

## CITY COUNCIL POLICY

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SUBJECT: COUNCIL ADVISORY BODY APPOINTMENTS

NO.: K-2

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### PURPOSE:

To establish policies and procedures governing the appointment of City commission, board, and committee members (collectively, "Council advisory bodies").

### POLICY:

1. The Mayor shall appoint three Councilmembers to the Council Appointments Review Committee, one of whom shall be designated as Chair. The responsibility of the Committee is to systematically screen candidates and make recommendations to the entire Council.
2. It is the policy of the City Council to appoint ~~members to Council advisory bodies who are~~ qualified electors (i.e., registered voters) of the City ~~and to the Environmental Planning Commission (EPC), Library Board of Trustees, and Parks and Recreation Commission. For all other advisory bodies, the members are not required to be registered voters. It is also the policy of the City Council to appoint members to all advisory bodies~~ who will provide, as nearly as possible, a representative balance of the broad population of the City. Appointees to Council advisory bodies serve at the pleasure of the City Council.

The overriding criterion for appointment, however, must be the Council's belief that the person appointed can bring skill, integrity, knowledge, interest, and especially an understanding of the basic obligation to evaluate issues in the broad context of the public interest.

Appointed persons shall be limited to two consecutive terms prior to reappointment on a given advisory body with the exception of the Downtown Revitalization Committee. However, where the City Council expressly determines it to be in the best interest of the community, the City Council may reappoint beyond this limit.

3. A person appointed to an advisory body can only serve on one advisory body at a time. Unless appointed to an unexpired term of less than two years caused by resignation or other such vacancy, the term of office for each advisory body member shall normally be four years or until a successor is appointed and shall, where possible, commence on the first day of January.

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4. The City Clerk shall provide application forms and shall maintain a composite listing of all applications on file which have been received. The names of applicants on file in the City Clerk's Office shall be available to the public. An application may be submitted at any time, but must be renewed every year on or before September 30.
5. Persons being considered for appointment (or reappointment) must be interviewed at least once to qualify for appointment.

### PROCEDURES:

#### 1. Appointments/Reappointments

- a. During August of each year, the City Clerk shall poll all incumbents eligible for reappointment regarding their interest in being reappointed.
  - (1) In NO case shall automatic reappointment of an incumbent be assumed.
  - (2) The Appointments Review Committee will consider the actual performance, contribution, and record of incumbents in determining whether the person should be reappointed.
  - (3) The City Clerk will provide the Appointments Review Committee Chair with a listing of all eligible incumbents interested in being appointed.
- b. During September of years when any advisory body terms are expiring, the City Clerk shall, in coordination with the Council Appointments Review Committee Chair, be responsible for ensuring that there is suitable advertisement of upcoming appointments. This shall include appropriate display ads in local newspapers, as well as other special ads where possible,

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including a suitable ad (e.g., one-half page in *The View*) providing informative descriptions of the various advisory bodies, their responsibilities, etc.; and other possible methods, such as cable television announcements, a special, reusable television production on commission membership, etc.

Advertisements shall state whether or not the incumbent for an appointment is eligible for reappointment and whether or not the incumbent has requested reappointment.

Also during the month of September, the City Clerk shall send all current applicants a new application form and a brief synopsis of this City Council policy.

- c. During the first week of October, the City Clerk shall provide the Council Appointments Review Committee with copies of applications received for all advisory body openings.

Also during the first week of October, the City Clerk shall coordinate with the Council Appointments Review Committee Chair to schedule interviews with all applicants for each advisory body opening.

- d. Between October 15 and November 30, the Council Appointments Review Committee shall interview all applicants, with the exception of ~~Environmental Planning Commission (EPC)~~ applicants. The entire City Council will interview EPC candidates at a Council Study Session during the month of November and, at the conclusion of the interviews, the Council shall determine their appointment recommendations and take final action at the next Regular Council meeting. Attachment A to this policy outlines the selection process for the EPC.

At the conclusion of the interviews, the Council Appointments Review Committee shall determine its appointment recommendations. The Appointments Review Committee (or City Council for EPC appointments) may also identify additional members to serve as “alternates” who could be appointed directly, if a vacancy is created by the election of a current board, commission, or committee member to the City Council.

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If the majority of the Appointments Review Committee determines that a sufficient number of or cross-section of suitable applicants was not available to be considered, no recommendation need be made. In this case, the opening(s) shall be readvertised and recommended qualified appointments forwarded to the Council at the earliest possible date.

- e. The Council Appointments Review Committee shall make a written recommendation to the City Council at a Council meeting in November or December, at which time the appointments shall be made.

