



Staff Report

City Council

Item No. 3.A

Meeting Date: February 12, 2025

From: Anne V. Ambrose, Assistant City Manager

Title: Discussion on How Chair and Vice Chair Appointments are Made for City Commissions

RECOMMENDATION:

This item is for information and discussion only.

BACKGROUND:

During public comment at the November 13, 2024 City Council meeting, Sunshine Herrera requested City Council consider changing the way the City's commissions appoint their chairs and vice chairs to mimic the rotation procedures in place for the City Council to appoint the mayor and vice mayor. The City Council directed staff to study the issue and bring back an item for discussion.

Commission and Committee Appointments for Chair and Vice Chair

Chapter 2.06 of the Cathedral City Municipal Code addresses boards and commissions of the city. Unless otherwise provided by law, ordinance or resolution, all members of boards and commissions are appointed for three-year terms starting July 1st of the year of appointment. Interim vacancies can be filled for the unexpired term of the vacancy. Commissioner can serve two consecutive three-year terms and cannot be reappointed to the same board or commission until at least the time equal to one full term has elapsed. The City Council may, at their discretion and in the best interest of the city, waive the term provision and reappoint any member of a board or commission for one additional term.

Commission members are appointed by members of the City Council. The district councilmember makes an appointment recommendation to the full City Council who must vote affirmatively to ratify the appointment. Commission members must be bona fide residents and registered voters of the city; however, they do not need to live in the district from which they are appointed. There are two exceptions to this rule, namely the appointment of a licensed architect and landscape architect to the Architectural Review Committee and two members of the public arts commission can come from throughout the Coachella Valley. If a non-resident is appointed, they shall be limited to a term of one year.

The appointment of the chair and vice chair of each commission is addressed in section

2.06.020 of the municipal code, which states that each board and commission shall annually, at its first meeting held after June 30th, choose one of its members as chairperson and one as vice chairperson. If there is a vacancy in either of the positions, they may be filled in the same manner.

The city currently has eight commissions or committees: Planning Commission, Architectural Review Committee, Historic Preservation Committee, Parks and Community Events Commission (PACE), Public Arts Commission (PAC), Finance Advisory Committee, Mobile Home Fair Practices Commission, and Board of Appeals (meets as needed).

It's important to note that the committees and commissions are advisory to the city council and do not have a policy-making role. The chair and vice chair have no additional powers than the other commissioners and namely serve as the facilitators of the commission meetings. The Planning Commission is an exception, and its duties are further specified in the municipal and zoning code and supported by state law. It is authorized to make discretionary decisions on certain development applications presented to it, including conditional use permit applications and design review that are not otherwise processed administratively or within the purview of the Architectural Review Committee, while providing policy recommendations to the City Council on legislative requests. The Architectural Review Committee, to a lesser extent, is authorized to make decisions on some design review applications. Other committees and commissions have technical roles as established in the municipal code. Commissions like the PAC and PACE commissions also help facilitate programming (such as Yoga in the Parks sponsored by PACE), make recommendations on the award of community grants (PAC), and facilitate art related acquisition and programs.

City Council Appointment of Mayor and Vice Mayor

At the first meeting in December of each calendar year, the council approves a council rotation list and appoints members to serve as the mayor and mayor pro tem. Generally speaking:

- The currently serving mayor pro tem shall succeed to the position of mayor.
- The outgoing mayor will move to the end of the rotation list, except in an election year any newly elected first-term councilmember (not an incumbent) would be placed behind the outgoing mayor on the rotation list. The councilmember in third position on the rotation list would move into the mayor pro tem position.
- If two or more new council members join the council at the same time, the drawing of cards is utilized to determine placement on the rotation list with seniority determined by the highest card drawn.

City Councilmembers are elected for four-year terms and there are no limits to the number of terms a councilmember can serve.

DISCUSSION:

Staff reviewed the procedures used by the other eight Coachella Valley cities to select their committee chairs and vice chairs. The cities of Palm Desert, Desert Hot Springs, Rancho Mirage, Coachella and La Quinta all had procedures like Cathedral City in that their commissions were empowered to select a chair and vice chair from their membership. Each city had various terms of appointment, and all had term limits.

The City of Indian Wells utilizes a seniority-based system to appoint their chair and vice chair for their planning commission.

- The order of selection of the chair and vice chair is determined by the length of the current term of incumbency, as defined by the date of appointment to their current term.
- When one or more commissioners are appointed at the same time, the order is determined by the highest number of votes received by the City Council at the time of their appointment.
- If the number of City Council votes is equal, then they are appointed by lot.
- The outgoing chairperson is rotated to the bottom of the previous year's chairperson succession list, with all other names moving up one position. The next senior person on the list will become the chairperson followed by the next senior member becoming the vice chair.

The City of Indio appointment of commission chair and vice chair rotates at the commission meeting that follows the annual rotation of mayor and mayor pro tem.

- A rotation of the chair and vice chair is established based upon seniority.
- When new commissioners are appointed, the order of seniority is established according to the nominating councilmember's district number from lowest to highest.
- If a commissioner declines to serve as chairperson, they must wait until all the other commissioners currently serving at such time are eligible to serve as chair before they become eligible to serve as chair.
- Seniority of appointment is defined as the length of a commissioner's tenure which begins from the date of their appointment by the City Council, regardless of which councilmember nominated the commissioner.
- If two or more commissioners have equal seniority, the affected commissioners are encouraged to work collaboratively to choose amongst themselves the order of seniority. If they are unable to do so, seniority will be determined by lot.
- The terms of commissioners mirror the term of the councilmember who nominates them.
- If an appointing councilmember's seat becomes vacant, the commissioner may continue to serve until they are replaced by the incumbent.

Staff reviewed the appointments to the five main commissions that meet regularly. In most instances, the commissions were able to decide on the appointment of chair and vice chair in one vote, with most often a unanimous decision. In the past three years, across the five boards, there have been three instances where the vote was not unanimous.

| Commission | 2024 | 2023 | 2022 |
|---|--------------|--|--|
| Votes for Chair/Vice Chair | | | |
| Planning Commission | 3-0 | 5-0 | 3-0 |
| Architectural Review | 4-0 | 4-0 | ¹ |
| Historic Preservation | ² | ² | ² |
| Public Arts | 5-0 | 3-1, 1 abstain – Chair 5-0 Vice-Chair | 4-0 Chair 3-2 Vice Chair after a failed 1 st vote |
| Parks and Community Events | 3-1 | 4-0 | 5-0 |
| ¹ The ARC did not conduct an election of officers in 2022. | | | |
| ² The HPC last elected officers in 2021. It has not met since July 2024. | | | |

The staff who liaison with the above commissions were consulted on how the nomination process has worked for their commissions (Andy Firestine for Planning, Architectural Review and Historic Preservation, John Corella for Parks and Community Events, and me for Public Arts Commission). Staff reported that their commissions have generally had no difficulty in appointing the chair and vice chair at their first meeting after June, with the exception of the Historic Preservation Committee, which has not met since July 2024 due to a lack of members, the ability to form a quorum, and a spradic meeting schedule.

On June 11, 2024, Ms. Herrera, then a Public Arts Commissioner, put an item on the Public Arts Commission agenda asking the commission to consider adopting a process for electing the chair and vice chair that mirrored the City Council. The commission did not vote to make a recommendation to the City Council, however Ms. Herrera indicated she would be presenting the item to the City Council to consider a policy change for all commissions.

FISCAL IMPACT:

There is no fiscal impact.

FIVE-YEAR STRATEGIC PLAN:

Goal F: Embracing, Inclusive Community
