



COUNCIL AGENDA: 9/12/23
FILE: 23-1188
ITEM: 7.1

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jill Bourne

SUBJECT: SEE BELOW

DATE: August 24, 2023

Approved

Date

8/30/23

**SUBJECT: ENHANCING THE YOUTH COMMISSION AND YOUTH
PARTICIPATION IN THE CITY**

RECOMMENDATION

Approve an ordinance of the City of San José amending Part 48 of Chapter 2.08 of Title 2 of the San José Municipal Code to add Section 2.08.4835 to compensate members of the Youth Commission for their participation, amend Section 2.08.4840 special eligibility requirements to encourage participation of youths, and amend Section 2.08.4850 to enhance the function, powers, and duties of the Youth Commission.

SUMMARY AND OUTCOME

Approval of the proposed ordinance would enhance participation and representation in the San José Youth Commission, provide compensation for appointed Youth Commissioners as a mechanism to include more economically diverse voices on the commission, and expand the recommendation and advisory capacity of the Youth Commission to advise on matters that fall within the scope of its adopted work plan and the City of San José Children and Youth Services Master Plan.

BACKGROUND

On October 4, 2022, City Council heard the City Initiatives Roadmap: Bill of Rights for Children and Youth Audit Report and accepted the Auditor's Report and Administration Response, while forwarding a memorandum¹ authored by Councilmember Cohen that focused on expanding youth voice in San José. City Council directed staff to:

¹ <http://sanjose.legistar.com/gateway.aspx?M=F&ID=50a729fb-cf5e-4fd0-8597-a4d656389d4c.pdf>

1. Determine whether the Youth Commission should be expanded to include voices of those ages 21-25.
2. Identify which additional City of San José commissions would benefit from including a dedicated position for youth (age range 14-20 or 14-25).
 - a. Create a procedure for selecting youth members for the chosen commissions.
 - b. Direct staff to report the Youth Commission's findings to the Neighborhood Services and Education Committee by the spring of 2023.

Consideration and implementation of this direction created an opportunity for Youth Commissioners and staff to revisit related policies and procedures to include and uplift the lived experiences of young people in the City of San José who are most vulnerable, have been underserved in the past, and are often the hardest to reach.

On June 8, 2023, the Neighborhood Services and Education Committee received this report and cross-referenced the item to the City Council with unanimous approval of proposed amendments to the San José Municipal Code and exploration of options for compensating Youth Commission members for engagement. Committee member feedback was overwhelmingly positive, reinforcing the importance of uplifting youth.

ANALYSIS

To conduct analysis and develop recommendations, staff centered feedback from an ad hoc committee of Youth Commission members and outreach to past members. The current Youth Commission formed a group to examine City Council direction, provide concrete suggestions, and refine the recommended responses. The Youth Commission was integral in providing insights from lived experiences, crafting ideas, researching other peer organizations, and reflecting the input of a broader group of youth through Youth Advisory Councils.

Age Expansion

Upon close consideration of the potential benefits and challenges associated with expanding the age eligibility for Youth Commission participation to include ages 21-25, the Youth Commission recommended maintaining the current age-range of participants who are between 14-20 years of age, for the following reasons:

- The closeness of ages and experiences of current members is essential to how the Youth Commission functions.
 - Youth Advisory Councils, a critical youth engagement opportunity led by members of the Youth Commission, are primarily after-school, volunteer activities and most recruitment is through high schools within the commissioner's district.
- The functions of the Youth Commission might be made more complicated, as would staff's ability to offer tailored support to youth with a wider range of ages.
 - High school students have different schedules and needs than older youth.

- Including young adults aged 21 and older could create challenging social dynamics.
 - Youth Commissioners expressed concern that youth of such different ages, such as first-year high school student and a college graduate, may have difficulty relating to one another.
- A wide age-range with older, more experienced membership might create unbalanced leadership dynamics.
 - Youth Commissioners expressed concern that the ideas of high school members might not be taken as seriously, or their voices would be harder to hear, with older youth in the room.
- Many San José boards and commissions already have vacancies, to which young people ages 18 and over can apply and/or be recruited.
 - There were 53 vacancies across City boards and commissions as of August 2023.

