

CITY OF YUBA CITY  
STAFF REPORT

**Date:** February 5, 2019

**To:** Honorable Mayor & Members of the City Council

**From:** Administration

**Presentation By:** Terrel Locke, Assistant to the City Manager

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**Summary**

**Subject:** Boards and Commissions Appointment Process Discussion

**Recommendation:** Discussion of the Selection Procedure of City Boards and Commission Members

**Fiscal Impact:** None.

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**Purpose:**

To ensure the Council has persons whose particular strengths, backgrounds, experience, perspective, and talents are evaluated for appointment to the City's Boards and Commissions.

**Background:**

At the City Council meeting on January 15, 2019, Council requested that staff explore how other cities appoint their Board and Commission members and report back to Council. The current process was set by Council in 1992, which is to have two Council members assigned as an Ad Hoc Committee to interview the Commission applications and bring recommendations to the Council at a regular meeting for confirmation. Background checks are performed on all final candidates prior to appointment (except Youth Commission).

**Analysis:**

**Attachment A:** Results from the request sent to the League of California Cities City Clerk's Department "list-serve" asking for information regarding how their city conducts their Boards and Commissions appointment process. I asked for responses from agencies who had a different method than Yuba City followed. Twelve responses were received.

**Attachment B:** Copies of the Yuba City Municipal Code regarding the appointment process for each commission.

- a) The Planning Commission states: "The Commission shall be composed of seven members appointed by the Mayor and confirmed by the Council."
- b) The four other commissions do not specify a selection process, but do include the language: "...confirmed by Council."

**Attachment C:** Copy of Minute Orders from December 1, and December 15, 1992 discussing the Procedure for Selection of City Board and Commission Members.

**Summary of 1992 Council discussion per minutes:**

- December 1, 1992:
  - Current practice as of December 1992 – the interview process was done away a couple years ago. All applications came to the Council and there was a ranking system where the highest scores would be appointed. Applicants not interviewed.
  - The suggestion was to go back to the sub-committee method of two Council members being appointed to interview applicants and report back to Council with a recommendation, due to the large amount of applicants.
- December 15, 1992
  - Council approved the proposed process of assigning a sub-committee of two Council members to interview applicants and report back to Council with a recommendation, and all Council members having access to the applications.
  - City Attorney Sanborn stated that there is no change to the process, as the actual appointments are made by the Mayor, subject to confirmation by Council.

**Recommendation:**

Discussion of the Selection Procedure of City Boards and Commission Members

Prepared By:

*/s/ Terrel Locke*

Terrel Locke  
Assistant to the City Manager

Submitted By:

*/s/ Steven C. Kroeger*

Steven C. Kroeger  
City Manager

Review by:

City Attorney

[SLC by email](#)

**ATTACHMENT A**

RESPONSES FROM LEAGUE OF CALIFORNIA CITIES LIST SERVE

<p><b>Question posed to City Clerk List Serve:</b></p>	<p>How does your Council interview for members of their Boards and Commissions?</p> <p>Currently, we have a "screening committee" of the Mayor and Vice-mayor who interview all the applicants and then make their recommendations to the rest of the Council at a regular meeting for approval by the entire Council. The tops candidates have a background check before being recommended for appointment.</p> <p>If you have another method of interviews and appointments, please let me know.</p>
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	City	Process
1	Belmont Population: 27,140	Our council interviews and appoints as a whole. They do interviews in panels of 3-4 candidates per panel. I usually allocate 30-45 minutes per panel.
2	Delmar Population: 4,363	<p>Our process involves the entire Council interviewing applicants for Planning Commission and Design Review Board at a regular meeting, and making the selection/appointments as part of that process. There is no Council subcommittee for appointments to legislative bodies.</p> <p>However, the process for advisory committee appointments is similar to what you have described below.</p> <p>I have attached a staff report for your reference that is included in the Council agenda packet for their meeting this coming Monday, which pertains to appointments to the City's Design Review Board. This will give you a good ideas of how our process works. I have also attached Council Policy 200 which pertains to Committee Appointments.</p>
3	Laguna Beach Population: 23,147	<p>Our full Council interviews and appoints residents to our Committees, Commissions and Boards.</p> <p>We have a special meeting just for Interviews and Appointments to various Committees, Commissions and Boards</p> <p>The Council interviews each applicant individually while the others wait outside so they do not hear the interview questions....</p> <p>All interviews are open to the public.</p>

