



CITY OF PALO ALTO OFFICE OF THE CITY CLERK

August 24, 2015

The Honorable City Council
Palo Alto, California

Adoption of an Ordinance Changing the End of Term Date for Commissioners Serving on the Human Relations Commission, Library Advisory Commission, Public Art Commission and Utilities Advisory Commission from April 30 to May 31 of Various Years and Making Minor Non-substantive Language Changes

RECOMMENDED MOTION:

Staff recommends that City Council adopt the proposed Ordinance (Attachment A) extending terms on the Human Relations Commission, Library Advisory Commission, Public Art Commission and the Utilities Advisory Commission from expiration dates on April 30 of various years to May 31 of various years.

BACKGROUND

The above requested changes are the result of a situation that arose during the regularly scheduled spring 2015 recruitment for the Utilities Advisory Commission (UAC). Currently, terms for UAC Commissioners expire April 30 of various years. The UAC reviews the Utilities Department budget during its regular meeting in May of each year and makes recommendations to the City Council for budget approval.

On May 4, 2015, the City Council appointed three candidates (Danaher, Schwartz and Van Dusen) to the UAC. On May 6, 2015, the UAC reviewed the Utilities Department budget and made recommendations to the City Council for budget approval. Re-aligning terms on the UAC to end on May 31 of various years will allow the UAC to review the budget before new Commissioners are appointed.

The City Council on August 12, 2013 approved revisions to the Board and Commission Recruitment Program to allow two scheduled recruitments per year (spring and fall). To maintain this schedule, terms on the Library Advisory Commission, Human Relations Commission and Public Art Commission would need to extend to May 31 of various, in alignment with the proposed change to UAC terms.

ATTACHMENTS:

- Attachment A - Ordinance Changing the End of Term Date for Commissioners (PDF)

Department Head: Beth Minor, City Clerk

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ORDINANCE NO. _____

Ordinance of the Council of the City of Palo Alto Changing the End of Term Date for Commissioners Serving on the Human Relations Commission, Library Advisory Commission, Public Art Commission and Utilities Advisory Commission from April 30 to May 31 of Various Years and Making Minor Non-substantive Language Changes

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings and Declarations. The City Council finds and declares as follows:

A. Currently, terms on the Human Relations Commission, Library Advisory Commission, Public Art Commission and Utilities Advisory Commission expire on April 30 of various years. This transition period makes it difficult for new Commissioners on the Utilities Advisory Commission to effectively exercise their responsibility to review and advise the Council on the Utilities Department's annual budget; and

B. To remedy this situation, Council intends to realign the Spring Commission transition period (applicable to the Human Relations Commission, Library Advisory Commission, Public Art Commission and Utilities Advisory Commission) from April 30 to May 31, when review of annual budgets is complete.

SECTION 2. Section 2.16.070 (Schedule of Appointments) of Chapter 2.16 (Boards and Commissions Generally) of the Palo Alto Municipal Code is hereby amended to read as follows:

2.16.070 Schedule of appointments.

(a) The City Council shall review applications to fill vacancies in the following boards and commissions in ~~April~~May of each year:

- (1) Human Relations Commission (Chapter 2.22)
- (2) Library Advisory Commission (Chapter 2.24)
- (3) Public Art Commission (Chapter 2.18)
- (4) Utilities Advisory Commission (Chapter 2.23)

(b) The City Council shall review applications to fill vacancies in the following boards and commissions in December of each year:

- (1) Architectural Review Board (Chapter 2.21)
- (2) Historic Resources Board (Chapter 2.27)
- (3) Parks and Recreation Commission (Chapter 2.25)
- (4) Planning and Transportation Commission (Chapter 2.20).

(c) The City Council shall fill vacancies in all other boards and commissions in ~~April~~May or December of each year, at its discretion.

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(d) The City Council may fill mid-term vacancies during the next regularly scheduled recruitment for the board or commission or may hold a special recruitment, at its discretion. Special recruitments shall be subject to the requirements of Section 2.16.060.

SECTION 3. Section 2.18.040 (Term of Office) of Chapter 2.18 (Public Art Commission) of the Palo Alto Municipal Code is hereby amended to read as follows:

2.18.040 Term of office.

~~Commencing on September 6, 1984, there shall be three members whose terms expire January 31, 1985, and four members whose terms expire January 31, 1987. Subsequent appoints shall be made for terms of three years, or until their successors are appointed. Effective January 1, 1991, the terms of those members due to expire on January 31, 1991 shall be extended to expire on April 30, 1991. The terms of those members due to expire on January 31, 1993 shall be extended to expire on April 30, 1993. Subsequent appointments shall be made for terms of three years, or until their successors are appointed. Terms of office on the Public Art Commission shall be three years. Commission appointments shall be staggered so that three (3) members are appointed in 2018 and every three years thereafter, and four (4) members are appointed in 2017 and every three years thereafter. Effective January 1, 2016, terms of office due to expire on April 30 of each year shall be extended to expire on May 31 of the same year, and thereafter terms of office shall commence on the the first day of June. If a successor is unavailable, a member may remain in office until his or her successor is appointed.~~

SECTION 4. Section 2.22.020 (Term of Office) of Chapter 2.22 (Human Relations Commission) of the Palo Alto Municipal Code is hereby amended to read as follows:

2.22.020 Term of office.

Terms of office on the Human Relations Commission shall be three years ~~commencing June 17, 1982, there shall be two members whose terms expire March 31, 1983, two members whose terms expire March 31, 1984, and three members whose terms expire March 31, 1985. Effective January 1, 2014~~ January 1, 2016, terms of office due to expire on ~~March 31~~ April 30 of each year shall be extended to expire on ~~April 30~~ May 31 of the same year, and thereafter terms of office shall commence on the first day of ~~May~~ June. If a successor is unavailable, a member may remain in office until his or her successor is appointed.

SECTION 5. Section 2.23.030 (Term of Office) of Chapter 2.23 (Utilities Advisory Commission) of the Palo Alto Municipal Code is hereby amended to read as follows:

2.23.030 Term of office.

Terms of office on the Utilities Advisory Commission shall be three years. Effective ~~January 1, 2014~~ January 1, 2016, terms of office due to expire on ~~July 6~~ April 30 of each year shall be ~~lengthened~~ extended to expire on ~~April 30~~ May 31 of the ~~following~~ same year, and thereafter terms of office shall commence on the first day of ~~May~~ June. Commission appointments shall be staggered so that in each three-year cycle, two members are appointed one year, two members

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are appointed the next year, and three members are appointed the next year. If a successor is unavailable, a member may remain in office until his or her successor is appointed.

SECTION 6. Section 2.24.030 (Term of Office) of Chapter 2.24 (Library Advisory Commission) of the Palo Alto Municipal Code is hereby amended to read as follows:

2.24.030 Term of office.

Terms of office on the ~~library advisory commission~~ Library Advisory Commission shall be three years. Commission appointments shall be staggered so that two (2) members are appointed in 2013 and every three years thereafter, and three (3) members are appointed in 2014 and every three years thereafter. Effective ~~January 1, 2014~~ January 1, 2016, terms of office due to expire on ~~January 31~~ April 30 of each year shall be extended to expire on ~~April 30~~ May 31 of the same year, and thereafter terms of office shall commence on the first day of ~~May~~ June. If a successor is unavailable, a member may remain in office until his or her successor is appointed.

SECTION 7. Severability. If any provision, clause, sentence or paragraph of this ordinance, or the application to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 8. The Council finds that this project is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to Section 15061 of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

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SECTION 9. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

City Attorney

City Manager