



## OFFICE OF THE CITY CLERK

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## CITY COUNCIL STAFF REPORT

Meeting: April 5, 2022

### Subject

Consideration of corrections to the current Teen Commission staggered term groups to return the Commission back to the term cycle that is specified by Cupertino Municipal Code, Chapter 2.95 Teen Commission

### Recommended Action

Consider making corrections to the current Teen Commission staggered term groups to return the Commission back to the term cycle that is specified by Cupertino Municipal Code, Chapter 2.95 Teen Commission; approve option(s) or provide direction to staff as to other measures to ensure compliance with Cupertino Municipal Code Chapter 2.95

### Discussion

As required by Cupertino Municipal Code (CMC) Chapter 2.95, the Teen Commission is comprised of nine Commissioners who are appointed to two-year terms. The regular terms of commissioners begin on September 1 and end on August 31 of the year their term is due to expire. Membership on the Commission is limited to Cupertino residents. Commissioners must be in the 8th through 11th grade at time of appointment. Chapter 2.95 requires Council to make five (5) new appointments in odd-numbered years and four (4) new appointments in even-numbered years. Members of the Teen Commission must be appointed according to CMC Chapter 2.95 (Attachment A) and the current commission recruitment process adopted by City Council (Attachment B).

Until 2018, the Teen Commission was established and amended by City Council pursuant to resolution. The Commission membership included Commissioners from 12th grade who were appointed to one-year terms. So long as a one-year term appointment was made, the staggered term groups remained in balance, with five vacancies in odd-numbered years and four vacancies in even-numbered years. During the 2011 Teen Commission annual appointment cycle, Council appointed five members to two-year terms and chose not to include a one-year term, thereby resulting in six vacancies for the following appointment cycle (Attachment C). Council continued to make appointments

based on six (6) terms expiring in odd-numbered years and three (3) terms expiring in even-numbered years.

On March 6, 2018, Council adopted Resolution No. 18-019 limiting membership to students in 8th through 11th grade at time of appointment and revoking 12th grade (one-year term) membership (Attachment B).

On December 4, 2018, Council adopted Ordinance No. 18-2181 codifying and establishing the Teen Commission in the Cupertino Municipal Code (CMC). CMC Section 2.95.020 sets the staggered terms of office at five (5) new appointments in odd-numbered years and four (4) new appointments in even-numbered years. However, only three members of Teen Commission have terms that have been set to expire this year. This conflicts with CMC Section 2.95.020, which requires that four new members be appointed this year. Due to this conflict, staff is recommending that Council consider making corrections to the current Teen Commission 6/3 term groups to return the Commission back to the 5/4 two-year cycle that is specified by the Code.

Below are the recommended options for Council to consider:

Option 1: The Council may choose to (retroactively) limit the term of one of the current Commissioners to one year. Staff would poll the Commission to see if any members wish to shorten their term with an expiration on August 31, 2022. If Council selects this option, staff recommends that Council authorize staff to proceed with the recruitment process and set the application deadline and interview dates for **four** terms expiring on the Teen Commission as follows:

- 1.) Application deadline of 4:30 p.m. on Friday, May 13; and
  - 2.) Interview dates at 5:30 p.m. on Tuesday, May 24 and Wednesday, May 25 (as needed);
- or

Option 2: The Council may direct staff to amend the Cupertino Municipal Code (CMC) to set the staggered terms at six (6) appointments in odd-numbered years and three (3) appointments in even-numbered years. An amendment to the CMC would require extending the Teen Commission annual recruitment by at least two months to allow staff to prepare a draft ordinance for introduction and potential enactment by the Council, as well as the requisite thirty days for the ordinance to go into effect. Staff recommends that interviews be scheduled in August to interview applicants after their summer activities end; and authorize staff to proceed with the recruitment process. If Council selects this option, staff recommends that Council set application deadline and interview dates for three terms expiring on the Teen Commission as follows:

- 1.) Application deadline of 4:30 p.m. on July 29; and

2.) Interview dates at 5:30 p.m. on Monday, August 8 and Tuesday, August 9 (as needed)

If Council wishes to establish the application deadline and interview dates, then staff will begin outreach for the recruitment. The Parks and Recreation Department will distribute vacancy notices to the school districts and advertise through other available marketing channels. The City Clerk's Office will advertise the vacancies on the City website and through social media, as well as in the Cupertino Courier, World Journal, and Cupertino Scene (schedule permitting).

Sustainability Impact

None

Fiscal Impact

None

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Prepared by: Kirsten Squarcia, City Clerk

Reviewed by: Christopher Jensen, City Attorney and Katy Nomura, Deputy City Manager

Approved for Submission by: Jim Throop, City Manager

Attachments:

A - Ordinance No. 18-2181 Establishing the Teen Commission

B - Resolution No. 18-019 Governing Teen Commission Recruitment

C - May 25, 2011 City Council minutes