



MEETING DATE: 12/5/05

AGENDA ITEM:

16

COUNCIL AGENDA REPORT

DATE: NOVEMBER 28, 2005
TO: MAYOR AND TOWN COUNCIL
FROM: ORRY P. KORB, TOWN ATTORNEY
SUBJECT: ADOPT RESOLUTION APPROVING APPOINTMENT OF COUNCIL MEMBER STEVE GLICKMAN TO THE BOARD OF DIRECTORS OF THE HOUSING TRUST OF SANTA CLARA COUNTY

RECOMMENDATION:

Adopt resolution approving appointment of Council Member Steve Glickman to the Board of Directors of the Housing Trust of Santa Clara County.

BACKGROUND:

In a letter dated November 22, 2005 (Attachment 1), the Housing Trust of Santa Clara County informed the Town that Don Gage, Chairman of the Trust's Board of Directors, had invited Council member Steve Glickman to join what will be a newly constituted Board of Directors of the Trust. The letter seeks Council approval of the appointment. Council approval is necessary in light of an existing policy that prohibits members of the Town Council from membership on the governing board of any non-profit receiving financial assistance from the Town. Since 2001, the Housing Trust, a private non-profit organization, has received grant commitments from the Town Redevelopment Agency totaling \$550,000.

DISCUSSION:

On May 18, 1992, the Town Council adopted a policy entitled Public Access to Council Decision Making which states in pertinent part as follows:

PREPARED BY: ORRY P. KORB TOWN ATTORNEY (with handwritten signature)

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Reviewed by: [Signature] Town Manager [Signature] Assistant Town Manager [Signature] Clerk
Finance Community Development

Rev: 11/28/05 11:59 am
Reformatted: 7/19/99

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MAYOR AND TOWN COUNCIL

SUBJECT: ADOPT RESOLUTION APPROVING APPOINTMENT OF COUNCIL  
MEMBER STEVE GLICKMAN TO THE BOARD OF DIRECTORS OF THE  
HOUSING TRUST OF SANTA CLARA COUNTY

NOVEMBER 28, 2005

Council Members may not sit on Boards of Directors of non-profit organizations which receive funding or in-kind contributions from the Town.

The prohibition contained in this policy is wholly local and does not arise out of State law. Consequently, Council is free to interpret, apply and find exceptions to this policy as it deems appropriate.

The Housing Trust is in the process of reconstituting its Board of Directors to include 27 members representing each city in Santa Clara County along with the Trust's major corporate donors. This effort is intended to ensure that each stakeholder agency has a role in directing the activities of the Trust. Staff is informed that one or more city council members have already accepted invitations to join the Trust's Board of Directors.

Consequently, in order to ensure the Town's involvement in directing the actions of the Housing Trust of Santa Clara County, Council should adopt a resolution (Attachment 2) approving an exception to its policy regarding membership on the boards of directors of non-profit organizations receiving financial assistance from the Town to enable Council member Glickman to accept the invitation to join the reconstituted Board of Directors of the Trust.

Attachments:

1. Copy of letter dated November 22, 2005, from Tyler Dial, Executive Director of the Housing Trust of Santa Clara County
2. Proposed Resolution

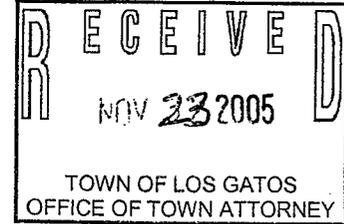
Distribution:

Taylor Dial, Executive Director of the Housing Trust of Santa Clara County



investing in our community with vision, compassion and innovation

November 22, 2005



Mr. Orry Korb, Town Attorney  
Town of Los Gatos  
110 East Main Street, P.O. Box 949  
Los Gatos, CA 95031

Dear Mr. Korb:

I am writing this letter in response to our phone conversation last week, and to inform you that our Board Chair, Donald F. Gage, Supervisor of the County of Santa Clara has requested that Council Member Steve Glickman be invited to join the Housing Trust of Santa Clara's Board of Directors.

As presented to the Town Council on June 20, 2005, the Housing Trust is embarking on a new phase of providing leadership and resources for the creation of more affordable housing in Santa Clara County. As part of this effort, the Housing Trust is requesting that a representative from each city and major corporate donor become a member of our Board of Directors. This would ensure that the needs of all our constituents are represented and considered as the Housing Trust reviews its policies and programs going forward.

We understand that the Town of Los Gatos has regulations regarding council members participating on nonprofit boards that have been funded by the Town. Accordingly, the Housing Trust puts forth this request to the Town Council of Los Gatos to consider the endorsement of Council Member Glickman's appointment to our Board of Directors.

As a member of the Housing Trust Board, Council Member Glickman will provide guidance on both governance and programmatic issues as they relate to the Housing Trust. The Housing Trust considers Council Member Glickman's knowledge and experience to be a valuable asset to the Housing Trust and we look forward to his participation.

Thank you for your consideration of this request.

Sincerely,

Taylor Dial  
Executive Director

cc. Hon. Donald F. Gage: HTSCC Board of Directors, Chair; and Supervisor, Santa Clara County Board of Supervisors



RESOLUTION NO.

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
APPROVING APPOINTMENT OF COUNCIL MEMBER STEVE GLICKMAN TO THE  
BOARD OF DIRECTORS OF THE HOUSING TRUST OF SANTA CLARA COUNTY

**WHEREAS:**

A. The Housing Trust of Santa Clara County is a private non-profit organization that provides leadership and resources for the creation of affordable housing in the Santa Clara County.

B. In order to ensure stakeholder involvement in the direction of the organization, the Housing Trust is in the process of reconstituting its Board of Directors to include 27 members representing each city in Santa Clara County along with the Trust's major corporate donors.

C. One or more city council members have already accepted invitations to join the newly constituted Board of Directors of the Housing Trust.

D. Don Gage, Chairman of the Trust's Board of Directors, has invited Council member Steve Glickman to join the newly constituted Board of Directors of the Trust as a representative of the Town of Los Gatos.

E. On May 18, 1992, the Town Council adopted a policy entitled Public Access to Council Decision Making which states in pertinent part that "Council Members may not sit on Boards of Directors of non-profit organizations which receive funding or in-kind contributions from the Town."

F. The prohibition contained in this policy is wholly local so that Council is free to interpret, apply and find exceptions to this policy as it deems appropriate.

G. In order to ensure the Town's involvement in directing the actions of the Housing Trust, Council should approve an exception to the above described policy.

**RESOLVED:**

That the Town Council approves an exception to its policy regarding membership on the boards of directors of non-profit organizations receiving financial assistance from the Town to enable Council member Glickman to accept the invitation to join the reconstituted Board of Directors of the Trust.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California held on the      day of December, 2005, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA