



Village of Downers Grove

Official Village Policy Approved by Village Council

Description:	Appointments to Boards and Commissions	
Res. or Ord. #:	Res.	Effective Date: March 17, 2009
Category:	Legislative and General Management	
	<input type="checkbox"/> New Council Policy	
	<input checked="" type="checkbox"/> Amends Previous Policy Dated:	9/21/04; 8/1/94; 02/23/98
	Description of Previous Policy (if different from above): _____	

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING AN AMENDED VILLAGE COUNCIL POLICY REGARDING APPOINTMENTS TO BOARDS AND COMMISSIONS

WHEREAS, the Village of Downers Grove has numerous boards and commissions which assist and advise the Village Council in addressing a number of matters of concern and importance to the residents and community of Downers Grove; and

WHEREAS, the Village Council has previously adopted Resolution 94-28, Resolution 98-6 and Resolution 2004-57 providing procedures for the screening and selection of candidates to these various boards and commissions; and

WHEREAS, the Village Council has determined that it would now be appropriate to replace Resolution 94-28, Resolution 98-6 and Resolution 2004-57 with revised procedures for the screening and selection of candidates for appointment to various Village boards and commissions and the timing thereof.

NOW, THEREFORE, be it resolved by the Village Council of the Village of Downers Grove as follows:

1. - Policy Established:

- a. There is hereby established a procedure to be used in the screening and selection of applicants for certain Village Boards and Commissions and the timing thereof.
- b. This policy applies to those Village Boards and Commissions which are:
 - i. Appointed by the Village Council; or,
 - ii. Appointed by the Mayor but subject to confirmation by the Village Council; or,
 - iii. Appointed by the Mayor.
- c. This policy does not apply to those Village Boards and Commissions:
 - i. For which particular municipal officers are designated by law; or,

ii. Which are appointed by the Village Manager. Provided, the Village Manager shall provide written notice of any such appointment(s) at least forty-eight hours prior to a regularly scheduled Council meeting. The Village Manager shall publicly announce the appointment(s) at a regularly scheduled meeting of the Village Council.

2. - Profile Sheets:

a. The Village Manager shall prepare, maintain, and update as necessary, forms to be known as profile sheets, which will be used to provide information regarding persons currently serving, or interested in serving, on a Village Board or Commission. These profile sheets will include general background information to be supplied by such persons.

b. Profile sheets shall be maintained in the office of the Village Manager for a period of two years. Provided, the profile sheet of any person appointed to a Village Board or Commission shall be maintained, and updated on a biannual basis, throughout such person's tenure.

c. Any person desiring to participate on a Village Board or Commission shall complete a profile sheet and submit this to the Office of the Village Manager. If desired, the applicant may indicate a preference as to on or more particular Boards or Commissions.

d. Persons serving on a Board or Commission shall, as desired by such person or as requested by the Village Manager as part of his biannual update, provide update information regarding their profile sheet.

3. - Solicitation of Applicants:

The Village Manager shall, from time to time, cause public advertisements and notices to be circulated regarding the desire and need of the Village to include citizen participation in the Village Boards and Commissions. Specifically, no later than April 1st of each year the Village Manager shall cause a letter to be issued to each board and commission member whose term will expire that year inquiring as to whether or not he/she seeks to be reappointed. The Village Manager shall request that each board and commission member respond to the letter by no later than May 1st. The Village Manager's office shall serve as clearing house for information related to applications and participation on a Village Board or Commission. This will include providing blank copies of profile sheets on request; answering questions related to the application, appointment or reappointment process; and providing information regarding participation on any specific Board or Commission.

