



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Norberto Dueñas

SUBJECT: NEIGHBORHOODS COMMISSION
PILOT RECOMMENDATIONS

DATE: June 5, 2013

Approved

Date

6/7/13

RECOMMENDATION

- (a) Accept the Recommendations Report from the Neighborhoods Commission
- (b) Direct staff regarding the future of the Neighborhoods Commission to either:
 - (1) End the Pilot without the creation of a permanent commission,
 - (2) Establish a permanent commission based directly on the Recommendations Report from the Neighborhoods Commission; or
 - (3) Establish a permanent commission based on one of the suggested policy alternatives

OUTCOME

The City Council will provide the Administration with direction on the future of the Neighborhoods Commission upon termination of the Neighborhoods Commission Pilot Program.

BACKGROUND

The Neighborhoods Commission Pilot was established by Council on September 25, 2007. On October 23, 2012, Council extended the Neighborhoods Commission Pilot a third time and directed the commission to develop recommendations regarding its structure and mission to be considered by the City Council within the context of the ongoing overall boards and commission re-structuring. To that end, the Neighborhoods Commission met eight times over the last five months and with the support of an outside consultant developed a recommendations report on establishing a permanent commission. The Neighborhoods Commission's deliberations included a critical review of the mission and functioning of the commission and involved extensive interactions with staff and the outside facilitator regarding the strengths and weaknesses of the various options.

ANALYSIS

Neighborhoods Commission Recommendations

The final Recommendations Report is the sole work of the Neighborhoods Commission itself, and is attached as Attachment A.

The key recommendations of the Neighborhoods Commission report are:

1. Establish a permanent 20 member neighborhoods commission with 10-20 alternates.
2. Select 2 commissioners from each district through 10 district caucus processes of select neighborhood leaders to be held as needed.
3. Focus the work of the Commission on neighborhood quality of life with a particular emphasis on public safety, transportation, and budget.

In parallel with the work of the Neighborhoods Commission, Council approved on May 7, 2013, a comprehensive Boards and Commissions re-structuring effective July 1, 2013. This restructuring included broadening the membership of most Boards and Commissions to include representatives from each of the Council Districts. This change will have the effect of significantly broadening the geographic representation on commissions and as a result increasing the opportunity for each commission to represent diverse neighborhood perspectives.

End of Pilot Option

In light of these commission restructuring policy changes, and to provide Council a full range of options to consider, this report presents as a policy option allowing the pilot to conclude without the creation of a permanent Neighborhoods Commission. In this option, the existing nine boards and commissions, drawing their membership now from each of the 10 council districts, would serve as the voice of the neighborhoods. In addition to the boards and commissions, a range of opportunities for community engagement such as the annual neighborhood budget priority setting session would also continue. This option does not preclude the formation of ad hoc task forces or advisory boards to be convened by Council in the future as needed around topics or issues of interest. This option reflects the reality that while neighborhoods are certainly core to what makes a city great, the Neighborhoods Commission Pilot as structured and implemented may have not produced the results expected by either the City Council or the participants themselves.

Policy Alternatives

Should Council prefer instead to create a permanent commission, Council has the option of creating this commission directly on the basis of the Neighborhood Commission's own recommendations or following approved Council Policy, or an alternative policy. A comparison

June 5, 2013

Subject: Neighborhoods Commission Pilot

Page 3

of key components of the Council approved Boards and Commissions policies with the Neighborhoods Commissions recommendations are presented below. In cases where there is a substantial difference between Council Policy and the Neighborhoods Commission recommendations, policy alternatives are presented for consideration. The comparison examines commission size, selection, scope, implementation, and terms. A summary chart of this comparison is included as Attachment B.

COMMISSION MEMBERSHIP

Council Policy: For advisory boards and commission the standard size is 11 members, one from each council district plus a mayoral appointment.

Neighborhoods Commission Recommendation: The commission is recommending a decrease from the pilot size of 30 commissioners (3 from each council district) to 20 commissioners (two from each council district) with 1-2 alternates from each council districts(pilot had 2 alternates). The total size of the commission would be 30-40 members and alternates.

