

## CITY OF SAN JOSE Neighborhoods Commission

### By-Laws 2009

#### 1. PURPOSE

The purpose of the City of San Jose's Neighborhoods Commission (Commission) is detailed in Neighborhoods Commission Ordinance No. 28178

#### 2. GENERAL

The Commission will conduct business in accordance with these By-Laws, the City of San Jose Municipal Code, the Consolidated Board, & Commission Policies and other applicable laws.

The Neighborhoods Commission shall integrate the voice of neighborhoods into the City's decision-making processes; study issues, courses of action, policies, and programs that affect neighborhood quality of life; make recommendations to Council and Redevelopment Agency; and empower neighborhoods.

The Commission will make regular reports to the San José City Council, City Staff, and Neighborhood Groups. The Neighborhoods Commission work plan will be developed in coordination with, and approved by, the Neighborhood Services and Education Committee. Annual reports will be provided by Commissioners at the yearly Neighborhood Caucus by Council district.

#### 3. MEMBERSHIP

Commission will consist of 30 members selected after a caucus process held in each council district.

- All Candidates for Neighborhoods Commission must reside within the boundaries of the City of San José, apply through the City Clerk's office, and meet all City requirements for appointment to a Commission. All members will serve 2-year terms with a limit of 4 terms.
- The caucus process will consist of the following process:
  - Selection of Delegates and Candidates for the District Caucus
  - The same overall format and requirements for the Neighborhood Caucus will be used for each District.
  - As defined in Planning Outreach Policy 6-30, a "Neighborhood Group" is 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.
  - Each Neighborhood Group must register in advance and select one (1) delegate and one (1) alternate that will attend the District Caucus, whose purpose is to select three (3) commissioners and two (2) alternates who will represent the District on the Commission. A Neighborhood Group must formally designate their Delegate to the San José Neighborhood Development Center a minimum of seven (7) days in advance of their District Neighborhood caucus. If the seven day deadline falls on the weekend, the designation must be made by the end of the business day (5:00 PM) of the Friday prior.
  - 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.
  - An individual who meets the City requirements to serve on a Board or Commission may apply as a candidate to be considered for the position of Neighborhoods Commissioner

- Present at the Caucus shall be designated Neighborhood Group Delegates/Alternates, Candidates who have been vetted through the San José City Clerk's office, interested members of the community, a neutral Caucus Moderator/ Facilitator and assistants and interpreters (as needed and requested in advance). Candidates are encouraged to be present at the caucus and may not have "stand-ins" speak on their behalf.
- Candidates are encouraged, 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.
- It is the recommendation that City Council members not endorse individual candidates or take steps to influence the outcome of the Neighborhood Caucus. Council Offices are encouraged to work with the Neighborhood Development Center in providing non-partisan support and assistance in the outreach process.
- Neighborhood Commission Candidates Statements and information will be posted on the Neighborhood Development Center website, as soon as this is available.
- All Neighborhood Caucuses will be held on an annual basis one year to the previous caucus.

#### Caucus Process

- Neutral Moderator/ Facilitator will provide welcome, introductions, ground rules, and explanation of the caucus process to all in attendance in each of the ten (10) respective Council District caucuses.
- Candidate Opening Statements: two (2) minutes each (chosen in random order).
- Question & Answer Period: All Candidates will have the opportunity to briefly respond (one minutes answers) to four (4) questions provided by Delegates, The questions shall be received, reviewed, and asked to the Candidates by the neutral Moderator/ Facilitator to prevent repetition and inappropriate questions.
- Each Candidate shall be provided with time for a one (1) minute closing statement prior to the balloting.
- There will be a caucus period provided (time for Delegates to talk one-on-one with the Candidates and members of the community in attendance). Additional caucus time may be requested and provided by the Moderator/ Facilitator during the process as needed to promote dialogue and resolve "ties" in the balloting process.
- There will be successive rounds of public balloting in which designated Delegates in each of the ten (10) respective Council District caucuses select three (3) Commissioners and two (2) Alternates.
- To be elected to a Commissioner seat, a Candidate must receive a majority vote of the delegates in attendance at the Caucus.
- In the initial (first) round of balloting, each Delegate shall choose five (5) Candidates. Any candidate who receives a majority of votes cast by all Delegates voting shall be elected. If on the initial ballot fewer than three (3) Commissioners and two (2) Alternates are elected by majority vote, successive rounds of balloting shall occur with the single lowest ranking candidate eliminated on each successive round until such time as three (3) Commissioners and two (2) Alternates have been elected by a majority of votes cast by all Delegates voting.
- The two candidates elected by a majority of votes cast by all Delegates voting who received the lowest number of votes or who were elected in the latest of successive rounds of voting shall be considered Alternates. As between the two Alternates, the Alternate with the higher number of votes or who was elected earlier in successive rounds of voting shall be considered the First Alternate. The other Alternate shall be considered the Second Alternate. If a Neighborhoods Commissioner leaves the position during his or her term, the First Alternate from the same Council District shall then move into the position of Commissioner. If a second Neighborhoods Commissioner from the same Council District leaves the position during his or her term, the Second Alternate from the same Council District shall then move into the position of Commissioner. In the event there is an equal number of votes between the third and fourth and any additional candidates for Commissioner in a given Council District, successive rounds of voting shall take place to determine which of these candidates shall become a Commissioner and which an Alternate.

- In the event that not all five Neighborhood Commissioner and Alternate seats are filled during the caucus process for a given Council District, the status of open seats shall be reviewed and resolved by the Neighborhoods Commission.
- Names of those individuals chosen through the Neighborhood Caucus process will be provided to the City Council, who will formally ratify and appoint Commissioners.

