COUNCIL AGENDA: 09/25/07
ITEM: 5.2

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Nadine N. Nader

SUBJECT: **SEE BELOW**

DATE: September 12, 2007

Approved Deanna Santana Date 9/12/07

SUBJECT: STRONG NEIGHBORHOODS MONTHLY UPDATE ON NEIGHBORHOODS COMMISSION PROPOSAL [Neighborhood Services and Education Committee referral 8/9/07 – Item (e)(1)]

On August 9, 2007 staff presented a report on the Strong Neighborhoods Monthly Update on Neighborhoods Commission Proposal to the Neighborhood Services and Education Committee.

Upon motion by Councilmember Nguyen, seconded by Councilmember Pyle, the Committee approved the staff recommendation with the following amendments:

(a) The Neighborhoods Commission annual work plan will be developed in coordination with, and approved by, the NSE Committee;

(b) The Neighborhoods Commission be instituted as a pilot from April 1, 2008 to March 31, 2010; and

(c) The Neighborhoods Commission provide quarterly updates to the NSE Committee throughout the two-year pilot period.

Attached is the report that was presented to the NS&E Committee.

Nadine Nader
NADINE N. NADER
Agenda Services Manager

Attachment

NS&EC: 08-09-07
ITEM: 5a

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: NEIGHBORHOOD SERVICES & EDUCATION COMMITTEE

FROM: Mark Linder
Deputy City Manager

SUBJECT: **STRONG NEIGHBORHOODS MONTHLY UPDATE ON NEIGHBORHOODS COMMISSION PROPOSAL**

DATE: July 23, 2007

Council District: Citywide

RECOMMENDATION

It is recommended that the Neighborhood Services and Education (NSE) Council Committee approve the attached Neighborhoods Commission Proposal with the following amendment and refer to the City Council for consideration:

a) The Neighborhoods Commission annual work plan will be developed in coordination with, and approved by, the NSE Committee.

OUTCOME

The NSE Committee's approval of the Neighborhoods Commission Proposal, and its referral to the City Council, will allow the Council to consider if a Neighborhoods Commission should be established.

BACKGROUND

The Strong Neighborhoods Initiative (SNI) Project Area Committee was established in January 2002 for a period of three years pursuant to redevelopment law requirements and to serve as an advisory body for the Strong Neighborhoods Initiative process, especially on matters relating to implementing the SNI Redevelopment Plan. At the end of the three years, the Council voted to establish the Strong Neighborhoods Initiative Project Advisory Committee (PAC) through June 30, 2007 so that the PAC could continue to provide valuable input to the Council and staff on policy and issues of significant interest to SNI neighborhoods in addition to strengthening ties between government and residents. The proposed Neighborhoods Commission is intended to allow for this formal communication to continue.

The PAC has led the effort to develop the Neighborhoods Commission Proposal and is committed to overseeing the implementation of the proposal to continue. On June 26, 2007 the

City Council approved a resolution to extend the term of the PAC to March 31, 2008. This extension allows the PAC to continue providing input to Council and staff on neighborhood issues as the Neighborhoods Commission Proposal is considered.

On October 2, 2006 the former Building Strong Neighborhoods Council Committee (BSN) hosted the PAC's Executive Committee and SNI Steering Committee for a special meeting on extending Strong Neighborhoods beyond the Redevelopment Project Area and the proposed city-wide Neighborhoods Commission. At the November 8, 2006 BSN meeting, the Council Committee directed Strong Neighborhoods staff to work with the SNI PAC to develop a detailed plan for a Neighborhoods Commission. The approved memorandum included direction to staff and the PAC's Neighborhoods Commission Work Group ("Work Group") to address the issues included under the analysis section of this memorandum. The Work Group, composed of PAC members and other neighborhood leaders, submitted a working draft of the Neighborhoods Commission plan and provided an update on its outreach efforts with neighborhood groups and City commissions at the March 8, and April 12, 2007 NSE meetings.

ANALYSIS

Since the initial discussion of the Neighborhoods Commission concept, numerous questions have been raised by the Council Committee, City staff, neighborhood organizations, and City commissions. The following are the responses to key issues identified throughout the Work Group outreach process that have been incorporated into the proposed Neighborhoods Commission Proposal.

