



**Neighborhoods Commission  
of the City of San Jose**

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**Business of Building Communities**

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**Workproduct  
Development  
Process**

**WORKING DRAFT**

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To: Chair, Neighborhoods Commission

cc: Staff, CMO  
Liaison, City Council  
City Attorney

## Duties and Work of the Commission

### Commission Duties

The Neighborhoods Commission is an advisory body to the City Council and the City administration. Pursuant to the Municipal Code, the Commission will study, review, and evaluate issues, courses of action, and policies/ programs affecting the quality of life in San Jose neighborhoods, focusing on neighborhood safety, transportation, and code enforcement, and to advise and make recommendations to the City Council regarding annual budget priorities.

### Legal Advisory Notice

One of the narrow exceptions to the Brown Act is a meeting of a temporary advisory committee composed of less than a quorum of the legislative body, that serves a limited or single purpose, that is not perpetual, and that will be dissolved once its specific task is completed. This is commonly referred to an ad hoc committee.

However, the City's Sunshine regulations narrow that exception for ad hoc committees even further to those "formed or used for specific or immediate problems and not intended to meet for more than six (6) months" (Council Resolution 77135 Section 2.3.1.2.C.1.).

Additionally, in order to ensure that the Brown Act is not inadvertently violated by sharing information with more than a quorum of the Commission outside of a publicly noticed meeting, we recommend the following precautions:

- 1) The number of members of the ad hoc committee should be substantially lower than the quorum of the Commission; and
- 2) The ad hoc committee should meet in person or conference call and not communicate via email except to arrange meeting logistics"

### BACKGROUND

The City Council established a permanent Neighborhoods Commission when it approved the ordinance amending Chapter 2,08 of the San Jose Municipal Code on August 27, 2013, The ordinance requires that the Neighborhoods Commission focus on issues affecting neighborhood quality of life including public safety, transportation, code enforcement; and the City budget.

The Neighborhoods Commission is unique as it represents neighborhoods and residents throughout the city. Few large cities have a Commission rooted in its neighborhoods with members chosen by neighborhood residents and empowered by City Council.

The 20-person volunteer Commission generally meets the second Wednesday of the month – except in July and December, requiring 25 hours of annual meeting time.

Each Commissioner will typically volunteer 5-10 or more hours a month with his/her neighborhood and fellow Commissioners collectively creating thousands of hours of community service in outreach, critical thinking and support of the City Staff in making our City a great place to live and work.

Two Commissioners from neighborhoods of each Council District, are select by caucus process to serve a four year term. Elected delegates can serve two terms.

## **Purpose of the Commission**

Commission reviews, studies and evaluates issues, policies/ programs affecting the quality of life in San Jose neighborhoods focusing on safety, transportation, and code enforcement and budget matters. It provides advice and makes recommendations to the City Council as representatives of City neighborhoods.

A safe livable city depends on both stakeholders and those who work for the city. Working together to leverage the knowledge and resources each can provide signifiant benefits. The Neighborhoods Commission provides a pathway for expanding and improving that relationship.

## **Work of the Commission**

Work of the Neighborhoods Commission is varied, complex and often time-sensitive. It is managed in conjunction with and under the supervision of the City Manager's Office (CMO).

### **Review, Study, Discuss, Advise**

With the responsibility to understand, discuss and make recommendations comes the obligation to work with neighborhoods, neighborhood leaders and City Staff to identify key areas and opportunities for maintaining and improving safe, strong, healthy neighborhoods. This involves community outreach and working with appropriate city services to identify where neighborhoods and the city and improve processes and outcome.

The Commission provides both a public venue and vehicle for this work.

### **Outreach**

In the review, study and discussion of Commission's work, Commissioners work with neighborhood leaders and community members to share and exchange information, ideas and concerns affecting their neighborhoods.

As city staff works with the Commission, this exchange is strengthened and provides an opportunity to leverage ideas, information and resources.

### **Building partnerships**

Sharing information, ideas and resources helps build working partnerships between neighborhoods and city services. When these opportunities come forward and problems are solve or outcome is improved, the Commission shares this with the community and Council.

## **Selection of Work**

### **Annual Workplan**

Each year the Commission develops a workplan. From a list of neighborhood concerns, a small list of opportunities are selected where the Commission, working with the city and neighborhood leaders can improve safety and general quality of life. Time and resources are limited and items that make the workplan should have city wide application and benefit.

This workplan is delivered to staff, then Rules Committee to be approved by Council. It is a guide to scheduling work of the Commission for the coming year. Applications for amending this are permitted as it is intended to inform the Council on the work of the Commission.

Often items are suggested by Council or the City Staff for inclusion in the workplan.

### **Other Work**

Occasionally circumstances arise where the Commission is presented with a request to take on a project of importance or urgency requiring an adjustment of planned work.

### **Workproduct**

#### **Comment or Advise**

Typically the work of the Commission is noticed to the Council in the form of a letter or memorandum. This can take the form of a comment on findings, a notice of outcome of work done, or a letter of advice from the Commission.

#### **Outreach**

Occasionally the Commission undertakes a project of reaching out to the community to learn about key concerns or issues affecting neighborhoods. The Commission may also undertake a project of informing the community about its work, or new programs or projects the city is rolling out.

#### **Partnership**

In the process of studying and analyzing issues and opportunities undertaken by the Commission, working relationships evolve between neighborhoods and the city. More is learned, residents become engaged and problems get solved and conditions improve.

This too can be a product of the Commission's work.

### **The Process**

When subjects or issues are undertaken by the Commission, the time required to process these to completion can range from one or two Commission meetings up to a full year or more, depending on the complexity of the subject and its impact on neighborhoods and city services.

To properly and effectively process work, Commissioners must be well informed, understand the background, context and options before framing the nature and scope of the work.

#### **Becoming Informed**

As an issue or topic is agendaized, providing Commissioners with background, context and other information 10 days to two weeks before the subject is presented would be very helpful in allowing Commissioners to better understand the issue and expectations of work.

Posting relevant information well in advance enables a more thoughtful and constructive discussion and improves the process and outcome.

#### **Public Discussion**

Work of the Commission is done in public and time is provided for public comment. However, to study, review, and evaluate issues, courses of action, and policies/ programs affecting the quality of life require more time and resources that agendaized Commission meetings allow.

This is where a small minority of Commissioners knowledgeable about the issue (an ad hoc committee) can work off line to gather more information, review and evaluate the subject and report back to the Commission in a public forum. It is critical that this be managed to assure that work of the ad hoc committee does not extend beyond 6 months.

## **Creating Workproduct**

An ad hoc committee, working with staff and neighborhood leaders in compliance with The Brown Act and Council Resolution 77135 Section 2.3.1.2.C.1 can develop an outline of the project, scope of work, description of the workproduct and timeline for processing. Progress updates and Commission input would be appropriate in regular Commission sessions.

The report can be agendized, posted, presented, discussed and moved forward for review, consideration and approval by the Commission as a committee of the whole in public.

Following this process will provide for thoughtful, constructive study, review and evaluation of the subject.

## **Delivery**

Upon completion and approval of the Commission's work on the issue, the workproduct may be delivered to Staff (the Commission Secretary) for review and transfer to City letterhead and forwarding on to Rules for consideration for moving it to the Council agenda.

This product can take the form of:

- 1) a letter of comment or advice to Council;
- 2) or a brief report of work done and outcome.

## **Example #1**

## **Example #2**