#### 4. MEETINGS

##### a. Regular Meetings

Regular Commission meetings shall be held on the second Wednesday of each month.

##### b. Special Meetings

Special meetings may be called by the Commission Chair or upon the request of seven (7) Commission members. Meetings will be held in accordance with the Brown Act.

##### c. Quorum/Attendance

A quorum for meetings shall be a majority of the total number of member seats (30) filled or vacant. Motions shall be passed by a majority vote of the members present.

The City Council's attendance policy at Boards, Commissions and Committees shall apply to this Commission:

When establishing its boards and commissions, City Council considered attendance at committee meetings extremely important where unexcused absences will result in an automatic resignation.

Reasons for excused absences:

- illness of the member
- illness or death of member's family
- authorized commission business

Reasons for automatic resignation:

- three (3) unexcused absences from any three (3) consecutive regular meetings
- unexcused absences from greater than 20% of regular meetings, (three/3) in any one calendar year

##### d. Conduct of Business/Open Meetings

Robert's Rules of Order shall be used to conduct all Commission and sub-committee business. All Commission meetings shall follow the provisions of the Brown Act and adopted Sunshine Reforms.

##### e. Placing Items on the Agenda

Items which require action from the full Commission should be placed on the Agenda by the Sub-Committee Chair through the full Commission Chair. If Commission materials will be required for the agenda item, the Commission member should have the items placed on the agenda no later than ten (10) days prior to the next Commission meeting or bring prepared materials to the meeting.

#### 5. OFFICERS

The officers of the Commission shall be the Chair and the Vice-Chair.

- a. Commissioner Officers shall be nominated in June and elected at the July meeting and will take office in August. Positions of Chair and Vice-Chair will be open to all members. Members need to be present to accept nomination, nominate, and vote. The Chair and Vice-Chair will be elected by simple majority vote. There are no term limits for the offices of Chair and Vice-Chair.

- b. The Commission may elect such officers from time to time as business may require.
- c. Any Commission officer may be removed by a majority vote of total of Commission membership at any regular or special Commission meeting.
- d. The Chair shall preside at all the meetings of the Commission and exercise the powers usually exercised by such an official and shall perform such other duties as required by the law, these By-Laws, and as may be designated by the Commission.
- e. In the absence of the Chair, the Vice-Chair shall perform all the duties outlined in 5d above. Other Commission members may represent the Commission in the community at the discretion of the Chair as allowed by City Policies.
- f. In the absence of the Chair and the Vice-Chair, any Commission member may call the meeting to order and a Chair Pro Tempore may be elected to conduct the meeting.

## 6. COUNCIL LIAISON

Liaisons to the Commission shall be appointed by the Mayor and will serve as the City Council representative to the Committee.

## 7. COMMITTEE LIAISON(S)

Commission members can be appointed by the Chair to serve as liaisons. Liaisons to other City Commissions and /or Committees shall be appointed upon the request of that Commission or Committee or outside agency. Liaisons from other City Commissions and/or Committees as well as outside groups shall be encouraged. The Commission shall request others groups to appoint such liaisons if the Commission determines it is warranted.

## 8. PRINCIPLE ACTIVITIES

Provide a neighborhood voice to City Leadership in prioritizing neighborhood spending, infrastructure, and quality of life issues.

Consult with appropriate City department/staff regarding documentation of best practices and to support the development of vibrant neighborhood organizations.

Receive information from City Staff and offer advice and consultation on inter-neighborhood issues.

May receive petitions from neighborhood groups that request review.

Promote enhanced communication and resolution of issues between neighborhoods and the City of San Jose.

## 9. SUB-COMMITTEES

Sub-Committees may be established to research, analyze, and recommend policies and/or actions to the full Commission that are of interest to the City of San Jose. The Chair has authority to appoint Sub-Committee Chairs.

### a. Sub-Committee Membership

Although Commission members are not required to serve on subcommittees, such participation is strongly encouraged. At least one Commission member shall be a member of any sub-committee.

### b. Non-Committee Members on Sub-Committees

The Committee may establish sub-committees which may contain nonmember (s) of the Committee. The number of such non-Commission member(s) shall not exceed three (3) per sub-

committee. Non-Commission members shall be proposed to and elected by a majority of the full Commission. Non-Commission members shall have full voting rights with Commission members at Sub-Committee meetings only.

c. Sub-Committee Meetings

Sub-Committees shall meet on an as needed basis in accordance with the Brown Act. Additional meetings for special purposes may be held when appropriate.

d. Resource Persons

The Sub-Committee may invite community members who are experts in various contract or business related issues to serve as committee resource persons. These resource persons could be called upon to inform the Sub-Committees, when appropriate, on key issues. These persons would not be Sub-Committee members.

e. Quorum

No quorum is required for Sub-Committees meetings.

f. Standing Sub-Committees

A. Caucus Committee

B. Workplan Committee

C. Outreach/Communication Committee

D. Executive Committee

The Committee may create additional standing Sub-Committees when required.

g. Ad-Hoc Sub-Committees

Ad-Hoc Sub-Committees may be created when required by a majority vote of the Commission. Such a sub-committee would generally have a limited purpose and exist for a finite period of time. Ad-Hoc Sub-Committees may also extend membership to Non-Committee Sub-Committee members.

## 10. BY-LAWS AMENDMENT

Amendments to the By-Laws may be proposed by any Commission member.

- a. All proposals must be submitted in writing to the Chair to be agendaized at the next Commission meeting, and mailed with the Agenda packet for the next Commission meeting.
- b. Commission members shall review and/or discuss the proposed amendments as agendaized, and then shall vote on them at the next Commission meeting.
- c. By-Law amendments shall become effective immediately upon the adoption by the Commission, unless otherwise provided in the amendment.