4. - Screening of Candidates to the Village Boards and Commissions:

a. Within thirty (30) days of notice of a vacancy for whatever reason, or by no later than June 1st annually, the office of the Village Manager shall initiate the screening of candidates for appointment or reappointment as follows:

- i. For those Village Boards or Commissions that are appointed by the Mayor, but subject to confirmation by the Village Council and for those that are appointed by the Village Council, the Manager shall forward copies of the current profile sheets on file for those individuals interested in being appointed or reappointed to the particular Village Board or Commission for which an appointment is to be made to the Mayor and/or the designated Council liaison as the case may be. This shall include the profile sheet and attendance record of the incumbent if that individual has previously advised the Village Manager of his or her desire to be reappointed.
 - ii. The Mayor or his/her designee shall screen, or cause to be screened, the profile sheets and shall treat the information contained in the profile sheets as confidential. The Mayor may delegate part or all of this activity as the Mayor determines appropriate.
- b. The profile sheets shall be reviewed, a "short list" of likely appointees developed and, if appropriate, a recommendation for appointment specified. In the process of this review, current and former

members of the Board or Commission involved, staff personnel, and community leaders may be consulted to obtain their advice and insight regarding the functioning of the body, its needs and potential, and the type of candidate which would best assist the body in performing its duties. The individual candidates may also be contacted and/or interviewed regarding service upon the relevant Board or Commission. No later than July 15th or within forty-five (45) days from the circulation of profile sheets, the Mayor or his/her designee shall prepare a written report which will include a recommendation for appointment or reappointment, as the case may be. The Village Manager shall cause a copy of this report to be circulated to all members of Village Council. . If the Mayor has delegated any of his or her duties to a designee and if the designee has not prepared said report by August 31st or within forty-five (45) days from circulation of the profile sheets, and a vacancy nonetheless still exists on a Board or Commission subject to this policy, the Mayor shall have the option to submit a recommendation for appointment.

c. Upon receipt of the report described in sub-paragraph b above, the Council members shall review the information contained therein and, within two weeks, provide any comments, questions or concerns regarding the report directly to the Village Manager. If no Council member has any questions, objections, or concerns regarding the report, or if the Village Manager is able to resolve the issues raised, the Village Manager shall advise the Mayor and Village Council that the name of the recommended individuals may be formally presented to the Village Council for approval at a regular Council meeting. The Mayor or Manager, as appropriate, shall thereafter present a report to the Village Council at the following regular Council meeting setting forth the recommendations for appointment or reappointment.

d. If a Council member expresses questions, objections or concerns regarding the report, and the Village Manager is unable to resolve the issues raised the proposed appointment or reappointment may be discussed at a public meeting. If the report includes more than one recommendation, any nomination for which no issues are raised will be formally presented to the Council as provided by law.

e. The public meeting may be continued from time to time, in the manner provided by law, to obtain additional information. In the event that, following the public meeting, it appears that a proposed appointment does not have the unanimous support of the Village Council, the Manager shall contact the proposed appointee and determine whether such person desires that their name be formally submitted or withdrawn. The Manager shall prepare a report to the Mayor and Village Council.

f. Following the public meeting, the original or an amended recommendation for appointment or reappointment may be presented for consideration at a subsequent regular Council meeting. In the alternative, the Mayor or Manager, as appropriate, may resume the process of reviewing profile sheets and transmit such amended reports as appropriate. The amended reports shall be processed as provided for original reports set forth above.

g. The timing and sequence of appointments and reappointments dictated by this policy are intended to: (i) ensure the prompt and orderly filling of Board and Commission vacancies so as not to impede the functioning of those bodies; and (ii) avoid the appointment of members to Boards and Commissions between December 1st and May 15th during years of a municipal election. However, the Village Council may within its sole discretion choose to appoint a member to a particular Board or Commission during that time frame if extenuating circumstances exist (i.e. multiple vacancies; quorum issues, newly created board or commission, etc.)

5. - Appointment or Reappointment:

a. Persons shall be appointed to the Village Boards and Commissions in the manner provide by law. Where appointments are made by the Mayor alone, these shall be reported to the Council. Where appointments are made by the Mayor, but are subject to confirmation by the Council, the Mayor shall submit the nominations to be formally approved or rejected by the Council. Where appointments are to be made by the Village Council, any member, except the Mayor, may move for the appointment of a candidate, which shall be considered and acted upon by the full Council.

b. In the event the Council fails to approve any appointment to fill a vacancy on a Village Board or Commission, the matter shall be referred back to the Mayor or Manager, as appropriate, who shall resume a search for candidates using the procedures outlined above.

