

Random notes and parting thoughts for the Neighborhoods Commission
by Larry Ames, NC Chair 2014-16
August 6, 2016

The Neighborhoods Commission (NC) is unique in San José, and perhaps nationwide, in that it is an official city commission with the commissioners selected by the community rather than by the city. For most of the other commissions in the city, the Councilmembers and the Mayor each select a commissioner from a pool of volunteer candidates; for some (like the Planning Commission) the Council as a whole selects the Commissioners; for the NC, it delegates from the various neighborhood associations in the district who caucus to select the commissioners from the pool of volunteer candidates, and the Council can only confirm or reject: only in the case of a mid-term vacancy does the Councilmember get to make an appointment. Thus, the NC is reflective of the community rather than being an echo of the Council. This gives the NC the ability to truly express neighborhood concerns without fear of a displeased Councilmember replacing the commissioner.

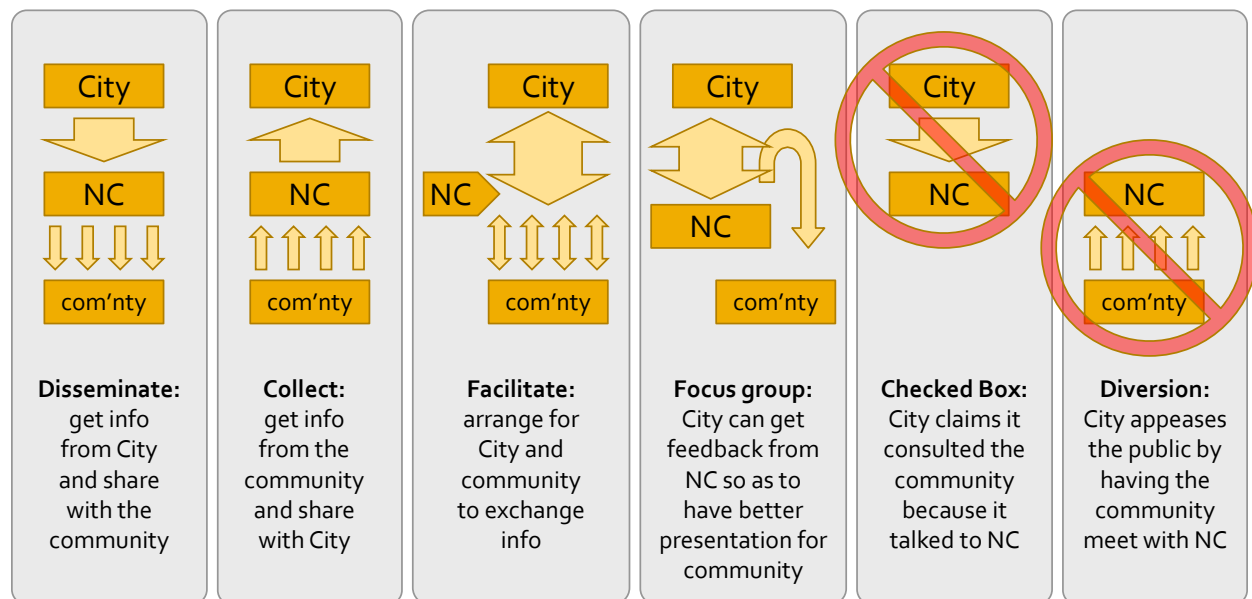
Process & Purpose:

The NC is a formal city commission. As such, it has to follow governmental rules and regulations, such as the Brown Act, and the rules and regulations do have a tendency to slow down the process: it is a more *deliberative* process than many community volunteers have been acquainted with, which can lead to a sense of frustration. On the other hand, letters quickly written by individuals or local organizations are often not treated as respectfully by the City as are the official letters from an official city commission.

I once made a chart-set explaining how the NC is different from other commissions, and also how it differs from District Leadership Groups or United Neighborhoods of Santa Clara Co: see http://www.wgbackfence.net/NC/NC_overview_2015.pptx

(The charts need to be updated, and can be adapted for individual districts.)

