



CITY SELECTION COMMITTEE
THURSDAY, JUNE 13, 2019 | 6:40 PM OR IMMEDIATELY FOLLOWING LEGISLATIVE ACTION COMMITTEE
CITY OF SUNNYVALE | WEST CONFERENCE ROOM
456 WEST OLIVE | SUNNYVALE, CA 94088

Discussion & action may be taken on any of the following items.

1. Welcome & Roll Call 6:40 PM
2. Consideration of approval of consent agenda:
 - a. April 2019 Minutes
3. Consideration of appointment to the Measure A (2019 Housing Bond) Independent Oversight Committee (3-year term) currently served by Sunnyvale Councilmember Glenn Hendricks 6:45 PM
4. Consideration of a recommendation to the Chair of ABAG for the ABAG Regional Planning Committee (term determined by Selection Committee) currently vacant, appointee must be an elected official
5. Public comment 6:45 PM
6. Adjourn 6:55 PM

Please send letters of interest/support to csc@citiesassociation.org by Thursday, June 6, 2019.

Nominations are also taken from the floor.



CITY SELECTION COMMITTEE MINUTES
THURSDAY, APRIL 11, 2019 | 6PM
CITY OF SUNNYVALE | WEST CONFERENCE ROOM
456 WEST OLIVE | SUNNYVALE, CA 94088

President/Mayor Manny Cappello (Saratoga) called the meeting to order at 6:15 PM.

Present at the meeting:

city	name
Campbell	absent
Cupertino	Rod Sinks
Gilroy	absent
Los Altos	Lynette Lee Eng
Los Altos Hills	Michelle Wu
Los Gatos	Rob Rennie
Milpitas	Rich Tran
Monte Sereno	Rowena Turner
Morgan Hill	Rich Constantine
Mountain View	Lisa Matichak
Palo Alto	Eric Filseth
San José	Chappie Jones
Santa Clara	Debi Davis
Saratoga	Manny Cappello
Sunnyvale	Larry Klein
Executive Director	Andi Jordan

Also present:

Vice Mayor Margaret Abe-Koga, Mountain View
Councilmember Yvonne Martinez Beltran , Morgan Hill
Councilmember John McKay, Morgan Hill
Councilmember Anita Enander, Los Altos

Agenda Item 2. The January 2019 minutes were approved by unanimous consent.

Ayes: 13

Nos: 0

Abstentions: 0

Absent: 2 (Campbell, Gilroy)

Item 3. Consideration of appointments to the ABAG/MTC Legislative Housing Task Force – appointment of 2 representatives.

First Ballot – selected Sunnyvale Mayor Larry Klein

- **Mayor Larry Klein: 8** (Turner, Monte Sereno; Jones, San José; Davis, Santa Clara; Cappello, Saratoga; Klein, Sunnyvale; Sinks, Cupertino; Tran, Milpitas; Wu, Los Altos Hills)
- Vice Mayor Margaret Abe Koga: 5 (Matichak, Mountain View; Jones, San José; Klein, Sunnyvale; Rennie, Los Gatos; Sinks, Mountain View)
- Councilmember Anita Enander: 4 (Lee Eng, Los Altos; Turner, Monte Sereno; Matichak, Mountain View; Filseth, Palo Alto)
- Councilmember John McKay: 3 (Constantine, Morgan Hill; Cappello, Saratoga; Wu, Los Altos Hills)
- Mayor Eric Filseth: 3 (Lee Eng, Los Altos; Filseth, Palo Alto; Davis, Santa Clara)
- Councilmember Yvonne Martinez Beltran: 2 (Constantine, Morgan Hill; Rennie, Los Gatos)
- Councilmember Carmen Montano: 1 (Tran, Milpitas)

Second Ballot – selected Vice Mayor Margaret Abe-Koga

- **Vice Mayor Margaret Abe Koga: 8** (Constantine, Morgan Hill; Matichak, Mountain View; Jones, San José; Cappello, Saratoga; Klein, Sunnyvale; Sinks, Cupertino; Tran, Milpitas; Wu, Los Altos Hills)
- Councilmember Anita Enander: 5 (Lee Eng, Los Altos; Turner, Monte Sereno; Davis, Santa Clara; Filseth, Palo Alto; Wu, Los Altos Hills)

The meeting was adjourned at 6:59 PM.

