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Interim City Manager's Office (CMO) and Staff to the SJ Neighborhoods Commission  
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sent Jan. 25, 2016 via email – [ncstaff@sanjoseca.gov](mailto:ncstaff@sanjoseca.gov)

cc: Norberto Dueñas, City Manager – [norberto.duenas@sanjoseca.gov](mailto:norberto.duenas@sanjoseca.gov)  
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Council Liaison – [Andrea.Hyde@sanjoseca.gov](mailto:Andrea.Hyde@sanjoseca.gov)

re: Neighborhoods Commission terms in office

Dear Ms. McGurk,

Thank you for alerting the Neighborhoods Commission (NC) to the "Board/Commission/Committee Roster" dated January 21, 2016 (online at <http://www.sanjoseca.gov/DocumentCenter/View/148>).

I believe that the section discussing the NC (p. 16) is incorrect when it says that a number of current Commissioners are currently not eligible for reappointment.

I'm cc'ing Mr. Dueñas and Guzman, as they participated in the discussions relating to the establishment of the NC, and I'm cc'ing the Clerk so that the details in the document can be confirmed.

The founding of the NC was a complex and confusing process. It was initially intended to be a two-year pilot program followed by a Council decision as to whether it should be made permanent. The start was delayed while details of the NC's charter were established, and at the end of the pilot there was a hiatus before the Council decided to extend the pilot program for the remainder of that year. This was followed by a second hiatus and second extension as the Council considered reorganizing various city commissions.

During this second extension, the Council tasked the commission to work with City Manager Staff and a facilitator on recommendation for the purpose and structure of a permanent NC. This included discussion of term limits and the transition from a pilot program to a permanent commission. The term limits were set at two 4-year terms to be consistent with city policy. For the transition period, I recall that several options were considered, including "starting with a clean slate", counting the time during the pilot program as a single term, or keeping the seated commissioners in place and starting the term-limit clock with the selection by the next caucus. After discussion with Staff, this last alternative was selected. This and the other recommendations were formally presented to Council, accompanied by a Staff Memo (<http://sanjoseca.gov/DocumentCenter/View/20395>), on Aug. 27, 2013 (see Agenda Item 5.2 in the video, [http://sanjose.granicus.com/MediaPlayer.php?view\\_id=52&clip\\_id=6664](http://sanjose.granicus.com/MediaPlayer.php?view_id=52&clip_id=6664)).

It would be easy to get confused: the Staff Memo only summarized the transition period and a few other points, but did not expand on term limits or other details.

The wording of the actual ordinance (<http://sanjoseca.gov/DocumentCenter/View/20313>) is clearer:

**2.08.3450 Transition Period**

C. The initial terms for Commissioners from even-numbered Council Districts shall be effective as of July 1, 2016. [Emphasis added.]

D. As of the effective date of this ordinance, the commission shall consist of those commissioners still seated on the pilot Neighborhoods Commission when that commission sunset on June 30, 2013.

This is consistent with my understanding that the commissioners seated during the pilot program were to remain in place, and the initial (first) term would begin after the caucus selection in 2014 (for odd-numbered districts) or 2016 (for even-numbered districts).

Part of the justification for not counting the time during the pilot program as a “term” is that the period was interrupted twice by the hiatuses, and much of the last year was dedicated to developing recommendations for the structure of a permanent NC rather than doing commission work on behalf of the neighborhoods.

I do note that a number of the commissioners from odd-numbered districts from the pilot phase have left the NC, either by not applying to serve again or by not being selected by their caucuses. However, they all were allowed to apply if they wished, and two were reselected to serve. I don’t know how many of the commissioners from the even-numbered districts are interested in serving again, but they should have the same opportunity.

I myself doubt that I would be interested in serving two full 4-year terms starting in 2016 – I’d be well into my 70s before the end! – but I am interested in running for the commission this coming term: I feel that the NC has finally gained its stride and is now beginning to do good work for the neighborhoods and city. I would like to participate and do my part.

I look forward to clarification of the details of the terms of office of the Neighborhoods Commission.

Thank you,

Lawrence Ames,  
Chair, SJ Neighborhoods Commission.