In the event of delay or other inability to make a prompt appointment, the departing incumbent may, unless otherwise directed by the City Council, continue to serve until replaced.

- f. Upon the City Council adoption of the resolution of appointment, the Council Appointments Review Committee Chair shall notify each appointee in writing and include a statement concerning the legal requirements that the appointee must meet. A copy of the notice of appointment shall be sent to the secretary of the appropriate advisory body.

- g. [All persons appointed to an advisory body must take either the loyalty oath required by the State Constitution as set forth in Attachment B or, if they are not a U.S. citizen, the alternative oath in Attachment C.](#) The City Clerk shall administer and file the oath of office and determine that all other legal requirements have been met and shall then notify the secretary of the advisory body that the appointee is ready to act in official capacity.

### 2. Vacancies

- a. The secretary of each advisory body shall notify the City Clerk promptly in the event that any advisory body member is absent without excuse for three regularly scheduled meetings consecutively or within a calendar quarter.

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- b. The City Charter requires an office to become vacant if an advisory body member has been absent from three regular consecutive meetings without a qualified excuse. A qualified excuse occurs if any of the following apply:
- The advisory body consents to the absence either before, or at the meeting immediately after the absence, for the advisory board member to attend to official duties of the City, including, but not limited to, representing the City at conferences or official functions;
  - The advisory board member is ill;
  - The advisory board member is on bereavement leave due to the death of a family member as defined in the City's Personnel Rules;
  - The meeting was not on the advisory board member's formally adopted annual schedule of meetings if an annual schedule was adopted.
- c. In that event or if the advisory body member is convicted of a crime involving moral turpitude or ceases to be a qualified elector of the City, the City Clerk shall notify the City Council who shall then declare that such office is vacant.
- d. Resignations may be submitted at any time to the City Council, either directly or through the advisory body chair.
- e. Whenever a vacancy occurs for any reason except for the expiration of the term, the City Clerk shall post a special notice of vacancy in the City Clerk's Office and other places as directed by the City Council no earlier than twenty (20) days before or later than twenty (20) days after the occurrence of the vacancy.
- f. Upon notice of the vacancy, the Council Appointments Review Committee shall initiate Steps 1.d and 1.e, leading to a recommendation to the City Council for a successor to such vacancy, and a successor shall be appointed to serve only to the date of the unexpired term pursuant to Section 905 of the City Charter.

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- g. Notwithstanding the foregoing, the City Council shall not make a final appointment to an advisory body for at least ten (10) working days after the posting of the notice of vacancy in the City Clerk's Office, City Hall bulletin board, Library bulletin board, and other places as directed by the City Council. However, upon a finding that an emergency exists, the City Council may fill the unscheduled vacancy immediately with a person appointed to serve only on an acting basis until the final appointment to the advisory body is made.

### 3. Removal

An advisory body member is subject to removal by motion of the City Council adopted by at least four affirmative votes.

Revised: January 14, 2014, Resolution No. 17832

Revised: November 17, 2009, Resolution No. 17441

Revised: October 28, 1997

Effective Date: January 26, 1976

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ENVIRONMENTAL PLANNING COMMISSION (EPC) MEMBERS  
SELECTION PROCESS

1. EPC candidates will be interviewed by the full Council.
2. Council will conduct individual interviews, allotting 15 minutes time for each candidate.
3. Interview questions will be handled as follows:
  - Supplemental Questionnaire (Preinterview Application): Candidates are required to submit, along with their City application form, a typewritten response, limited to a total of approximately 350 words, to the following questions:
    - (1) What qualifies you for this position?
    - (2) What do you think are the major issues for land-use planning in the City of Mountain View?
    - (3) Give some Mountain View examples of successes and failures in planning.
  - Oral Interview:
    - (1) A two-minute opening statement by each candidate including why he/she wants to serve on the EPC.
    - (2) Council will ask each candidate the same core questions, allowing three minutes for each question:
      - a. How would you balance private and community benefits?
      - b. What criteria would you use to evaluate a Mountain View development? In your answer, refer to both residential and commercial/retail projects.
      - c. What issues do you think would be of particular importance to you as an EPC Commissioner?

Within the time limits of each individual interview, Council may ask the candidate a limited number of follow-up questions relating to the candidate's opening statement or to clarify the candidate's answers to the core questions.

**California Constitution Oath**

“I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.”



**Alternate Oath**

“I, \_\_\_\_\_, accept my appointment to the Mountain View  
\_\_\_\_\_ (name of advisory body). I understand the  
duties of a Mountain View \_\_\_\_\_ (name of  
advisory body) and promise I will faithfully discharge the duties upon which I am  
about to enter.”