment Policy sets forth procedures for consistent recruitment, appointment, residency, and attendance requirements for all Town Boards, Commissions, and Committees (hereafter Commissions). There have been several revisions to this Policy in the past years to ensure consistency.

At the August 27 meeting, the Committee discussed Commissioner attendance and responded to the following questions:

1. Does the Committee wish to amend the Policy to implement excused and unexcused absences?
2. If so, should there be a limit on the number of excused absences?
3. Is the unexcused absence rate of 25 percent of the total number of regular meetings an acceptable limit?
4. Does the Committee wish to implement time limits on the duration of Commission meetings?
5. Does the Committee wish to implement a July summer recess for all Commissions?

PREPARED BY: Wendy Wood
Town Clerk

Reviewed by: Town Manager and Town Attorney

The Committee directed staff to revise the Policy to incorporate excused and unexcused absences, a July summer recess for all Commissions, and a two-hour time limit for all commission meetings, with the exception of the Planning Commission and Historic Preservation Committee. The Committee also asked staff to provide a recommendation for a limit on the number of excused and unexcused absences.

The Committee was also asked the following questions in regard to the Youth Commissioner's participation in the adult commissions:

1. Should Youth Commissioners serve as voting members on an adult commission, which counts toward the Commission quorum, or should Youth Commissioners serve as non-voting members who do not make up the quorum of the adult commission?
2. Should expectations and requirements regarding Youth Commission participation at the adult commissions be adjusted?
3. Should Youth Commission requirements regarding attendance at the adult commissions be adjusted to account for the fact that the Youth Commission is not in session during the summer?

The Committee discussed concerns and requested input from the Youth Commission.

At the September 24 meeting, the Committee discussed the redline revisions and supported revisions, adding excused and unexcused absences and setting the allowable limits at twenty percent for unexcused and thirty-five for total absences; adding a meeting recess in July for all Commissions; adding a two-hour time limit for all Commission meetings with the exception of the Planning Commission and the Historic Preservation Committee; and minor clean-up changes to address inconsistencies. The Committee requested additional changes to address any conflicts in the policy with the Finance Commission ordinance.

The Committee also discussed the Youth Commissioner's participation in Adult Commissions and the issues raised regarding absences. They requested feedback on the Youth Commission's upcoming discussion about their enabling resolution related to their role and participation level in the Adult Commissions.

DISCUSSION:

Staff has prepared a redline Policy (Attachment 1) with the previous revisions and the additional changes to address conflicts in the policy with the Finance Commission ordinance.

Staff attended the Youth Commission meeting on November 12, where they discussed changes to their enabling resolution, which included their role and participation level in the Adult Commission. The requirement for filing a form 700 as a member of the Adult Commission and the impact their attendance has on the Adult Commission's quorum requirement was discussed, and the Commission unanimously voted to recommend changing their role in the

Adult Commission from a voting member to a liaison.

As a result, staff is proposing the removal of the following sentence: "If a Youth Commissioner liaison misses three meetings of a liaison Commission during a consecutive twelve (12) month period, the Youth Commission shall appoint a different Youth Commissioner as liaison." This change is intended to align the Youth Commissioner's attendance with their role on the Adult Commissions for either outcome. If the Youth Commission's role shifts to that of a liaison not serving as a member of the adult commission, the attendance requirements can be appropriately addressed within the Youth Commission's enabling resolution. If the Youth Commissioners continue to serve as a voting member of the adult commission, the attendance requirements should be the same as the adult members.

CONCLUSION:

Staff looks forward to the Committee's discussion and direction. If the Committee recommends updating the Policy, staff will incorporate any necessary modifications prior to bringing the proposed draft to the full Town Council for consideration and approval.

COORDINATION:

The preparation of this report was coordinated with the Town Attorney and the Town Manager's Office.

FISCAL IMPACT:

This item has no fiscal impact.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Redline Commission Appointment Policy 2-11