
Survey Report

**How California Cities
Make Appointments
to Non-Elective Positions**

A Survey Conducted by
The League of Women Voters
of Los Altos/Mountain View California
September 2002

Acknowledgments

The League of Women Voters of Los Altos-Mountain View thanks these people for their work in preparing and conducting this survey:

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How California Cities Make Appointments

Background:

DURING THE SUMMER OF 2002 A SURVEY of the ways in which California cities make appointments to boards, commissions and committees was conducted by a committee of members of the League of Women Voter (LWV) of Los Altos-Mountain View. The survey took place because of questions about the particular processes used by two of the cities in this League's region.

The League of California Cities lists 476 cities in the state. Ranked by population, Mountain View is 86th, Los Altos 232nd and Los Altos Hills 371st. The committee limited its survey to cities with populations between 8,000 and 100,000, eliminating those cities at either end of the population curve; the three local cities were excluded and in a sense were intended to serve as reference points. About 230 cities were identified as cities to be contacted.

The LWV committee developed a questionnaire to provide a profile of how the appointment process is handled in each of the cities to be surveyed. (Attachment 1.) Angee Salvatore, City Clerk of Mountain View, provided the committee with a list, prepared by the League of California Cities, of all the City Clerks in the state, including e-mail addresses and fax numbers. Before e-mailing or faxing the survey, members of the committee telephoned the office of the City Clerks in each city to tell them about the survey and to request that they respond in a timely fashion. The survey was then e-mailed to most cities; it was faxed to nine cities that did not have a listed e-mail address. Replies were received from 73 cities and tabulated. (Attachment 2.)

General Results:

Survey results were more diverse than had been anticipated but did yield a first layer of conclusions. They indicated that:

- 1) Most cities have between 5 and 10 appointed bodies, with a range of 2 to 39.
- 2) The terms are generally 4 years, but:
- 3) More than two-thirds of cities do not have term limits.
- 4) Procedures are usually specified by ordinance, resolution and/or policy, rarely by charter or general law.
- 5) Few cities state a goal for the selection process.
- 6) Only about 20 percent of cities use an appointments committee; if they do, it is generally made up of two members (less than a majority) of the council.
- 7) When off-cycle vacancies occur, the full appointment process is generally used to fill them.
- 8) Almost all cities advertise openings by public notice, and a majority have established "talent pools" and/or solicit applicants by invitation.
- 9) In a plurality of cities candidates are interviewed by the whole city council; however, one-third of the cities have no defined interview process.
- 10) Less than one-fourth of cities have defined criteria for selecting appointees.

Identified Issues of Concern:

The committee studied the results of the survey and concluded that since there was so much diversity in the responses, these results did not provide the basis for a useful report. However, since a large number of the City Clerks who had spoken with members of the committee had expressed interest and requested copies of the results of the survey, the committee decided to contact a random mix of the clerks a second time and ask some specific questions about problems and/or successes associated with their cities. Thirty City Clerks were contacted, and their input has provided the basis for the discussion that follows. Particular issues that were raised included:

I. Relationship of Appointed Representatives to the City Council: A recent court decision in Glendora has made explicit the fact that all city appointments are at the behest of the City Council. The decision came after three members of that city's council were recalled. One of the bases for the recall was the council's three to two vote to remove from their positions all persons serving on boards, commissions, and committees. While the people in the community did not support this action, the court found it to be legal.

II. Relationship of Councils with Planning Commissions: It is evident that Planning Commissions often have a unique relationship with the councils they serve. Even in cities that use appointment committees to interview applicants for other positions, interviews for the planning commission appointments are conducted by the full councils. (In the case of one city, each individual council member has his or her personal representative on the planning commission. When a council member leaves office, the planning commission member leaves at the same time. It appears that this does not benefit the city overall.)

III. Timeliness of Specific Commissions and Committees: Commissions and committees are sometimes created to meet particular situations that may prevail for only a limited time. Several cities are presently evaluating the usefulness of its appointed positions to determine if certain commissions or committees should be merged or perhaps abolished.

IV. Treatment of Incumbents: Term limits have been instituted in some cities to keep incumbents from simply continuing on indefinitely in their positions. Some councils now ask appointees to participate in performance reviews, not only to judge the effectiveness of individual appointees but also to look toward possible restructuring of the responsibilities of particular committees or commissions.

V. Outreach for Applicants: Only a few cities have begun to develop efforts to locate applicants for upcoming vacancies by sending mailings to community groups. In a few instances, mayors are writing letters to local groups encouraging members of those organizations to become more involved in their communities. There seems to be a consensus that the first step toward developing City Councils that reflect the ethnic and racial diversity of their communities, is to obtain diverse representation on the boards, commissions and committees. The LWV committee was particularly impressed by the successful efforts made by La Habra to institute a full-fledged marketing effort to attract a diverse mix of applicants for local appointed positions.

VI. Open Orientation Meetings: Annual open orientation meetings are being used by a few cities. These meetings are scheduled to provide general information to those persons who might have an interest in applying for the upcoming vacant positions. The formats and participants in these meetings are quite variable.