The chart-set includes a diagram to show our purpose:



- The NC helps disseminate information from the City to the Community.
- The NC collects issues and concerns from the community that we incorporate into our comments to the City.
- The NC can help facilitate an exchange of information between City and the community, as we did with the SJPD drone issue.
- We are willing to be a “focus group” – a representative sampling of community concerns, provided the City accepts our feedback so as to be better able to work with the community. Examples include draft presentation on the City’s Outreach policy.
- The NC should not waste its time just being “a box that needs to be checked”: don’t sit and listen to presentations just because some project or department was required to “consult with the community” and felt that talking at the NC would fulfill that requirement.
- Also, the NC should not be a “diversion”: don’t agree to meet with the public on an issue if the City doesn’t want feedback: it is frustrating to the commissioners to sit and listen without having a chance to give our opinions, and it is misleading to the public who had been given the impression that their comments were being heard by someone who could act on their input.

For the Chair:

- The commission does not exist just to hear you talk: try to limit how much you say.
- Have the other commissioners and the public express their opinions before you express yours, so that they don’t just echo your own thoughts.
- Try to engage all the commissioners. It’s a tradeoff: I didn’t like it in prior years when each commissioner was only allowed to ask one question, as sometimes some commissioners have more concerns or are better informed in, or involved with, some particular issue. But don’t let only a few commissioners dominate every conversation, either.
- Try to encourage commissioners to be brief and on-topic: don’t let them ramble or get into detailed monologues that may only be relevant to their individual areas.
- At the first meeting of the season, take the time to allow a detailed introduction by each commissioner: where they live, what are their experiences, skills, interests? What do they anticipate contributing to the NC?

Public speaking:

- Only the Chair should speak on behalf of the Commission, and then only on topics that have been discussed by the commission. Note that it is not practical to get prior Commission approval before any public speaking, as issues may appear on Council agendas that warrant input from the NC.
- If the Chair is unable to speak at Council, it is appropriate for the Chair to delegate to the Vice Chair. I would recommend documenting the delegation in an email, cc’d to NC Staff. (Include the date, topic, and position to be presented.)
- It is worthwhile for the Chair to occasionally speak at Council meetings: it lets the Councilmembers know that there is an active and involved NC that has opinions on various topics.

Work Plan:

- The Work Plan (WP) defines what the NC will work on for the coming year.
- It is a formal document that has to be approved by the City Council (I think at the Rules Cmte).
- It’s important for the NC to actually do something: a commission whose only action is the approval of the previous meeting’s minutes doesn’t have a reason to exist.

- Don't spend too long developing the WP: you will want to leave some time to actually do the work you have planned to do!
- In developing the WP: there are the "expected" and "required" tasks (e.g., preparing for the caucuses in alternating years, developing the WP itself, and commenting upon the budget); there are tasks that are suggested (or requested) by the City (Staff and/or Council); topics from the community (expressed either directly at the commission meeting or through an individual commissioner); and issues suggested by the commissioners themselves.
- The WP is a way to schedule things so everything doesn't happen at once. Some items have to happen at certain times (e.g., comment upon the City's budget), whereas others can be done at any time.
- Don't overload the WP: schedule only about half the time, to leave room for issues that seem to crop up during the year. The City Council may want the NC to look into various matters, and/or issues may be brought to the NC by the community.
- The WP is not "set in stone" – it can be modified, and sometimes topics are "overtaken by events".
- Don't try to tackle too many items in a year: the NC could appear "scatter-shot", there might not be time to accomplish all the announced tasks, and the commissioners could become overloaded and dispirited.
- Work on projects with defined lengths so that the commission can wrap it up and write a formal letter to Council and community. This does not mean that the topic can't be revisited later and the work extended, but having deadlines in the work-plan gives a target and a sense of closure and accomplishment, whereas an on-going effort could drag on indefinitely without result.