As a policy alternative to expanding the age range of participants, and in order to further open the door to include more youth and young adults who can be strong advocates for serving target population groups, the Youth Commission recommended adding a statement that prioritizes the diversity of the City in the special eligibility requirements. The proposed ordinance would amend Section 2.08.4840 special eligibility requirements to seek individuals with a variety of lived experiences navigating the programs and services available for children and youth, including involvement with school or community activities, and be inclusive and representative of the people of the City of San José.

Youth Commissioner Compensation

On November 8, 2022, City Council authorized that commissioners who are members of low-income households, as defined by the United States Department of Housing and Urban Development, are eligible to receive \$200 per meeting attended.²

In acknowledgment of the time commitment required to participate as an engaged Youth Commissioner, staff recommends that members of the Youth Commission receive paid compensation for regular activities of the commission, regardless of their household income level. Regular activities of the commission may include scheduled monthly meetings, annual retreats, the budget summit, and the annual end of year recognition awards ceremony. To support the development of financial independence and avoid unintentionally withholding compensation from Youth Commissioners based on whom they live with and the definition of “household,” staff recommends that Youth Commissioners be offered the option of receiving or declining compensation at the start of each term of service, and without consideration for the financial standing of the household unit with whom they reside. Staff recommends that the rate of \$200 per meeting for regular commission activity remain the same as it is for all other commissioners.

- This mechanism would allow more economically diverse voices on the Youth Commission by removing the potential opportunity cost of civic participation.

² <http://sanjose.legistar.com/gateway.aspx?M=F&ID=89607a07-4861-4998-8147-a57918c0485c.pdf>

- This is not intended to set a precedent, but rather to incentivize prioritizing Youth Commission work and events with the goal of increasing engagement and participation.
- Compensation supports the City's overarching policy goals of self-sufficiency and financial independence, particularly for this population for whom legal requirements may limit hours of employment and require school enrollment.
- A model for paid attendance at commission meetings should allow for flexibility for Youth Commissioners to still earn needed volunteer hours within the City for any additional activities, such as participation in their Youth Advisory Councils.

The proposed ordinance would amend Section 2.08.4835, adding special provisions to provide for compensation to Youth Commission members in the amount of \$200 for each scheduled meeting.

Expansion of Youth Commission Voice

The directive of including a dedicated youth seat on additional City of San José commissions could exacerbate current attendance and vacancy issues, as it would increase the number of seats for a quorum on those commissions. In addition to current commissions' vacancies, the return to in-person meetings could further impact participation for City commissions³. At present, some commissions accept applications for residents as young as 18 years of age.

Furthermore, the Youth Commission already has established the power to determine its procedure to build representation and partnership with other City commissions.⁴:

"To select and designate members of the commission, youths or other persons to act as commission representatives to all other city boards and commissions, and to agencies, authorities, boards, and commissions the city has participated in creating in conformance with guidelines approved by the council."

The City Auditor's recommendation to Article 5 of the San José Bill of Rights for Children and Youth⁵ highlights youth's ability to engage local government. While the City has certain initiatives in place, such as the Youth Commission, it is unclear how the City meets the other elements in the article. Examples to address the gap are:

- Creating space for youth to provide input on boards, commissions, and committees; and
- Doing more to inform youth about laws that impact them.

Using Roger Hart's Ladder of Children's Participation⁶ to frame the current charge of the Youth Commission, a single youth seat on a City commission could appear to be somewhat token in

³ City Clerk memorandum to City Council dated February 21, 2023 regarding Assembly Bill 2449

<https://www.sanjoseca.gov/home/showpublisheddocument/94955/638131055374700000>

⁴ https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT2AD_CH2.08BOBUCO_PT48YOCO_2.08.4850FUPODU

⁵ <https://sanjose.legistar.com/View.ashx?M=F&ID=11255204&GUID=05724D31-DA9D-4D24-95D2-766FCBC9F96A>

⁶ https://www.unicef-irc.org/publications/pdf/childrens_participation.pdf

nature, as opposed to true shared decision-making and youth-initiated engagement. Two questions loomed: Why tokenize youth voice in other City advisory and decision-making bodies rather than strengthen the Youth Commission's role and duty? Why not provide the Mayor and City Council with "comment and recommendation " on legislation "that primarily affect the children and youth" of San José?