	City	Process
4	Lakeport Population: 4,762	We have an Ad Hoc Selection committee consisting of 2 Council Members appointed by the entire Council. They interview the candidates and make recommendations back to the Council. The Council doesn't necessarily take the recommendation, and can vote to appoint a different candidate.
5	Monterey Population: 28,639	Our process is similar to yours. Our Boards and Commissions Committee (made up of Mayor and Vice Mayor) interviews applicants, and then makes recommendations to the full Council for approval at a regular meeting.
6	Pacifica Population: 39,087	We schedule a Special City Council Meeting for the Committee / Commission interviews and all five of our Councilmembers participate in the interview process.  They then make the appointments to the Committees / Commissions at a regular Council Meeting.
7	Palo Alto Population: 67,178	Palo Alto's process involves a few steps. <ol style="list-style-type: none"> <li>1. Applications submitted either electronically via DocuSign or via paper application – <a href="#">Recruitment Webpage</a></li> <li>2. Full Council reviews submitted applications and decides which applicants to interview. Council typically interviews all applicants – Sample <a href="#">Staff Report</a></li> <li>3. Full Council conducts interviews – Sample <a href="#">Staff Report</a></li> <li>4. Council makes appointments – Sample <a href="#">Staff Report</a></li> </ol>
8	Pismo Beach Population: 8,237	Our entire Council interviews all applicants, one by one, in a special open session. It has both its benefits and drawbacks, to be sure.

	City	Process
9	Sacramento Population: 501,901	Completed applications for Boards and Commissions are forwarded to the Personnel & Public Employees Committee (Standing Committee of the City Council) for review. The P&PE Committee reviews the applications and conducts interviews during P&PE meetings. The P&PE Committee makes recommendations for nominations that are forwarded to the Mayor for review. Each appointee recommended by the P&PE Committee shall submit background information to the City Clerk within two (2) days of the date the recommendation is made, prior to appointment. The Mayor makes the appointments at a regular City Council meeting, subject with the concurrence of a majority of the City Council.
10	San Carlos Population: 30,499	Our full Council is involved in the interview process. Once the application period ends, our full Council holds a special meeting to interview each applicant individually for about 15-20 minutes. This process works when there's less than 10 applicants. For our last Planning Commission recruitment, we had onwads of 50 applicants! In that situation, we had a Council ad hoc committee review the applications and invited their top 25ish applicants. From there, they selected 10 to proceed to the next round of interviewing with the full Council.
11	Santa Cruz Population: 65,021	Santa Cruz holds a special meeting to conduct advisory body interviews. It is not required for applicants to attend. The appointments are then done at the following regular council meeting.  If they don't attend, they aren't interviewed. The Council will only have their applications to go by.
12	Walnut Population: 30,199	Our process consists of providing the City Council with all applications for each commission with a review period of 10 days. Once they review the applications they provide the City Clerk's office with their 1 <sup>st</sup> and 2 <sup>nd</sup> choice for each commission. The City Clerk will take the first appointment as received and add to each commission. This may take a couple of emails in order to update the City Council which names have already been selected. Finally the Clerk will provide a final copy of all the appointments for each commission and prepare a staff report and present to Council to ratify all the appointments. Our Ordinance provides for a

		<p>one year term, which ends on June 30, and the new term begins on July 1<sup>st</sup>.</p> <p>There is no formal interview process. For the most part, many of the applicants provide a resume of their qualifications to serve on each board. We have the following boards: Planning Commission, Parks &amp; Recreation Commission, Youth Advisory Commission and Senior Citizen Commission.</p> <p>The thought behind this was for all Council to see the applications and resumes (if any) and make a selection.</p>
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**ATTACHMENT B**

YUBA CITY MUNICIPAL CODE  
COMMISSION APPOINTMENTS



## PLANNING COMMISSION

Sec. 8-1.01. - Created; membership.

The Planning Commission established and created by Ordinance No. 192 entitled "An Ordinance Establishing and Creating a City Planning Commission," is hereby re-established and recreated without loss of continuity under and by authority of the State Planning Law. **The Commission shall be composed of seven members appointed by the Mayor and confirmed by the Council.** Six members of the Commission shall reside within the corporate limits of the City. One member shall be from the Sutter County Planning Commission. The Planning Director shall be an ex officio member and shall serve as the secretary to the Commission. All members of the Commission, except ex officio members, shall have the right to vote. One member of the Commission may be appointed to simultaneously serve upon the Sutter County Planning Commission pursuant to appropriate County ordinance providing for such appointment, and when so appointed, shall continue to serve and hold office of City Planning Commissioner and County Planning Commissioner until their successor is duly appointed and qualified.