Respectfully submitted,

Andi Jordan
Executive Director

Minutes approved: date

AYES:

NOS:

ABSTENTIONS:

ABSENT

① 190411 CITIES ASSN LEG

Review of LCC-tracked bills with Morgan Hill Asst City Mgr

② CSC
ABAG/MTC
HOUSING CMTE

		Anita Escander LA	Carmen Montano Milpitas	Margaret A-K MV	Yvonne Beltram MH	John McKay MH	Eric Filseth PA	Larry Klein SV	Margaret A-K	Anita Escander
Lynette Leung 1	LA	1					1			1
Rosetta Turner 2	MS	1						1		1
Rich Constantine 3	MH				1	1			1	
Lisa Matichok 4	MV	1		1					1	
Eric Filseth 5	PA	1					1			1
Chappie Jones 6	SJ			1				1	1	
Deb Davis 7	SC						1	1		1
Manny Coy 8	SAR					1		1	1	
Larry Klein 9	SV			1				1	1	
Rob Rennie 10	LG			1	1				1	
Rod Simbs 11	CUP			1				1	1	
Rich Tran 12	MIC		1					1	1	
Michelle Wu 13	LAH					1		1		1
— 14	GIL									
— 15	CAMP									

4 1 5 2 3 3 (8) (8) 5

FIRST BALLOT

SECOND BALLOT

ABAG Regional Planning Committee (RPC)

Who may be appointed for the Cities Association of Santa Clara County: Elected Official

Term of Office: determined by the appointing body

The RPC is composed of a minimum of 18 elected officials, including at least one supervisor from each member county and a city representative from each county. Members also include the Chairperson of the Bay Area Planning Directors' Association or designee; one representative each from the Bay Area Air Quality Management District (BAAQMD), Bay Conservation and Development Commission (BCDC), Metropolitan Transportation Commission (MTC), Regional Water Quality Control Board; and not less than ten citizens to represent the following categories:

- Business
- Economic development
- Environment
- Housing
- Labor
- Minorities
- Recreation/open space
- Public interest
- Special districts

RPC Meetings: First Wednesday; alternate months, 12:30 – 2:30 p.m. in Yerba Buena Room, Bay Area Metro Center, 372 Beale Street, San Francisco, CA 19105.

Currently, RPC has three subcommittees:

- [Regional Planning Committee Economic Strategy Subcommittee](#)
- [Regional Planning Committee Housing Subcommittee](#)
- [Regional Planning Committee Infrastructure Subcommittee.](#)

Agendas and meeting information is available on each subcommittee's page.



ABAG Regional Planning Committee Roster
Updated May 9, 2019

Members

Vacant—Chair

Karen Mitchoff, Supervisor, County of Contra Costa—Vice Chair

County Representatives

Nathan Miley, Supervisor, County of Alameda

Scott Haggerty, Supervisor, County of Alameda

Karen Mitchoff, Supervisor, County of Contra Costa

Katie Rice, Supervisor, County of Marin

Diane Dillon, Supervisor, County of Napa

Vacant, City and County of San Francisco

David Canepa, Supervisor, County of San Mateo

Cindy Chavez, Supervisor, County of Santa Clara

Monica Brown, Supervisor, County of Solano

Vacant, County of Sonoma

Cities Representatives

Vacant—Cities in Alameda County

Monica Wilson, Councilmember, City of Antioch—Cities in Contra Costa County

Pat Eklund, Councilmember, City of Novato—Cities in Marin County

Scott Sedgley, Councilmember, City of Napa—Cities in Napa County

Tilly Chang, Executive Director, San Francisco County Transportation Authority, City and County of San Francisco—City and County of San Francisco

Vacant—Cities in San Mateo County

Vacant—Cities in Santa Clara County

Lori Wilson, Mayor, City of Suisun City—Cities in Solano County

Vacant—Cities in Sonoma County

Specified Representatives

Mark Boucher, Senior Hydrologist, Contra Costa County Flood Control and Water Conservation District—Special Districts

Paul Campos, Senior Vice President of Governmental Affairs, Building Industry Association of the Bay Area—Housing

Kathleen Cha, Member, League of Women Voters of the Bay Area—Public Interest

Martin Engelmann, Deputy Executive Director of Planning, Contra Costa Transportation Authority—Congestion Management Authority

Russell Hancock, President and CEO, Joint Venture Silicon Valley—Business

Melissa Jones, Executive Director, Bay Area Regional Health Inequalities Initiative—Public Health