Policy Alternatives:

- A) Follow adopted Council Policy and create an 11 member commission.
- B) 15 members total with; one each from the district (10), one at large member and 4 subject matter specific seats such as budget/finance, transportation, public safety, etc. to provide a broader perspective.

Council Policy: The approved method of appointment to advisory boards and commissions requires candidates to apply to the City Clerk's Office which then forwards candidates to the Council for consideration and appointment. The Council Appointment Advisory Commission may screen applicants in the keeping of an applicant pool.

Neighborhoods Commission Recommendation: The Commission recommends that members will be selected at 10 separate neighborhood caucuses to be held in each of the ten council districts. The voting members of the caucus will be a small number of pre-selected representatives from the formal neighborhood associations within the district. Candidates and alternates receiving the most votes in the district caucus would be brought forward to the full Council for consideration and appointment.

Policy Alternatives:

- A) Follow adopted Council Policy for selection of members.

B) A single citywide open neighborhood caucus process held in conjunction with an existing neighborhood leadership event to select the members for open seats. The alternative is a less time-consuming schedule and a less resource intensive effort than supporting ten separate caucuses. In addition, opening up the caucus to more than just a few members of each neighborhood association would allow for broader and more diverse participation in the candidate selection process.

COMMISSION SCOPE OF WORK

Council Policy: N/A

Neighborhoods Commission Recommendation: The commission recommends a focus on neighborhood quality of life with particular emphasis on public safety, transportation, and the City budget. These three areas are not represented by a formal board or commission, though public safety does have the informal San José Police Chief Community Advisory Board (CAB), and there is a Department of Transportation Bicycle Pedestrian Advisory Committee (BPAC). While no formal group exists as an advisory committee for the annual budget process, the commission has been collecting budget feedback from the community which goes into their annual recommendations to the Mayor and the City Council on the budget.

Policy Alternatives: No suggested Policy Alternatives.

COMMISSION IMPLEMENTATION

Council Policy: The Council approved commission structure allows for establishing meeting schedules according to what is necessary to accomplish a commission work plan. Annual Work Plan and Accomplishments reports are presented to the Rules Committee for review and approval.

Neighborhoods Commission Recommendation: The commission recommends that the Neighborhoods Commission become a permanent City of San José advisory group effective July 1, 2013. The commission will meet 10 times a year with a committee structure. The pilot commission would continue to serve to support the caucus process until new members are selected.

Policy Alternatives: Return to Council with an ordinance for a permanent neighborhoods commission and Council direction on priority work items for the new commission in the fall of 2013, but allow the current Pilot to conclude. The Neighborhoods Commission Work Plan and Annual Accomplishment Reports presented to the Rules Committee.

In addition, the Administration recommends that the body of work of the commission take place before the full commission. If the City Council decides to support and committee structure, the Administration recommends that the committees meet on an ad hoc basis.

COMMISSION MEMBER TERMS

Council Policy: The Council approved commission policy calls for 4-year terms.

Neighborhoods Commission Recommendation: The commission recommends that the current pilot 2-year terms be changed to 4-year terms, not to exceed two terms in accordance with existing Council Policy.

Policy Alternatives: No suggested Policy Alternatives.

EVALUATION AND FOLLOW-UP

Staff provides regular updates on neighborhood engagement at the Neighborhood Services and Education Council Committee. If a permanent Neighborhoods Commission is created, staff will continue to provide updates to the Neighborhood Services and Education Committee.

PUBLIC OUTREACH

- Criterion 1:** Requires Council action on the use of public funds equal to \$1,000,000 or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet the above criteria, these recommendations have been discussed at eight public meetings of the Neighborhoods Commission between January 9, 2013, and May 8, 2013. Additionally, this memorandum will be posted to the City's website for the June 18, 2013 Council Agenda.

COORDINATION

This memorandum was coordinated with the City Attorney's Office and the Office of the City Clerk.

