CONSENT AGENDA

AGENDA ITEM 12.14
MINUTES
LEGISLATION/ENVIRONMENTAL
NOVEMBER 15, 2011

CITY HALL
CITY COUNCIL CHAMBERS
STOCKTON, CALIFORNIA

ROLL CALL 2:34 PM

Roll Call 2:34 PM
Present:
Member Canepa
Vice Chair Holman
Chair Eggman

PUBLIC COMMENT 2:35 PM

None

ISSUES TO BE DISCUSSED 2:35 PM

1. Public Appointment Process for Boards & Commissions/Committees 2:35 PM

City Clerk Bonnie Paige introduced and thanked Assistant City Attorney Michael Roush for his valuable assistance with the research to streamline the recruitment process. She also introduced Deputy City Attorney DeAnna Solina, and Assistant City Clerk Bret Hunter.

City Clerk Paige explained that staff is looking at streamlining the recruitment to twice a year, rather than as vacancies occur throughout the year.

Questions and concerns expressed by the Committee:

- Are the cities recruiting twice a year comparable sized cities?
- Is the pool of applicants reduced?
- Do you lose quorum as people’s terms expire?
- Has there been a better transition period?
- Can a person get experience before serving on a board or commission?
Assistant City Attorney Roush provided the following responses to the questions from the Committee members:

- Has worked with the cities of Vallejo and Pleasanton and both conducted recruitment twice a year successfully. The idea is to consolidate the process, be more comprehensive and implement the recruitment in a cost effective way.

- It has been his experience that recruiting twice a year does not reduce the pool of applicants. This is something that will need to be tracked so that the number of applicants is not lost.

- Members will still rotate and if their term expires, would continue to serve until the recruitment is held and a new appointment is made.

- The concept of having an alternate commission member who can serve if there is an absence, will be explored; perhaps the alternate can be appointed when there is an unexpected vacancy, then a new alternate can be appointed.

Chair Eggman - Is there a rule on the number of committees/commissions an individual can serve on at one time? Will the process encourage applicants to apply repeatedly from one to another?

Assistant City Attorney Roush responded to Chair Eggman's questions:

- A person can apply assuming a vacancy exists, and meets the qualifications, and has the interest.

- The Committee can provide that in any one time frame, a person can apply to no more than 3 different vacancies, or they can apply to 6--it is a policy issue and the Committee's call.

Vice Chair Holman - said if someone applies to various commissions, it does not limit the opportunity for others.

City Clerk Paige - There are no term limitations for most of the Commissions. There is a limit on the number of Boards and Commissions one person can serve on at one time. The pool of applicants would be kept active in order to have a sufficient number from which to select. Applications can be held for one year or longer depending on what this Committee decides.

Vice Chair Holman - said members should complete their term on one board before serving on another.

City Clerk Paige - There has not been a problem of people jumping from one
Board/Commission to another--the problem has been not getting enough applicants.

City Clerk Paige - Proposes that the recruitment period be in mid-January and mid-July for terms that expire end-of-June and end-of-December.

- Advertising would continue same as is currently done. If the initial announcement does not render sufficient applicants, a succeeding advertisement would follow until the required number of applicants are received.

Vice Chair Holman - Has the social media, web site, etc., been included?

Assistant City Attorney Roush - That is one avenue that will be used to get the information out to the public.

Assistant City Attorney Roush - The idea is to have the interviews in February and August, appointments in March and September, and take effective a month or two later.

**RECOMMENDATION:** The Committee Recommended moving forward with the public appointment process for Boards and Commissions/Committees as presented in Staff’s Recommendations (two times a year, January and July).

**Selection Process**

Assistant City Attorney Roush - provided the following overview of the four options:

1. Mayor appoints, Council ratifies, common in many jurisdictions;

2. On a rotating basis, one Councilmember appoints and the others ratify (yeas or nays). This spreads the opportunity to the full Council. The downside - if not in agreement with the appointment, you are voting no, which you may not want to do.

3. Appoint from a list - all councilmembers get a list of all candidates. If four or more Councilmembers say yea to the same person--no one is voting no. The downside would be that someone may not get four votes and the process would repeat.

4. Ranking - similar to Mayoral elections in Oakland. Council to rank one more candidate than there are vacancies to fill. Highest rank equals the number one choice of a Councilmember. Clerk adds up with the highest number winning. The downside, this could have one person elected that is not the Council majority's first choice; or option, committee goes through process and makes recommendation based on ranks given.
Chair Eggman - Is the fifth option to leave the voting as is? Many methods have been used before but prefers number 4, Ranking.

Assistant City Attorney Roush - Explained the Ranking again, for the benefit of the Committee. Example - If a commission has one vacancy and receives 5 applicants; All Councilmembers would have the list of all names; The Mayor goes first and indicates Applicant A is first choice (2 points), Applicant B is second choice (1 point); Then the Vice Mayor indicates her first choice (Applicant C for 2 points), and second choice (applicant B for 1 point). There are now three people with 2 votes, as it were; the next Councilmember will repeat the same process, then the Clerk will tally the votes. The applicant with the most number of votes would get appointed.

Chair Eggman - previously, a paper ballot was completed and the Clerk would tally the votes. Announcing the names may sway members to vote for a particular applicant. She likes the idea of an anonymous ballot.

City Clerk Paige - Staff would like to get away from using a paper ballot and is looking into writing the votes on a matrix and projecting it. Staff is working on a way to get the vote directly on the iPad.

Member Canepa - it is more transparent if everyone is voting. If the Committee makes a recommendation, will the Council still see all four options?

Chair Eggman - looks like the Committee is leaning towards going with Option 4.

Assistant City Attorney Roush - The thought is to present in this form to the full Council, but if the Committee wants to recommend a particular option, that would be what staff takes forward.

**RECOMMENDATION:** The Committee Recommends that the Council undertake Option 4 - Ranking, for the Selection Process, when appointing individuals to fill vacancies on City boards and commissions, and that Council Policy 100-2 be amended to reflect that process.

2. **Implementation of Action Minutes for City meetings 3:11 PM**

City Clerk Paige - recalled that the former City Clerk had sent a memo to the Council regarding going to a standard of action minutes, but cannot locate a response from the Council. The Clerk's Office needs a standard minutes format to fully utilize today's technology. Adhering strictly to recording the action taken on agenda items will eliminate the problem of getting behind in minutes preparation and will dramatically reduce the amount of time spent on producing the meeting record.
RECOMMENDATION: The Committee recommends that the City Clerk implement the use of Action Minutes as the official minutes format in the preparation of all official meeting records of the City Council, and all other legislative bodies of the City.

COMMITTEE INITIATED DISCUSSION - Recycling centers in residential neighborhoods

Chair Eggman - Has received numerous complaints regarding recycling centers located in residential neighborhoods. One is located on the corner of Harding Way and Lincoln Street. Residents complain of not having been provided notice that the centers were opening up. She suggested that staff look into whether the site is in compliance with the use permit.

Assistant City Attorney Roush - Suggested that Code Enforcement look into the Lincoln/Harding recycling location to see what is going on there, then take a look at the rest of the recycling centers in residential areas and the use restrictions for compliance. Staff will then return to the Committee with some ideas on doing something different with recycling centers in residential areas.

ADJOURNMENT 3:26 PM

LEGISLATION/ENVIRONMENTAL COMMITTEE:

________________________________________________________
COUNCILMEMBER SUSAN EGGMAN, CHAIR

________________________________________________________
COUNCILMEMBER ELBERT HOLMAN, JR., VICE-CHAIR

________________________________________________________
COUNCILMEMBER PAUL CANEPA
November 15, 2011
2:30 p.m.
Council Chambers – City Hall
425 N. El Dorado Street, Stockton CA

Committee Members

Susan Talamantes Eggman, Chair
Elbert Holman (Vice-Chair)
Paul Canepa (Member)
Diana Lowery (Alternate)

1. ROLL CALL
2. PUBLIC COMMENT
3. ITEMS FOR DISCUSSION/ACTION:
   4.01) Public Appointment Process for Boards & Commissions/Committees
   4.02) Implementation of Action Minutes for City meetings
4. ADJOURNMENT

RECORDING SECRETARY
Bonnie Paige, City Clerk

OFFICE OF THE CITY CLERK
425 N. EL DORADO STREET
STOCKTON, CA 95202

(209) 937-8458

For information contact Bonnie Paige at (209) 937-8458
TO: Legislation/Environmental Committee

FROM: Bonnie Paige, City Clerk

SUBJECT: BOARDS AND COMMISSIONS RECRUITMENT AND APPOINTMENT PROCESS

RECOMMENDATION

Review the process for appointments to Boards and Commissions and review a proposed schedule that will allow the City Clerk to "recruit" for Commission vacancies only twice a year. If the Committee prefers one of the options for the appointment process, recommend it for Council consideration.

Summary

Streamlining the Boards and Commissions recruitment process will result in an effective use of City resources. The time it takes to conduct the recruitments can be consolidated into two periods during the year and will eliminate an on-going process. The Council has requested options to be provided for their review and consideration regarding the appointment process. Staff has provided several options.

DISCUSSION

Background

Recruitments for Boards and Commissions are currently conducted throughout the year as vacancies happen due to term expirations or resignations of seated members. For example, in the last two months the Clerk's office has conducted 14 recruitments for various Boards and Commissions. This is a very time intensive process with noticing, scheduling and follow up and does not allow for effective management of staff time.

The appointment process has been conducted at a regular Council Meeting where the Clerk reads the names of the applicants in alphabetical order and the Council votes for the applicant they support. There have been instances where the first applicant receives four affirmative votes from the Council and is thereby appointed. This process may give the perception that the other applicants did not receive due consideration.

Present Situation

On March 29, 2011, City Clerk staff came before the Legislation and Environmental Committee to address Grand Jury findings and suggested that revisions to the current Council Policy 100-2, City Council and Mayoral Appointments to Boards, Commissions, and Committees was in order. Your Committee asked staff to return with a
recommendation for streamlining the recruitment process and to return with a recommendation concerning options for appointment.

Recruitment

As staff studied and reviewed the current recruitment process, it was determined that the City Council's goal of organizational capacity could be achieved and a continued high level of service provided by streamlining the process and conducting recruitments twice a year.

We are recommending that in mid January and mid July of each year, where a vacancy exists or a term of office will expire by June 30 or December 31, respectively, the City Clerk shall announce notice of the vacancy as well as the qualifications for the appointment.

All applicants shall complete a public service application (as done now) and an applicant may submit for consideration to more than one commission depending on the applicant's qualifications and interest. If the number of applicants does not exceed the number of vacancies, the City Clerk shall readvertise. If following readvertisement the number of applicants still does not exceed the number of vacancies, the appointment process will be halted until the next vacancy announcement period.

Applications will be considered active for one year (Attachment A).

If the Committee agrees, the Committee should recommend to the full Council that this revised process be adopted.

Appointments

Several options for the appointment process are attached for your consideration and, if the Committee finds that one (or a variation of one) of the options is preferable, for your recommendation to Council for adoption (Attachment A).

Respectfully submitted,

Bonnie Paige

BONNIE PAIGE
CITY CLERK

Attachments:

Attachment (A) Recommendation for Recruitment Process/Selection Options for Consideration
ATTACHMENT A

RECOMMENDATION FOR RECRUITMENT PROCESS

In lieu of the existing vacancy announcement/application process whereby announcements/applications (and the subsequent interviews and appointments are made throughout the year), the following vacancy announcement/applicant process is being presented for the Committee’s/Council’s consideration:

Vacancy Announcements and Applications

In mid January and mid July of each year, where a vacancy exists or a term of office will expire by June 30 or December 31, respectively, the City Clerk shall announce notice of the vacancy as well as the qualifications for the appointment.

All applicants shall complete a public service application (as done now) and an applicant may submit for consideration to more than one commission depending on the applicant’s qualifications and interest. If the number of applicants does not exceed the number of vacancies, the City Clerk shall readvertise. If following readvertisement the number of applicants still does not exceed the number of vacancies, the appointment process will be halted until the next vacancy announcement period.

Applications will be considered active for one year.

OPTIONS FOR CONSIDERATION FOR THE SELECTION PROCESS

The current interview process will remain as follows for each of the following proposals, the only difference being that the interviews for all vacancies will be conducted in one time frame (for example, during mid February or mid August), rather than throughout the year:

Candidate Initial Interview Procedure (Conducted by City Clerk or designee)

1. On the date and time of the interview, candidates are requested to appear in City Hall, 425 North El Dorado Street, 2nd floor lobby, pursuant to the date and time set by the City Clerk. Applicants will sign in with the City Manager’s reception desk before the interview; the order of candidate sign-in/arrival will determine the order in which the interviews will be conducted.

2. Candidates will assemble in the Council Chambers wherein the City Clerk/designee will provide the candidates with the following information:
   - Instructions regarding the interview procedure
   - The date and time of the Council meeting at which time the Council will be voting on the appointments; candidates are not required to appear at this meeting unless notified by the Clerk per the request of the Council.
3. Candidates will be interviewed one at a time in the Council Chamber, in the order of sign-in/arrival. Candidates yet to be interviewed will be instructed to wait in the lobby until such time that s/he is invited back into the Council Chamber for their respective interview. Candidates not present at the initial interview will automatically be removed from further consideration. There must be at least 1 more candidate than the number of vacancies to proceed for Council consideration.

4. During the interview, the City Clerk/designee will give the opportunity for the candidate to make a two-minute opening statement; the City Clerk/designee will read each question aloud from the list of prepared questions. Each interview is timed and will be limited to no more than 10 minutes per candidate.

5. Interviews will be live video streamed, and posted on the City’s website for viewing by the Council and the public. The interviews will remain posted on the website only until the Council makes the appointment.

6. Candidates will be excused after answering the list of prepared questions.

The following processes are being presented for the Committee’s/Council’s consideration in appointing applicants to fill vacancies on various Boards and Commissions. These processes do not apply to appointments from individual districts, such as the planning commission; that process will remain the same.

1. **Mayoral Appointment, subject to CC ratification**

   A. The Mayor shall make the appointment to the Commission. The City Council, including the Mayor, shall then vote to approve or disapprove such appointment.

   B. If the person so appointed by the Mayor received four or more votes, that person is appointed. If the person so appointed by the Mayor does not receive four votes, the Mayor shall continue to make appointments until a person so appointed receives at least four affirmative votes or the list is exhausted without any person receiving four affirmative votes.

   C. If no person receives four affirmative votes, the matter shall be readvertised for three weeks and the procedures set forth above (including interviews, etc.) shall be repeated. Any person appointed but not approved by the Council shall not be eligible further for that particular term of office or vacancy.

2. **Rotational Appointments, subject to CC approval**

   (Mayor and Councilmembers to draw numbers by lot for rotating)
A. On a rotating basis, each Councilmember, including the Mayor, may make an appointment to a Commission. The City Council, including the member who made the appointment shall then vote to approve or disapprove such appointment.

B. If the person so appointed does not receive four affirmative votes, then the next Councilmember in the rotational order, including the Mayor, may make an appointment to the Commission. The City Council shall then vote to approve or disapprove such appointment. If the person so appointed does not receive four affirmative votes, then the next Councilmember in the rotational order may make an appointment and so forth until a person so appointed has received four affirmative votes or the list is exhausted without any person receiving four affirmative votes.

C. If no person receives four affirmative votes, the matter shall be readvertised for three weeks and the procedures set forth above (including interviews, etc.) shall be repeated. Any person appointed but not approved by the City Council shall not be eligible for that particular term of office or vacancy.

3. Appointments from List

A. At the meeting at which the City Clerk has prepared a staff report relative to the persons who have been interviewed for an appointment to a Commission, the City Clerk will provide to the City Council a list of those persons who have been interviewed.

B. From that list, the Mayor shall first indicate which person the Mayor would like to appoint to that Commission. On a rotational basis, each Councilmember will indicate which person he or she would like to appoint to that Commission. After the Mayor and each Councilmember has acted, if any person on the list has received four or more votes, that person will be deemed appointed.

C. If no person on the list receives four or more affirmative votes, the process described in B above shall be repeated except the persons on the list shall be limited to only those who received the highest number of votes. For example, if two persons received three votes, then each Councilmember could appoint only one of those two. If one person received three votes, one person received two votes and two persons received one vote, then the City Council could appoint only the persons who had received three and two votes, respectively. If three persons received two votes and one person one vote, then the City Council could appoint only the persons who had received two votes.

D. If, after three rounds of voting, no person on the list has received four affirmative votes, then the matter shall be readvertised for three weeks and the procedures set forth above, including interviews, repeated. No person who
had been on the appointment list shall be eligible for that particular vacancy or
term of office.

4.1 Council Ranking of Applicants

A. At the meeting at which the City Clerk has prepared a staff report
relative to the persons who have been interviewed for an appointment to a
Commission, the City Clerk will provide to the City Council a list of those persons
who have been interviewed.

B. From the list provided to the Council, the Councilmembers will be
asked to rank the applicants such that the number of candidates
that each councilmember ranks will be one number greater than the
number of vacancies. For example, if there is only one vacancy,
each councilmember would rank two candidates, giving the
councilmember’s first choice a “2” and the councilmember’s second
choice a “1”. If there were two vacancies, the first choice would
receive a “3”, the second choice a “2” and the third choice, a “1”.
The City Clerk would tally the votes and the applicant(s) receiving
the highest ranking(s) would then be appointed. If there is a tie
vote, then this process would be repeated but only as to the
individuals whose rankings were tied. In instances where there is
more than one vacancy due to reasons other than the expiration of
a term of office, the applicant(s) with the highest rankings will serve
the full term and applicant with the next highest ranking will serve
the lesser term.

PLEASE NOTE THAT USING THIS PROCESS COULD RESULT IN AN
APPLICANT BEING APPOINTED EVEN THOUGH A COUNCIL MAJORITY
MAY NOT HAVE SELECTED THE APPLICANT AS THE MAJORITY’S
HIGHEST RANKING APPLICANT.

4.2 Committee Ranking of Applicants

Note: An option to this process would be to have the Legislation/Environmental
Committee do the ranking process described above and then submit its
recommendation(s) to the Council for ratification. The applicant(s) recommended
would need a minimum of 4 votes from the Council to be appointed.
TO: Legislation and Environmental Committee

FROM: Bonnie Paige, City Clerk

SUBJECT: IMPLEMENTATION OF ACTION MINUTES

RECOMMENDATION

City Council Action

It is recommended that the City of Stockton implement action minutes as the standard format for recording the actions taken at City meetings.

Summary

The implementation of action minutes for City meetings will comply with the Council goal of streamlining processes to improve efficiency across departments. Staff would like to establish a consistent standard for the preparation of meeting minutes for all meetings that are video/audio streamed and supported by the Clerk's staff which include City Council, Redevelopment Agency, Public Finance Authority, Planning Commission, Civil Service Commission, Equal Employment Commission, Budget/Finance/Economic Development Committee, Development Oversight Commission, Cultural Heritage Board, Climate Action Planning Advisory Committee, Legislation/Environmental Committee, Audit Committee, and Community Planning/Development Committee.

DISCUSSION

Background

The detailed minutes that have typically been produced rely on staff interpretation of what was being discussed at the meeting, and translating that into a meeting synopsis which becomes the official record of the meeting. The preparation of this style of meeting minutes after a meeting is labor intensive and consumes significant staff time to complete. With the implementation of the streaming video solution for recording meetings and minutes preparation, the time necessary to prepare a set of minutes has been reduced, however, we are not utilizing the software to its fullest capability.

Present Situation

On December 9, 2008 a memorandum was sent to the City Council and Civil Service Commission announcing that the Clerk's staff would begin providing action-only minutes for these two legislative bodies. However, to date, the formatting of these minutes have not been standardized and consistent with action-only minutes. . The City Clerk's
IMPLEMENTATION OF ACTION MINUTES

Office has researched other cities to see how they are addressing minutes preparation, finding that most are preparing action minutes (Attachment A). Robert's Rules of Order states that "Not only is it not necessary to summarize matters discussed at a meeting in the minutes of that meeting, it is improper to do so. Minutes are a record of what was done at a meeting, not a record of what was said."

The City of Stockton has been using streaming technology since November 2003 to record the audio and video record of its meetings. These video files, along with the documents presented at the meetings, are kept as the permanent record of the meeting and are available on the City's website for public review. Since the implementation of the streaming video, requests for information regarding meeting content has been reduced, indicating that staff and citizens have adapted to the use of this technology.

FINANCIAL SUMMARY

There will be no financial impact.

Respectfully submitted,

Bonnie Paige
BONNIE PAIGE
CITY CLERK
BP: bh

Attachment A – Minutes from the City of Sacramento

::ODMA\GRPWlSE\COS.CC.CC.Library:142255.1
DRAFT Minutes
Tuesday, January 11, 2011
6:00 P.M.
City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are available on the City’s Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Actions; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City’s website and include all attachments and exhibits. “To Be Delivered” and “Supplemental” reports will be published as they are received. Hard copies are available at the Office of the City Clerk and all written material received is available at the meeting for public review.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)


Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.
DRAFT Minutes
Tuesday, January 11, 2011
6:00 P.M.

City Hall – 915 I Street- First Floor Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session - 6:00 p.m.

Regular session called to order by Mayor Kevin Johnson at 6:07 p.m. Tuesday, January 11, 2011 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson

Pledge of Allegiance—led by Roman Phillips, student participant in Youth @ City Council Program.

Closed Session Report – None.

Public Comments-Matters Not on the Agenda (2 minutes per speaker)

1. Safeground and Homelessness
   a. Raquel Pena
2. Citizen Auditor
   a. Bill Grant
3. Code Enforcement
   a. Doug Petersen
4. Health of Sacramento
   a. Michael Harris
5. Youth Violence
   a. Rhonda Erwin
6. Arrest Complaint
   a. Lamont Houze
7. Arena Issues
   a. Doug Tatara
Consent Calendar  (Items 1-15) Estimated Time: 5 minutes (Actual Time: 2 minutes)

Action: Moved/Seconded: Member Robert King Fong /Member Kevin McCarty
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

A motion passed to adopt the Consent Calendar in one motion except as indicated at each item.

1. 2011 Mayoral Appointments to Council Standing Committees and Regional Authorities, Agencies and Committees
Report ID #: 2011-0024
Location: (Citywide)

Action: Adopted 1) Resolution No. 2011-007 confirming the Mayor's appointment of Councilmembers to Council standing committees, and various regional authorities, agencies and committees; and 2) Resolution No. 2011-008 confirming the Mayor's appointment of Councilmembers to the Sacramento Regional County Sanitation District and Sacramento Area Sewer District Boards as required by SB1663.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

Report ID #: 2011-00022
Location: (Citywide)

Action: Received and filed.

Contact: Lydia Abreu, Investment and Operations Manager, (916) 808-7746, Office of the City Treasurer.

3. Council Rules of Procedure (CRP) (Continued from 1-4-11)
Report ID #: 2011-00089
Location: Citywide

Action: Adopted Resolution No. 2011-009 as amended to include the agreed upon Council Norms and Expectations as discussed at Council's January 6, 2011 workshop; approving the Council Rules of Procedure modifying the Board and Commission vacancy announcement process.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

4. Heliport Approval Authority
Report ID #: 2011-00076
Location: (Citywide)

Action: Adopted 1) Resolution No. 2011-010 delegating to the City Planning Commission authority to approve the plan of construction for new heliports; 2) Resolution No. 2011- 011 approving the plan for construction of a helistop at Kaiser South Sacramento Hospital.

Contact: Lindsey Alagozian, Senior Planner, (916)808-2659, Community Development
5. **Contract: Title Report Search Services**  
   Report ID #: 2011-00014  
   Location: (Citywide)

   **Action:** Continued to January 18, 2011 a Resolution 1) awarding a contract for title report search services to Placer Title Company; and 2) authorizing the Interim City Manager or his designee to execute the Non-Professional Service Agreement with Placer Title Company for an amount not to exceed $595,000.

   **Contact:** Ron O'Connor, Operations Manager, (916) 808-8183, Community Development Department.

6. **Ordinance Amendment: Shovel Ready Investment Protection Ordinance (M10-020)** (Passed for publication on 1-4-11; Published on 1-7-11)  
   Report ID #: 2011-00026  
   Location: (Citywide)

   **Action:** Adopted Ordinance No. 2011-001 amending and pertaining to the three year extension of certain land use entitlements and building permits.

   **Contact:** Sandra Yope, Senior Planner, (916) 808-715, David Kwong, Planning Manager, (916) 808-2691, Ron O'Connor, Operations Manager, (916) 808-8183, Community Development Department

7. **Appropriation of Funds for Settlement Agreement Related to Fire Stations 20 and 30**  
   Report ID #: 2011-00023  
   Location: (Districts 1 and 2)

   **Action:** Adopted Resolution No. 2011-013 amending the FY2010/11 Capital Improvement Program (CIP) budget by appropriating $200,000 in 2002 CIP Bond Funds (Fund 3002) contingency to the North Sacramento Fire Station Project (Fire Station 20, F13000600).

   **Contact:** Reina J. Schwartz, Director, (916) 808-7195, Department of General Services.

8. **Amendment to Personnel Resolution Covering Unrepresented Officers and Employees**  
   Report ID #: 2011-00072  
   Location: Citywide

   **Action:** Adopted Resolution No. 2011-014 amending the Personnel Resolution Covering Unrepresented Officers and Employees in order to correct an error and omission.

   **Contact:** Tosha Cherry, Support Services Manager, (916) 808-5498, Department of Human Resources.
9. New FY 2010/11 Ethel MacLeod Hart Trust Fund Projects
   Location: (Citywide)
   Action: Adopt Resolution No. 2011-015 approving the following new Ethel MacLeod Hart Trust Fund projects for FY2010/11: a) the Ethel MacLeod Hart Fun Pass Program, in the amount of $60,000; and b) programs, events, publications and facility enhancements commemorating the 50th Anniversary of the Hart Senior Center, in the amount of $10,650.
   Contact: Sylvia Fort, Recreation Manager (916) 808-8381, Department of Parks and Recreation.

10. El Camino Avenue Sidewalk Improvements (T15075203)
    Report ID #: 2011-00012
    Location: District 2
    Action: Adopted Resolution No. 2011-016 1) establishing the El Camino Avenue Sidewalk Improvements Project (T15116300); and 2) transferring $149,667 (Fund 3004) of District 2 CRCIP funds to the project.
    Contact: Cecily Foote, Associate Civil Engineer, (916) 808-6843, Ryan Moore, Supervising Engineer, (916) 808-8279, Department of Transportation.

11. Approval to Submit Application for Urban Forestry and Urban Greening Leading Edge Projects Grant
    Report ID #: 2011-00020
    Location: (Citywide)
    Action: Adopted Resolution No. 2011-017 authorizing staff to submit an application to the State of California, Department of Forestry and Fire Protection for an Urban Forestry and Urban Greening Leading Edge Grant.
    Contact: Joe Benassini, Urban Forestry Manager, (916) 808-6258, Department of Transportation.

    Report ID #: 2011-00013
    Location: (Citywide)
    Action: Adopted Resolution No. 2011-018 authorizing the City Attorney to: 1) enter into a Legal Services Agreement with Lennihan Law, a professional corporation, for Martha Lennihan to continue providing specialized legal services to the City with respect to water supply, water resources and water rights issues and proceedings, for an annual amount not to exceed $150,000; and 2) renew the agreement after the initial one year term for up to four successive one-year renewals, provided that sufficient funds have been allocated in the City Council’s annual budget appropriation for the applicable fiscal year(s).
    Contact: Marty Hanneman, Director, (916) 808-7508, Department of Utilities, Joe Robinson, Senior Deputy City Attorney (916) 808-2009, Office of the City Attorney
13. Agreement: Interstate 5 Corridor Landscape Design Phase 2  
Report ID #: 2011-00016  
Location: (District 1)  
Action: Adopted Resolution No. 2011-019 authorizing the City Manager to execute  
the agreement with The HLA Group for design of the Interstate 5 Corridor Landscape  
Project – Phase 2, for a not to exceed amount of $135,235.  
Contact: Bill Busath, Interim Eng Manager, (916) 808-1434, Rick Batha, Supervising  
Eng, (916) 808-1448, Department of Utilities.

14. Grant: Application and acceptance of California Emergency Management  
Agency’s (CALEMA) Project Safe Neighborhood (PSN) Program Grant  
(#G11008800)  
Location: (Citywide)  
Action: Adopted Resolution No. 2011-020 1) authorizing the City Manager or the  
City Manager’s designee to apply for and accept $56,000 in federal grant funding  
through the California Emergency Management Agency’s Project Safe Neighborhood  
Program; 2) establishing a new grant project for the Project Safe Neighborhood  
Program; and 3) adjust the necessary grant revenue and expense budgets to  
implement the Project Safe Neighborhood Program (#G11008800).  
Contact: David Johnson, Lieutenant, (916) 808-0652, Police Department.

15. Railyards Proposition 1C Grant Agreement Assignment: 5th Street Extension  
Project (To Be Delivered)  
Report ID #: 2011-00003  
Location: Railyards (District 1)  
Action: Continued to January 18, 2011 a Resolution 1) affirming approval of the  
agreement and General Release of Claims with the State Department of Housing and  
Community Development (HCD), S. Thomas Enterprises of Sacramento, LLC  
(“Thomas”), I.A. Sacramento Rail, L.L.C. (“Inland Rail”) and IA Sacramento  
Development, L.L.C. (“Inland Development”), and Affirming Approval of the Contractor  
Release and Hold Harmless Agreements with Kimley-Horn and Associates, MCM  
Construction, Inc., Quincy Engineering, Inc., Teichert Construction, TKW Consulting,  
and Vall Cooper & Associates, Inc. to allow for payment of Transit Oriented  
Development (TOD) grant funds for work performed for the 5th Street Extension  
Project (T15029050); 2) ratifying the Letter Agreement with HCD and Inland Rail; 3)  
terminating the Assignment and Assumption Agreement for the TOD Contract  
between City and Thomas (City Agreement 2009-0905); 4) approving the Amendment  
to Standard Agreement and the Disbursement Agreement (City Agreement No. 2009-  
0904, the “TOD Contract”) with HCD and Inland Development for the Railyards TOD  
grant; and 5) Approving the TOD Grant Assignment and Assumption Agreement with  
Inland.  
Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Department of  
Transportation.
Public Hearings (Items 16-18)

Public hearings may be reordered by the Mayor at the discretion of the legislative bodies.

16. **Estimated Time: 1 hour**
   
   **Call-Up of New Residence of Alley at 2207 C Street (Noticed on 12-30-10)**
   
   **Report ID #: 2011-00019**
   
   **Location:** (District 3)
   
   **Action:** Moved/Seconded: Member Bonnie Pannell/Member Steve Cohn
   
   **Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.
   
   A motion passed to continue to February 1, 2011.
   
   **Contact:** David Hung, Associate Planner, (916) 808-5530, Community Development Department.

17. **Estimated Time: 5 minutes (Actual Time: 2 minutes)**
   
   **Annexation No. 19 to the Neighborhood Park Maintenance Community Facilities**
   
   **District (CFD) No. 2002-02 (Noticed on 12-17-10)**
   
   **Report ID #: 2011-00010**
   
   **Location:** (District 3)
   
   **Action:** Moved/Seconded: Member Steve Cohn /Member Robert King Fong
   
   **Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.
   
   Conducted a public hearing with no public comment; and upon conclusion a motion passed adopting Resolution No. 2011-022 establishing the CFD annexation, providing for Levy of Special Tax and calling for a Special Election on January 28, 2011.
   
   **Contact:** Diane Morrison, Program Specialist, (916) 808-7535, Finance Department.

18. **Estimated Time: 5 minutes (Actual Time: 2 minutes)**
   
   **Neighborhood Park Maintenance CFD 2002-02 Unanimous Consent Process**
   
   (Noticed on 12-8-10)
   
   **Report ID #: 2011-00011**
   
   **Location:** (Citywide)
   
   **Action:** Moved/Seconded: Member Bonnie Pannell /Member Steve Cohn
   
   **Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.
   
   Conducted a public hearing with no public comment; and upon conclusion a motion passed adopting Resolution No. 2011-023 establishing the future annexation area and levying a special tax within annexed areas.
   
   **Contact:** Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.
Council Comments-Ideas, Questions and Meeting/Conference Reports – None.

Adjourned – 6:45 p.m. in memory of Eleni (Helen) Angelidas, Kyle Caluya, Jan Marcus, Carol Martinez and General Vang Pao.
TO: Mayor and City Council
FROM: Bonnie Paige, City Clerk

SUBJECT: REVISE COUNCIL POLICY 100-2 – CITY COUNCIL AND MAYORAL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

RECOMMENDATION

It is recommended that the City Council adopt a resolution revising the current Council Policy 100-2, City Council Mayoral Appointments to Boards, Commissions, and Committees, [last revised June 28, 2011 by Resolution 11-0175 (Attachment A)] based on the recommendations submitted by the Legislation Environmental Committee (tracked changes version, Attachment B).

Summary

Streamlining the Boards and Commissions recruitment process will result in an effective use of City resources. The time it takes to conduct the recruitments can be consolidated into two periods during the year and will eliminate an on-going process. The Council has requested options to be provided for consideration regarding the appointment process. City Clerk and City Attorney staff presented a revised recruitment process and appointment options to the Legislation Environmental Committee and tonight are forwarding the Committee’s recommendations for adoption.

DISCUSSION

Background

Recruitments for Boards and Commissions are currently conducted throughout the year as vacancies happen due to term expirations or resignations. For example, in the last two months alone the Clerk’s office has conducted 14 separate recruitments for various Boards and Commissions. This is a very time intensive process with noticing, scheduling and follow up and does not allow for effective management of staff time.

The appointment process has been conducted at a regular Council Meeting where the Clerk reads the names of the applicants in alphabetical order and the Council then votes, beginning with the first name read. There have been instances where the first applicant receives four affirmative votes from the Council and is thereby appointed. This process may give the perception that the other applicants did not receive due consideration. It also places the Council in a position of voting “against” a particular applicant.
Present Situation

On November 15, 2011 the City Clerk and City Attorney staff met with the Legislation Environmental Committee to present a revised recruitment process to be conducted bi-annually by the City Clerk and four options to consider for making appointments to the City's Boards and Commissions. See Attachment C. The Legislation Environmental Committee agreed with staff's recommendation as to a revised recruitment process and selected an appointment process that would "rank" the applicants. The Committee recommends both processes, as follows, to the Council for approval.

Proposed Recruitment Process:

As staff studied and reviewed the current recruitment process, we determined that the City Council's goal of organizational capacity but continuing a high level of service could be achieved by streamlining the process and conducting recruitments twice a year.

We are recommending that in mid-January and mid-July of each year, where, for all commissions, boards and committees, a vacancy exists or a term of office will expire by June 30 or December 31, respectively, the City Clerk shall announce notice of the existing or upcoming vacancies as well as the qualifications for the appointment.

All applicants shall complete a public service application, as done now, (Attachment D) and an applicant may submit an application to more than one commission depending on the applicant's qualifications and interest. If the number of applicants does not exceed the number of vacancies, the City Clerk shall re-advertise. If following re-advertisement the number of applicants still does not exceed the number of vacancies, the appointment process will be halted until the next vacancy announcement period, i.e., six months later.

The current interview process will remain as it is now, conducted by the City Clerk or designee with all interviews being video streamed for viewing by the Council and public and will remain available until the appointment process is completed.
Proposed Appointment Process – Ranking of Applicants

At the meeting at which the City Clerk has prepared a staff report relative to the persons who have been interviewed for an appointment to a Commission, the City Clerk will provide to the City Council a paper ballot listing those persons who have been interviewed.

From the list provided to the Council, the Council members will be asked to rank the applicants on the ballot such that the number of candidates that each councilmember ranks will be one number greater than the number of vacancies. For example, if there is only one vacancy, each councilmember would rank two candidates, giving the councilmember’s first choice a “2” and the councilmember’s second choice a “1”. If there were two vacancies, the first choice would receive a “3”, the second choice a “2” and the third choice, a “1”. The City Clerk would tally the votes, announce the results and display the results on the overhead projector to be viewed openly.

The applicant(s) receiving the highest ranking(s) would then be appointed. If there is a tie vote, then this process would be repeated but only as to the individuals whose rankings were tied. In instances where there is more than one vacancy due to reasons other than the expiration of a term of office, the applicant(s) with the highest rankings will serve the full term and the applicant with the next highest ranking will serve the lesser term.

Because this process could result in an applicant being ranked highest by less than a Council majority, the City Council must still adopt a resolution to appoint the individual. Accordingly, it is possible that a Council majority could vote against a particular appointment. If that were to occur, then ranking would occur again but the one applicant would be eliminated from further consideration for that particular vacancy.

The Committee also considered other appointment processes, such as having the Mayor or individual councilmembers (on a rotating basis) make the appointment subject to approval/ratification by a Council majority. The Committee opted not to recommend either of those processes because it could routinely compel Council members to vote “against” an applicant. Council should review, however, the various appointment processes set forth on pages 2, 3 and 4 of Attachment C. If Council concludes one of those (or some variation thereof) appointment processes would be better, staff will incorporate that process into the Council Policy.

Finally, please note three things. First this revised Policy embodies but does not change the current process for appointments to the Planning Commission. See Article V. Where a vacancy exists or a term of office will expire for a planning commissioner from a particular Council member’s district, that Council member will make the appointment subject to approval/ratification by the City Council. Second, the revised
Policy establishes that no person shall serve more than two terms on any one commission and that, in case of a vacancy; if more than two years remain on a term of office that will count as one term. See Article VII. Third, the revised Policy establishes a Commissioner Orientation Program, the purpose of which is to enable commission members to do their jobs more efficiently and effectively. See Article VIII.

Respectfully submitted,

Bonnie Paige

BONNIE PAIGE  
CITY CLERK

Attachments:

Attachment (A) Tracked changes proposed Council Policy 100-2  
Attachment (B) Recommendation for Recruitment Process and Options for Consideration for Selection Process  
Attachment (C) Boards, Commissions, and Committees Application
Policy No. 100-2 City Council and Mayoral Appointments to Boards, Commissions, and Committees

Effective Date: 8/24/10

BACKGROUND

In 1975 the State Legislature amended Government Code Section 54957 of the Brown Act, removing “public officer” from those appointees that the Council could consider in executive session. This action resulted in the requirement that all discussions and deliberations by the City Council regarding appointments or confirmation of appointments are to take place in public at regular or special meetings of the City Council as opposed to closed executive sessions. This amendment was placed into effect January 1, 1976.

To comply with this new requirement, the City Council on January 19, 1976 adopted Resolution No. 32,937 establishing procedures for interviewing and confirming appointments in open Council session. The resolution additionally incorporated the existing informal procedures of the City Council regarding such appointments.

On January 1, 1977, the Maddy Local Appointive List Act of 1975 (Section 54970 et. seq. Government Code) became effective requiring, among other things, that:

On or before December 31st of each year, each legislative body shall prepare an appointments list of all regular and ongoing boards, commissions, and committees which are appointed by the legislative body of the local agency. The appointees’ list shall contain the following information:

A list of all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.

A list of all boards, commissions, and committees whose members serve at the pleasure of the legislative body, and the necessary qualifications for each position.

These requirements are contained in this Council policy.

PURPOSE

To establish an orderly process to provide all citizens of Stockton equal access to specific and current information about the many regulatory and advisory boards, commissions, and committees appointed by the City Council and/or the Mayor, to provide for equal opportunity to be informed of vacancies which, from time to time, shall occur, and to provide for open sessions in the interview or confirmation appointment process. Hereafter, for sake of simplicity, all boards, commissions and committees appointed as set forth in the following "Policy/Procedure", and the planning commission, members of which are appointed by a City Council member subject to ratification by the City Council, shall be referred to as “Commission” or “Commissions”. A member of a board, commission or committee shall be referred to as a “Commissioner”. 