Matt Regan, Vice President of Government Relations, Bay Area Council—Business

Carlos Romero, Director, Urban Ecology—Equity

Mark Ross, Councilmember, City of Martinez—Bay Area Air Quality Management District
Al Savay, Community Development Director, City of San Carlos—Bay Area Planning Directors Association
Greg Scharff—San Francisco Bay Conservation and Development Commission
James Spering, Supervisor, County of Solano—Metropolitan Transportation Commission
Vacant—Economic Development
Vacant—Education
Vacant—Environment
Vacant—Housing
Vacant—Labor
Vacant—Recreation and Open Space
Vacant—Regional Water Quality Control Board

David Rabbitt, Supervisor, County of Sonoma—Ex officio
Jesse Arreguin, Mayor, City of Berkeley—Ex officio
Julie Pierce, Councilmember, City of Clayton—Ex officio

COUNTY OF SANTA CLARA

MEASURE A (2016 HOUSING BOND) INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE

BYLAWS

I. ESTABLISHMENT

The Measure A (2016 Housing Bond) Independent Citizens' Oversight Committee (Committee) was established by Ordinance No. NS-300.902 on October 4, 2016, made effective upon approval of the measure in the November 8, 2016 election. The Ordinance is currently codified in Section A6-240 *et seq.* of the County Ordinance Code.

The Ordinance establishing the Committee is automatically repealed at the end of the fiscal year in which the last remaining bond issue authorized under the housing bond is fully defeased, redeemed, or otherwise paid.

II. PURPOSE OF COMMITTEE

As provided in Ordinance Code section A6-242, the Committee was established for the purpose of serving as an advisory body to the Board of Supervisors, and through the Board of Supervisors to the public. The Board of Supervisors is charged with affirmatively setting overall policy and program priorities for the County, including approval of budgets, contracts, and other actions related to the Measure A housing bond program. The Committee has the following purposes:

- (1) To advise on whether the County is spending the bond proceeds for the stated purpose approved by voters and not for any other purpose;
- (2) To advise on whether the County has been spending bond proceeds efficiently, effectively and in a timely manner;
- (3) To advise on whether the County's issuance of bonds and temporary investment of bond monies has been fiscally sound;
- (4) To recommend any changes to the County's implementation of the Housing Bond in order to ensure that bond proceeds are spent for the stated purpose approved by voters. The Board of Supervisors shall respond to all such recommendations within 60 days of presentation to the Board and the Committee may comment on the Board's action on its recommendation; and
- (5) To conduct an annual review of the report issued by the County describing the amount of funds collected and expended, and the status of any project required or authorized to be funded.

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III. ACTIVITIES

In furtherance of its purposes, the Committee is required to:

- (1) Send advisory reports at least quarterly to the Board and each and every city in Santa Clara County.
- (2) Receive reports, including “dashboard reports” on the implementation of the Housing Bond when such reports are provided to the Board. The reports provided by the County may describe the status of any project required or authorized to be funded.
- (3) Receive an annual financial audit and quarterly report from an independent and external auditor.
- (4) Receive financial reports when they are sent regarding the original budget, current budget, approved commitments, actual expenditures, the amount of funds collected and expended, and budget balance.
- (5) Prepare a comprehensive annual report that will be published online and made widely available to the Board, cities, the civil grand jury, the media and the general public.

IV. MEMBERSHIP

A. Composition and Appointment

As defined in Ordinance Code section A6-241, the Committee shall consist of nine voting members and one non-voting member, each of whom shall be appointed by the Board of Supervisors, as follows:

- (1) One member who is an active or inactive member of the State Bar of California in good standing, or a retired attorney who was an active or inactive member of the State Bar of California in good standing.
- (2) One member who is an auditor and/or certified public accountant.
- (3) One member who is an investment professional.
- (4) One member who is a housing advocate.
- (5) One member who is a representative of a civic organization.
- (6) One member who is a representative of organized labor.
- (7) One member who is a representative of a business organization.
- (8) One member who is a representative of the general public.
- (9) One member who is a representative of the Santa Clara County Cities Association and nominated by the Cities Association.
- (10) The Santa Clara County Assessor as an *ex-officio*, non-voting member.

With the exception of the representative of the Santa Clara County Cities Association, the voting members shall be nominated by an individual Supervisor on a rotating basis.

Pursuant to County of Santa Clara Charter Section 506, all members shall be residents of Santa Clara County.

Alternates are not permitted.

B. Term of Members

As defined in Ordinance Code section A6-241, the term of each voting member shall be three years, except three of the initial members shall serve two-year terms, and three of the initial members shall serve one-year terms to provide staggering of terms. Such initial terms shall be determined by lot.