- *Relationship to existing city commissions, city departments, Mayor and Council*

The City Council is the final decision-making body. The Neighborhoods Commission would act in an advisory capacity to the Council and would work with both City and, when applicable, Redevelopment Agency staff, and when appropriate, collaborate with other commissions and boards. In the recommendation section of this memorandum, staff recommends amending the Neighborhoods Commission Proposal to develop the Neighborhoods Commission's annual work plan in coordination with the NSE Committee. This relationship creates additional oversight and opportunities for Council guidance.

- *Focus and areas of responsibility*

The Commission would be a forum for the following:

- Provide a neighborhood voice to City leadership in prioritizing neighborhood spending, infrastructure, and quality of life issues.
- Consult with appropriate City departments/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 accept petitions from defined neighborhood groups that request review. Neighborhood groups are defined as a group or organization that is representative of its

specific neighborhood, and whose primary purpose is the involvement of that neighborhood. The neighborhood group is self-identified and will provide an annual update of its contact information to the City.

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

- *The size of the commission*

The Commission will have equitable representation from throughout San Jose. There will be three representatives from each of the ten (10) Council Districts, for a total of thirty (30) members serving on the commission.

- *Governance infrastructure that includes process for nominating members, length of terms, qualifications, role and number of members*

To empower neighborhoods, membership on the commission will be effectively nominated by neighborhood caucus in each council district, and will reflect the desires of the neighborhood groups. Following the caucus process, nominations will be forwarded to the City Council for consideration. The City Council holds sole authority to appoint individuals to the Neighborhoods Commission. The attached proposal, and "Neighborhood Outreach and Caucus Guideline/Framework" provides additional information on the caucus process.

The commission appointments from each of the council districts will be two and three year terms (staggered appointments). The intent is the continuation of the work and programs of the commission would be maintained, while encouraging developing new neighborhood leadership to become involved in the process. Of the three seats per district, members of a neighborhood group may not hold more than one seat of the three within that Council District. An individual may serve a maximum of four two-year terms.

- *Legal and political implications*

There are no known legal and political implications to establishing this commission. This commission will adhere to all applicable City policies, procedures, and State laws provided that the City Council maintains its authority to appoint commissions. Although the Neighborhoods Commission proposal includes a caucus process in which individuals are nominated to the commission, the City Council has the ultimate authority to appoint individuals to the commission.

- *Accountability to the city and neighborhoods*

Reports would be made to neighborhood groups, Council, and senior staff on a regularly scheduled basis. An annual report would be presented at the yearly caucus by council district.

- *Defining a clear focus and role to allow for measurable success and accountability*

The Neighborhoods Commission will advocate for all San Jose neighborhoods. The mission of this body is to integrate the voice of neighborhoods into the City of San José's decision-making

processes. This includes the study, review, and evaluation of issues, courses of action, and policies/programs affecting San José neighborhoods, and making recommendations to the City Council and Redevelopment Agency. The City Council would look to this body as a resource when reviewing matters with an impact on neighborhoods and other matters of significant community interest that may come before the Council.

- *Preserving and protecting the existing neighborhoods in the Strong Neighborhoods Project Area*

The original draft work plan specified that a subcommittee of the Neighborhoods Commission would maintain a standing Neighborhood Advisory Committee subcommittee (NAC) to advise the commission on issues specific to SNI neighborhoods. The Work Group eliminated all reference to the Strong Neighborhoods Initiative within the proposal.

- *On-going funding and staff support*

The proposal indicates that the City and RDA will provide funding for staff and for operations of the Neighborhoods Commission. The Redevelopment Agency has supported the SNI PAC, ranging from 50-27 members, over the past five years with existing staff and minimal operating expenses, with less than $60,000 spent over five years. As the PAC sunsets in March 2008, Strong Neighborhoods staff will be available to support the Neighborhoods Commission and operating expenses can be absorbed within the existing City budget.

