



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: RICHARD DOYLE
City Attorney

SUBJECT: SUPPLEMENTAL MEMORANDUM: **DATE:** September 3, 2010
Civil Service Commission
Applications

BACKGROUND

This memorandum supplements the memorandum distributed to Council yesterday, September 2, 2010, regarding the City Attorney's review of applications for appointment to the City's Civil Service Commission for potential conflicts of interest or incompatible offices. Three applications were submitted to the City Clerk yesterday after initial notice to submit applications by September 1 at 5:00 pm and the public posting of documents related to this agenda item. The three applications are discussed below.

APPLICANTS

Adrienne Lilly – Ms. Lilly's application indicates "NA" for her current employment and does not specify her current work situation. Although Ms. Lilly states that she was a lawyer for Knight-Ridder in San Jose from 1999 to 2005, she is licensed by the Minnesota State Bar and is not licensed to practice law in California. Ms. Lilly is not eligible to serve as the attorney member of the Commission because City Charter section 1001(a) requires the attorney member of the Commission to be licensed to practice law in the State of California. However, Ms. Lilly may be appointed to the other open position. Her application discloses neither incompatible offices nor apparent conflicts of interest.

Issac Joseph Vaughn – Mr. Vaughn's application indicates he is Managing Director of SC Investments Consulting, LLC in Saratoga, CA. He is a lawyer licensed by the California State Bar since 1993. The State Bar currently identifies him as a solo practitioner. A review of the City's active and past litigation files indicates that Mr. Vaughn appears not to have represented anyone in litigation against the City and City employees, or any City employee before the Civil Service Commission. If appointed to the Commission, Mr. Vaughn is prohibited from representing any employee of the City of San Jose in proceedings before the Civil Service Commission. His application discloses neither incompatible offices nor apparent conflicts of interest.

James Gordon Prunty – Mr. Prunty's application is blank regarding his present employer, so there is no information regarding his current employment situation. His application discloses neither incompatible offices nor apparent conflicts of interest.

CONCLUSION

None of these applicants have any apparent conflicts that would prevent them from serving on the Civil Service Commission. Ms. Lilly is not eligible to serve as the attorney member of the Commission, but may be appointed to the other open position. The City Council may wish to consider the above comments in making its appointments to the Commission.

RICHARD DOYLE
City Attorney

By:



VERA TODOROV
Senior Deputy City Attorney

cc: Debra Figone
Lee Price