To help answer these questions, Youth Commission reviewed other local Bay Area youth commissions. Commissioners noted a strong model in the City and County of San Francisco Youth Commission.⁷ The San Francisco commission works by "identifying the unmet needs" of San Francisco's children and youth in partnership with the San Francisco Board of Supervisors and Mayor by providing them with comments and recommendations on pieces of proposed legislation that would affect its City's young people.

By adopting similar language in the functions, powers, and duties of San José's Youth Commission, the City would be providing a seat at the table for youth to participate in shared decisions with adults. These reforms would close the gap in programs and initiatives that allow youth to provide input in local government as pointed out by the City Auditor, by creating a direct line of communication with the Mayor and City Council that affirms the Youth Commission's civic contribution as well as informing them of how local laws impact San José's young people.

The proposed ordinance would amend Section 2.08.4850 functions, powers, and duties to conform with typical workplan activities including, to study, review, evaluate, advise, and submit recommendations to the City Council or the City Manager pertaining to any problems, opportunities, and concerns of youth as they relate to municipal policies, programs, or projects of the City, and to conduct forums and sponsor events on topics included in the adopted workplan in which various governmental and nongovernmental agencies and other community organizations and fraternal and benevolent associations may be invited to participate.

EVALUATION AND FOLLOW-UP

Any additional information on the effectiveness of these measures will be reported to the Neighborhood Services and Education Committee through the Youth Commission's annual report. No other follow-up is anticipated at this time.

COST SUMMARY/IMPLICATIONS

The maximum potential annual cost of providing a stipend for members of the Youth Commission is calculated, as follows:

The Youth Commission conducts approximately 12 meetings per year.

⁷ <https://sfgov.org/youthcommission/charter-and-bylaws>

- Retreats in July/August and December
- Meetings in August, September, October, November, January, February, March, April, and May
- Annual End of Year Recognition Awards event in June Youth Commissioners earn \$200 per month if they have attended a monthly Youth Commission meeting.
- Total possible annual award of \$2,400 per commissioner. Each commissioner is appointed for a two-year term and can serve up to two terms.

Costs will be embedded in the Library Department annual operating budget.

MAXIMUM TOTAL ANNUAL COST: \$26,400.

Number of Commissioners	Cost per Meeting	Number of Meetings Per Year	Maximum per Year per Commissioner	Maximum per Year for All Commissioners
11 Youth Commissioners	\$200	12	\$2,400	\$26,400

BUDGET REFERENCE

Fund #	Appn. #	Appn. Name	Total Appn.	Est. Amt. for Stipends	2023-2024 Proposed Operating Budget Page*	Last Budget Action (Date, Ord. No.)
001	0722	Library Non-Personal/Equipment	\$8,255,171	\$26,400	N/A	6/20/2023, Ord. No. 30933

* The 2023-2024 Proposed Operating Budget was adopted by City Council on June 20, 2023.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, Office of the City Manager, and the City Manager's Budget Office.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the September 12, 2023 City Council meeting.

HONORABLE MAYOR AND CITY COUNCIL

August 24, 2023

Subject: Enhancing the Youth Commission and Youth Participation in the City

Page 7

COMMISSION RECOMMENDATION AND INPUT

The memorandum has been developed and recommended in coordination with the Youth Commission.

CEQA

Not a Project, PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

Jill Bourne
City Librarian

For questions, please contact Lizzie Nolan, Senior Librarian of Youth Services, at Elizabeth.Nolan@sjlibrary.org or (408) 808-2000.