6. - Miscellaneous Provisions:

a. This policy is intended to be a non-binding general guideline for considering appointments to Village Boards and Commissions. The validity of any action otherwise taken by the Council in accordance with applicable law shall not be invalidated, impaired or otherwise affected by noncompliance with any part of procedures or policies set forth herein. The Village Council may, at its sole discretion and at any time, waive, modify or ignore any provision of this policy whenever the Council believes such action is in the best interest of the Village. Any action taken by the Council in derogation of this policy, whether expressly identified or not, shall constitute the Council's decision to waive, modify or ignore the provisions of this policy.

b. All resolutions or parts of resolutions in conflict with the provisions of this resolution, and in particular, Resolution 94-28, Resolution 98-6 and Resolution 2004-57, are hereby repealed.

c. This resolution shall be in full force and effect from and after its passage in the manner provided by law.

Ronald L. Sandack, Mayor

Passed:

Attest:

April K. Holden, Village Clerk

**VILLAGE OF DOWNERS GROVE
FINANCE AND ADMINISTRATIVE STANDING
COMMITTEE OF THE VILLAGE COUNCIL
MEETING
ANTE ROOM
DOWNERS GROVE VILLAGE HALL
FEBRUARY 2, 2009**

Present: Chairman, Commissioner William Waldack, Commissioner Sean Durkin

Staff: Village Manager Dave Fieldman, Village Attorney Enza Petrarca, Management Analyst Brandon Dieter

Guests: Commissioner Marilyn Schnell

I. APPROVAL OF PRIOR MEETING MINUTES: JULY 21, 2008

Commissioner Waldack called the meeting to order. Commissioner Durkin moved to approve the July 21, 2008 meeting minutes as presented. The motion was seconded by Commissioner Waldack. All Ayes.

II. OLD BUSINESS

No old business items were presented for discussion.

III. NEW BUSINESS: BOARDS AND COMMISSIONS APPOINTMENT POLICY AND PRACTICE

Village Manager Fieldman introduced the item by summarizing the report provided to the Committee. He said that staff had drafted proposed amendments to the Village Council Policy entitled "Appointments to Boards and Commissions." These proposed amendments specifically address the process and timeline for appointing board and commission members. The amendments include language that discourages appointments during a municipal election period. The municipal election period was defined as the time between December 1 and May 15 of an election year.

Village Manager Fieldman continued by outlining the timeline for appointing commission members to vacancies due to a term expiration and appointing members due to unscheduled vacancies. Regarding appointments of members due to term expiration, the proposed schedule would be as follows:

- By April 1, the Village Manager mails "letters of interest" to commission members whose terms are expiring in the current year
- By May 1, commission member responses to the "letters of interest" are due
- By June 1, the Village Manager initiates the candidate screening process
- By July 15, the Mayor / Council Liaison forward the preferred candidate name to the Village Manager. The Village Manager circulates the name to the Village Council as soon as possible
- By August 15, the Village Manager places the candidate on a Village Council meeting agenda no later than the second Council Meeting in August

Regarding appointment of members due to unscheduled vacancies, the proposed schedule would be as follows:

- Within 30 days of the Village Manager receiving notice of a pending vacancy, the candidate screening process would begin
- Within 45 days of beginning the candidate screening process, the Mayor / Village Council forward the preferred candidate name to the Village Manager. The Village Manager circulates the name to the Village Council as soon as possible
- Within 30 days of name circulation the Village Manager places the candidate on a Village Council meeting agenda

Commissioner Durkin asked if the Village Manager is notified after the Mayor receives submittals for the commission member recommendations. Commissioner Schnell said that in the past, all recommendations were forwarded to the Mayor first, then the Village Manager. Village Manager Fieldman said that either way was fine, as long as the Village Manager's Office eventually receives notification of the recommendation.