EVALUATION AND FOLLOW-UP

If the Neighborhoods Commission Proposal is approved by the NSE Committee, the City Council will consider the proposal at the August 21, 2007 meeting as an item cross-referenced from the report of the August 9, 2007 NSE Committee. At this time, the Council will consider the Neighborhoods Commission Proposal and determine whether the City Attorney should be directed to begin preparing a draft ordinance to institute a Neighborhoods Commission.

PUBLIC OUTREACH/INTEREST

- ☐ **Criteria 1:** Requires Council action on the use of public funds equal to $1 million or greater. (Required: Website Posting)
- ☐ **Criteria 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)
- ☐ **Criteria 3:** Consideration of proposed changes to service delivery, programs, or staffing that may have impacts to community services and have been identified by staff, the Board or Council, or a community group that requires special outreach. (Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)

This memorandum does not meet the criteria listed above. The Work Group has held multiple community meetings on the proposed Neighborhoods Commission, including three public forums and a study session with a three-fold purpose: to inform and update the community about the commission plan to date; gather questions and address concerns; and continue building support for the commission. In addition, the Work Group has held weekly public meetings since early Spring 2007 to discuss progress and input into the proposal.

The following is a list of the different public forums, neighborhood group and commission meetings in which the Neighborhoods Commission proposal was presented and discussed:

- Joint Neighborhoods Commission Forum with United Neighborhoods of Santa Clara County (January 7)
- PAC/Neighborhood Action Coalition (NAC) Summit (January 27)
- District 5 Leadership Summit (February 3)
- District 8 Leadership Group (February 6)
- Cambrian Leaders Valentine Breakfast and Mixer (February 14)
- Meeting with Matt Hammer, Executive Director, People Acting in Community Together (PACT) (February 15)
- Willow Glen Neighborhood Association (March 14)
- Second Neighborhood Commission forum (March 14)
- San Antonio Community Association (April 19)
- Alum Rock Neighborhood Association (April 19)
- Caucus Study Session (April 21)
- University Neighborhoods Coalition (on-going)
- District 3 Neighborhood Advisory Group (on-going)

Work Group presentation on the proposed Neighborhoods Commission to City of San Jose Commissions, Boards, and staff meetings:

- Housing and Community Development Commission (February 8)
- Public Arts Commission (March 14)
- Library Commission (March 14)
- Parks and Recreation Commission (March 21)
- Strong Neighborhoods Steering Committee (April 6)
- Neighborhood Services and Education Committee (April 12)
- Appeals Hearing Board (April 12)
- Housing and Community Development Commission (April 12)
- Senior Staff Issues Working Group (April 18)
- Parks and Recreation Commission (April 18)
- Housing and Community Development Commission (April 18)
- Early Care and Education Commission (April 23)
- Parks and Recreation Commission Joint Study Session with the Neighborhoods Commission Work Group (May 16)

COORDINATION

This memorandum has been coordinated with the City Manager's Office, the San Jose Redevelopment Agency, the City Attorney's Office, and the PAC Work Group.

CEQA

Not a project.

MARK LINDER
Deputy City Manager

Encl.

Final Neighborhoods Commission Proposal

This document describes a framework to support the growth of participatory democracy, increased community involvement, and civic engagement for all neighborhoods in San Jose.

Issue Statement: The City Council has stated their intent to assure that the views of all neighborhoods are considered on issues related to community quality of life. We agree that there must be an ongoing body to link and support all San Jose neighborhoods in the development of active neighborhood groups and to ensure a robust relationship between the City of San Jose and the community. We believe that the time is right to create a Neighborhoods Commission for this purpose.

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.

Analysis: Cities around the Country have developed different models to encourage resident involvement and empower neighborhoods. These range from decentralized coalitions to highly structured staff-supported organizations.

San Jose is a large and diverse city with many neighborhood groups, some established and some in the early process of formation. Neighborhood groups, both those within and outside of the redevelopment project areas share many of the same goals: attractive and safe neighborhoods, well-maintained public amenities, and a desire to have our neighborhood contributions acknowledged and input integrated into the decision making processes that affect our communities.

Mission: Support and advocate for all San Jose neighborhoods through community participation, communication, partnerships, shared accountability, and diverse community celebration.

Vision: Integrate the voices of all San Jose neighborhoods into San Jose's decision-making process.