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POLICY/PROCEDURES

I. Appointments List

A. Each year, on or before December 31st, the City Clerk shall prepare and provide to file with the City Council an appointments list of all regular and ongoing boards, commissions, and committees which are appointed by the Stockton City Council, a Stockton City Council member or by the Mayor or the Mayor. The appointment list shall set forth the following information:

1. A list of all current Commission vacancies and of all appointive terms which will expire during the next calendar year with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.

2. A list of all boards, commissions, and committees whose members serve at the pleasure of the Stockton City Council and the necessary qualifications for each position.

B. The appointments list shall be made available to members of the public on the City’s website for free or a hard copy for a reasonable fee as indicated on the City’s Fee Schedule.

II. Mayoral Appointments

Mayoral appointments shall be submitted to the City Manager for distribution to the Council at least five days prior to confirmation by the Council.

III. Vacancy Announcements, Applications, Applicants

A. Vacancy Announcements

In mid January and mid July, where a vacancy on a Commission exists or where by June 30 or December 31, respectively, a Commissioner’s term of office will expire, the City Clerk shall announce on boards, commissions, and committees where the City Council and/or the Mayor has the appointing authority shall be announced through the news and media, social media, and notice thereof posted on the City’s website and ed in the Office of the City Clerk, that a vacancy exists or that a term of office will expire. Two months before a term expiration, or within 20 days after an unexpected vacancy occurs. Announcements/postings shall indicate:

1. Title of the position;
2. Minimum qualifications;
3. Special residency requirements, if any;
4. Frequency of meetings of the board, commission, or committee;
5. Remuneration, if any;
6. Where to submit an application;

7. Final date for submission of an applications; and

8. Term of office.

B. Applications

1. All applicants for Commission membership positions shall complete and submit a uniform public service application form to the City Clerk’s Office prior to the final time and date for submission of the application. An applicant may submit for consideration to more than one Commission, depending on the applicant’s qualifications and interest; provided, however, that no person may serve at one time on more than one Commission. A minimum of three weeks will be allowed to submit applications. No application will be accepted after the filing deadline as established by the City Clerk’s Office.

2. The application shall identify the membership on the Commission or Commissions position being sought, the applicant’s background and qualifications and may include any additional material deemed relevant by the applicant. Additional material will not be accepted after the filing deadline.

3. If the City Clerk’s Office receives number of applications the number of which is received by the City Clerk’s Office is equal to or less than the number of vacancies for the Board or Commission where the vacancy exists or where a term of office will expire within the recruiting period, then the City Clerk shall commence with re-advertising for the position within two weeks from the previous filing deadline. The City Clerk’s Office will readvertise for three weeks. If, after this readvertisement period, the number of applications remains equal to or less than the number of vacancies for the Commission where the vacancy exists or where the term of office will expire within the recruiting period, the City Clerk will postpone further advertising until the next recruitment period. Advertising shall continue until there is at least one more candidate than the number of vacancies.

4. The City Clerk or other staff will review the applications will be reviewed by the City Clerk’s Office or other staff to determine the applicant’s compliance with this policy and any other requirements specified in the Boards and Commission’s Roster.

5. The City Clerk’s office shall keep applications shall be kept on file in the City Clerk’s Office and applications shall be are considered active for one two years following the initial date of receipt by the City Clerk’s Office. The active application may be submitted for consideration to multiple Board/Commission/Committee vacancies dependent on the interest of the applicant.

1. Applications for Boards/Commissions/Committees

6. All applications shall be deemed to be public documents and shall be available for public inspection. Nothing herein shall preclude the Mayor or an individual Councilmember from requesting additional or clarifying information of an applicant prior to the Council’s consideration of the applicants for appointment as provided in this Policy appointment.
2. Appointments Requiring a City Council Vote

Articles IV, V, VI, and VII apply only for those appointments that require a Council vote.

1. Applications for Boards/Commissions/Committees Requiring Council Vote

C. Applicant and Appointee Requirements

Absent specific qualifying requirements to the contrary, all applicants and appointees to City Council Boards, Commissions, and Committees shall be residents of the City of Stockton during the term of their appointment.

IIIIV. Preparation for Interviews of Candidates by City Clerk (for those Candidates Requiring Council Vote)

A. Each time there is a vacancy to be filled, new, the City department or affected agency that staffs a Commission for which there is a vacancy or for which a term of office will expire during the recruitment period shall prepare interview questions, shall be prepared by the City department or affected agency, and reviewed and approved by the City Manager’s Office, and before being forwarded to the City Clerk. To the extent feasible, questions should be open-ended and limited to no more than five key queries. The City department or affected agency that staffs a Commission, in consultation with the City Manager’s Office, will determine whether to provide the interview questions to the applicants ahead of the interview itself.

The City Clerk will schedule the date for the Council appointment.

B. The City Clerk will notify the Council and the applicants candidates regarding the date and time of the initial interviews. The interviews will be streamed live. This will allow the Council the opportunity to view the interviews live via streamed video or at any time prior to the date on which the Council will make its appointment. The video stream of the interviews will remain on the City’s website only until the Council concludes the appointment process.

Applicants who desire to withdraw from consideration shall so notify the City Clerk, preferably in writing.

C. Unless otherwise specified by the applicant, the City Clerk shall notify all applicants of the time and place of when and where the interviews will take place, the amount of time allowed for the interview and the method by which the Council appointment shall be made ultimately. If notifying the candidates by electronic mail, the City Clerk shall also follow up with a phone call to the applicant. Applicants who desire to withdraw from consideration shall notify the City Clerk, preferably in writing. Interview questions may be given to the candidate before the actual interview.

V. Interview of Candidates by City Clerk (for those Candidates Requiring Council Vote)

D.A. On the date and time of the interview, applicants candidates will arrive at the designated location, date and time as set by the City Clerk. Applicants will sign-in at the designated location before the interview; the order of candidate sign-in/arrival will determine the order in which the interviews will be conducted.
E. B. Applicants Candidates will assemble in the designated location wherein the City Clerk/designee will provide the applicants candidates with the following information:

1. Instructions regarding the interview procedure; and

2. The date and time of the meeting at which time the Council will be voting on the appointment; applicants candidates may be asked by the Council to appear at this meeting.

F. C. Applicants Candidates will be interviewed one at a time, in the order of sign-in arrival. Candidates yet to be interviewed will be instructed to wait in a lobby or other designated location until such time that s/he is invited to back into the location of the interview. Applicants Candidates not present for the initial interview will automatically be removed from further consideration for that recruitment period.

G. D. During the interview, the City Clerk/designee will give the opportunity for the applicant candidate to make a two-minute opening statement; the City Clerk/designee will read each question aloud from the list of prepared questions. Each interview is timed and limited to no more than 10 minutes per applicant candidate. Applicants will be excused at the end of the interview.

H. E. Interviews will be live video streamed, and posted on the City’s website for viewing by the Council and the public. The interviews and the candidate applications will remain posted on the website only until the Council makes the appointment.

I. F. Candidates will be excused after answering the list of prepared questions.

G. There must be at least one more candidate than the number of vacancies to proceed for Council consideration.

VI. Before City Council Appointments (for those Candidates Requiring Council Vote)

A. Subsequent to the initial interviews, the City Clerk will immediately notify the Council that the interviews have been conducted. In order for the appointment process to continue as to any Commission, there must be at least one more applicant than the number of vacancies and/or number of expiring terms of office for that recruiting period. If not, the position will remain vacant and/or the Commissioner than serving will continue to serve until his/her replacement has been appointed. If the appointment process continues, the City Clerk shall notify the Council of and the date the Council will be voting on the appointment candidates. The Council will have the opportunity to view the interviews during the live stream or may view the video stream at any time prior to the date set for Council appointment. Councilmembers shall limit conversation regarding the applicant candidates amongst each other consistent with the Brown Act due to Brown Act considerations.

B. The City Clerk will prepare a staff report relative to the interviews conducted; this report will be placed on a regular meeting agenda for Council consideration on the date indicated to the applicants as soon as can be scheduled. The applicants candidates are not required to appear at this meeting unless requested by a Councilmember before the appointment date. Any Council member may ask additional questions of the applicant candidate(s) if the applicant has been requested to appear and has appeared at the meeting.
VII. Method of City Council Appointment to Boards and Commissions (for those Candidates Requiring Council Vote)

CA. The name of each applicant shall be read alphabetically by the City Clerk and each Council member may cast one vote for only one applicant during a round of voting. Each vote cast by a Council member is displayed publicly to eliminate any confusion as to any one Council member voting multiple times in a single round. At the meeting at which the City Clerk has prepared a staff report relative to the persons who have been interviewed for an appointment to a Commission, for each Commission on which there is a vacancy or for which a term of office will expire, the City Clerk will provide to the City Council a list of those persons who have been interviewed.

D. All discussions by the City Council regarding appointments or confirmation of appointments shall be conducted in compliance with the Brown Act. The appointment process shall not require a public hearing; however, persons desiring to comment on the applicants may do so prior to Council action. A Council member may ask questions or seek clarification from any applicant present at the meeting before the Council takes action.

E. From the list(s) so provided to the Council, each Council member, including the Mayor, will rank the applicants for each Commission such that the number of applicants that each Council member ranks will be one number greater than the number of vacancies and/or the number of Commission members whose terms will be expiring. (This will likely avoid tie votes.) For example, if there is only one vacancy or only one term expiring, the Council member’s first choice for appointment will be ranked with the number “2” and the Council member’s second choice with the number “1”. If because of a vacancy and/or because of an expiring term, there is more than one appointment to a Commission, the Council member will assign to the Council member’s first choice the higher (est) number and lesser number(s) to the Council member’s other choice(s). For example, if there were one vacancy and one term expiring, each Council member would rank three applicants, assigning the number “3” to the Council member’s first choice, the number “2” to the Council member’s second choice and the number 1” to the third choice.

F. After the Council has ranked the applicants, the City Clerk will tally the rankings and the applicant(s) receiving the highest number(s) would, subject to Council ratification, be appointed. If there is a tie, then the process described in E above will be repeated only as to the applicants who are tied.

G. In instances where there are a vacancy and an expiring term and the term of the vacant office is less than the new term of office, the applicant with the highest number will serve the new term of office and the applicant with the next highest number will serve the lesser term.

H. Appointments to fill vacancies shall become effective immediately and other appointments shall become effective as of July 1 or January 1, respectively. Then serving Commissioners will continue to serve until the effective date of the new appointments.
B. If the applicant receives four or more votes, that applicant is appointed.

C. If no applicant receives the minimum four votes, then those two applicants receiving the highest number of votes (must be at least two applicants) shall continue to be considered. In the event of a tie or deadlock, then those applicants so tied or are in the deadlock shall continue to be considered. If the same tie vote or deadlock continues to exist after three rounds of voting, the Council will follow Robert’s Rules of Order and resolve the matter by making a motion other than to appoint a candidate.

D. This process shall continue until one applicant receives four or more votes. Following the announcement of the selection results, the City Clerk shall present the resolution approving the candidate(s) selected for appointment. Four votes of the Council are required to approve the resolution.

E. When there is more than one vacant position on the same body to be filled, the above voting method shall be used for each such position until all have been filled sequentially, beginning with the position with the longest term to be filled and continuing in order through positions with shorter terms to be filled.

All discussions and deliberations by the City Council regarding appointment or confirmation of appointments shall take place in public at regular or special meetings of the Council.

The appointing process shall not require a public hearing; however, persons desiring to comment upon the applicants or position can do so in writing to the City Council to the attention of the City Clerk.

V. Appointments to the Planning Commission

As to the Planning Commission, where a vacancy exists or a term of office is expiring from a particular Councilmember’s District, the Councilmember from that District shall make the appointment subject to City Council approval; for the at-large Planning Commissioner, the Mayor shall make the appointment subject to City Council approval.

VI. Mayoral Appointments

As to any appointments made by the Mayor (other than the Mayor’s appointment to the Planning Commission), they shall be submitted to the City Manager for distribution to the Council at least five days prior to presentation to the Council. The City Council shall confirm or not confirm the appointment.

VII. Term of Office

No person shall serve more than two terms on any Commission. If a person is appointed to a vacancy and there are more than two years remaining on that term, that shall count as one term.

VII. Commissioner Orientation Program
—The City Clerk shall establish a formal Commissioner Orientation Program, to include the following components:

A. The appointee must take the oath of office before participating as a Commissioner.
B. The Commissioner should meet with the City Manager and key staff members, including the department head responsible for the Commission and the primary staff contact for the Commission, if other than the department head.

A.C. The Commissioner should review the Commission Handbook and be briefed on (1) the Commission’s formal role and relationship to the City Council, (2) the Commission’s meeting procedures and typical interaction with staff and City Council, (3) the Brown Act, conflict of interest requirements, and ethical training requirements, (4) technical aspects of the Commission’s jurisdiction, such as the types of issues that will be faced, and (5) key issues or projects that the Commission is or will be considering.

VIII. Attendance Policy for Boards/Commissions/Committees Appointed by the Mayor and/or City Council

A. For any Board, Commission and Committee (hereafter "Commission") that meets regularly more than once a month, a commissioner’s unexcused absence from either three consecutive regular meetings or five or more regular meetings in any 12-month period shall result in the position being vacated, subject to City Council ratification as provided in this Article. For any Commission that meets regularly once a month or less frequently, a commissioner’s unexcused absences from 25% or more of the regular meetings in any 12-month period shall result in the position being vacated, subject to City Council ratification as provided in this Article.