HONORABLE MAYOR AND CITY COUNCIL
June 5, 2013
Subject: Neighborhoods Commission Pilot
Page 6

CEQA

Not a Project, File No. PP10-069, City Organizational and Administrative Activities.

/s/
NORBERTO DUEÑAS
Deputy City Manager

For questions, please contact Ernest Guzman, Executive Analyst, at 408 535-8171.

Recommendation for Neighborhoods Commission

DATE: May 15, 2013
TO: The Honorable Mayor Chuck Reed and Members of the San Jose City Council
FROM: City of San Jose, Neighborhoods Commission
SUBJECT: Recommendation for Neighborhoods Commission

Dear Mayor Reed and Council Members,

Following Council's direction from October of 2012, this recommendation positions the Neighborhoods Commission within the larger context of overall Board and Commission restructuring and is the result of extensive study, discussion and review at four regularly scheduled Neighborhoods Commission meetings and three public study sessions, the latter of which were guided by a trained facilitator. Additional input was collected by discussions at District Neighborhood Leadership Group meetings, Neighborhood Association meetings, and individual emails and conversations. The resulting recommendation was then discussed and approved at the May 8, 2013 meeting of the Neighborhoods Commission.

We feel that this Pilot Program has shown that there is a vital and unique role for the Neighborhoods Commission. As a valued resource for both the City and Community we respectfully ask to be made a permanent component of San José's future. We recommend that the following be considered as a revision to the pilot program in order to make improvements that better serve our Neighborhoods and the City.

In recognition of its inherent value to the Community, the Neighborhoods Commission has been extended twice by unanimous Council action.

Executive Summary

The purpose of this recommendation is to propose to City Council and Staff the structure, role and function which the Neighborhoods Commission should take on once it is made a permanent body.

The Commission shall serve as a conduit for communication between the neighborhoods, City Council, other Commissions and City staff on issues, programs and projects that have a long-term horizon and that impact the quality life in the neighborhoods.

In this role, the Commission serves as a strategic thought partner for Council and staff, while articulating another level of advocacy for neighborhoods. It provides information from Council, City Staff and other bodies to the neighborhoods and, in turn, reflects the voices and needs of the neighborhoods for consideration in the City's decision-making process.

We propose that the Commission be made permanent incorporating the following changes:

- A reduction in the number of Commissioners to 20;
- A Caucus selection process where:
 - Community members select the Commissioners
 - It is the responsibility of the Commission to facilitate it; and
 - The Commission works in conjunction with the City to ensure it is broad and equitable.
- A work plan focused on the Budget, Public Safety, Transportation, policies affecting neighborhood Quality of Life and communications and outreach.

BACKGROUND

The Neighborhoods Commission is an outgrowth of the Strong Neighborhoods Initiative (SNI) Project Advisory Committee and the product of a collaborative effort between the City and the community. Since its formation, it has worked on longer-term, city-wide policies and procedures affecting neighborhoods and their quality of life. As a pilot program, the Commission has occupied a unique space in the civic landscape and made distinct contributions according to its charter to increase community involvement, civic engagement and outreach. In doing so it has been a model for participatory Democracy.

Representing the City's neighborhoods, the Commission has worked with City Staff in revising the City Trees Policy, provided a venue for discussion and feedback of policies such as "Social Host" and has been instrumental in conducting outreach and providing input around the budget and community-related service provision. In addition, it has been an active participant in Public Safety matters, advocating for Community Policing and a comprehensive definition of the term to include all City Services which contribute to it.

VISION, MISSION AND ROLE OF THE NEIGHBORHOODS COMMISSION

Vision – To integrate the voices of all neighborhoods into the City of San Jose's decision-making process and achieve collaborative and lasting improvements to neighborhood quality of life.

Mission – To advise City Council and staff regarding issues, policies, courses of action and programs affecting neighborhood quality of life and to support and advocate for San Jose neighborhoods through community participation, communication, partnerships and shared accountability.

Role - The Commission shall serve as a conduit for communication between the neighborhoods, City Council, other Commissions and City staff on issues, programs and projects that have a long-term horizon and that impact the quality life in the neighborhoods.

