



Memorandum

TO: MAYOR & CITY COUNCIL

FROM: Councilmembers Pyle
Rocha, Liccardo & KalraSUBJECT: **Boards & Commission Consolidation**

DATE: October 11, 2012

Approved

Date

10/11/2012

RECOMMENDATION:

Approve staff report with the following modifications and direction:

A. Structural Improvements

1. Municipal Code Revisions

b. Membership:

Remove this section; see B.4, "Consolidations," below

f. Other Advisory Bodies:

Decline to add any additional bodies as official boards or commissions.

g. Commission Appointment Process:

Rename Project Diversity to the "Council Commission Appointments Advisory Committee" and codify its purpose, scope and membership in the Municipal Code with operating procedures established as Council Policy. Allow quarterly meetings for interviewing Board and Commission applicants or as necessary.

3. Commissioner and Staff Training:

Direct staff to develop an on-line training program "handbook" to go along with the mandatory orientation session, preserving staff's ability without mandate, to provide a periodic orientation to new commissioners as needed and only when resources allow.

4. Staffing Efficiencies and Commission Compliance:

Support staff recommendations to consolidate the Brown Act posting requirements of commissions with the Office of the City Clerk. Direct staff to analyze the tasks, roles and responsibilities of effectively operating a commission and bring forward recommendations for any appropriate shifts in responsibilities from staff to commissioners through the implementation process and the development of standardized bylaws. Possible efficiency changes could be found with commissioners or commission officers sending email and phone meeting reminders to members, gauging attendance and quorum, and managing attendance or performance issues as appropriate.

B. Consolidations and Eliminations:

1. Consolidation with County Commissions

Support staff recommendation to decline to combine city and county commissions, with the additional direction to the commissions listed in Table 1 to consider establishing mutual non-voting liaison positions and/or yearly joint commission meetings with their respective County Commission.

2. City Commissions to be Maintained

Support staff recommendations, but consolidate the "Disability Advisory Commission" into the "Human Services Commission," as described in Attachment A.

3. Eliminations

Support staff recommendation to eliminate the Small Business Development Commission, but maintain the workplan of the Human Rights Commission through the Human Services Commission, as outlined in Attachment A.

4. Consolidations

Proceed with the consolidation of the remaining commissions as outlined in Attachment A, with the following exceptions:

- a. Maintain separate commissions for the:
 - Senior Citizens Commission, and
 - Youth Commission
- b. Establish a "Human Services Commission" by combining Human Rights and Disability Advisory Commission as outlined in Attachment A.

Additional Direction

Final Adoption

Agendize this item for final adoption during the November 27th evening session City Council meeting, with an accompanying report of all feedback received by the public.

Meeting Frequency

All Boards and Commissions should have the flexibility to meet monthly to complete their Rules-approved work plan. Commissions should be further directed to abstain from meeting in July and either December or January based on their monthly meeting date, with the exception of Charter Commissions. This change should allow groups to consider items of interest to them in a timely manner and to provide more input to Council on policy matters. Additionally, commissions are encouraged to utilize the ad-hoc committee structure to address specific initiatives of their approved workplan.

Membership

When making appointments, the Council Liaison should weigh the geographic diversity of the applicants. Council districts include many different enclaves of populations; the needs of Alviso are unique to the needs of Berryessa, and Spartan-Keyes has different needs than Japantown. When considering representation, we believe it is more effective to look beyond district borders. Given the concern and complexity regarding the way our Boards and Commissions currently operate and the complexity of the proposed changes, Council should allow for future discussion

regarding establishing Commission members by Council District, should the proposed membership paradigm not be effective.

Advisory Role to Council

The Chairperson—or other designee of the commission or board—shall submit that panel's official recommendations and comments to the staff liaison, who shall attach that summary to the staff reports prepared for Council Committee and full City Council meetings. Where staff's account of the recommendation or comments of a hearing differs from that of the chairperson/designee, or where the commission's report is missing, staff should so indicate within its report.

Fundraising & Resource Development for Advisory Commissions

To the extent necessary to fulfill their workplan and from appropriate sources, the Human Services, Senior Citizens and Youth Commissions (commissions that maintain a strictly advisory role, and do not participate in making decisions involving private interests) should be encouraged and allowed to raise funds for their work and programs. Staff should work on identifying relevant community partners or public-private partnerships that the City is already involved with to act as the fiscal agent and provide a non-profit tax ID number. Staff should also bring forward information on the relevant reporting and disclosure requirements to ensure that all fundraising is legal and conforms to the City's mandate of transparency and disclosure. These funds could be used for commissioner trainings, speaker honorariums, commission sponsored community events, support for the programs provided by their interest groups and other initiatives that fall within their workplans. The County of Santa Clara uses this model very successfully as a tool to maintain independence between commission-sponsored initiatives and County program funds.