VII. Applications or Statements of Interest: Almost all cities ask applicants to complete standardized applications for the upcoming vacancies. In a few cities, the applications are commission- or committee-specific. Several cities are now requesting written statements from applicants to gauge their level of interest. Applicants are often asked to attend at least one meeting of the particular board, commission, or committee before completing any applications.

VIII. Nominations: Some cities with a large number of appointed positions to fill and a sizable number of applicants are beginning to institute a nomination process to precede the interviews. Council members may review the applications in advance and exclude from consideration applicants that they feel are not qualified. (This may or may not aggravate any existing factionalism, depending on the criteria applied by the council members.)

IX. Interviews: There seems to be a distinction between boards and commissions and just plain committees with regard to interviews, though this varies with the total number of appointments to be made by a council. In a large majority of cities, council members interview most, if not all, applicants for positions on boards and commissions. This is done at open and noticed meetings. Applicants for committee positions may be interviewed by a selected committee of the council that is asked to provide recommendations to the whole council. One city council receives recommendations after the interviews are conducted by the current boards, commissions and committees; there is limited turnover in appointments in that city.

X. Best Practices: Two cities have established criteria for “Best Practices for Boards, Commissions, and Committees.” In one case, this was because “fiefdoms” had resulted from individuals retaining the leadership of particular commissions or committees for a period of years. The Best Practices recommendations not only include limits on the time that one person can chair a commission, but also include attendance requirements and limits on the demands that commissions or committees can place on city staff.

XI. Criteria for Selection: Only a relatively few cities have actually spelled out criteria for selection of applicants. Palo Alto states in its procedures that Council members are looking for: “a) familiarity with the subject area; b) decision-making ability; and c) commitment to the applied position.” Mountain View is looking for people that can bring “skill, integrity, knowledge, interest and an understanding of the basic obligation to evaluate issues in the broad context of the public interest.” The committee hopes that all cities seek to meet comparable criteria as they make their appointments to boards, commissions, and committees.

ATTACHMENT I

Dear City Clerk:

The League of Women Voters of Los Altos-Mountain View is conducting a survey of procedures used to make appointments to municipal committees, commissions and boards. Later this year we will produce a report that we hope will be useful in evaluating such procedures in cities throughout California.

The survey is short, sweet, and easy. There are just 18 multiple-choice and simple-answer questions. Of course we invite your comments and any additional input you may have.

To participate, simply visit <http://whatever.url.we/use/for/the/survey>

Thank you in advance for your participation.

Sincerely,

Jane Turnbull
League of Women Voters of Los Altos-Mountain View

<e-mail address> <telephone number>

The Survey Questionnaire

Thank you for participating in this survey. Later this year we will produce a report that we hope will be useful in evaluating such procedures in cities throughout California.

INSTRUCTIONS:

Please fill in answers to all questions. When completed, click "Submit" at the end of the form.

If you have questions you may send e-mail to <e-mail address> or call <phone number>.

About your city

1. Name of your city:

[_____]

2. Population:

[_____]

3. My city is governed by:

[] a Charter

[] General Law

Committees, commissions, boards

4. Number of appointed committees, commissions, and boards: [_____]

5. Length of term:

- One year
- Two years
- Three years
- Other: describe [_____]

6. Are there term limits?

- No term limits
- One term
- Two terms
- Three terms
- One consecutive term
- Two consecutive terms
- Three consecutive terms
- Other: describe [_____]

Appointment procedures

7. The procedures used to make appointments are specified by:

- Charter
- General law
- Ordinance
- Council resolution
- Policy
- Other: describe briefly [_____]

8. Is there a stated goal in the selection process?

- Yes
- No

9. Are all committees, commissions and boards included under the procedures?

- Yes
- No: describe exceptions [_____]

10. Is there an appointments committee of the city council?

- Yes: how many members [_____]
- No

11. How are off-cycle vacancies and unexpired terms filled?

- Wait for next regular appointment cycle

- Full application, interview and confirmation process
- Abbreviated application, interview and confirmation process
- Directly by city council, with no defined procedure
- Other: describe briefly [_____]

12. Some cities have a calendar for making appointments. For example, applications must be made available by Sept. 15 and accepted until Oct. 15, interviews occur until Nov. 15, appointments committee meets before Dec. 1, full council votes before Dec. 31. Does your city have such a calendar?

