



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/21/2021

ITEM NO: 8

DATE: September 13, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Approve the Modifications to the Board, Commission, and Committee Enabling Documents and Applications as Recommended by the Commissions, Council Policy Committee, and Liaisons

RECOMMENDATION:

Approve the modifications to the Board, Commission, and Committee enabling documents and applications as recommended by the Commissions, Council Policy Committee, and liaisons.

BACKGROUND:

In January 2021, the Town Council added diversity, equity, and inclusion (DEI) to the FY 2021-2023 Strategic priorities. The Town Manager's Office took immediate action and directed all Departments to use a lens of justice, equity, diversity, and inclusion (JEDI) in the development of the Town budget and capital program, delivery of services, preparation of policy documents, and the creation of all new programs, projects, and policies. The Mayor requested study sessions in 2021 with each of the Town's Boards, Commissions, and Committees to thank the members for their service to Los Gatos, review accomplishments, consider future work items, and discuss the incorporation of diversity, equity, and inclusion into their work plans.

DISCUSSION:

With the JEDI focus in mind, the Boards, Commissions, Committees, and their liaisons (collectively "Commissions") reviewed the application and enabling document for their respective Commission. The Arts and Culture Commission, Complete Streets and Transportation Commission, Community Health and Senior Services Commission, Library Board, Parks Commission, and Youth Commission each had separate Study Sessions with the full Town Council and any suggested modifications to the application and/or enabling resolution were

PREPARED BY: Shelley Neis
Town Clerk

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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DISCUSSION (continued):

included in the staff report, and therefore the Policy Committee did not review them prior to the study sessions. Those suggested modifications are as follows:

Arts and Culture Commission (ACC)

Enabling Resolution

- Noted that section 1a has the stated requirement that “One (1) member of the Commission shall be an arts professional...” The Commission has expressed that this is not well defined and could be a possible barrier to entry to an otherwise qualified candidate. The Commission expressed that the passion and desire to be involved in the arts combined with a wide range of backgrounds and creative ideas among the balance of all Commissioners should be the primary selection consideration of a potential new Commissioner. While professional experience in the arts is helpful, the Commission does not feel it is a requirement to fill the role.

Application

- Noted that many of the questions asked in the application are targeted towards established previous involvement in arts organizations and may be a limiting factor to obtaining a broader number of applicants.

Community Health and Senior Services Commission (CHSSC)

Enabling Resolution

- The enabling resolution was amended in May 2020.

Application

- The Commission did not review the application but the Assistant Town Manager, staff liaison for the CHSSC, reviewed and provided suggested edits (Attachment 1).

Complete Streets and Transportation Commission (CSTC)

- The Commission has no recommended changes to the enabling resolution or application.

Library Board (LIB)

Enabling Resolution

- The Board has no recommended changes to the enabling resolution.

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DISCUSSION (continued):

Application

- It was noted that the leading questions regarding previously held government positions and previous involvement with civic organizations could be perceived as a barrier to entry and/or be discouraging to applicants without background in these areas. The Board instead recommends a more inclusive leading question such as “What are your unique perspectives and experiences that you would bring to this role?”

Parks Commission

- The Commission has no recommended changes to the enabling resolution or application.

General Plan Committee, Historic Preservation Committee, and Planning Commission

The Planning Commission (PC), General Plan Committee (GPC), and Historic Preservation Committee (HPC) did not have separate Study Sessions with the Town Council and their recommendations, as well as recommendations for the Conceptual Development Advisory Committee (CDAC) enabling resolution, were reviewed by the Policy Committee on August 27, 2021 (Attachment 2).

After discussion, the Policy Committee unanimously agreed to forward a recommendation to the Town Council to approve the changes to each of the applications recommended by each Commission with the following modifications: (1) combine the first three questions on all applications as recommended by the GPC and (2) let the applicant choose which Element of the General Plan to comment on for the GPC application. The Committee also unanimously agreed to forward a recommendation to the Town Council to approve the changes to each of the enabling resolutions recommended by each Commission. The Policy Committee discussed and did not take a position on expanding the role of the GPC to consider and make recommendations on policy documents and Town Code amendments.

Building Board of Appeals (BOA)

The Building Board of Appeals meets when necessary and did not have an opportunity to review the application and enabling resolution. The Building Official, staff liaison for the BOA, reviewed the documents and suggested minor edits to the application and enabling resolution (Attachments 3 and 4).

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DISCUSSION (continued):

Personnel Board

The Board expressed a desire for a modified and scaled down application for reapplying to the Board. Staff does not support this request. While it could be easier for incumbents to complete a modified application, to ensure fairness for all incumbents, it would require two separate applications for each Commission. Direction from Council would be needed on which questions to remove from the “incumbent” applications and having two applications could potentially cause confusion for applicants.

Commissioner Interviews and Appointments

Per Policy 2-11, applicants are required to be interviewed to be considered for appointment. Currently the Policy only allows for telephone interviews for incumbents applying to the same Commission.

If an incumbent Commissioner is requesting reappointment to the same Commission, the incumbent may submit a request to be interviewed by telephone, with their application, instead of attending the interview or must submit a letter prior to the interviews, describing the reason why the applicant cannot be present telephonically or in person for the interview, and why the applicant should be reappointed to the Commission.

Now that Town Council meetings are utilizing remote participation (Zoom) to allow the public to participate either in person or remotely, staff is recommending allowing remote participation for the commissioner interviews.

For consistency year to year, staff is requesting that the adult Commissioner annual interviews and appointments be held at the special meeting in December when the Mayor and Vice Mayor are appointed. This would allow for longer interview times for the applicants and reduce the need for a separate special meeting.

If approved, these would require modifications to the Commission Appointments Policy 2-11.

COORDINATION:

The preparation of this report was coordinated with the Town Manager’s Office, the Town Attorney, Community Development, Human Resources, Library, and Parks and Public Works.

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FISCAL IMPACT:

There is no fiscal impact to update the applications and enabling documents.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. CHSSC Application.Redlined
2. Policy Committee Review of Planning Committees Staff Report and Attachments
3. BOA Enabling Resolution.Redlined
4. BOA Application.Redlined