



Memorandum

TO: NEIGHBORHOOD SERVICES AND
EDUCATION COMMITTEE

FROM: Jill Bourne

SUBJECT: SEE BELOW

DATE: May 22, 2023

Approved

Date

6/1/23

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

RECOMMENDATION

- (a) Maintain the current Youth Commission ages 14-20 and strive to ensure the Youth Commission and Youth Advisory Councils are representative of the diversity of the City of San José;
- (b) Explore the option of compensating appointed Youth Commissioners with stipends, facilitating the participation of economically diverse youth and increasing engagement among Commissioners. This aligns with the citywide policy to reduce financial barriers to serve on boards or commissions¹; and,
- (c) Expand the advisory and recommendation powers of the Youth Commission to City Council and the Mayor and, following the municipal code power and duties, designate youth representatives to other San José Commissions.

SUMMARY AND OUTCOME

Adopt suggested changes in the municipal code to provide stipends for appointed Youth Commissioners as a mechanism to include more economically diverse voices on the Commission, increase participation, and expand the recommendation and advisory capacity of the San José Youth Commission to council legislation that falls under the scope of their adopted work plan and the City of San José Children and Youth Master Plan.

BACKGROUND

On October 4, 2022, City Council heard the City Initiatives Roadmap: Bill of Rights for Children and Youth Audit Report and took action to accept the Auditor's Report and Administration

¹ <https://sanjose.legistar.com/View.ashx?M=F&ID=11370431&GUID=DCA92703-5F95-4FE9-9132-E495D01DA677>

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Response and included District 4 Councilmember Cohen's memo² focused on expanding youth voice in San José. City Council directed staff to:

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 (NSE) 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.

ANALYSIS

To conduct analysis and develop recommendations, staff centered feedback from an ad hoc committee of Youth Commissioners 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 recommends 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 (YACs), a critical youth engagement opportunity led by Youth Commissioners, are primarily after-school time 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 graduates.
- Including young adults could create challenging social dynamics.

² <http://sanjose.legistar.com/gateway.aspx?M=F&ID=50a729fb-cf5e-4fd0-8597-a4d656389d4c.pdf>

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- 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 61 vacancies across City boards and commissions as of March 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 recommends adding a statement that prioritizes the diversity of the City in the special eligibility requirements.

2.08.4840 Special eligibility requirements.³

All members shall, at the time of appointment, be at least fourteen years old and under twenty-one years old.

The Commission shall consist of individuals with a variety of lived experiences navigating the programs and services available for children and youth, including involvement with school or community activities. The members shall represent the diversity of ethnicity, race, gender, sexual orientation, and economic status of the people of the City of San José.

Youth Commissioner Stipends

In acknowledgement of the time commitment required to participate as an engaged Youth Commissioner, staff recommends that Youth Commissioners receive paid compensation for their service.

- This mechanism would allow more economically diverse voices on the Youth Commission.
- A stipend incentivizes prioritizing Youth Commission work and events with the goal of increasing engagement and participation.
- 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 duties.

³https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT2AD_CH2.08BOBUCO_PT48YOCO_2.08.4840SPELRE

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2.08.120 Members - Compensation.⁴

A. Unless otherwise specifically provided by the City Charter or San José Municipal Code for members of a particular board or commission, effective January 1, 2023, each member of each board or commission established under Chapter 2.08 or the City Charter who is a member of a low-income household, as defined by the U.S. Department of Housing and Urban Development (HUD) as at or below eighty percent (80%) of the area median income pursuant to 24 CFR 92.2, shall be eligible to be paid the sum of two hundred dollars (\$200) per month if they have attended a monthly board or commission meeting. Such members shall be eligible to be paid the stipend even if the monthly board or commission meeting is cancelled.

1. *Notwithstanding the above, due to the need to maintain fulltime student status and related duties, Youth Commissioners may also receive compensation regardless of household income status.*
2. *Compensation for monthly meeting attendance does not prevent or preempt a Commissioner from holding an internship or earning credit for volunteer hours for service with the City.*

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 other commissions. In addition to current commissions' vacancies, the return to in-person meetings could further impact City Commission participation (AB 2449⁵). At present, some commissions accept applications for residents as young as 18 years of age.