Excused absences shall include illness or other medical reasons and work-related conflicts. The Chairperson of the particular Commission shall determine if the absence is excused provided a commissioner provides notice of the absence to the Chairperson or to the staff person assigned to the Commission prior to the meeting. In the case of a Chairperson absence, the Vice-Chair shall make the determination.

B. The staff person assigned to the Commission shall record the attendance of commissioners in a uniform format as shown on Exhibit 1. As to any commissioner who is required to be a resident of a councilmember’s district, if the attendance record of that commissioner is such that additional unexcused absences would result in the position being vacated, the staff person assigned to the Commission shall notify the councilmember from that district of the commissioner’s attendance record. If the attendance records indicate that any commissioner has exceeded the number of unexcused absences as provided in Section A above, the staff person shall prepare a report to the City Council so stating and recommending that the City Council ratify that the position has been vacated. The City Council, at a regular meeting, shall consider the recommendation and take whatever action the City Council deems appropriate. If the City Council ratifies that the position has been vacated due to unexcused absences, the staff person shall notify any outside agency on which the commissioner sat of the Council action.
IX. Removal of Members from Boards, Commissions and Committees

A. A person appointed by the City Council to any Board, Commission or Committee (hereafter, "Commission") shall continue to serve as a member thereof except when:

1. The person's term of office expires and a different person has been appointed.

2. The person voluntarily resigns from the Commission.

VIII. Attendance Policy for Boards/Commissions/Committees Appointed by the Mayor and/or City Council

A. The following policy shall apply:

Unexcused absence from three consecutive regular meetings or five or more regular meetings in any 12-month period shall result in the position being vacated, subject to any appeal established under any other provision and to any other established removal process. Excused absences shall include illness, medical reasons, work related conflicts, jury duty, or confirmed conflicts of interest and shall be authorized by the Chairperson of the respective body provided that notification is given to the Chairperson or appropriate staff prior to such absence. In addition, attendance shall be recorded in a uniform format (copy attached) by the department responsible to the board, commission or committee and maintained by the department. If attendance records indicate that any member has exceeded the absences as described in the paragraph above, the responsible department shall:

1. Prepare a staff report to Council for ratification of member removal;

2. Notify any outside agency which may have member/s on the City board, commission, or committee for appropriate follow-up action.
CITY OF STOCKTON
BOARD/COMMISSION/COMMITTEE
ATTENDANCE REPORT

Date: ______________________  Date: ______________________

**Board/Commission/Committee**

<table>
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<th>Name</th>
<th>P / A</th>
<th>E / Illness</th>
<th>E / Mod</th>
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<th>Un-excused</th>
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P=Present  A=Absent  E=Excused  Illness=Illness  Med=Medical Reason  Conflict=Conflict of Interest

Council Policy 100-2, IV states: "Unexcused absences from three consecutive meetings or five or more regular meetings in any twelve month period shall result in the position being vacated subject to any appeal established under any other provision and to any other established removal process. Excused absences shall include illness, medical reasons, or confirmed conflicts of interest and shall be authorized by the Chairperson of the respective body."

I hereby authorize the absences noted above pursuant to Council Policy 100-2, IV: ______________________

CHAIRPERSON

NOTE: THIS FORM CAN BE USED FOR TWO (2) REGULAR MEETINGS.  (Note: Return to Secretary upon completion.)

IX. **Voting Policy**

Unless there is a stated Conflict of Interest, members may not abstain from voting on an issue.

VI.VIII. **Mandatory Ethics Training for Commissioners**

State law (commonly known as AB 1234) requires mandatory ethical training on all elected local officials and those commissions eligible to receive a stipend or reimbursement. Each commissioner to which this Article applies must receive two hours training in ethics within the first year of his/her appointment and, thereafter, must receive two hours of ethics training every two years. The City will endeavor to provide this training live and commissioners are strongly encouraged to attend the live training in order to have interaction with, and to ask questions of, the presenter. The training may, however, also be taken on line. Failure to meet this training requirement within the applicable time frame is cause for removal.

Adopted by Resolution No. 34,620 dated 10/31/77

Amended by Resolution Nos. 40,380 dated 2/6/84; 86,0549 dated 8/25/86; 88-0696 dated 11/7/88; 89-0017 dated 1/3/89; 90-0174 dated 3/19/90; 91-0211 dated 4/1/91; 91-0390 dated 9/1/93

242
5/28/91; 93-0070 dated 2/22/93; 95-0490 dated 10/10/95; 96-0303 dated 6/10/96; 07-0172 dated 5/01/07; 10-0271 dated 8/24/10
RECOMMENDATION FOR RECRUITMENT PROCESS

In lieu of the existing vacancy announcement/application process whereby announcements/applications (and the subsequent interviews and appointments are made throughout the year), the following vacancy announcement/applicant process is being presented for the Committee's/Council's consideration:

Vacancy Announcements and Applications

In mid January and mid July of each year, where a vacancy exists or a term of office will expire by June 30 or December 31, respectively, the City Clerk shall announce notice of the vacancy as well as the qualifications for the appointment.

All applicants shall complete a public service application (as done now) and an applicant may submit for consideration to more than one commission depending on the applicant's qualifications and interest. If the number of applicants does not exceed the number of vacancies, the City Clerk shall readvertise. If following readvertisement the number of applicants still does not exceed the number of vacancies, the appointment process will be halted until the next vacancy announcement period.

Applications will be considered active for one year.

OPTIONS FOR CONSIDERATION FOR THE SELECTION PROCESS

The current interview process will remain as follows for each of the following proposals, the only difference being that the interviews for all vacancies will be conducted in one time frame (for example, during mid February or mid August), rather than throughout the year:

Candidate Initial Interview Procedure (Conducted by City Clerk or designee)

1. On the date and time of the interview, candidates are requested to appear in City Hall, 425 North El Dorado Street, 2nd floor lobby, pursuant to the date and time set by the City Clerk. Applicants will sign in with the City Manager's reception desk before the interview; the order of candidate sign-in/arrival will determine the order in which the interviews will be conducted.

2. Candidates will assemble in the Council Chambers wherein the City Clerk/designee will provide the candidates with the following information:
   - Instructions regarding the interview procedure
   - The date and time of the Council meeting at which time the Council will be voting on the appointments; candidates are not required to appear at this meeting unless notified by the Clerk per the request of the Council.
3. Candidates will be interviewed one at a time in the Council Chamber, in the order of sign-in/arrival. Candidates yet to be interviewed will be instructed to wait in the lobby until such time that s/he is invited back into the Council Chamber for their respective interview. Candidates not present at the initial interview will automatically be removed from further consideration. There must be at least 1 more candidate than the number of vacancies to proceed for Council consideration.

4. During the interview, the City Clerk/designee will give the opportunity for the candidate to make a two-minute opening statement; the City Clerk/designee will read each question aloud from the list of prepared questions. Each interview is timed and will be limited to no more than 10 minutes per candidate.

5. Interviews will be live video streamed, and posted on the City’s website for viewing by the Council and the public. The interviews will remain posted on the website only until the Council makes the appointment.

6. Candidates will be excused after answering the list of prepared questions.

The following processes are being presented for the Committee’s/Council’s consideration in appointing applicants to fill vacancies on various Boards and Commissions. These processes do not apply to appointments from individual districts, such as the planning commission; that process will remain the same.

1. **Mayoral Appointment, subject to CC ratification**

   A. The Mayor shall make the appointment to the Commission. The City Council, including the Mayor, shall then vote to approve or disapprove such appointment.

   B. If the person so appointed by the Mayor received four or more votes, that person is appointed. If the person so appointed by the Mayor does not receive four votes, the Mayor shall continue to make appointments until a person so appointed receives at least four affirmative votes or the list is exhausted without any person receiving four affirmative votes.

   C. If no person receives four affirmative votes, the matter shall be readvertised for three weeks and the procedures set forth above (including interviews, etc.) shall be repeated. Any person appointed but not approved by the Council shall not be eligible further for that particular term of office or vacancy.

2. **Rotational Appointments, subject to CC approval**

(Mayor and Councilmembers to draw numbers by lot for rotating)
A. On a rotating basis, each Councilmember, including the Mayor, may make an appointment to a Commission. The City Council, including the member who made the appointment shall then vote to approve or disapprove such appointment.

B. If the person so appointed does not receive four affirmative votes, then the next Councilmember in the rotational order, including the Mayor, may make an appointment to the Commission. The City Council shall then vote to approve or disapprove such appointment. If the person so appointed does not receive four affirmative votes, then the next Councilmember in the rotational order may make an appointment and so forth until a person so appointed has received four affirmative votes or the list is exhausted without any person receiving four affirmative votes.

C. If no person receives four affirmative votes, the matter shall be readvertised for three weeks and the procedures set forth above (including interviews, etc.) shall be repeated. Any person appointed but not approved by the City Council shall not be eligible for that particular term of office or vacancy.

3. Appointments from List

A. At the meeting at which the City Clerk has prepared a staff report relative to the persons who have been interviewed for an appointment to a Commission, the City Clerk will provide to the City Council a list of those persons who have been interviewed.

B. From that list, the Mayor shall first indicate which person the Mayor would like to appoint to that Commission. On a rotational basis, each Councilmember will indicate which person he or she would like to appoint to that Commission. After the Mayor and each Councilmember has acted, if any person on the list has received four or more votes, that person will be deemed appointed.

C. If no person on the list receives four or more affirmative votes, the process described in B above shall be repeated except the persons on the list shall be limited to only those who received the highest number of votes. For example, if two persons received three votes, then each Councilmember could appoint only one of those two. If one person received three votes, one person received two votes and two persons received one vote, then the City Council could appoint only the persons who had received three and two votes, respectively. If three persons received two votes and one person one vote, then the City Council could appoint only the persons who had received two votes.

D. If, after three rounds of voting, no person on the list has received four affirmative votes, then the matter shall be readvertised for three weeks and the procedures set forth above, including interviews, repeated. No person who
had been on the appointment list shall be eligible for that particular vacancy or term of office.

4.1 Council Ranking of Applicants

A. At the meeting at which the City Clerk has prepared a staff report relative to the persons who have been interviewed for an appointment to a Commission, the City Clerk will provide to the City Council a list of those persons who have been interviewed.

B. From the list provided to the Council, the Councilmembers will be asked to rank the applicants such that the number of candidates that each councilmember ranks will be one number greater than the number of vacancies. For example, if there is only one vacancy, each councilmember would rank two candidates, giving the councilmember’s first choice a “2” and the councilmember’s second choice a “1”. If there were two vacancies, the first choice would receive a “3”, the second choice a “2” and the third choice, a “1”. The City Clerk would tally the votes and the applicant(s) receiving the highest ranking(s) would then be appointed. If there is a tie vote, then this process would be repeated but only as to the individuals whose rankings were tied. In instances where there is more than one vacancy due to reasons other than the expiration of a term of office, the applicant(s) with the highest rankings will serve the full term and applicant with the next highest ranking will serve the lesser term.

PLEASE NOTE THAT USING THIS PROCESS COULD RESULT IN AN APPLICANT BEING APPOINTED EVEN THOUGH A COUNCIL MAJORITY MAY NOT HAVE SELECTED THE APPLICANT AS THE MAJORITY’S HIGHEST RANKING APPLICANT.

4.2 Committee Ranking of Applicants

Note: An option to this process would be to have the Legislation/Environmental Committee do the ranking process described above and then submit its recommendation(s) to the Council for ratification. The applicant(s) recommended would need a minimum of 4 votes from the Council to be appointed.
APPLICATION FOR APPOINTMENT
AND BACKGROUND INFORMATION FOR
BOARDS, COMMISSIONS, AND COMMITTEES

1) Please provide all information requested.
2) Please print or type all entries in black or blue ink only.
3) Any attachments must be single sided, 8 ½ X 11 paper.
4) Information contained on this form is public record.
5) With the exception of the information contained on this first page, all other information contained in this application may be posted on the City’s website for public view.
6) Submit completed application to: Office of the City Clerk, City Hall 1st Floor, 425 North El Dorado Street, Stockton, CA 95202; Phone: (209) 937-8459

BOARD/COMMISSION/COMMITTEE NAME:

Complete Supplemental Questionnaire, if applicable

Applicant Name:

Home Address: Last First Middle

Mailing Address (if different than home address)

Street Address
City State Zip

Preferred Contact Phone ( ) ______________________ Alternate Phone ( ) ______________________

Business Phone ( ) ______________________ Fax ( ) ______________________

I declare under penalty of disqualification/termination that I have been a resident at the above address for __________ (length of time)

Resident of City Council District No.: ______ Are you an incumbent? Yes ______ No ______

The City of Stockton uses email as the preferred method of communication regarding your application. Is this acceptable to you? Yes ______ No ______. If you have checked “No”, please identify how you prefer to be contacted: ______________________

Email Address: __________________________________

Employer Name: _______________________________

Employer Address: __________________________________

Voter Registration: The City of Stockton requires members of the City Council Salary Setting Commission, Civil Service Commission/Equal Employment Commission, and San Joaquin County Mosquito and Vector Control District to be registered voters of the City of Stockton. Please fill out the information below if you are applying for one of these positions so that your voter registration may be verified:

Name: ________________________________

Address: __________________________________

City: ___________________ Zip Code: ___________

Signature: __________________________________
Please state the reason you would like to be a member of this board/commission:

__________________________________________________________________________________________________________________________________________

Have you served on an advisory group before? _____ If yes, please explain: ____________________________________________________________________________

__________________________________________________________________________________________________________________________________________

How did you hear about the position? ________________________________________________________________________________________________________