(§ 1, Ord. 194, as amended by § 1, Ord. 739, eff. March 9, 1977; § 1, Ord. 943, eff. March 22, 1984; § 1, Ord. 28-92, eff. December 17, 1992)

## PARKS AND RECREATION COMMISSION

Sec. 9-1.01. - Creation/membership.

**The Parks and Recreation Commission shall be composed of five members confirmed by the City Council.** The City Council may choose to appoint one alternate member to the Commission, who would serve normally as a nonvoting member. In the absence of a regular member of the Commission, the alternate member shall take the absent individual's seat and have the right to vote. All members of the Parks and Recreation Commission shall reside within the City of Yuba City. The Parks and Recreation Director or his/her designee shall be an ex officio member and shall serve as Secretary of the Commission.

(§ 1, Ord. 002-02, eff. March 7, 2002)

## SENIOR COMMISSION

Sec. 2-10.01. - Creation/membership.

The City of Yuba City Senior Commission is hereby established. **It shall be composed of seven members confirmed by the City Council.** The City Council may choose to appoint one alternate member to the Commission, who would serve normally as a non-voting member. In the absence of a regular member of the Commission, the alternate member shall take the absent individual's seat and have the right to vote. All members of the Senior Commission shall reside within the City of Yuba City. The Parks and Recreation Director or his/her designee shall be an ex officio member and shall serve as Secretary of the Commission.

It is the intent of the City Council that a diversified group of senior citizens be appointed to the Commission. In that regard, every effort will be made to select Commissioners who represent a broad section of views related to programs for the elderly; for example, representation could come from the Yuba City Senior Center, the Senior Nutrition Center, senior housing facilities, etc.

(§ 1, Ord. 13-93, eff. November, 1993; § 1, Ord. 003-02, eff. March 7, 2002; § 1, Ord. 001-04, eff. February 19, 2004)

## **YOUTH COMMISSION**

Sec. 2-11.01. - Creation/membership.

The City of Yuba City Youth Commission is hereby established. **It shall be composed of nine members confirmed by the City Council.** The City Council may choose to appoint one alternate member to the Commission, who would serve normally as a nonvoting member. In the absence of a regular member of the Commission, though, the alternate member shall take the absent individual's seat and have the right to vote. All members of the Youth Commission shall reside within the City of Yuba City. The Parks and Recreation Director or his/her designee shall be an ex officio member and shall serve as Secretary of the Commission.

It is the intent of the City Council that a diversified group of young people be appointed to the Commission. Members of the Commission shall be between the ages of 12 to 19 (middle school through high school). Every effort shall be made to select Commissioners who represent a broad section of views related to programs for the youth. Eligible persons shall hold office to which he or she may be appointed until the expiration of such member's term of office notwithstanding that said appointee has reached an age in excess of 19 years.

(§ 1, Ord. 15-93, eff. November 18, 1993; § 1, Ord. 004-02, eff. March 7, 2002)

## **ECONOMIC DEVELOPMENT COMMISSION**

Sec. 2-12.01. - Creation/membership.

The City of Yuba City Economic Development Commission is hereby established. **It shall be composed of five members confirmed by the City Council.** The City Council may choose to appoint one alternate member to the Commission, who would serve normally as a nonvoting member. In the absence of a regular member of the Commission, the alternate member shall take the absent individual's seat and have the right to vote. The City Manager or his/her designee shall be an ex officio member and shall serve as Secretary of the Commission. All members of the Commission except ex officio members shall have the right to vote.

(§ 1, Ord. 009-08, eff. October 16, 2008)

**ATTACHMENT C**

MINUTE ORDERS 12/15/92  
PROCEDURE FOR SELECTION OF  
CITY BOARDS AND COMMISSION MEMBERS

- C. Adopted Resolution No. 92-214 approving two-year service agreement with Lotepro Corporation for maintenance of oxygen generation system at Sewer Treatment Plan.
  - D. Adopted Resolution No. 92-215 accepting public improvements built in accordance with Brundy Court development agreement and authorizing developer to file notice of completion.
- Adopted Resolution No. 92-216 approving final map for Brundy Court, accepting right-of-way and easements shown thereon and authorizing filing of map.
- E. Traffic Committee Meeting, information only, no action taken.
  - F. Adopted Resolution No. 92-217 authorizing City Administrator to execute agreement with Keith Fine for professional public works services.
  - G. November 30, 1992 disbursement list was approved for \$1,622,686.85, check numbers 21859 through 22016.