In this role, the Commission serves as a strategic thought partner for Council and staff, while articulating an additional level of advocacy for neighborhoods. It provides information from Council, City Staff and other bodies to the neighborhoods and, in turn, reflects the voices and needs of the neighborhoods for consideration in the City's decision-making process.

FUNCTION OF THE NEIGHBORHOODS COMMISSION

The Commission's core activities are focused on Communications, Outreach and Civic Engagement. Further, the Neighborhoods Commission "fills the gaps" by focusing on issues, programs not addressed by other Commissions and Boards (i.e. transportation, public safety and budget and finance).

To this end, the Commission's core activities include but are not limited to:

1. Discussing and making recommendations on issues affecting the quality of life in the City's neighborhoods as they relate to issues may include:
 - a) Items on the City's "Top Ten" issues list which impact neighborhoods; and
 - b) Those issues raised by the neighborhoods (e.g., the interface between existing neighborhoods and the envisioned Urban Villages and Main Streets; changes to the City's sign ordinance; and impacts of planned changes to the City's parking policies).
2. Providing a venue for two-way communication between the City and the Community:
 - a) Conduct forums for City Council and City Departments to elicit neighborhood input on issues, programs, projects, proposals, new policies, service delivery changes, etc.;
 - b) Continue to facilitate neighborhood groups and individuals raising issues and express their concerns, hopes and needs and regularly report these to the City Council and City Departments; a
 - c) To work with other City Commissions and Boards (e.g. joint meetings, presentations and, etc.).
3. Supporting and promoting inter-neighborhood communication, utilizing a range of different venues and modalities (face-to-face, online, etc.).
4. Enhancing knowledge and develop expertise within the Commission on city-wide policies, issues, etc. and City Council and City Department priorities.

STRUCTURE OF THE NEIGHBORHOODS COMMISSION

1. Number of Commissioners and Composition
 - a) There will be 2 Commissioners representing each of the 10 City Council Districts and 1-2 alternates from each District.
 - b) In the case where there are more than 2 Commissioners *currently* representing a District, the selection process will determine which Commissioners are selected as Commissioners and which is selected as an alternate.
 - c) Alternates will be kept informed on the issues being addressed by the Commission so that they will be able to be sworn in quickly by the City Clerk when a vacancy occurs.
 - d) During regular meetings, a quorum is constituted by half of the membership of the Commission.
2. Selection Process

Through the process of Community input into restructuring of Boards and Commissions, community members were adamant that and vocal about maintaining the selection of Neighborhoods Commissioners by way of the Caucus Process.

- a) Candidates for the Commission are solicited over a designated period starting one month before the selection caucus, using a variety of media.
- b) Prospective candidates apply through the normal City Commission process (e.g., on-line application and vetting by the City Clerk). The qualified candidates are then notified by the City Clerk or his/her designate
- c) Commissioners and alternates are selected by a caucus in the Districts they represent.
- d) When a vacancy occurs and there is no alternate, a caucus is convened in the respective Council District.
- e) Working with the staff of the respective Council District, the person staffing the Commission convenes the caucus.
- f) Delegates comprising the caucuses will be as follows:
 - At least three (3) representatives from “Neighborhood Groups” (as defined in Planning Outreach Policy 6-30): “a group or organization that is representative of its specific neighborhood, and whose primary purpose is the improvement of that neighborhood. The neighborhood group is self-identified and provides an annual update of its’ contact information to the City. Additionally, for the purposes of this process, a Neighborhood Group must be registered with the City of San José, be acting in good faith to meet the criteria outlined above, and be composed of multiple members from different households in its geographic area.”
 - A neighborhood group must formally designate their delegate to the Commission’s City staff liaison a minimum of seven (7) days in advance of their district neighborhood caucus.
 - No individual delegate shall represent (or cast a ballot on behalf of) more than one neighborhood group in the district caucus.
 - A delegate must reside in the district in which he or she is casting a ballot on behalf of a neighborhood group.
 - Candidates are encouraged to be present at the caucus and may not have “stand-ins” speak on their behalf.
 - Candidates are required, as part of their application process, to prepare and submit beforehand a written statement of up to two hundred and fifty (250) words explaining their candidacy, skills / experience, and prior service to the community.
 - One of the former Commission members or a member from another district will facilitate the caucus.
- g) During the caucus, the facilitator will present the Candidates, facilitate the question and answer period and the actual voting process itself.
- h) During the caucus in the respective District(s), two candidates will be selected to serve as Commissioners for that District. One-two alternates for that District shall also be selected. The Caucus committee shall determine the best voting process to be used to select the candidates and alternates.
- i) Candidates may serve on the commission regardless of their residency status.

