

## Responses to Council Questions and Comments

6/17/2024

### **Item #9: Resolutions Appointing Individuals to City Committees and Commissions and Approving City Council Liaison Appointment to the Newly Created Public Safety Advisory Committee**

- Question: How is an applicant listed as First Choice on multiple CCBs
  - Response: An applicant submitted 5 individual applications for 5 separate commissions/committees. Our application does not specify a limit on the number of CCBs one can apply to. We can include language specifying to only apply to one CCB, with a second choice listed, in future recruitments.
- Question: Does the planning commission appoint liaisons to other committees? Are there a # of committees/commissioners can be appointed to? Example: tree committee, senior committee, etc. Is the planning commission the only committee that assigns committee assignments?
  - Response: Yes, the Planning Commission appoints their own liaisons to PBAC and to the Tree Advisory Committee; these are single year terms like the Council Liaison appointments and are specified in the enabling legislation. Recreation, Music and Parks Commissions also appoints liaisons to the Tree Advisory Committee, the Public Art Committee, PBAC, and the Petaluma Museum Association.

Govt. Code Section 1099, which codifies the common law doctrine of incompatibility of offices, states that “(a) A public officer, including, but not limited to, an appointed or elected member of a governmental board, commission, committee, or other body, shall not simultaneously hold two public offices that are incompatible.” Section 1099 exempts those offices which are specifically authorized by statute. An example of such statutes are how the Tree Advisory Committee Ordinance requires a liaison from the Planning Commission. While members have served on multiple committees in the past, staff would recommend Council not appoint individuals to multiple CCB's unless there aren't enough applicants for a certain committee, at which point staff could then consider whether or not 1099 is implicated.