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- A. Councilman Barkhouse explained that Item A was to approve the minutes of the October 6, 1992 meeting and he wanted to make a correction on the 6th page, item #2, Ordinance #24-92. He stated this dealt with the property to the north side of town that came up for approval. In the discussion that was recorded for this item, he said there was a mistake as far as his comments in this section. He requested a sentence be changed from "... it could be universal style classrooms and could help alleviate the overcrowding of the City" to "...it could be universal style classrooms and could help alleviate the overcrowding of the schools". The other change was from a sentence which read "...if this concept is not acceptable, there is the mitigation of air pollution and energy conservation issues" to "...this concept would help mitigate air pollution and energy conservation."

Councilman Barkhouse moved to approve item 6A with the corrections indicated. Councilman Nelson seconded the motion, which passed with the following vote:

Ayes:	Councilmen Barkhouse and Nelson, Councilwomen Hearne and Hilliard, and Mayor Cartoscelli
Noes:	None
Absent:	None
Abstain:	None

Dec. 1, 1992

7. BUSINESS FROM THE COUNCIL

Mayor Cartoscelli asked each councilmember if they had any business at this time.

Councilman Nelson brought up an item that he would like to bring up for consideration from the Council. He said there were quite a few applicants for the Planning Commission, the Parks and Recreation Commission and also the Traffic Committee. Presently, all the applications come to the Council and there is a ranking file to determine position of those applicants. There has

been discussion to change this to appoint two members from the Council to interview these applicants. This method was done in the past, and taking into consideration the large number of applicants, it would be near impossible to have the whole Council interview these people. He stated perhaps the Council could look into appointing two Councilmembers to do the interviewing and report back to the full Council with a recommendation.

For the benefit of the new councilmembers, Councilman Nelson explained that in the past there was a committee of two councilmembers appointed by the Mayor, to interview the prospective members of the different boards or committees. This sub-committee would interview each applicant and then make some kind of recommendation to the full Council based on the interviews and applications. The full council would get copies of the applications, as well as the recommendations from the sub-committee. A couple of years ago the interview process was done away with and the applications were brought to the full Council. They were screened and then Council would meet with the applicants that had been chosen. There was a ranking system, where the highest scores would be appointed. The simple fact that there are so many applicants at this time, he said he thought the interview system should be looked at again.

Mayor Cartoscelli stated they had 16 applications for all the different commissions, which is highly unusual. She said she thought it was a bit much for the full Council to interview 16 different people.

Councilman Barkhouse pointed out that with the newer system, the Council reviewed the applications, but that each applicant was not interviewed. The applications were reviewed and recommendations made based on the credentials of the application. He said he personally did not see anything wrong with the new system, and would like to continue with it.

Mayor Cartoscelli said she felt that with the number of applications presented, and also the fact that more is gained by talking to an applicant face-to-face than reading a piece of paper, she preferred to go back to the old system this time. Hopefully this would facilitate a truer picture of all the applicants. With 16 people to interview, she said she would like to see it done by a Council committee than make determinations based on what somebody has written on a piece of paper.

Councilwoman Hilliard asked if all the Councilmembers would have input as to who was interviewed, or if they were going to interview all the applicants. Mayor Cartoscelli stated that all the applicants would be interviewed.

Jeff Foltz, City Administrator, stated that in order to change the policy, it would have to be put on the agenda in the future and voted on at that time. It was decided that it would be put on the December 15, 1992 agenda.

~~Mayor Cartoscelli asked for any further business from the Council. Hearing none, she informed Council that she had attended a school liaison committee meeting today and wanted to give a brief summary to the Council. This committee involves two members of the City Council, two members of the Board of Supervisors, the City Administrator, the County Administration, a member of the Sutter County Planning Commission, Yuba City Planning Commission and Mr. Gene Larrigan and Dr. Lee Brittenham from the school district and two members of the school board. The committee meets on a monthly basis to discuss coordination, cooperation and problems the schools have and how to assist them. One of the top issues is the bond measure. They also discussed going forward with the use of the school at the Blackburn Tally site. Nothing has been set on that yet, but it is a definite possibility to set up a satellite school for the ninth grade, which is apparently a high risk grade for the high school. Dr. Brittenham said~~

Director Keith Fine recognizing his 20 years of service and the many valuable contributions to APWA and the community of Yuba City.

Mr. Fine thanked Mr. Welborn and the other Chapter members and said he appreciated his association with them over the years as well as the many friendships that had developed.

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Next Mayor Cartoscelli on behalf of the City Council presented a plaque to Keith Fine for his 20 plus years of exemplary service to the City of Yuba City.

