Toni Taber, San José City Clerk
200 E. Santa Clara St.
San José, CA 95113

re: Comments on Draft Council Policy 0-4: Boards and Commissions

Dear Ms. Taber,

On behalf of the Neighborhoods Commission (NC), we would like to give the following input regarding the Draft Consolidated Policy Governing Boards and Commissions, Policy 0-4.

The NC is unique in the City, authorized by a Council action separate from the action that re-structured the City's other Boards and Commissions, and so Policy 0-4 governing these other Boards and Commissions does not have to be applicable to us. Nonetheless, the Draft of the Policy is quite comprehensive and well written, and with only minor modifications it can be made applicable to the Neighborhoods Commission as well.

BACKGROUND

The Neighborhoods Commission (NC) began as a pilot program in 2009 by the San Jose Council as a means of continuing and expanding citywide the successes of the then-ending Strong Neighborhoods Initiative (SNI) Neighborhoods Advisory Committees (NAC). The NC is unique among San Jose Commissions and Boards in that it, like the SNI NAC preceding it, consists of members selected by the communities they represent rather than being selected by City Council. The NC pilot program was extend by the Council in 2011 and again in 2012, with the direction that the NC should make recommendations as to its own structure and charter as part of the citywide Commissions and Boards structural improvement process. In 2013, the Council revised and adopted the NC's recommendations and then voted to make the NC a permanent city commission (Resolution 2.08.3400). This was accomplished as a separate action that was taken prior to the structural improvement of the other Boards and Commissions covered by the Draft Policy 0-4.

Despite the NC's unique structure and implementing resolutions, we feel that Policy 0-4 can be made applicable to the NC with only minor modifications to the Draft document.

RECOMMENDATIONS

First: the Clerk's cover memo dated Aug. 1, 2014, provides a good background on the NC and its relationship to the Boards and Commissions Structural Improvement process. We recommend that the narrative be completed by adding at the bottom of page 4 that the NC was made permanent in 2013 by the Council's adoption of Ordinance 2.08.3400.

Second: in the draft of Policy 0-4, we recommend the following changes:

- Page 1: under "definitions", add "Community Nominated Commission" to the list along with "Charter Commission" and "Council Nominated Commission". Recommended wording for the definition: "A Commission whose membership is selected by the Community through a public caucus process and then approved by the Council. The Neighborhoods Commission is the only Community Nominated Commission in San Jose."

- Page 3: Section I.A.6: The first two sentences discuss all Commissioners, and how they can only serve on one commission at a time, whereas the remainder of I.A.6 discusses only Charter Commissions. We suspect that this is merely a formatting error and that the latter portions should be a distinct paragraph (I.A.7). It also appears that the current section I.A.7 should be combined with the above, thereby forming a complete description of the unique aspects of the Charter Commissions.
- Pages 3 and 4: Section I.A.8 discusses the unique aspects of Council-Appointed Commissions, and I.A.9 gives the specifications of a subset of those Council-Appointed Commissions whose members are appointed by the Council Appointment Advisory Commission. Following this structure of having a section for each form of Commission, we recommend adding a Section I.A.10 for Community Nominated Commissions. This section can be relatively short, saying that the caucus selection process and other unique aspects of the Neighborhoods Commission are documented in Council Ordinance 2.08.3400, and that that Ordinance has precedence over Policy 0-4 in case of discrepancies. The current Sections I.A.10 and I.A.11 would then be renumbered as I.A.11 and I.A.12.
- Page 15: Section V.D.2.c: changing the phrasing from "appropriate Council Appointee" to "Commissioner or Boardmember from the appropriate Council District" allows the paragraph to be applicable for both Council-Nominated and Community-Nominated Commissions.
- Also, a question: on Page 7, Section III.D.2, why the restriction that ad hoc subcommittees be comprised solely of members of the commission? A primary purpose of the NC is to communicate with the communities, to involve them, and to channel their input to the City decision-makers. Accordingly, it would seem appropriate for, say, the NC to form an ad hoc Budget subcommittee to work closely with members of the public who are well-versed in the budget. The subcommittees don't vote or take other formal action, so what is the distinction between a subcommittee comprised of a small number of commissioners working with a group of community members, and the larger group of commissioners and community members all working together as a subcommittee?

Third: for the Bylaw template in Appendix B, we recommend that it be noted that the bylaws are to be modified as appropriate. For the NC, we anticipate making the following modifications:

- Section 101: we would use the number appropriate for the NC: Ordinance 2.08.3400. (Also, there is an ambiguous typo: is it **p**rescribed or **d**escribed?)
- Section 201: terms of office: ending in July
- Section 401: use the appropriate meeting dates and times
- Sections 501 and 502: use the appropriate number of Commissioners (eleven) for a quorum. (Note: some other Boards and Commissions, such as Human Services and Libraries & Early Education, will also have quorums with other than six members.)

With these minor modifications and additions, the Draft Policy 0-4 appears to be quite appropriate for the Neighborhoods Commission as well as the other Boards and Commissions in San Jose.

We thank the Clerk for this opportunity to provide comment on the Draft Policy, and we look forward to using the template as we adopt our own bylaws.

Lawrence Ames,
Chair, San Jose Neighborhoods Commission.