- Yes
- No

Finding, interviewing and selecting candidates

13. How are applicants solicited? (Check all that apply)

- Public notices
- Applications on file (e.g., a “talent pool”)
- Public meetings
- Personal invitation
- Nomination by committee/commission/board or its members
- Other: describe briefly [_____]

14. Is there a defined candidate-interview process? If so, how is it conducted?

- No defined interview process
- Yes, whole city council conducts interviews
- Yes, individual council members conduct interviews
- Yes, appointments committee conducts interviews as a group
- Yes, individual appointments committee members conduct interviews
- Yes, committee/commission/board conducts interviews

15. Are there defined criteria for selecting appointees?

- Yes
- Yes, but not for all committees/commissions/boards
- No

Survey participant

16. Your name: [_____]

17. Your title: [_____]

18. May we contact you for more information related to this survey?

- Yes: phone number or e-mail address [_____]
- No

ATTACHMENT II

SURVEY RESULTS

Survey of Appointment Procedures for Municipal Committees, Commissions and Boards —
Summer 2002

1. Number of cities: 73

This represents 15% of the 477 cities in California. The largest 58 and smallest 69 cities were excluded from the survey. The number of respondents represents 21% of the remaining 350 cities.

2. Population:

Mean 44,000
Median 38,000
Range 5,400 to 96,700
Total 3,236,000

The population of the responding cities is 11% of the 28,400,000 people living in cities in California.

3. My city is governed by:

A charter 22%
General Law 77%
No response 1%

Most cities in the study's population range (5,000 to 100,000) are General Law cities.

4. Number of appointed committees, commissions, and boards:

Mean 8.85
Median 8
Range 2 to 39
Total 646

The number of appointed bodies in a city varies by a factor of nearly 20. Most of the cities (56%) have between 5 and 10 such bodies.

5. Length of term:

One year 3%
Two years 15%

Three years	10%
Four years	40%
Other	33%

(Most “other” responses indicated terms varied from committee to committee, ranging generally from 2 to 4 years.)

There is diversity in term lengths. Four years seems most popular.

6. Are there term limits?

No term limits	67%
One term	0%
Two terms	21%
Three terms	1%
One consecutive term	0%
Two consecutive terms	7%
Three consecutive terms	0%
Other	4%

(Most “other” responses are for a fixed number of years, such as 8 years or 10 years.)

Most cities do not impose term limits on appointed positions, leaving it up to the appointing body (usually the city council) to determine what constitutes sufficient turnover.

7. The procedures used to make appointments are specified by:

Charter	0%
General law	5%
Ordinance	34%
Council resolution	15%
Policy	19%
Other: describe briefly	22%
No response	1%

(Most “other” responses indicated a combination of ordinance and resolution.)

Although there is no single common method for specifying appointment procedures, they are specified usually by ordinance, resolution and/or policy, and rarely by charter or general law.

8. Is there a stated goal in the selection process?

Yes	27%
No	67%
No response	5%

Most cities do not state a goal for the selection process.

9. Are all committees, commissions and boards included under the procedures?

Yes 74%

No 26%

(Several “no” responses indicated ad hoc committees are not included under the procedure; several others indicated that only commissions, not committees, are covered.)

Most cities’ appointment procedures cover all appointed bodies.

10. Is there an appointments committee of the city council?

Yes 20%

No 78%

No response 1%

One-fifth of city councils have an appointments committee. In nearly all cases, the committee has two members.

11. How are off-cycle vacancies and unexpired terms filled?

Wait for next regular appointment cycle 4%

Full application, interview and confirmation process 62%

Abbreviated application, interview and confirmation process 8%

Directly by city council, with no defined procedure 8%

Other 18%

(Most “other” responses indicated appointment directly by the council, using a defined procedure.)

When off-cycle vacancies occur, most cities conduct the full appointment process to fill them.

12. Some cities have a calendar for making appointments. For example, applications must be made available by Sept. 15 and accepted until Oct. 15, interviews occur until Nov. 15, appointments committee meets before Dec. 1, full council votes before Dec. 31. Does your city have such a calendar?

Yes 29%

No 70%

No response 1%

Most cities do not have an appointments calendar.

13. How are applicants solicited? (Check all that apply)

Public notices	99%
Applications on file (e.g., a “talent pool”)	68%
Public meetings	41%
Personal invitation	52%
Nomination by committee/commission/board or its members	14%
Other	18%

(The “other” responses indicated a wide variety of methods, including newspaper advertisements and articles, website, notices to local organizations, mailing, flyers, and solicitation by staff and council members.)

Nearly all cities advertise openings via public notices. A majority uses applications on file. Roughly half of cities make use of personal invitations; 41% conduct public meetings. Smaller numbers of cities use a diverse mix of methods to solicit applicants.

14. Is there a defined candidate-interview process? If so, how is it conducted?

No defined interview process	34%
Yes, whole city council conducts interviews	41%
Yes, individual council members conduct interviews	7%
Yes, appointments committee conducts interviews as a group	14%
Yes, individual appointments committee members conduct interviews	3%
Yes, committee/commission/board conducts interviews	0%

There is much diversity in the candidate interview process. In a plurality of cities candidates are interviewed by the whole city council, but in one-third of the cities surveyed there is no defined interview process.

15. Are there defined criteria for selecting appointees?

Yes	22%
Yes, but not for all committees/commissions/boards	27%
No	48%
No response	3%

In half of the cities surveyed there are no defined criteria for selecting appointees. In over half of the remaining cities, criteria exist but do not apply to all appointments.