Mr. Fine thanked the Mayor and Council and said he had genuinely enjoyed working for Yuba City. He said it had always been a professional organization and he hoped he had contributed to that professionalism. He said he will not forget the experiences he'd had here, most of which were enjoyable. Very few were not. He thanked Council for a good time and said he hoped he'd earned the pay that was given to him.

\* \* \*

Dec 15, 1992

A. Procedures for Selection of City Board and Commission Members

City Administrator Jeffrey Foltz said staff had submitted its recommendation based on Council's request at the December 1 meeting.

Councilman Barkhouse proposed a combination of the current selection procedure and the recommended replacement. He said if for example there were three vacancies, the selection committee would present to Council a list of five applicants. This way the list could be whittled down to a small number but still give Council a chance to pick and choose candidates they think might be viable, rather than two people making up the list and giving the remaining Councilmembers their decision.

Councilman Nelson said the recommended procedure would include that from the standpoint that the full Council still gets all the applications that are submitted. What they don't get is participation on the screening committee and interviewing each of the applicants. Council still has the privilege of looking at all the applications and selecting its choices. The committee's job is simply to interview the candidates and present its suggestions of the top candidates based on the interviews. The Council still makes the appointments.

Mayor Cartoscelli said she had gleaned much information from the interview process. She said her preference was to follow the proposed procedure rather than have the full Council interview 20 applicants and assuring the vacancies are filled by January 5.

Councilman Barkhouse thought Mayor Cartoscelli and Councilman Nelson had missed his point and he explained again the suggestion for the selection process.

Mayor Cartoscelli said she thought it was unrealistic for the full Council to conduct the interviews.

Councilman Barkhouse said the selection committee could present a candidate list and then conduct interviews at a prescribed time, but he said he was attempting to use the good from both systems if possible.

Councilwoman Hilliard said she concurred with Mayor Cartoscelli and Councilman Nelson. She said she was comfortable with the screening committee's responsibilities and would be willing to accept its recommendations. She noted that Council has access to the applications and may review them any time, and she said she wouldn't want to see the system get bogged down by limitations.

Councilwoman Hearne concurred with Councilwoman Hilliard's comments.

City Attorney John Sanbrook said as he understood it there is no indication here that there will be any change in the process currently in place, which is that the actual appointments are still made by the Mayor subject to confirmation by the Council.

Mayor Cartoscelli said that is correct.

Mayor Cartoscelli moved to adopt the recommended selection procedure as documented by staff. Councilwoman Hilliard seconded the motion which passed with the following vote:

Ayes: Councilpersons Hearne, Hilliard, Nelson and Mayor Cartoscelli  
 Noes: Councilman Barkhouse  
 Absent: None

\* \* \*

Mayor Cartoscelli described her recent trip to Langley Air Force Base as part of a civic leaders tour, the object of which was to speak to General Lowe who is compiling the hit list for base closures for this next year. Mayor Cartoscelli said it was a great opportunity and General Lowe was very positive. She said that realistically Beale ought to be one of the safer bases, at least at this point in time anyway, but it was an excellent experience and all added their support. She met a lot of dedicated young people who are very proud of what they do and what they do for us, the citizens of the United States, what they're doing now in Somalia, what they did in Desert Shield and Desert Storm and Panama, etc.

Mayor Cartoscelli said she was unable to attend the opening of Sam's Club but understood it was quite an event and, judging from the traffic, they're doing well.

Mayor Cartoscelli announced that starting on February 3 she is instituting a Coffee with the Mayor function at City Hall in the Sutter room from 6:15 to 8:15. It is an opportunity for the citizens who have any questions, concerns, or just want to become familiar and more comfortable about meeting the person sitting as Mayor. She said Bill Fuller would be advertising Coffee with the Mayor on TV and in the local newspaper, and she hopes the response will be favorable.

Mayor Cartoscelli announced that a joint meeting with the Planning Commission, once the new commissioners are seated, and the City Council is scheduled for January 20 at 6:00 p.m.

She wished everyone a very Merry Christmas and a healthy, prosperous and happy New Year.

#### 8. ADJOURNMENT

Councilman Nelson moved for adjournment. Mayor Cartoscelli seconded the motion which passed with the following vote:

Ayes: Councilpersons Barkhouse, Hearne, Hilliard, Nelson and Mayor Cartoscelli  
 Noes: None  
 Absent: None

The City Council meeting was adjourned at 9:00 p.m.

*Karen Cartoscelli*

Karen Cartoscelli  
 Mayor

Attest:

*D. K.*

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