



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

CONTINUED FROM MAY 25, 2021

Appoint Applicants to the Arts Commission, Bicycle and Pedestrian Advisory Commission, Board of Building Code Appeals, Board of Library Trustees, Heritage Preservation Commission, Housing and Human Services Commission, Parks and Recreation Commission, Planning Commission and Sustainability Commission

BACKGROUND

The City has ten Council-appointed boards and commissions to recommend and advise City Council on specific policy-related issues for possible Council study and action, and to provide a forum and opportunity for broad community participation in the identification and prioritization of those issues. The Charter sets the term length for boards and commissions at four years, with staggered terms expiring June 30 of each year (Charter Section 1002 - Attachment 1). Council makes appointments annually in May or June to fill seats with expiring terms to serve with an effective date of July 1. In addition, the Council fills vacancies as necessary quarterly throughout the year.

Sunnyvale Charter Section 1002 requires in part, that at least one position on every board or commission expire each year. Terms on eight boards and commissions align with this requirement. Terms on the Board of Building Code Appeals along with the Parks and Recreation Commission do not align with this requirement; no terms on either body are scheduled to expire in 2022. In order for the Council to reconcile the appointment schedule for the Board of Building Code Appeals and Parks and Recreation Commission to make it consistent with the provisions of Charter Section 1002, the Council should consider shortening the term of one of the current appointees to one year, expiring in 2022. This action will harmonize the current appointments with the appointment schedule set forth in Charter Section 1002.

Additionally, Councilmembers have requested staff explore realigning Housing and Human Services Commission terms so no more than two terms expire each year; three terms are scheduled to expire in 2021. The intent of appointing at least one position on every board or commission expire each year is to enhance the continuity and institutional memory of the various City boards and commissions. As the current appointment schedule stands, approximately 43% of the Housing and Human Services Commission's members would have their terms expire in one year (2025). This appears to be in contradiction to the intent of Charter Section 1002. In order for the Council to reconcile the appointment schedule for the Housing and Human Services Commission and to harmonize the schedule with the intent of Charter Section 1002, the Council should consider realigning the terms of the current appointments so that expiration of the terms permits provides greater continuity for the Commission.

On May 25, 2021, the City Council made appointments to the Arts Commission, Bicycle and Pedestrian Advisory Commission, Board of Library Trustees, Heritage Preservation Commission, Planning Commission and Sustainability Commission. Council continued this item to June 8, 2021 to allow for a discussion of realigning terms on the Board of Building Code Appeals, Housing and Human Services Commission and the Parks and Recreation Commission and selected the following applicants to move forward for appointments at the June 8, 2021 Council meeting:

- Board of Building Code Appeals: Sudeshna Pabi and Yonghong Shen
- Housing and Human Services Commission: James (Jim) Davis, Scott Duncan, Srikanthaiah (Ken) Hiremath and Leesa Riviere
- Parks and Recreation Commission: David Kesting and Dona Mason

EXISTING POLICY

Charter Section 1002 (Appointments. Qualifications.) (See Attachment 1)

Council Policy 7.2.19 Boards and Commissions

Administrative Policy, Chapter 1, General Management, Article 15 Boards and Commissions

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

DISCUSSION

Potential Term Realignment

Each of the following potential term realignments would create a one-time, 1-year term which would not count towards the two-term limit included in Charter Section 1002 (Attachment 1).

Board of Building Code Appeals

Expiration dates for the five terms on the Board of Building Code Appeals do not align with the provision in Charter Section 1002 (Attachment 1) that at least one term expires each year. Current term expirations are scheduled as follows, zero in 2022, two in 2023, two in 2024 and one in 2025. Realigning one term to expire in 2022 instead of 2024 would bring the terms on the Board of Building Code Appeals into alignment with Charter Section 1002 (see Attachment 2 for a table showing this proposed realignment).

Housing and Human Services Commission

Expiration dates for the seven terms on the Housing and Human Services Commission do not align with the expressed desire that no more than two terms expire each year. Current term expirations are scheduled as follows, one in 2022, one in 2023, two in 2024 and three in 2025. Realigning one term to expire in 2022 instead of 2025 would bring the terms on the Housing and Human Services Commission into alignment with the desire to have no more than two terms expire each year (see Attachment 2 for a table showing this proposed realignment).

Parks and Recreation Commission

Expiration dates for the five terms on the Parks and Recreation Commission do not align with the provision in Charter Section 1002 (Attachment 1) that at least one term expires each year. Current term expirations are scheduled as follows, zero in 2022, two in 2023, one in 2024 and two in 2025. Realignment one term to expire in 2022 instead of 2025 would bring the terms on the Parks and Recreation Commission into alignment with Charter Section 1002 (see Attachment 2 for a table showing this proposed realignment).

Appointments

Per Council Policy 7.2.19 Boards and Commissions, appointments of board and commission members are placed on the City Council meeting agenda. When one or more Councilmembers participate via teleconference, the appointment process is conducted by Individual Candidate Votes.

Below is the list of current applicants selected at the May 25, 2021 Council meeting, and terms of appointments. Applicant information is available as attachments to the May 10 and May 11 Council meeting packets and upon request from the Office of the City Clerk at cityclerk@sunnyvale.ca.gov or 408-730-7483.

Appointment Option No. 1 - Include Realignment of Terms as Described in the Report

Board of Building Code Appeals (one term to 6/30/2022 and one term to 6/30/2025)

Sudeshna Pabi

Yonghong Shen - Incumbent

Housing and Human Services Commission (one term to 6/30/2022, one term to 6/30/2024 and two terms to 6/30/2025)

Jim Davis

Scott Duncan

Srikanthaiah (Ken) Hiremath - (Incumbent)

Leesa Riviere

Parks and Recreation Commission (one term to 6/30/2022 and one term to 6/30/2025)

David Kesting

Dona Mason

Appointment Option No. 2 - No Realignment to Terms

Board of Building Code Appeals (one term to 6/30/2024 and one term to 6/30/2025)

Sudeshna Pabi

Yonghong Shen - Incumbent

Housing and Human Services Commission (one term to 6/30/2024 and three terms to 6/30/2025)

Jim Davis

Scott Duncan

Srikanthaiah (Ken) Hiremath - (Incumbent)

Leesa Riviere

Parks and Recreation Commission (two terms to 6/30/2025)

David Kesting

Dona Mason

FISCAL IMPACT

None.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Appoint commissioners to the Board of Building Code Appeals with terms to realign appointments to the requirement of Charter Section 1002.
2. Appoint commissioners to the Board of Building Code Appeals with no realignment of terms to comply with the requirement of Charter Section 1002.
3. Appoint commissioners to the Parks and Recreation Commission with terms to realign appointments to the requirement of Charter Section 1002.
4. Appoint commissioners to the Parks and Recreation Commission with no realignment of terms to comply with the requirement of Charter Section 1002.
5. Appoint commissioners to the Housing and Human Services Commission with terms that realign terms so that no more than two terms expire each year.
6. Appoint commissioners to the Housing and Human Services Commissions with no realignment of terms.
7. Provide other direction to staff on how to proceed.

STAFF RECOMMENDATION

Alternatives 1 and 3:

- 1) Appoint commissioners to the Board of Building Code Appeals with terms to realign appointments to the requirement of Charter Section 1002; and
- 3) Appoint commissioners to the Parks and Recreation Commission with terms to realign appointments to the requirement of Charter Section 1002.

Staff makes no recommendation regarding terms on the Housing and Human Services Commission.

Prepared by: David Carnahan, City Clerk

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Charter Section 1002 Appointments. Qualifications.
2. Select Board and Commission Term End Dates