



## Agenda Report

21-1663

Agenda Date: 12/7/2021

### REPORT TO COUNCIL

#### **SUBJECT**

Waive First Reading and take Action on the Introduction of Ordinance to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications (Deferred from November 9 and 16, 2021)

#### **COUNCIL PILLAR**

Enhance Community Engagement and Transparency

#### **BACKGROUND**

The Santa Clara City Charter and Santa Clara City Code currently require City Boards and Commission members, except for Youth Commission, to be qualified electors of the City. A “qualified elector” is a person registered to vote and is of at least eighteen years of age. The existing regulations prohibit a person from serving on a board or commission, if the person is not 18 years of age and a U.S. citizen. In order to allow greater participation by and inclusion of all residents within the City, the City Council directed staff to remove the requirement that Boards and Commission members be qualified electors of the City.

This issue has been raised on several occasions by the Governance Committee, as well as the City Council, to remove the residency requirement related to being a registered voter.

#### **DISCUSSION**

The proposed ordinance will also amend SCCC Section 2.120.010, to allow residents that are 18 years of age to serve as members of the City’s non-charter Boards, Commissions and Committees. This ordinance will eliminate the current requirement that all members of non-Charter Boards and Commissions be qualified electors of the City.

However, City Charter Commissions, which include Planning, Parks and Recreation, Civil Service, and Board of Library Trustees, will continue to require members to be a qualified electors of the City. The Charter Commission qualifications may only be revised by Charter amendment which will require a ballot measure.

The proposed ordinance also reflects the addition of Housing Commission to the list of Boards and Commissions in section 2.120.010. The creation of the Housing Commission was discussed earlier (RTC 21-1435). Should Council not approve the introduction of the ordinance adding the Housing Commission to Chapter 2.120, entitled Boards and Commissions, the reference to the commission will be removed prior to second reading.

#### **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.

**FISCAL IMPACT**

There is no fiscal impact with the adoption of this ordinance.

**COORDINATION**

This report was coordinated with the City Attorney's Office and City Clerk's Office

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

**RECOMMENDATION**

Waive First Reading and Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to update Boards and Commissions qualifications to be residents of the City instead of qualified electors.

Reviewed by: Nora Pimentel, Assistant City Clerk

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Ordinance