Each member shall continue to serve on the Committee until the appointment of his or her successor. No voting member shall be eligible to serve for more than two terms in addition to any portion of any unexpired term which may have been served.

C. Attendance Requirement

A member's failure to attend three consecutive regular meetings without good cause as determined by the Chairperson will result in notification to the appointing authority, which may result in removal of the member from the Committee.

D. Resignations of Members

A resignation by a member shall be in writing and shall be filed with the member's nominating Board Member, with copies to the Clerk of the Board of Supervisors and the Committee Chairperson.

If the Committee Chairperson learns that a member is no longer able to participate but has not received a resignation from the member, notification shall be made to the appointing authority, which may result in removal of the member from the Committee.

V. ELECTION OF OFFICER – POWERS AND DUTIES

A. Election of Officers

The officers of the Committee shall be a Chairperson and a Vice Chairperson. The officers shall be elected from the membership of the Committee at the first regular meeting of the Committee held after the first day of July of each year. Members shall hold office for one year or until such time as a successor is elected.

If the office of the Chairperson or Vice Chairperson becomes vacant during the term of the office, the Committee shall elect a successor from its membership at the earliest meeting at which such election is practicable. Such election shall be for the unexpired term of the office.

B. Duties of Officers

The Chairperson, when present, shall preside at all meetings of the Committee and shall sign all reports and other documents adopted by the Committee.

The Vice Chairperson shall have all the powers and duties of the Chairperson during the absence, or inability to act, of the Chairperson.

In the absence of the Chairperson and Vice Chairperson, the remaining members shall appoint one of the members to act as Chairperson *pro tempore* for the duration of the meeting at which such appointment was made.

VI. SECRETARY

The Clerk of the Board of Supervisors shall be *ex-officio* secretary of the Committee and shall be responsible for providing secretarial assistance to the Committee, such as preparation of Committee agendas, attendance at meetings, preparation of minutes, and meeting room support.

VII. STAFF

The Office of the County Executive shall provide staff assistance to the Committee, as applicable.

VIII. INDEPENDENT AUDITOR

The Board has provided for an independent, external auditor who will report directly to the Committee to the extent permitted by law. While the auditor is to be selected by the Board after a competitive selection process, the Committee, or representatives of the Committee, are required to participate in the selection process. The Committee is also able to make a recommendation to the Board regarding the selection of the auditor. Once the auditor is selected, the Committee shall have direct access to the firm or person selected. The Committee may request “spot check” audits by the auditor in addition to the annual financial audit.

IX. MEETINGS

While any portion of bond proceeds remains unexpended, the Committee shall meet no less than quarterly; while any bond debt service remains outstanding, the Committee shall meet no less than annually. The Committee shall approve the calendar year’s schedule of regular meetings prior to the first meeting in January of that year.

Meetings of the Committee shall be properly noticed and open to the public in accordance with the Ralph M. Brown Act (Gov. Code section 54950 *et seq.*) and the County Open Government Ordinance (Division A17). Pursuant to County Ordinance Code section A17-4 and Board of Supervisors Policy 3.2, the Committee shall conduct all meetings at the County Government Center unless it is unavailable or infeasible to do so or the Board of Supervisors

approves a change in the meeting location, in which case the meetings shall be held at another County facility with ease of public access.

Special meetings may be called by order of the Chairperson or by order of a majority of the Committee and must be noticed in compliance with the Ralph M. Brown Act and County Open Government Ordinance. A majority is defined as a majority of the entire Committee voting membership seats, not just those members present or those seats that are filled.

X. COMMITTEE AGENDA

The Chairperson shall work with the Secretary to prepare the agenda for each Committee meeting. Items to be placed on the agenda of any regular meeting shall be on file with the Secretary of the Committee nine days prior to the scheduled meeting. The Chairperson, the staff, or any two members of the Committee may place an item on the agenda.

XI. PROCEDURE

Except as otherwise provided in these bylaws or to comply with the Ralph M. Brown Act, meetings of the Committee shall be conducted in accordance with Robert's Rules of Order, latest edition. However, failure to follow the Rules of Order shall not invalidate any action taken.

XII. QUORUM

A quorum is required to initiate the transaction of business at any meeting of the Committee. In compliance with Charter Section 506, a quorum is a majority (5) of the voting Committee membership seats, whether filled or vacant. A member who abstains from an item is counted to determine whether a quorum exists. However, a member who is disqualified from participating and recuses himself/herself from an item due to a conflict of interest is not counted toward the quorum for that item.