Agenda setting:

This is more important and more complicated than it would seem it needs to be.

The agenda is comprised of:

- Items from the Work Plan for that month.
- Items brought to Staff from Council or City Manager's Office
- Items added to the agenda by the commission – this is the purpose of that last item of business on the agenda at each meeting. Note: be sure to allow sufficient time at each commission meeting for the commissioners to actually be able to suggest additions for the following month's meeting.

Staff prepares the actual agenda. Per the Brown Act and Sunshine Policy, it needs to be publicly noticed some number of days prior to the meeting. The Chair should consult with Staff prior to finalizing the agenda to make sure that the correct items are included. Some topics may have to be postponed to a later meeting if the agenda gets too full.

>> Be sure to check the "action" listed on the agenda for the various items: does the phrasing allow the commission to take a position, write a letter, or authorize the chair to speak at meetings? (I've attended other meetings where the commission was not allowed to act even though they wanted to because the agenda item was listed as "information only".)

If Staff publishes an incorrect agenda, it can be amended: call Staff and insist upon an update. I believe that this can even be done the day before the commission meeting.

(During the Pilot Program phase of the commission, there was an “Executive Cmte” that met with Staff a week or two before the meeting to set the agenda. The Exec. Cmte was comprised of the Chair, Vice Chair, and leads from the various NC cmtes – budget, outreach, and a few others. These Exec Cmte meetings were open to the public, and commissioners were able to attend and request additions to the agenda, although it was cumbersome to have to drive across town and waste an hour in a meeting when it generally could have been accomplished by conference call or email.)

The “Orders of the Day” agenda items are for approving the agenda. Items can not be added – the public would not have been informed about the topic – but items can be deleted, postponed, or the order reshuffled. If there are guest speakers or a number of members of the public for a particular topic, it is polite to take that item before any time-consuming routine commission tasks.

Meeting location:

The NC usually meets at City Hall, but it doesn’t have to.

In the past, we had talked about occasionally having a commission meeting elsewhere, for example, at a community center in East Side, Alviso, Almaden, or West Side. The idea was to encourage outreach to those communities, to raise public awareness, and to garner different points of view. Any such shift of location would need to be settled months in advance so that it could be announced at the preceding commission meeting. Recognize that different locations can cause confusion for those used to the routine, and also could cause hardships for those having to figure out different commute routes or public transportation options.

When the NC held Special Sessions for the discussion of the SJPD’s Unmanned Aerial System (“drone”) program, we met once at Mayfair (East Side) and again at the West Valley Branch Library. It was quite effective.

Official Letters:

The Council has said that they want to hear from the NC. Don’t wait for an annual report by Staff: communicate!

The NC officially reports to the Mayor and Council. Formal communication to other agencies need to be through the Council. For example, our letter on the BART station was actually a letter to Council, asking that they relay our concerns to those VTA Boardmembers who were also part of the Council.

- Letters need to be authorized by a motion of the NC.
- Don’t want to spend the limited time at a commission meeting working on the wording: just get agreement on the major points.
- Can ask for volunteers from the commission to help draft the letter.
- If the issue is time-critical, ask that the commission’s motion authorize the Chair to finalize and submit the letter. For other situations, a draft of the letter can be brought back to the Commission for review and suggested updates.
- Letters need the approval from the City’s Legal Department before submission. Legal is willing to review a draft version of the letter, which can speed up the final approval process.
- For proper inclusion in the City record, the letter has to be submitted by Staff to the City Clerk for distribution to Mayor and Council.

The writing of letters can take months. Simple letters can be rushed if there is a deadline, such as comments on an upcoming event.

