



Agenda Item B.2
DISCUSSION/ACTION ITEM
Meeting Date: February 17, 2021

TO: Chair and Commissioners

FROM: Kristy Schmidt, Assistant City Manager

CONTACT: Deborah Lopez, City Clerk

SUBJECT: Discussion of Potential Revisions to the Appointment Method and Structure of the Planning Commission

RECOMMENDATION:

Provide a recommendation to the Mayor and City Councilmembers regarding whether members of the Planning Commission should be appointed by district.

BACKGROUND:

The City's Mayor is elected "at large", which means that the Mayor can reside anywhere in the City and every registered voter in the City can vote for Mayor, no matter where they reside. Beginning in November 2022, the other four Councilmembers will be elected "by district", which means that each Councilmember must reside in the district that they represent and only residents of a district can vote to elect a Councilmember from that district.

The City has several commissions and committees, which provide specialized oversight, recommendations, and review of important City programs and areas of concern. Some, like the Planning Commission, have authority to grant permits and make final decisions on applications, provided that those decisions can be appealed to the City Council.

At its meeting on December 1, 2020, the City Council directed staff to bring a report to the Public Engagement Commission to weigh in on whether the Planning Commissioners should be appointed by district, or should continue to be appointed under the current structure.

The Planning Commission consists of five members who are formally appointed by the Mayor, subject to the City Council's approval, as required by state law. However, in keeping with a longstanding practice and pursuant to the City's own rules, each City Councilmember recommends the appointment of one Planning Commissioner to the Mayor. Commissioners may be removed by a majority vote of the Council, or by default in specified cases.

The current appointment method and commissioner qualifications for the Planning Commission are as follows:

- City Clerk recruits citywide for vacancies on the Planning Commission.

- City Clerk sets up a Special City Council Meeting to conduct interviews.
- At the conclusion of all interviews, each Councilmember who was elected or re-elected to office in the immediately preceding election shall announce one preferred candidate for a four-year Mayoral appointment or reappointment.
- If there is an unexpected mid-term vacancy on the Commission, the Councilmember who recommended the appointment nominates the replacement to fill that vacancy. If the Councilmember who recommended that Commissioner is no longer a member of the Council, the Mayor fills the vacancy for the remaining term without the benefit of a Councilmember recommendation.
- Each Commissioner's term expires at the end of the January after the nominating Councilmember's term expires, making room for the newly elected Councilmember's nominee.
- Commissioners must be City residents and may reside anywhere in the City.

Once Councilmembers are elected by district, beginning with two members after the November 2022 Election and following with two more after the November 2024 Election, each elected Councilmember will nominate a Planning Commissioner. Under the current rules, Councilmembers will not be limited to nominating a Planning Commissioner from their own district, provided that their nominee is a City resident.

DISCUSSION:

Changing to a by-district appointment method for the Planning Commission would require each City Councilmember's appointee to the Planning Commission to be a resident of that Councilmember's district. The Mayor's appointee could reside anywhere within City limits.

Amending the appointment method for the Planning Commission to a by-district method could be fairly straightforward because there are five Commissioners whose terms are coterminous with the nominating Councilmember and who all must reside in the City.


The appointment method for those Commissioners could be changed as follows: each Councilmember would still be able to nominate a Commissioner, but now the Commissioner would have to reside in that Councilmember's district. The Mayor could nominate a Commissioner from anywhere in the City since the Mayor is elected at-large. Commissioners' terms would be coterminous with the Councilmember who nominated them.

This report provides the opportunity for the Public Engagement Commission to discuss the pros and cons of whether to recommend a revision to the appointment process for the Planning Commission to be by district.

FISCAL IMPACTS:

There is no fiscal impact associated with this item.

Reviewed By:



Kristy Schmidt
Assistant City Manager