



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

MEETING DATE: 03/23/2021

ITEM NO: 4

DATE: March 15, 2021
TO: Council Policy Committee
FROM: Laurel Prevetti, Town Manager
SUBJECT: Review and Provide Direction on Proposed Modifications to the Commission Appointment Policy

RECOMMENDATION:

Review and provide direction on proposed modifications to the Commission Appointment Policy.

BACKGROUND:

The Committee directed staff to bring the Commission Appointment Policy 2-11 to the March Policy Committee meeting for discussion and to add language to encourage diversity, equity, and inclusion in the recruitment and appointment process.

At the February 23, 2021 meeting, the Policy Committee reflected on the recent experience of the Finance Commission recruitment and reviewed the Commission enabling resolutions. Of note, the Committee expressed concern that if the Town has specific requirements for Commissioners (e.g., public health background for the Community Health and Senior Services Commission, arts professional for the Arts and Culture Commission, etc.) that the Town may have trouble attracting candidates. In addition, the current Policy has specific requirements which must also be taken into consideration when making appointments.

DISCUSSION:

Per Town Policy 2-11, the Town Clerk prepares and maintains applications for appointment to Commissions. The Town Clerk typically receives applications to Commissions throughout the year. Currently, while the Policy Committee and Commissions are reviewing applications for possible modifications, the application links have been disabled for all but the Youth

PREPARED BY: Shelley Neis
Town Clerk

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

DISCUSSION (continued):

Commission, which is currently undergoing recruitment. An adult applicant can apply for as many Commissions as they would like, but are required to complete separate applications, and can only serve on one Commission at a time. Each Commission's application has questions specific to the Commission. In some cases, certain Commissions receive many applications while other Commissions do not have any applicants.

The Town holds its annual adult recruitment and appointment process in the fall, with mid-year recruitments held in early spring if necessary. In accordance with State Law, the Town Clerk posts a list of current vacancies on the Town website and on the front door of Town Hall throughout the year. During the recruitment cycle, the Town Clerk advertises the current vacancies in various media (Leadership Los Gatos, Chamber of Commerce, Los Gatos Weekly ads, Town website, What's New email blast, social media, KCAT, Town events, etc.) to inform residents and encourage participation. The Clerk also notifies applicants from the last 12 months who were not interviewed or were not appointed by Council of the vacancy to determine if they are still interested. If the applicant is interested, they are placed in the applicant pool for the next scheduled interviews by Council.

Diversity, Equity, Inclusion (DEI)

The Commission applications could be modified to include questions about how the Commission could address diversity, equity, and inclusion without asking specific race, nationality, ethnicity, gender, or age of the applicant.

Term Limits/Appointments

The Policy Committee has previously discussed term limits and at that time was not in favor of them, due in part because Council did not have term limits, and because it was felt it would hinder the Town's ability to have fully staffed Commissions.

Term limits have pros and cons. Pros would be new perspectives and ideas with the regular turn over of Commissioners. Cons would be losing institutional knowledge and potentially smaller Commissions because the number of applicants may be reduced.

Council has the difficult task of balancing the need to keep institutional knowledge while encouraging new interest and ideas. By not defaulting to appoint an incumbent when there are other qualified applicants, this practice could potentially encourage more applicants to apply. As with Council candidates, it can be perceived that incumbents will always be appointed thereby discouraging potential applicants.

Options for the Committee to discuss:

- Should there be a certain percentage of incumbents versus new Commissioners on each Commission?

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DISCUSSION (continued):

- Should there be at least two incumbents on each Commission to maintain the institutional knowledge?

Interview Process

To ensure the interview process is fair and equitable, staff recommends each applicant be asked the same core questions for the particular Commission. If time permits, the applicant could be asked to expand on an answer and/or address additional questions (not of a personal nature unless it pertains to experience). Staff recommends the Town Clerk and staff liaisons work together to provide suggested questions for each Commission to the Committee for review.

CONCLUSION:

Staff looks forward to the Committee's discussion and direction for potential modifications to the Policy.

COORDINATION:

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

FISCAL IMPACT:

There is no fiscal impact.

ENVIRONMENTAL ASSESSMENT:

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

Attachment:

1. Commission Appointment Policy 2-11