City Council Policy 100-2 states that board/commission members are required to attend meetings on a regular basis. If appointed, will you be able to attend meetings regularly and devote the time necessary to fulfill your duties as a member? Yes _______ No _______

Do you or immediate family members have any relationship (professional, financial, other) that may present a potential conflict of interest for this advisory group? Yes _______ No _______

If yes, please explain _____________________________________________________________________________________________________________________

SUPPLEMENTAL QUESTIONNAIRE: Please complete the following if applying for a vacancy on any of these listed boards/commissions/committees:

☐ 49-99 Cooperative Library System Advisory Board
You must be a resident of San Joaquin County, but not the City of Lodi. Do you meet this requirement?  Yes  No

☐ Stockton Arts Commission
Outside of your profession indicate what type of Arts you are active in (circle any that apply): Music, Dance, Theater, Cinema, Photography, Architecture, Art Criticism, Textile Arts, Literary Arts, the Visual Arts, including (but not limited to) the Public or Environmental Arts, Graphic Arts, Design, Drawing, Painting, Printmaking, Sculpture, Ceramics, and Art History
Are you interested in or accomplished in fund-raising?  Yes  No

☐ Building and Housing Board of Appeals/Handicapped Access Board of Appeals
Do you have experience in any of the following areas (circle any that apply): General Building Contractor, Plumbing Contractor, Electrical Contractor, or Mechanical Contractor; Engineer or Architect.
Are you a disabled citizen?  Yes  No

☐ Central Parking District Advisory Board
Do you own real property or are you an executive officer of a corporation that owns real property within the Central Parking District?  Yes  No
Specify property address(es):____________________________________________________________________

☐ Climate Action Plan Advisory Committee
Do you actively represent any of the following interest groups within the City of Stockton (circle any that apply):
Environmental, Non-Profit Community Organization, Labor, Business, Developer

☐ Cultural Heritage Board
Are you knowledgeable have experience in, or extensive background in any of the following areas (circle any that apply): Historic or cultural traditions of the community, preservation, architecture, construction technology, real-estate, construction industry, California licensed Architect, Historian, Stockton resident for 40 years or longer.

☐ Development Oversight Commission
Do you work in Stockton or with a firm/organization that does business in Stockton?  Yes  No
State name/address of firm/organization:

Are you any of the following (check any that apply):
☐ Local architect/designer   ☐ Local Civil Engineer   ☐ Mixed Use Builder/Developer
☐ Local Representative from public at-large   ☐ Local Non Profit Builder/Developer
☐ Port of Stockton Executive (CEO or Designee)   ☐ San Joaquin Partnership Executive (CEO or Designee)
Building Industry Association  ☐ Executive (CEO or Designee) or  ☐ Mixed Use Builder/Developer
Builder's Exchange  ☐ Executive (CEO or Designee) or  ☐ General Contractor
□ Port Commission
Do you reside within the Port District boundary or consistent with the City General Plan boundaries, plus a one-half mile strip on either side of the Stockton Ship Channel from the Port to Disappointment Slough, if so for how long? ____________

□ Public Art Advisory Committee (circle any that apply)
Employed as a professional visual artist, critic of contemporary visual art forums, or have knowledge of, or skill/experience in any of the following: activist for the visual environment, public art, regional/national individual artists work, understanding of ethnic/gender diversity, the Stockton Public Art Plan processes and implications for the City, decision-making ability, willingness to tolerate/promote change, new artistic & design expressions, community activities significant enough to confirm knowledge of issues and individuals within the community. Must be a resident of Stockton for at least 3 years.

□ San Joaquin Regional Transit District Board
Have you resided within the Transit District boundaries for at least one year? □ Yes □ No
Are you a resident in the City of Stockton? □ Yes □ No

□ Sports Commission (circle any that apply)
If you are not a resident of Stockton, do you own and/or operate a business within the City or are a sponsor or associated with a sports related event, name of business or event(s): ________________________________

□ Stockton Measure M Oversight Committee
Do you reside within Stockton’s geographic boundary? □ Yes □ No
Are you at least 28 years of age? □ Yes □ No
Are you an employee of any vendor, contractor or consultant doing business with the City of Stockton? □ Yes □ No

□ Council Water Advisory Group
Do you reside within one of the Stockton Municipal Utilities’ three utility service areas? □ Yes □ No
If so, state which one: ________________________________

□ Youth Advisory Committee (fill in, circle, or check)
High school enrolled in: ________________________________ Will you be a senior next committee term? □ Yes □ No
Are you a member of one of the following Community Centers? McKinley, Seifert and Sierra Vista, Stribley and Van Buskirk, other: ________________________________
Which Council District do you reside in? District 1, 2, 3, 4, 5, or 6 (leave blank if you do not know).

BACKGROUND INFORMATION

WORK EXPERIENCE: List names, addresses, and dates of employers for the last five (5) years. Attach additional sheets of paper if needed.

FROM: MO. _______ DAY _______ YEAR _______ EMPLOYER NAME ____________________________
TO: MO. _______ DAY _______ YEAR _______ ADDRESS ____________________________
DUTIES: ____________________________

FROM: MO. _______ DAY _______ YEAR _______ EMPLOYER NAME ____________________________
TO: MO. _______ DAY _______ YEAR _______ ADDRESS ____________________________
DUTIES: ____________________________

BUSINESS ENTERPRISES: List business name, including fictitious name and address of any business enterprises currently or previously owned or operated.

FROM: MO. _______ DAY _______ YEAR _______ BUSINESS NAME ____________________________
TO: MO. _______ DAY _______ YEAR _______ ADDRESS ____________________________
TYPE OF BUSINESS OR SERVICE RENDERED:

A resume reflecting experience, community activities, or other qualifications not listed below may be attached in order to assist the Council in evaluating your application. (Optional)

EDUCATION:

CONFLICT OF INTEREST: State and local law requires that you abstain from participation in decisions that may affect your financial interests, including sources of income and interest in real property or investments. In addition, if appointed you may be required to fill out a disclosure statement that identifies certain of your financial interests beginning with the immediate twelve-month period prior to your appointment. Based on your best judgment, does this board or commission make decisions that may affect any sources of income, interests in real property, or investments of you or your spouse?

Yes _____ No _____ If yes, please explain. Identify any organizations, associations, corporations, or entities by which you are employed or associated that might be affected by decisions of this board or commission and the positions you hold.

INFORMATION REGARDING CONFLICT OF INTEREST AND FILING OF STATEMENTS OF ECONOMIC INTERESTS

In accordance with Government Code Sections 87300 – 87313 and the City of Stockton's Conflict of Interest Code, this Board/Commission/Committee may be designated to file Statements of Economic Interests.

If you are appointed to this Board/Commission/Committee, you may be required to file statements disclosing certain types of information so that the public can be made aware of potential conflicts of interest. The types of disclosure are:

- Investments
- Interests in Real Property (other than your residence)
- Interests in Real Property Held by a Business Entity or Trust
- Investments Held by a Business Entity or Trust
- Income (other than loans and gifts)
- Income – Travel Payments, Advances, Reimbursements
- Income Gifts
- Business Positions
- Commission Income Received by Brokers, Agents, and Salespersons
- Income and Loans to a Business Entity or Trust
- Income from Rental Property

If you have any questions regarding disclosure requirements, please contact the City Clerk's Office at 937-8458.

CONVICTIONS: Conviction of a crime is not necessarily a bar to appointment. Each case is considered separately based on requirements of the position; however, failure to list convictions may result in disqualification.

1. Have you ever been convicted of a felony? If yes, please explain:

2. List each civil action, if any, in which punitive or exemplary damages have been assessed against you, indicating in each instance the date of the trial, court judgment and the location of the court which rendered the judgment:
I DECLARE, UNDER PENALTY OF DISQUALIFICATION AND TERMINATION, THAT ALL
STATEMENTS IN THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY
KNOWLEDGE.

Signature ________________________________ Date ____________________________

Please identify any specialized accommodations needed for equal participation: __________________________________________

The following information is voluntary and is gathered in accordance with State and Federal laws for the purpose of evaluating the
effectiveness of our Affirmative Action and recruitment efforts. Please check: ______Male ______Female

____White (Not Hispanic Origin) All persons having origins in any of the original peoples of Europe, North Africa or the Middle East
____Black (Not Hispanic Origin) All persons having origins in any of the Black racial groups of Africa.
____Hispanic All persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin,
regardless of race.
____American Indian or Alaska Native All persons having origins in any of the original peoples of North America and who
maintain cultural identifications through tribal affiliation or community recognition. Please identify your tribal affiliation.
____Filipino All persons having origins in the Philippine Islands.
____Asian

The Stockton City Council appoints members to the various City of Stockton Boards and Commissions. The Council also appoints representatives to serve on various other San Joaquin County agencies as well. Please check the boxes below if you are interested in serving on any other boards/commissions. To find out about what these boards/commissions do and if you qualify, please visit the City of Stockton website at www.stocktongov.com/commissions.

☐49-99 Cooperative Library System Advisory Board ☐ Planning Commission
☐Arts Commission ☐ Port Commission
☐Building and Housing Board of Appeals ☐ Public Art Advisory Committee
☐Central Parking District Advisory Board ☐ Redevelopment Commission/Relocation Appeals
☐City Council Salary Setting Commission Board
☐Civil Service and Equal Employment Commissions ☐ San Joaquin County Commission on Aging
☐Climate Action Plan Advisory Committee ☐ San Joaquin County Mosquito And Vector Control
☐Community Development Committee District
☐Cultural Heritage Board ☐ San Joaquin Regional Transit District Board
☐Development Oversight Commission ☐ Sports Commission
☐Handicapped Access Board of Appeals ☐ Water Advisory Group
☐Measure W Oversight Committee ☐ Youth Advisory Commission (must be in high school
to serve on this Commission)
☐Parks and Recreation Commission

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13-10)
Resolution No. __________

STOCKTON CITY COUNCIL

RESOLUTION REVISING COUNCIL POLICY NO. 100-2 CITY COUNCIL AND MAYORAL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES, ADOPTED BY RESOLUTION 11-0175 ON JUNE 28, 2011, AND REPLACING IT WITH A NEW POLICY UPDATING THE RECRUITMENT AND APPOINTMENT PROCESS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. City Council Policy No. 100-2 City Council and Mayoral Appointments to Boards, Commissions, and Committees, revised by Resolution 11-0175 on June 28, 2011, is hereby repealed.

2. New City Council Policy No. 100-2 is hereby adopted to incorporate Commission recruitments twice a year in mid-January and mid-July and include an appointment process that would rank the applicants, a copy of which is attached as Exhibit 1 and incorporated by this reference.

PASSED, APPROVED, and ADOPTED ________ December 13, 2011 ________.

ANN JOHNSTON, Mayor
of the City of Stockton

ATTEST:

__________________________
BONNIE PAIGE, City Clerk
of the City of Stockton

City Atty: [Signature]
Review Date December 7, 2011
Policy No. 100-2 City Council and Mayoral Appointments to Boards, Commissions, and Committees

BACKGROUND

In 1975 the State Legislature amended Government Code Section 54957 of the Brown Act, removing "public officer" from those appointees that the Council could consider in executive session. This action resulted in the requirement that all discussions and deliberations by the City Council regarding appointments or confirmation of appointments are to take place in public at regular or special meetings of the City Council as opposed to closed executive sessions. This amendment was placed into effect January 1, 1976.

To comply with this new requirement, the City Council on January 19, 1976 adopted Resolution No. 32,937 establishing procedures for interviewing and confirming appointments in open Council session. The resolution additionally incorporated the existing informal procedures of the City Council regarding such appointments.

On January 1, 1977, the Maddy Local Appointive List Act of 1975 (Section 54970 et. seq. Government Code) became effective requiring, among other things, that:

On or before December 31st of each year, each legislative body shall prepare an appointments list of all regular and ongoing boards, commissions, and committees which are appointed by the legislative body of the local agency. The appointees' list shall contain the following information:

1. A list of all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.

2. A list of all boards, commissions, and committees whose members serve at the pleasure of the legislative body, and the necessary qualifications for each position.

These requirements are contained in this Council policy.

PURPOSE

To establish an orderly process to provide all citizens of Stockton equal access to specific and current information about the many regulatory and advisory boards, commissions, and committees appointed by the City Council and/or the Mayor, to provide for equal opportunity to be informed of vacancies which, from time to time, shall occur, and to provide for open sessions in the interview or confirmation appointment process. Hereafter, for sake of simplicity, all boards, commissions and committees appointed as set forth in the following "Policy/Procedure", and the planning commission, members of which are appointed by a City Council member subject to ratification by the
City Council, shall be referred to as “Commission” or “Commissions”. A member of a board, commission or committee shall be referred to as a “Commissioner”.

POLICY/PROCEDURES

I. Appointments List
   A. Each year, on or before December 31, the City Clerk shall prepare and provide to the City Council an appointments list of all regular and ongoing Commissions which are appointed by the Stockton City Council, a Stockton City Council member or by the Mayor. The appointment list shall set forth the following information:

   A list of all current Commission vacancies and of all appointive terms which will expire during the next calendar year with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.

   B. The appointments list shall be made available to members of the public on the City’s website for free or a hard copy for a reasonable fee as indicated on the City’s Fee Schedule.