ANALYSIS

Let us start by reaffirming our commitment to the value, work and necessity of all of our boards and commissions. We would also like to thank the City Clerk and his office for the amount of time that they've spent completing public outreach and thoughtful policy development to get us to this point. Boards and commissions fulfill a vital role in a democratic society, and their input is critical to good public policy, as well as a comprehensive and representative government. We have a duty to set them up for success by providing adequate resources and staff support. To that end, it should be noted that this Council action is an initial decision point for the Council, but certainly not the last decision that we will make in this effort. We have only addressed questions of commission restructuring in this memo and understand that our next steps as a Council will be to consider recommendations from the City Clerk on how to implement these consolidations at a later date.

With the proposed changes above, we seek to provide flexibility and empowerment to do good work. Therefore, in order to set a successful foundation for commission work, we believe that in addition to the changes proposed by the City Clerk, commissions should have the flexibility to meet based on their approved workload rather than based on a mandate from this Council or Administration. A shift from quarterly meetings will allow greater effectiveness in their work and fulfillment of their mission. Additionally, staff should investigate opportunities to allow commissions to fundraise for events, the development of reports, additional subject-matter education, or supporting other organizations in the community that might support their respective issue area and mission statement. Utilizing new funding for those efforts should bolster their presence and overall level of outreach and community knowledge without impacting the City's

program funds. Further, to the extent possible, information, input, and actions taken by commissions should always be included in staff reports on Council or Committee items, and we believe that staff plays a role in increasing that communication and effort.

The primary adjustments made to the City Clerk's recommendation are the number of commissions that will move forward and the size of the membership. Based on the subject matter, constituencies, and work that we foresee in each area, we propose that the original consolidation to five commissions be expanded to eight, preserving the youth and senior commissions as independent commissions. Additionally, the proposed Human Services Commission was drafted to maintain the workplan of the Human Rights Commission, and include the Disability Advisory Commission. Since workforce reductions caused the dissolution of the Family and Domestic Violence Advisory Board, the City has lacked oversight in this area, and citizen and service provider input is necessary to make progress against these issues; we recommend that one seat on the Human Services Commission be reserved for a service provider or survivor to provide that perspective. We believe it is very important to keep our finger on the pulse of the equity, safety and quality of life issues taking place in our community and we see that as the charge of this commission.

The number of members represented on a commission has also been an ongoing conversation. For the purpose of effectiveness and efficiency, as well as healthy group function, we are proposing significantly smaller membership levels than the City Clerk, with a different appointment process. While we appreciate wanting to include as many voices and opinions as possible, we should all appreciate the balancing act between input and increased membership and the ability for the group to accomplish work and maintain an engaged body. Smaller, but more meaningful membership might be more effective for a body to provide insight and input in a group setting, find buy-in and fulfillment in the workplan, and accomplish the work set out before them without becoming trapped in large group dynamics or having to perform repeated recruitments for new members.

Lastly, our commissions exist to deal with and report on city-wide issues. We believe that to the extent possible and responsible, Commissioners should be appointed based on some level of geographic diversity, we would rather continue appointing the most eager and qualified applicants through the current council liaison process, rather than mandating that they come from each council district.

ATTACHMENT A

- **Airport Commission**
 - Consolidate the Airport Commission with the Airport Noise Advisory Committee
 - 9 Members

- **Appeals Board**
 - Consolidate the Appeals Hearing Board and Traffic Appeals Board with the Building Codes & Disabled Access Boards
 - 9 Members

- **Library & Early Education Commission**
 - Consolidate the Early Care & Education Commission with the Library Commission, Library Bond Oversight Committee and Library Parcel Tax - Commission Oversight Committee
 - 13 Members: 9 at-large, with 4 specifically appointed with an Early Childcare background

- **Housing Commission**
 - Consolidate the Advisory Commission on Rents with the Housing and Community Development Advisory Commission and the Mobilehome Advisory Commission
 - 11 Members, not based on Council District representation – Housing Department to consider membership distribution based on Federal requirements

- **Parks & Recreation Commission**
 - Consolidate the Parks & Recreation Commission with the Parks Bond Oversight Committee
 - 9 Members

- **Human Services Commission**
 - Consolidate the Human Rights Commission with the Disability Advisory Commission
 - 9 Members: 7 at-large, 1 disability service provider or disabled representative, 1 domestic violence service provider or survivor

- **Senior Citizens Commission**
 - Maintain Senior Citizens Commission
 - 11 Members, Appointed by DistrictSuggested to consider using the Youth Commission model for outreach and representation

- **Youth Commission**
 - Maintain Youth Commission
 - 11 members, Appointed by District