Scope and Duties: The Neighborhoods Commission will advocate for all San Jose neighborhoods. The mission of this body is to integrate the voice of neighborhoods into the City of San Jose's decision-making processes. This includes the study, review, and evaluation of issues, courses of action, and policies/ programs affecting San Jose neighborhoods, and making recommendations to the City Council and Redevelopment Agency. The City Council would look to this body as a resource when reviewing matters with an impact on neighborhoods, and the Neighborhoods Commission would be consulted on matters of significant community interest that may come before the Council.

The Commission would be a forum for the following:

- 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 offering advice and consultation on inter-neighborhood issues.
- May accept petitions from recognized neighborhood groups that request review.
- Promote enhanced communication and resolution of issues between neighborhoods and the City of San Jose.

Matters within its scope will be agendized by the Neighborhoods Commission upon written request of any of the following: (1) the City Council, (2) the relevant city agency or department charged with the matter, (3) another Commission, or(4) ten neighborhoods commissioners. The Neighborhoods Commission may decline to address an issue that is felt to be outside of its scope.

The Neighborhoods Commission requests that the City Council (through the Neighborhood Services and Education Council Committee) provide yearly input regarding work plan items that the Commission can review and in doing so, add the benefit of neighborhood voices for robust and comprehensive civic engagement.

Relationships: The City Council is the final decision-making body. The Neighborhoods Commission would act in an advisory capacity to the Council and would work with both City and, when applicable, Redevelopment Agency Staff, and when appropriate, collaborate with other Commissions and Boards regarding neighborhood quality of life issues.

Qualifications and Appointment Process: The Commission will have equitable representation from throughout San Jose. There would be three representatives from each of the ten (10) Council Districts, for a total of thirty (30) members serving on the commission. In addition to the three representatives from each of the council districts, the neighborhood caucus will select two representatives to serve as alternates in case there is a vacancy. All members must reside within the boundaries of the City of San Jose.

To empower neighborhoods, membership on this body will be effectively recommended by Neighborhood Caucus in each Council District, and will reflect the desires of the Neighborhood Groups.

Each of the neighborhood caucuses will demonstrate a method of assuring that participation in the process of the selection of Neighborhood Commission members will be open to all community stakeholders, participation in the neighborhood caucuses will strive to reflect the diverse ethnic, economic and cultural interests of the caucus area, and that the caucus process will, to the extent possible, allow every attendee to actively participate in the deliberation and decision-making process of the caucus (for further information please refer to "Neighborhood Outreach and Caucus Guideline/Framework").

The existing neighborhood groups will select representatives to be seated on the Commission. Each District will have an annual caucus to review delegates and chose individuals to serve on the Commission. The caucus would be attended by the recognized neighborhood groups district-wide, and no neighborhood group shall be represented more than once within the caucus (only "one bite of the apple"). During the caucus process, each neighborhood group would exercise one vote on successive rounds until a majority is reached on a specific individual for a commission seat. This process shall continue until all three commission seats are filled and two alternate representatives are selected.

The commission appointments from each of the council districts will be two and three year terms (staggered appointments). The intent is that continuing of the work and programs of the Commission would be maintained, while encouraging developing new neighborhood leadership to become involved in the process. Of the three seats per district, members of a neighborhood group may not hold more than one seat of the three within that Council District. An individual may serve a maximum of four two-year terms.

The City and RDA will provide funding to staff and for operations of the Neighborhoods Commission.

Accountability: Reports would be made to Neighborhood Groups, Council, and Senior Staff on regular scheduled basis. An annual report would be presented at the yearly caucus by Council District.

Meetings: The Commission meets on (date and time to be chosen), City Hall, (room to be assigned). On average, Commissioners spend five (5) hours a month attending monthly meetings and an additional eight (8) hours per month on Commission business.

Benefits: There is no compensation for the members of the Neighborhoods Commission. However, from time to time, Commissioners may be reimbursed for approved expenses incurred on City business.

Political Reform Act: The Conflict of Interest Section of the Political Reform Act applies to the Strong Neighborhoods Commission; and Commissioners are required to file a Statement of Economic Interests (Form 700).