II. Vacancy Announcements, Applications, Applicants
   A. Vacancy Announcements

      In mid-January and mid-July, where a vacancy on a Commission exists or where by June 30 or December 31, respectively, a Commissioner’s term of office will expire, the City Clerk shall announce through the news and social media, and post notice thereof on the City’s website and in the Office of the City Clerk, that a vacancy exists or that a term of office will expire. Announcements/postings shall indicate:

      1. Title of the position;
      2. Minimum qualifications;
      3. Special residency requirements, if any;
      4. Frequency of meetings of the Commission;
      5. Remuneration, if any;
      6. Where to submit an application;
      7. Final date for submission of an application; and
      8. Term of office.

   B. Applications

      1. All applicants for Commission membership shall complete and submit a uniform public service application form to the City Clerk’s Office prior to the final time and date for submission of the application. An applicant may submit for consideration to more than one Commission, depending on the applicant’s
qualifications and interest; provided, however, that no person may serve at one time on more than one Commission. A minimum of three weeks will be allowed to submit applications. No application will be accepted after the filing deadline as established by the City Clerk’s Office.

2. The application shall identify the membership on the Commission or Commissions being sought, the applicant’s background and qualifications and may include any additional material deemed relevant by the applicant. Additional material will not be accepted after the filing deadline.

3. If the City Clerk’s Office receives applications the number of which is equal to or less than the number of vacancies for the Commission where the vacancy exists or where a term of office will expire within the recruiting period, the City Clerk shall re-advertise within two weeks from the previous filing deadline. The City Clerk’s Office will re-advertise for three weeks. If, after this re-advertisement period, the number of applications remains equal to or less than the number of vacancies for the Commission where the vacancy exists or where the term of office will expire within the recruiting period, the City Clerk will postpone further advertising until the next recruitment period.

4. The City Clerk or other staff will review the applications to determine the applicant’s compliance with this Policy and any other requirements specified in the Commission’s Roster.

5. The City Clerk’s office shall keep applications on file and applications shall be considered active for one year.

6. All applications shall be deemed to be public documents and shall be available for public inspection. Nothing herein shall preclude the Mayor or an individual Councilmember from requesting additional or clarifying information of an applicant prior to the Council’s consideration of the applicants for appointment as provided in this Policy.

C. Applicant and Appointee Requirements

Absent specific qualifying requirements to the contrary, all applicants and appointees to Commissions shall be residents of the City of Stockton during the term of their appointment.

III. Interviews

A. The City department or affected agency that staffs a Commission for which there is a vacancy or for which a term of office will expire during the recruitment period shall prepare interview questions, reviewed and approved by the City Manager’s Office, and forward the questions to the City Clerk. To the extent feasible, questions should be open-ended and limited to no more than five key queries. The City department or affected agency that staffs a Commission, in consultation with the City Manager’s Office, will determine whether to provide the interview questions to the applicants ahead of the interview itself.

B. The City Clerk will notify the Council and the applicants regarding the date and time of the interviews. The interviews will be streamed live. This will allow the
Council the opportunity to view the interviews live via streamed video or at any time prior to the date on which the Council will make its appointment. The video stream of the interviews will remain on the City's website only until the Council concludes the appointment process.

C. The City Clerk shall notify all applicants of the time and place of the interviews, the amount of time allowed for the interview and the method by which the Council appointment shall be made. If notifying the candidates by electronic mail, the City Clerk shall also follow up with a phone call to the applicant. Applicants who desire to withdraw from consideration shall notify the City Clerk, preferably in writing.

D. On the date and time of the interview, applicants will arrive at the designated location, date and time as set by the City Clerk.

E. Applicants will assemble in the designated location where the City Clerk/designee will provide the applicants with the following information:
   1. Instructions regarding the interview procedure; and
   2. The date and time of the meeting at which the Council will be voting on the appointment; applicants may be asked by the Council to appear at this meeting.

F. Applicants will be interviewed one at a time. Candidates yet to be interviewed will be instructed to wait in a lobby or other designated location until such time that s/he is invited to the location of the interview. Applicants not present for the interview will automatically be removed from further consideration for that recruitment period.

G. During the interview, the City Clerk/designee will give the opportunity for the applicant to make a two-minute opening statement; the City Clerk/designee will read each question aloud from the list of prepared questions. Each interview is timed and limited to no more than 10 minutes per applicant. Applicants will be excused at the end of the interview.

H. Interviews will be live video streamed, and posted on the City's website for viewing by the Council and the public. The interviews and the applications will remain posted on the website only until the Council makes the appointment.

IV. City Council Appointments

A. Subsequent to the interviews, the City Clerk will immediately notify the Council that the interviews have been conducted. In order for the appointment process to continue as to any Commission, there must be at least one more applicant than the number of vacancies and/or number of expiring terms of office for that recruiting period. If not, the position will remain vacant and/or the Commissioner serving will continue to serve until his/her replacement has been appointed. If the appointment process continues, the City Clerk shall notify the Council of the date the Council will be voting on the appointments. The Council will have the opportunity to view the interviews during the live stream or may view the video stream at any time prior to the date set for Council appointment.
Councilmembers shall limit conversation regarding the applicants amongst each other consistent with the Brown Act.

B. The City Clerk will prepare a staff report relative to the interviews conducted; this report will be placed on a regular meeting agenda for Council consideration on the date indicated to the applicants. The applicants are not required to appear at this meeting unless requested by a Councilmember before the appointment date. Any Council member may ask additional questions of the applicant(s) if the applicant has been requested to appear and has appeared at the meeting.

C. At the meeting at which the City Clerk has prepared a staff report relative to the persons who have been interviewed for an appointment to a Commission, for each Commission on which there is a vacancy or for which a term of office will expire, the City Clerk will provide to the City Council a list of those persons who have been interviewed.

D. All discussions by the City Council regarding appointments or confirmation of appointments shall be conducted in compliance with the Brown Act. The appointment process shall not require a public hearing; however, persons desiring to comment on the applicants may do so prior to Council action. A Council member may ask questions or seek clarification from any applicant present at the meeting before the Council takes action.

E. From the list(s) so provided to the Council, each Council member, including the Mayor, will rank the applicants for each Commission such that the number of applicants that each Council member ranks will be one number greater than the number of vacancies and/or the number of Commission members whose terms will be expiring. (This will likely avoid tie votes.) For example, if there is only one vacancy or only one term expiring, the Council member's first choice for appointment will be ranked with the number “2” and the Council member’s second choice with the number “1”. If because of a vacancy and/or because of an expiring term, there is more than one appointment to a Commission, the Council member will assign to the Council member’s first choice the higher (est) number and lesser number(s) to the Council member’s other choice(s). For example, if there were one vacancy and one term expiring, each Council member would rank three applicants, assigning the number “3” to the Council member’s first choice, the number “2” to the Council member’s second choice and the number “1” to the third choice.

F. After the Council has ranked the applicants, the City Clerk will tally the rankings and the applicant(s) receiving the highest number(s) would, subject to Council ratification, be appointed. If there is a tie, then the process described in E above will be repeated only as to the applicants who are tied.

G. In instances where there are a vacancy and an expiring term and the term of the vacant office is less than the new term of office, the applicant with the highest number will serve the new term of office and the applicant with the next highest number will serve the lesser term.
H. Appointments to fill vacancies shall become effective immediately and other appointments shall become effective as of July 1 or January 1, respectively. Then serving Commissioners will continue to serve until the effective date of the new appointments.

V. Appointments to the Planning Commission

As to the Planning Commission, where a vacancy exists or a term of office is expiring from a particular Councilmember’s District, the Councilmember from that District shall make the appointment subject to City Council approval; for the at large Planning Commissioner, the Mayor shall make the appointment subject to City Council approval.

VI. Mayoral Appointments

As to any appointments made by the Mayor (other than the Mayor’s appointment to the Planning Commission), they shall be submitted to the City Manager for distribution to the Council at least five days prior to presentation to the Council. The City Council shall confirm or not confirm the appointment.

VII. Term of Office

No person shall serve more than two terms on any Commission. If a person is appointed to a vacancy and there are more than two years remaining on that term, that shall count as one term.

VIII. Commissioner Orientation Program

The City Clerk shall establish a formal Commissioner Orientation Program, to include the following components:

A. The appointee must take the oath of office before participating as a Commissioner.

B. The Commissioner should meet with key staff members, including the department head responsible for the Commission and the primary staff contact for the Commission, if other than the department head.

C. The Commissioner should review the Commission Handbook and be briefed on (1) the Commission’s formal role and relationship to the City Council, (2) the Commission’s meeting procedures and typical interaction with staff and City Council, (3) the Brown Act, conflict of interest requirements, and ethical training requirements, (4) technical aspects of the Commission’s jurisdiction, such as the types of issues that will be faced, and (5) key issues or projects that the Commission is or will be considering.

IX. Attendance Policy for Boards/Commissions/Committees Appointed by the Mayor and/or City Council

A. For any Board, Commission and Committee (hereafter "Commission") that meets regularly more than once a month, a commissioner’s unexcused absence from either three consecutive regular meetings or five or more regular meetings in any 12 month period shall result in the position being vacated, subject to City Council ratification as provided in this Article. For any Commission that meets regularly
once a month or less frequently, a commissioner's unexcused absences from 25% or more of the regular meetings in any 12 month period shall result in the position being vacated, subject to City Council ratification as provided in this Article.

B. Excused absences shall include illness or other medical reasons and work related conflicts. The Chairperson of the particular Commission shall determine if the absence is excused provided a commissioner provides notice of the absence to the Chairperson or to the staff person assigned to the Commission prior to the meeting. In the case of a Chairperson absence, the Vice-Chair shall make the determination.

C. The staff person assigned to the Commission shall record the attendance of commissioners in a uniform format as shown on Figure 1 – Attendance Report. As to any commissioner who is required to be a resident of a councilmember’s district, if the attendance record of that commissioner is such that additional unexcused absences would result in the position being vacated, the staff person assigned to the Commission shall notify the councilmember from that district of the commissioner’s attendance record. If the attendance records indicate that any commissioner has exceeded the number of unexcused absences as provided in Section A above, the staff person shall prepare a report to the City Council so stating and recommending that the City Council ratify that the position has been vacated. The City Council, at a regular meeting, shall consider the recommendation and take whatever action the City Council deems appropriate. If the City Council ratifies that the position has been vacated due to unexcused absences, the staff person shall notify any outside agency on which the commissioner sat of the Council action.

X. Removal of Members from Boards, Commissions and Committees

A. A person appointed by the City Council to any Board, Commission or Committee (hereafter, "Commission") shall continue to serve as a member thereof except when:

1. The person’s term of office expires and a different person has been appointed.
2. The person voluntarily resigns from the Commission.

XI. Voting Policy

Unless there is a stated Conflict of Interest, members may not abstain from voting on an issue.

XII. Mandatory Ethics Training for Commissioners

State law (commonly known as AB 1234) requires mandatory ethical training on all elected local officials and those commissions eligible to receive a stipend or reimbursement. Each commissioner to which this Article applies must receive two hours training in ethics within the first year of his/her appointment and, thereafter, must receive two hours of ethics training every two years. The City will endeavor to provide this training live and commissioners are strongly encouraged
to attend the live training in order to have interaction with, and to ask questions of, the presenter. The training may, however, also be taken on line. Failure to meet this training requirement within the applicable time frame is cause for removal.

Figure 1 – Attendance Report

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P=Present  A=Absent  E=Excused  Ill=Illness  Med=Medical Reason  Conflict=Conflict of Interest

Council Policy 100-2, IV states: "Unexcused absences from three consecutive meetings or five or more regular meetings in any twelve month period shall result in the person being vacated subject to any appeal established under any other provision and to any other established removal process. Excused absences shall include illness, medical reasons, or confirmed conflicts of interest and shall be authorized by the Chairperson of the respective body."

I hereby authorize the absences noted above pursuant to Council Policy 100-2, IV: ____________________________

CHAIRPERSON

NOTE: THIS FORM CAN BE USED FOR TWO (2) REGULAR MEETINGS. (Note: Return to Secretary upon completion.)

7/98

Adopted by Resolution No. 34,620 dated 10/31/77

Amended by Resolution Nos. 40,380 dated 2/6/84; 86-0549 dated 8/25/86; 88-0696 dated 11/7/88; 89-0017 dated 1/3/89; 90-0174 dated 3/19/90; 91-0211 dated 4/1/91; 91-0390 dated 5/28/91; 93-0070 dated 2/22/93; 95-0490 dated 10/10/95; 96-0303 dated 6/10/96; 07-0172 dated 5/01/07; 10-0271 dated 8/24/10
December 13, 2011

TO: Mayor and City Council

FROM: Bonnie Paige, City Clerk

SUBJECT: IMPLEMENTATION OF ACTION MINUTES

RECOMMENDATION

City Council Action

It is recommended that by motion action the City Council implement action minutes as the standard format for recording the actions taken at City meetings.

Summary

The implementation of action minutes for City meetings will comply with the Council goal of streamlining processes to improve efficiency across departments. Staff would like to establish a consistent standard for the preparation of meeting minutes for all meetings that are video/audio streamed and supported by the Clerk’s staff which include City Council, Redevelopment Agency, Public Finance Authority, Planning Commission, Civil Service Commission, Equal Employment Commission, Budget/Finance/Economic Development Committee, Development Oversight Commission, Cultural Heritage Board, Climate Action Planning Advisory Committee, Legislation/Environmental Committee, Audit Committee, and Community Planning/Development Committee.

