



# ADMINISTRATIVE REGULATION

## Office of the City Administrator

<b>Number</b>	<b>111</b>
<b>Sections</b>	<b>1-6</b>
<b>Effective Date</b>	<b>8/1/07</b>
<b>Responsible Department</b>	<b>Administration</b>
<b>Review Date</b>	<b>8/1/12</b>

**SUBJECT: To standardize procedures for handling vacancies on Boards, Commissions, Committees, or Advisory Groups and to make readily available to citizens information regarding opportunities to serve on their community boards, commissions, or committees.**

1. **Purpose:** To standardize procedures for handling vacancies on city boards, commissions, committees, and advisory groups and to make readily available to citizens information regarding opportunities to serve on city boards, commissions, committees, or advisory groups.
2. **Authority:** State Law - the Maddy Act (Chapter 10, Section 54970, Part 1, Division 2, Title 5 of the California Government Code) and by authority and powers granted to the City Administrator under Section 401 of the City Charter.
3. **Application:** This Administrative Regulation applies to all city boards, commissions, committees, and advisory groups except those that have appointments made individually by each Council member. The exceptions in this instance are: the Finance Board, the Investment Advisory Board, the 4<sup>th</sup> of July Executive Board, the Planning Commission, and the Public Works Commission.

There is also an exception in the case of the Community Services Commission in that some of its members are specifically recommended by each school district to represent the district.

4. **Definitions:**
  - 4.1. **Maddy Act** – State law that sets forth requirements related to posting and filling of vacancies on local advisory bodies.
  - 4.2. **Staff Liaison** – The staff person assigned to provide support to a specific advisory body.

- 4.3. Council Liaison** – The Council members assigned by the Mayor to serve as the liaison to a specific advisory body.
- 4.4. Active Applications** – All applications received as a result of posting of the annual Maddy Act Notification of Expiration of Terms or as the result of a notice of vacancy for an unexpired term for a specific advisory body that are received no more than a year prior to the review of applications to fill a vacancy.

**5. Policy:** Staff liaisons to city boards, commissions, committees, and advisory groups are the primary link between the Council and their advisory bodies. As such, they have certain responsibilities related to advising their members on the expiration of their terms, advising the City Council when vacancies exist, and assisting their Council liaisons in filling vacancies in a timely manner.

**6. Responsibilities:**

- 6.1.** The City Clerk is required by the Maddy Act to post notice of all scheduled expiration of terms for city boards, commissions, and committees by December 31st of the year preceding the expiration date of the term. To accomplish this, in approximately October of each year the City Clerk will request that all staff liaisons provide to her the names and expiration dates of those board, commission, committee, and advisory group members whose terms will expire in the coming year. Using that information, she will prepare the Notice of Expiration of Terms for the following year. This is taken to the City Council for approval. Once approved, a copy of the Maddy Act Local Appointment List will be available in the City Clerk's office, the city's public libraries, and on the city's website.
- 6.2.** Staff liaisons shall be aware of their board, commission, committee, or advisory group members' terms and notify members when their term is about to expire.
- 6.3.** Members who have not reached the end of their two-term limit and wish to be reappointed for an additional term shall submit a letter to their Council liaisons requesting reappointment with a copy to their staff liaison.
- 6.4.** Members wishing to resign shall submit a letter of resignation to the City Council with a copy to their staff liaison.

**7. Procedures**

- 7.1** When an unscheduled vacancy occurs, the staff liaison will prepare and submit to the City Clerk, with a copy to Council/Administration staff, a "Notice of Vacancy" form.

- 7.2 The City Clerk's office will assure the notice is properly posted including posting of a copy of the notice at the Clerk's office, the city's public libraries, and on the city's website. The Clerk's office will also assure that requirements of the Maddy Act are met. (Vacancies for unexpired terms for most boards, commissions, and committees must be posted a minimum of 10 working days prior to the date the vacancy is filled. The Act also requires that the special vacancy notice is posted not earlier than 20 days before or not later than 20 days after the vacancy occurs.)
- 7.3 Application to a city board, commission, committee, or advisory group requires the completion of the city "Commission, Board, and Committee Application Form." This is available through the City Council's office, the Clerk's office, the staff liaison, and on the city's website. All completed applications are to be submitted to the City Council office.
- 7.4 The application form (format) will be maintained and updated by City Council/Administration staff based on input from Council and staff liaisons.
- 7.5 Upon receiving a completed application, Council/Administration staff will retain a copy of the application, provide a copy of the application to the Council liaisons to that body, and forward the original application on to the staff liaison. Council/Administration staff will also send a letter from the Mayor acknowledging receipt of the application.
- 7.6 Council/Administration staff will retain a copy of active applications and maintain a database of all active applications for one year from their submission date.
- 7.7 Once the notice posting is completed, the staff liaison should, in a timely manner, consult with the Council liaisons to that commission, board, committee, or advisory group so that the Council liaisons can determine how to proceed in filling the expired term. The staff liaison should also assist them in reviewing all active applications and compiling a list of final candidates.
- 7.8 As desired by the Council liaisons, interviews will be scheduled and facilitated by the staff liaison.
- 7.9 Once the Council liaisons have selected the person(s) to be recommended for appointment, the staff liaison will prepare an RCA requesting Council approval of the selection. The RCA should include the name/s and the date/s of the term/s of the person/s to be appointed.
- 7.10 After receiving the RCA for appointment, Council/Administration staff will send letters of congratulations or regrets to all active applicants from the Council liaisons to that body.
- 7.11 When the appointment has been approved, the City Clerk will remove the notice of vacancy.
- 7.12 The staff liaison to each committee, board, etc., will make sure membership lists, including term expiration dates and board meeting day and time, are updated as changes are made, and a copy sent to the City Council, Administration, and the City Clerk offices each year in October and when updates occur.

- 7.13 Applications for unsuccessful applicants should be maintained by the staff liaison as active and eligible for appointment for one year from the date of the submission of their application.
- 7.14 Council/Administration staff will send a letter to each applicant notifying them when their application is removed from the list of eligible candidates.
- 7.15 For records purposes, the staff liaison to each commission, board, committee, and advisory group is responsible for maintaining the original applications. Applications that are past their year of eligibility must be maintained for an additional year as a record only to be in compliance with the city's adopted records retention schedule. Applications for successful applicants are to be kept by the staffing department for four years after the end of that person's term.



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Paul Emery, Interim City Administrator