Attendance Policy: Commission Members are expected to attend all Commission Meetings. San Jose Municipal Code Section 2.08.060 specifies that a Commissioner, who has unexcused absences from any three consecutive regular meetings, or 20% of the meetings in a calendar year, is deemed to have resigned from the Commission.

Neighborhood Outreach and Caucus Guideline/Framework

1. How should Outreach be conducted to assure neighborhood representation and promote diversity?

1. It is the intent of the Neighborhoods Commission to represent our neighborhoods in San Jose. In order to do so, there shall be effective outreach into our communities, and artificial barriers to participation shall be eliminated to the greatest extent possible.
2. Both broad methods of outreach and targeted outreach shall be utilized to ensure all neighborhood groups are aware of the planned neighborhood caucus process. Such outreach may include but is not limited to: contact with newspapers (both large daily papers and smaller, geographically-based community newspapers and publications targeted towards specific cultural communities), outreach to media such as television and radio community-service announcements, "Op-Ed" articles and "Letters to the Editor", contact with Editorial Boards and Community/Neighborhood "Local Section" News Reporters, e-mail to all registered and known neighborhood groups, email notice to all neighborhood groups and contacts on the community e-mail lists of City Council District Offices, and public noticing on the City's Public Access Television Channel and posted in writing at San Jose City Hall.
3. This outreach shall include contact information of community leaders who are available to provide information on the neighborhoods commission caucus process, to support and advise fellow neighborhood leaders as they develop their neighborhood groups and prepare for this process.
4. Outreach shall be conducted in as many languages as practicable.

2. How should the Neighborhood Caucus be conducted?

1. Each of the neighborhood caucuses will demonstrate a method of assuring that participation in the process of the selection of Neighborhood Commission members will be open to all community stakeholders.
2. Participation in the neighborhood caucuses will strive to reflect the diverse ethnic, economic and cultural interests of the caucus area.
3. The caucus process will, to the extent possible, allow every attendee to actively participate in the deliberation and decision-making process of the caucus.
4. Every recognized neighborhood group shall receive one vote at the caucus. Other individuals are encouraged to attend and participate, but the designated representative of the group shall cast the ballot on behalf of the group. The neighborhood group shall designate this individual a minimum of one week prior to the caucus, and may also

designate an alternate, in case the primary designee is unable to attend the meeting.

5. A minimum of 45 days prior to the caucus, outreach (as described above) shall be conducted. This shall include information on the purpose of the Neighborhoods Commission, the role and responsibilities of a Commissioner, the City's legal requirements for serving on a Commission, the process for entering one's name to be considered as a candidate at the neighborhood caucus, and the final date for application.
6. Individuals interested in being considered for a seat on the commission shall fill-out all the required documentation from the San Jose City Clerk. The City Clerk will review all applications to ensure they meet all legal requirements. Only those individuals that are cleared in advance by the City Clerk will be considered at the caucus for nomination to the commission.
7. On the day of the caucus, the representatives of the district neighborhood groups shall assemble at the scheduled time. Individuals designated to vote on behalf of their groups will be signed in and receive the ballot. The names of the individuals who wish to be considered for Commission shall be posted, and information/ statements regarding their qualifications shall be distributed. All candidates for commission shall be provided five (5) minutes to speak to the neighborhood caucus regarding their qualifications and desire to serve as a commissioner.
8. Balloting shall be conducted, with the candidates receiving the three highest votes being nominated to represent the district on the Neighborhoods Commission. The fourth and fifth place nominees will serve as alternates in case there is a vacancy and will serve the remaining term of the replaced individual. These three nominations and two alternates shall be considered an effective recommendation and shall be forwarded to the City Council for appointment to the Commission.
9. Neighborhood groups are encouraged to network and work cooperatively to ensure that those chosen to serve as Commissioners shall have the larger interest of all neighborhoods at heart, and not focus on the needs of their individual neighborhood.
10. Newer neighborhood groups are encouraged to work with more experienced neighborhood associations and groups for assistance in developing their facilitation and interest-based problem-solving skills. Volunteer facilitators from other council districts may be invited to assist and support the neighborhood caucus process.
11. For those neighborhood groups who are interested in a skills-building and training exercise, a city-wide "model caucus" will be conducted.