DISCUSSION

Background

The detailed minutes that have typically been produced rely on staff interpretation of what was being discussed at the meeting, and translating that into a meeting synopsis which becomes the official record of the meeting. The preparation of this style of meeting minutes after a meeting is labor intensive and consumes significant staff time to complete. With the implementation of the streaming video solution for recording meetings and minutes preparation, the time necessary to prepare a set of minutes has been reduced, however, we are not utilizing the software to its fullest capability.

Present Situation

On December 9, 2008 a memorandum was sent to the City Council and Civil Service Commission announcing that the Clerk’s staff would begin providing action-only minutes for these two legislative bodies. However, to date, the formatting of these minutes have not been standardized and consistent with action-only minutes. The City Clerk’s Office
IMPLEMENTATION OF ACTION MINUTES

(has researched other cities to see how they are addressing minutes preparation, finding that most are preparing action minutes (Attachment A). Robert’s Rules of Order states that “Not only is it not necessary to summarize matters discussed at a meeting in the minutes of that meeting, it is improper to do so. Minutes are a record of what was done at a meeting, not a record of what was said.”

City staff met with the Legislation and Environmental Committee on November 15, 2011 to discuss the implementation of true action minutes for all meetings that are video/streamed and supported by the Clerk’s Office. It was the Committee’s recommendation to adopt action minutes for City meetings and to bring the matter before the full Council for consideration.

The City of Stockton has been using streaming technology since November 2003 to record the audio and video record of its meetings. These video files, along with the documents presented at the meetings, are kept as the permanent record of the meeting and are available on the City’s website for public review. Since the implementation of the streaming video, requests for information regarding meeting content has been reduced, indicating that staff and citizens have adapted to the use of this technology.

FINANCIAL SUMMARY

There will be no financial impact.

Respectfully submitted,

Bonnie Paige
BONNIE PAIGE
CITY CLERK
BP: bh

Attachment A – Sample minutes from the City of Sacramento
Meetings of Sacramento  
City Council  
Financing Authority  
Housing Authority  
Redevelopment Agency

DRAFT Minutes
Tuesday, January 11, 2011
6:00 P.M.
City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Actions; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. “To Be Delivered” and “Supplemental” reports will be published as they are received. Hard copies are available at the Office of the City Clerk and all written material received is available at the meeting for public review.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)


Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.
DRAFT Minutes
Tuesday, January 11, 2011
6:00 P.M.

City Hall – 915 I Street- First Floor Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session - 6:00 p.m.

Regular session called to order by Mayor Kevin Johnson at 6:07 p.m. Tuesday, January 11, 2011 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson

Pledge of Allegiance—led by Roman Phillips, student participant in Youth @ City Council Program.

Closed Session Report – None.

Public Comments-Matters Not on the Agenda (2 minutes per speaker)

1. Safeground and Homelessness
   a. Raquel Pena
2. Citizen Auditor
   a. Bill Grant
3. Code Enforcement
   a. Doug Petersen
4. Health of Sacramento
   a. Michael Harris
5. Youth Violence
   a. Rhonda Erwin
6. Arrest Complaint
   a. Lamont Houze
7. Arena Issues
   a. Doug Tatara
Consent Calendar (Items 1-15) Estimated Time: 5 minutes (Actual Time: 2 minutes)

Action: Moved/Seconded: Member Robert King Fong /Member Kevin McCarty
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

A motion passed to adopt the Consent Calendar in one motion except as indicated at each item.

1. 2011 Mayoral Appointments to Council Standing Committees and Regional Authorities, Agencies and Committees
   Report ID #: 2011-00024
   Location: (Citywide)
   Action: Adopted 1) Resolution No. 2011-007 confirming the Mayor’s appointment of Councilmembers to Council standing committees, and various regional authorities, agencies and committees; and 2) Resolution No. 2011-008 confirming the Mayor’s appointment of Councilmembers to the Sacramento Regional County Sanitation District and Sacramento Area Sewer District Boards as required by SB1663.
   Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

   Report ID #: 2011-00022
   Location: (Citywide)
   Action: Received and filed.
   Contact: Lydia Abreu, Investment and Operations Manager, (916) 808-7746, Office of the City Treasurer.

3. Council Rules of Procedure (CRP) (Continued from 1-4-11)
   Report ID #: 2011-00089
   Location: Citywide
   Action: Adopted Resolution No. 2011-009 as amended to include the agreed upon Council Norms and Expectations as discussed at Council’s January 6, 2011 workshop; approving the Council Rules of Procedure modifying the Board and Commission vacancy announcement process.
   Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

4. Heliport Approval Authority
   Report ID #: 2011-00076
   Location: (Citywide)
   Action: Adopted 1) Resolution No. 2011-010 delegating to the City Planning Commission authority to approve the plan of construction for new heliports; 2) Resolution No. 2011-011 approving the plan for construction of a helistop at Kaiser South Sacramento Hospital.
   Contact: Lindsey Alagozian, Senior Planner, (916)808-2659, Community Development

Tuesday, January 11, 2011 DRAFT Minutes 266
5. **Contract: Title Report Search Services**  
   **Report ID #: 2011-00014**  
   **Location:** (Citywide)  
   **Action:** Continued to January 18, 2011 a Resolution 1) awarding a contract for title report search services to Placer Title Company; and 2) authorizing the Interim City Manager or his designee to execute the Non-Professional Service Agreement with Placer Title Company for an amount not to exceed $595,000.  
   **Contact:** Ron O’Connor, Operations Manager, (916) 808-8183, Community Development Department.

6. **Ordinance Amendment: Shovel Ready Investment Protection Ordinance (M10-020)** (Passed for publication on 1-4-11; Published on 1-7-11)  
   **Report ID #: 2011-00026**  
   **Location:** (Citywide)  
   **Action:** Adopted Ordinance No. 2011-001 amending and pertaining to the three year extension of certain land use entitlements and building permits.  
   **Contact:** Sandra Yope, Senior Planner, (916) 808-715, David Kwong, Planning Manager, (916) 808-2691, Ron O’Connor, Operations Manager, (916) 808-8183, Community Development Department

7. **Appropriation of Funds for Settlement Agreement Related to Fire Stations 20 and 30**  
   **Report ID #: 2011-00023**  
   **Location:** (Districts 1 and 2)  
   **Action:** Adopted Resolution No. 2011-013 amending the FY2010/11 Capital Improvement Program (CIP) budget by appropriating $200,000 in 2002 CIP Bond Funds (Fund 3002) contingency to the North Sacramento Fire Station Project (Fire Station 20, F13000600).  
   **Contact:** Reina J. Schwartz, Director, (916) 808-7195, Department of General Services.

8. **Amendment to Personnel Resolution Covering Unrepresented Officers and Employees**  
   **Report ID #: 2011-00072**  
   **Location:** Citywide  
   **Action:** Adopted Resolution No. 2011-014 amending the Personnel Resolution Covering Unrepresented Officers and Employees in order to correct an error and omission.  
   **Contact:** Tosha Cherry, Support Services Manager, (916) 808-5498, Department of Human Resources.
9. New FY 2010/11 Ethel MacLeod Hart Trust Fund Projects
Location: (Citywide)

Action: Adopt Resolution No. 2011-015 approving the following new Ethel MacLeod Hart Trust Fund projects for FY2010/11: a) the Ethel MacLeod Hart Fun Pass Program, in the amount of $60,000; and b) programs, events, publications and facility enhancements commemorating the 50th Anniversary of the Hart Senior Center, in the amount of $10,650.

Contact: Sylvia Fort, Recreation Manager (916) 808-8381, Department of Parks and Recreation.

10. El Camino Avenue Sidewalk Improvements (T15075203)
Report ID #: 2011-00012
Location: District 2

Action: Adopted Resolution No. 2011-016 1) establishing the El Camino Avenue Sidewalk Improvements Project (T15116300); and 2) transferring $149,667 (Fund 3004) of District 2 CRCIP funds to the project.

Contact: Cecilyn Foote, Associate Civil Engineer, (916) 808-6843, Ryan Moore, Supervising Engineer, (916) 808-8279, Department of Transportation.

11. Approval to Submit Application for Urban Forestry and Urban Greening Leading Edge Projects Grant
Report ID #: 2011-00020
Location: (Citywide)

Action: Adopted Resolution No. 2011-017 authorizing staff to submit an application to the State of California, Department of Forestry and Fire Protection for an Urban Forestry and Urban Greening Leading Edge Grant.

Contact: Joe Benassini, Urban Forestry Manager, (916) 808-6258, Department of Transportation.

Report ID #: 2011-00013
Location: (Citywide)

Action: Adopted Resolution No. 2011-018 authorizing the City Attorney to: 1) enter into a Legal Services Agreement with Lennihan Law, a professional corporation, for Martha Lennihan to continue providing specialized legal services to the City with respect to water supply, water resources and water rights issues and proceedings, for an annual amount not to exceed $150,000; and 2) renew the agreement after the initial one year term for up to four successive one-year renewals, provided that sufficient funds have been allocated in the City Council's annual budget appropriation for the applicable fiscal year(s).

Contact: Marty Hanneman, Director, (916) 808-7508, Department of Utilities, Joe Robinson, Senior Deputy City Attorney (916) 808-2009, Office of the City Attorney
13. Agreement: Interstate 5 Corridor Landscape Design Phase 2  
Report ID #: 2011-00016  
Location: (District 1)

Action: Adopted Resolution No. 2011-019 authorizing the City Manager to execute the agreement with The HLA Group for design of the Interstate 5 Corridor Landscape Project – Phase 2, for a not to exceed amount of $135,235.

Contact: Bill Busath, Interim Eng Manager, (916) 808-1434, Rick Batha, Supervising Eng, (916) 808-1448, Department of Utilities.

14. Grant: Application and acceptance of California Emergency Management Agency's (CALEMA) Project Safe Neighborhood (PSN) Program Grant (#G11008800)
Location: (Citywide)

Action: Adopted Resolution No. 2011-020 1) authorizing the City Manager or the City Manager’s designee to apply for and accept $56,000 in federal grant funding through the California Emergency Management Agency’s Project Safe Neighborhood Program; 2) establishing a new grant project for the Project Safe Neighborhood Program; and 3) adjust the necessary grant revenue and expense budgets to implement the Project Safe Neighborhood Program (#G11008800).

Contact: David Johnson, Lieutenant, (916) 808-0652, Police Department.

15. Railyards Proposition 1C Grant Agreement Assignment: 5th Street Extension Project (To Be Delivered)
Report ID #: 2011-00003
Location: Railyards (District 1)

Action: Continued to January 18, 2011 a Resolution 1) affirming approval of the agreement and General Release of Claims with the State Department of Housing and Community Development (HCD), S. Thomas Enterprises of Sacramento, LLC (“Thomas”), I.A. Sacramento Rail, L.L.C. (“Inland Rail”) and IA Sacramento Development, L.L.C. (“Inland Development”), and Affirming Approval of the Contractor Release and Hold Harmless Agreements with Kimley-Horn and Associates, MCM Construction, Inc., Quincy Engineering, Inc., Teichert Construction, TKW Consulting, and Vali Cooper & Associates, Inc. to allow for payment of Transit Oriented Development (TOD) grant funds for work performed for the 5th Street Extension Project (T15029050); 2) ratifying the Letter Agreement with HCD and Inland Rail; 3) terminating the Assignment and Assumption Agreement for the TOD Contract between City and Thomas (City Agreement 2009-0905); 4) approving the Amendment to Standard Agreement and the Disbursement Agreement (City Agreement No. 2009-0904, the “TOD Contract”) with HCD and Inland Development for the Railyards TOD grant; and 5) Approving the TOD Grant Assignment and Assumption Agreement with Inland.

Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Department of Transportation.
Public Hearings (Items 16-18)
Public hearings may be reordered by the Mayor at the discretion of the legislative bodies.

16. **Estimated Time: 1 hour**
    Call-Up of New Residence of Alley at 2207 C Street (Noticed on 12-30-10)
    Report ID #: 2011-00019
    Location: (District 3)

    **Action:** Moved/Seconded: Member Bonnie Pannell /Member Steve Cohn
    **Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

    A motion passed to continue to February 1, 2011.
    **Contact:** David Hung, Associate Planner, (916) 808-5530, Community Development Department.

17. **Estimated Time: 5 minutes** (Actual Time: 2 minutes)
    Annexation No. 19 to the Neighborhood Park Maintenance Community Facilities District (CFD) No. 2002-02 (Noticed on 12-17-10)
    Report ID #: 2011-00010
    Location: (District 3)

    **Action:** Moved/Seconded: Member Steve Cohn /Member Robert King Fong
    **Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

    Conducted a public hearing with no public comment; and upon conclusion a motion passed adopting Resolution No. 2011-022 establishing the CFD annexation, providing for Levy of Special Tax and calling for a Special Election on January 28, 2011.
    **Contact:** Diane Morrison, Program Specialist, (916) 808-7535, Finance Department.

18. **Estimated Time: 5 minutes** (Actual Time: 2 minutes)
    Neighborhood Park Maintenance CFD 2002-02 Unanimous Consent Process
    (Noticed on 12-8-10)
    Report ID #: 2011-00011
    Location: (Citywide)

    **Action:** Moved/Seconded: Member Bonnie Pannell /Member Steve Cohn
    **Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

    Conducted a public hearing with no public comment; and upon conclusion a motion passed adopting Resolution No. 2011-023 establishing the future annexation area and levying a special tax within annexed areas.
    **Contact:** Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.
Council Comments-Ideas, Questions and Meeting/Conference Reports – None.

Adjourned – 6:45p.m. in memory of Eleni (Helen) Angelidas, Kyle Caluya, Jan Marcus, Carol Martinez and General Vang Pao.