XIII. VOTING

A motion passes only when a majority of the total voting membership seats (5) votes in support of the motion.

No member shall be permitted to vote upon an item unless present or participating via teleconference following proper notice on the agenda. Voting by proxy shall not be permitted.

A member may, at any time, explain his/her vote or file, in writing, an explanation of such vote after the result of the voting has been announced and recorded.

In compliance with Government Code section 54953(c)(2) of the Ralph M. Brown Act, the Committee shall publicly report any action taken and the vote or abstention, as well as recusal, on that action of each member present for the action. Items cannot be approved by consensus.

XIV. SUBCOMMITTEES

The Committee may establish only ad hoc subcommittees, as prescribed in these bylaws and the County of Santa Clara Boards and Committees Handbook, to assist in furthering the purposes of the Committee.

An ad hoc subcommittee may be established by the Committee, as the need arises, to carry out a specific task for a limited duration.

Any subcommittee will have the duties provided by its mandate, but will not have the power to exercise the authority of the Committee or to bind the Committee. Subcommittees report their recommendations to the full Committee for consideration.

Only Committee members may be members of subcommittees. However, a subcommittee may not include a quorum of the entire Committee membership.

An ad hoc subcommittee may be created following majority approval of the Committee. The Committee shall approve appointments to an ad hoc subcommittee. At its first meeting, an ad hoc subcommittee shall appoint a chair.

In creating any subcommittee, the Committee will:

1. Define the purpose and scope of the subcommittee's charge;
2. Identify that the subcommittee is being created for a limited duration to address a single issue/purpose;
3. Only set a meeting schedule if the subcommittee is to be subject to the Brown Act;
4. Define the membership of the subcommittee;
5. Document the creation of the subcommittee in the Committee's minutes; and
6. Receive confirmation from the Office of the County Counsel that the subcommittee qualifies as an ad hoc committee under the Brown Act.

The Committee shall agendize the disbanding of an ad hoc subcommittee when the subcommittee's specific task is completed. The disbanding of the ad hoc subcommittee shall be noted in the Committee's meeting minutes.

XV. ANNUAL WORK PLAN

The Committee is required to provide an update to the Board of Supervisors about its activities through an Annual Work Plan. The Annual Work Plan includes a list of prior year accomplishments. Work Plans are updated each Fiscal Year in accordance with a template and instructions provided by the Clerk of the Board. The Committee shall complete and approve the Work Plan at a regular Committee meeting no later than April 1 of each year. The Office of the Clerk of the Board will transmit the Work Plan to the appropriate Board Committee for review in May of each year and to the Board of Supervisors for approval in June.

XVI. CONFLICT OF INTERESTS

Committee members shall comply with all applicable federal, state, and local conflict of interest laws and regulations, including, without limitation, California Government Code section 1090 *et seq.*, the California Political Reform Act (California Government Code section 87100 *et seq.*) and the regulations of the Fair Political Practices Commission (2 California Code of Regulations section 18700 *et seq.*).

Generally, if a Committee member is disqualified from participating in a decision because of a conflict of interest, the Committee member must (1) publicly recuse him or herself and announce the source of the conflict of interest, (2) leave the room during any discussion or deliberations on the matter in question, and (3) not participate in the decision or be counted for purposes of a quorum. The recusal of the disqualified member shall be documented in the minutes of the meeting.

XVII. REQUIRED TRAININGS

A. AB 1234 Ethics Training

Each member of the Committee must receive training in public service ethics laws and principles within twelve months of assuming membership on the Committee and every two years thereafter. If a member has already received the training prior to assuming membership, the member may submit proof of his/her last training completion. The signed certification of completion must be sent to the Clerk of the Board as soon as practicable upon completion of the training.

B. Sexual Harassment Prevention and Anti-Bullying Training

Each member of the Committee must receive training in sexual harassment prevention and anti-bullying within six months of assuming membership on the Committee and every two years thereafter. If a member has already received the training prior to assuming membership, the member may submit proof of his/her last training completion. The signed certification of completion must be sent to the Clerk of the Board as soon as practicable upon completion of the training.

XVIII. AMENDMENT TO BYLAWS

Proposed amendments to these bylaws may be considered at any meeting of the Committee provided written notice has been given at least six (6) calendar days prior to the meeting. Upon majority vote of the entire membership seats (5), the Committee may recommend amendment of these bylaws, subject to approval as to form and legality by County Counsel and approval by the Board of Supervisors.

Approved as to form and legality:


STEVE MITRA
Assistant County Counsel

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