3. Terms of Commissioners
 - a) Commissioners will serve a maximum of two 4-year terms,
 - b) After seated, the Commission shall determine the appropriate ways to stagger terms for the purpose of continuity.

4. Meetings: number and location
 - a) The number of general meetings will be ten (10) per year. The general meetings will occur either at City Hall or at a pre-determined location in the respective Council Districts (the latter in order to facilitate the participation of representatives from neighborhood groups, organizations, leaders and residents).
 - b) The Commission's Executive Committee will meet prior to each general meeting.
 - c) Other committees designated by the Commission will meet as often as necessary. Commissioners bringing knowledge, skill or interest-specific assets to a subject before the Commission will be encouraged to serve on subject-specific committees to develop the work product defined by the majority.

5. Outreach and Communication
 - a) Commissioners will learn about the issues that are important to the neighborhoods within their respective Districts. One of the key mechanisms for doing this is to attend neighborhood meetings with existing groups and organizations, such as the District Leadership Groups. Commissioners would be expected to talk informally with neighborhood leaders and residents to gather information about issues, accomplishments and concerns.
 - b) Commissioners will be accountable for serving as communication conduits between the neighborhoods and the Commission.

Conclusion

We thank the City Council for the opportunity to participate in the development of the Neighborhoods Commission, the Pilot Program and in helping shape its future direction over the past few years.

We hope that the Council accepts our recommendations and our willingness to continue a dialogue that results in the development of a permanent Neighborhoods Commission.

Finally, we thank the City for facilitating the meetings required to produce this recommendation and its continued guidance in shaping the Commission.

ATTACHMENT B

Comparison of Key Components of the Council Approved Boards and Commissions Policies with the Neighborhoods Commissions Recommendations

	Existing Council Policy for Boards and Commissions	Neighborhoods Commission's Recommendation	Policy Alternative for consideration
Size	11 members	20 members and 1-2 alternates selected by a commission run caucus system. Limited city staff involvement.	11 members as per Council Policy Plus 4-5 at large seats as needed of community members with specific expertise on issues that the commission targets.
Selection	Applicants nominated by council district with one citywide appointee under various council approved criteria, with applicants being screened by the Council Appointment Advisory Commission for the maintenance of an applicant pool. An advisory body to the council	Members shall be selected at a council district caucus held in each of the 10 council districts. Voting members of the caucus will be comprised of representatives of neighborhood groups. Members selected by caucus will be appointed by Council. The NC will focus on three areas of interest to San Jose Neighborhoods 1. Public Safety 2. Transportation issues involving streets, trees, etc. 3. The City of San Jose annual budget process It will also consider other neighborhood concerns that emerge.	Revised caucus process that will occur once a year in a central location, preferably in conjunction with an existing neighborhoods event such as the UNSCC annual training conference. Allow all residents to participate in the caucus process. None
Scope	An advisory body to the council	The NC will focus on three areas of interest to San Jose Neighborhoods 1. Public Safety 2. Transportation issues involving streets, trees, etc. 3. The City of San Jose annual budget process It will also consider other neighborhood concerns that emerge.	None
Implementation	Will be determined by council direction following process of timeline for ordinance approval and implementation.	Effective July 1, 2013 the commission will become permanent The commission will meet 10 times a year with a committee structure	None
Terms	4 year terms	4 year staggered terms	None