Variations on a theme:

- Chair drafts a letter and sends it to Legal for review. Chair then sends the reviewed/revise letter to Staff for distribution to the Commission for the upcoming meeting. At the meeting, discuss it and then adopt a motion for the Chair to revise the letter (if needed) and submit it. The Chair makes any needed revisions, then emails it to Staff, cc'd to Legal. Once the final version is approved by Legal, the Chair meets with Staff in person to sign an original copy of the letter. Staff then hand-carries the signed original over to the Clerk's office for distribution.
- A longer version, if there is need and time: set up an ad-hoc committee at one commission meeting to help create the original draft for the next meeting, then proceed as above.
- A shorter timeline version: instead of signing an original copy of the letter, email the final version directly to Mayor and Council, cc'd to Staff, Legal, and Clerk. Include a short comment in a cover email about the need for rushing, and also affirm that Legal and Staff had reviewed the draft and concurred. You may still get a nastygram from the Clerk's office saying that the process had been short-circuited and so the letter will not be part of the Official Record, but at least the Councilmembers will have had the opportunity to get the information.
- For very rushed letters, write the letter as an individual and submit it personally. This won't carry the gravitas of a Commission Letter, but it may be able convey information in time. It may be appropriate for several commissioners to each write letters from the viewpoint of their various districts, as we did this year this past year with our preliminary budget suggestions.

Staff Support:

The Commission is supported by City Staff, usually a member of the City Manager's Office (CMO). Staff arranges the meeting locations, posting of the official agenda and meeting notices, coordination and forwarding of commission letters, and drafting the official minutes of the meetings.

Commission effectiveness has been hampered at times in the past due to Staff turn-over, turmoil, and medical absences. The commission is not allowed to act on its own – it would be a violation of the Brown Act for the Chair or any commissioner to communicate with the rest of the commission directly.

“Staff” is more than a single individual: it is a position in the CMO. It can be supported by an intern, and supplemented with assistance from Management.

The commission should appreciate the support of Staff, but not be controlled by it: the commission should control both the agenda and the pace of the meetings.

Suggestions:

- Have Staff get official city-issued business cards for all the commissioners: they are quite useful in interacting with the community. Use them liberally: they are good for raising community awareness of the commission.
- Have Staff actively maintain the Neighborhoods Commission webpage on the city's website. It should include not only the agendas, but also links to various presentations and supporting materials presented at the commission meetings, and also be a repository for official copies of letters produced by the commission.

- Have Staff post the audio recordings of the NC meetings online, as is done by the city's Historic Landmarks Commission and others. (You may need to ask the Council liaison to have the Council provide the needed budget. There's probably no need for a more costly full video record.) The recordings provide a record of what was discussed and any positions taken. Their publication adds to the "transparency" of this community-based commission.

Communications:

The Neighborhoods Commission is supposed to represent the Neighborhoods. To do so, you need to communicate with them.

- It helps to have a districtwide assemblage of neighborhood groups. This should be independent of the Council office. It might meet in person periodically, and/or might have a Yahoo Group (or equivalent) that shares information between interested parties.
- Announce upcoming NC meetings to the community. This can be done by emailing to your neighborhood association or area, and also copy the group email and ask that others forward the information. Do it in a timely manner, inviting the public to attend and alerting them to any agenda items of local interest. Ask for input that you might forward to the commission on the district's behalf. (It's unlikely many members of the public will attend, but they appreciate being informed and invited.)
- After the NC meetings, let the community know what happened. (Sorry, but the official NC minutes are not all that useful or timely.) I would take a half hour or so at my computer after the meeting and do a "stream-of-consciousness" data-dump to a Word document that I'd edit the following morning and then post to a website (www.WGBackfence.net/NC), and then I'd announce its availability and provide the district group a link.

The Neighborhoods Commission is a unique experiment. It may seem cumbersome due to its formal nature and bureaucratic needs, and may seem awkward due to its size. But it is truly representative of the neighborhoods in San José: it is "the voice of the people".

I look forward to seeing how the commission will evolve in the coming years!

~Larry Ames

past Chair, San José Neighborhoods Commission.