Village Manager Fieldman then stated that the reason for the meeting topic was to address Commissioner Schnell's concern for making commission appointments during an election period, which could lead to the politicization of commission appointments. He said the draft language in the proposed policy would discourage appointments during the municipal election period.

Commissioner Durkin asked for clarification on the proposed policy language and then said that he felt the discouragement language was appropriate as long as the Village Council still had the ability to make appointments during elections when extenuating circumstances exist such as quorum issues. Village Attorney Petrarca said that this issue was taken into consideration when the language was drafted and that the proposed policy addresses this item.

Commissioner Waldack thanked staff for their work in drafting the policy. He said that in the past, there were several appointments that were made during the election season. To avoid this conflict, term expirations for each year were adjusted so they would all take place on August 31. He said that there have been some communication problems during the appointment process such as when he was appointing members to the Circulator Task Force. He said that effective communication between the Council Liaison and the Mayor is essential during the recommendation and appointment process and thought the proposed policy should address this.

Commissioner Durkin said he did not want to overcomplicate the issue and that he just wants to make sure that commission appointments do not become a political issue.

Commissioner Schnell said the Circulator Task Force was a unique circumstance due to the fact that Council was creating an entirely new board. She said the proposed policy addresses her issues and that the Village Council and staff should try to stick to the timetable as outlined in the report. She said that she liked the flexibility of the proposed language, and that there have only been a handful of circumstances in the past in which appointments have been made during an election period due to quorum issues.

Commissioner Durkin said that there is accountability written into the proposed policy. If Council Liaisons do not make appointments within the allotted time frame, then the Mayor and Village Council will hear from the public that they could be politicizing the issue.

Commissioner Waldack said there was an issue when there were not enough applicants for a particular board to fill the current vacancies in the allotted time. He said that at present, the Mayor is responsible for recommending members to boards and commissions. While the Mayor has instituted the practice of delegating this responsibility to Council Liaisons, he felt that the Village Council should consider the following three concepts:

- Amending the policy or municipal code to codify the Council liaison process
- Consider amending the Board and Commission Appointment Policy to limit the number of boards and commissions upon which a person could serve
- Consider amending the Board and Commission Appointment Policy to include term limits

Village Manager Fieldman said it might be appropriate to discuss these items under new business at a Village Council meeting to request that these items be referred by the Mayor and Council to the Finance & Administrative Committee for further consideration.

Commissioner Durkin said that he was ready to make a motion to approve the updated policy, but would like to hear Commissioner Schnell's comments before the vote.

Commissioner Schnell said the commission recommendation / appointment process broke down when there was staff turnover in the Village Manager's Office. She thought the process could work correctly, if it was addressed properly. She said that in the past, Council Liaisons would receive a book compiled by staff with the collection of applicant profiles, liaison responsibilities and attendance records. She said that Arlene Balicki used to oversee the system and filing of profiles, interviews and reports before she left the Village.

Village Manager Fieldman said that re-instituting the book approach would be helpful for maintaining the notification system.

Commissioner Durkin said it would be helpful if interview worksheets were created with standardized questions, date of interview, applicant information and recommendation section. He said he would like this information included in the binder.

Commissioner Waldack said he had been receiving applicant profiles, but would like to receive the interview information also. He continued by saying that he would be interested in asking the Village Council whether they would like the FAC to consider addressing the current policy of commission members serving consecutive terms or on multiple Village boards.

Village Manager Fieldman asked for clarification on the motion from the committee. He stated that the motion for consideration was to approve the commission

appointment policy as presented and forward the recommendation to the Village Council.

Commissioner Durkin made a motion to approve the policy as presented. Commissioner Waldack seconded the motion. All ayes.

IV. MANAGER'S AND DIRECTOR'S REPORTS

There were no Manager's or Director's reports.

V. PUBLIC COMMENTS

There were no public comments.

VI. ADJOURNMENT

A motion to adjourn was made by Chairman Waldack at 4:55 p.m. and Seconded by Commissioner Durkin. All ayes. Motion approved.