Furthermore, the Youth Commission already has established the power⁶:

"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."

This means the Youth Commission can determine its procedure to build representation and partnership with other City commissions.

The City Auditor's recommendation to Article 5 of the San José Bill of Rights for Children and Youth⁷ 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.

⁴https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT2AD_CH2.08BOBUCO_PT1GE_PR_2.08.120MEOM

⁵ <https://www.sanjoseca.gov/home/showpublisheddocument/94955/638131055374700000>

⁶https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT2AD_CH2.08BOBUCO_PT48Y_OCO_2.08.4850FUPODU

⁷ <https://sanjose.legistar.com/View.ashx?M=F&ID=11255204&GUID=05724D31-DA9D-4D24-95D2-766FCBC9F96A>

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Using Roger Hart’s Ladder of Children’s Participation⁸ to frame the current charge of the Youth Commission, a single youth seat on a City commission could appear to be somewhat token in 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 City Council and the Mayor 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 San Francisco Youth Commission.⁹ The San Francisco commission works by “identifying the unmet needs” of San Francisco's children and youth in partnership with the County Board of Supervisors and Mayor by providing them with comments and recommendations on pieces of proposed legislation that would affect their 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 between the City Council and Mayor that affirms the Youth Commission’s civic contribution as well as informing them of how local laws impact San José’s young people.

2.08.4850 Functions, powers, and duties.¹⁰

The purpose of the commission is to collect all information relevant to advising the City Council and Mayor on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning the children and youth of San José. Before City Council takes final action on any matter that falls within the scope of the Commission’s adopted workplan or the City of San José Children and Youth Master Plan, the City Manager’s Office shall refer the matter to the Youth Commission for comment and recommendation. This referral requirement shall not apply to any matter where immediate action by the City Council is necessary to protect the public interest.

In accordance with the adopted workplan, the Commission shall have the following functions, powers, and duties:

- A. To foster greater involvement of youth in municipal government and civic affairs, especially in the City of San José.

⁸ https://www.unicef-irc.org/publications/pdf/childrens_participation.pdf

⁹ <https://sfgov.org/youthcommission/charter-and-bylaws>

¹⁰ https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT2AD_CH2.08BOBUCO_PT48YOCO_2.08.4850FUPODU

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- B. 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.
- C. To conduct forums and sponsor events on topics included in the adopted workplan in which various governmental and nongovernmental agencies and other community organizations may be invited to participate, to the extent the commission deems such desirable.
- D. 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.
- E. To make such recommendations to the council as the commission may find necessary and desirable to carry out the purposes for which the commission is established.

EVALUATION AND FOLLOW-UP

Staff analysis incorporates feedback sessions from the Youth Commission ad hoc committee, outreach to past members, and the Library’s Education and Digital Literacy staff. The next steps include coordinating with the Office of the City Manager and presenting to the Neighborhood Services and Education Committee (NSE) in June 2023.

CLIMATE SMART SAN JOSÉ

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

COORDINATION

This memorandum has been coordinated with the Library Department and Office of the City Manager.

COMMISSION RECOMMENDATION/INPUT

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

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COST SUMMARY/IMPLICATIONS

1. ESTIMATED COSTS: We determined this number from the precedent set by Municipal Code 2.08.120¹¹, beginning January 1, 2023, low-income commissioners¹² can earn \$200 per meeting.
 - Youth Commission has approximately 12 meetings per year.
 - Retreat in July/August
 - Meetings in August, September, October, November
 - Retreat in December
 - Meetings in January, February, March, April, 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.
 - \$2,400 per commissioner per year. Each commissioner is appointed for a 2-year term and can serve up to 2 terms.
 - Includes an intern position to support staff with Youth Commission outreach and promote focused on historically underserved communities

2. FISCAL IMPACT: \$26,400

3. SOURCE: The expenses for stipends to qualifying Commissioners will be absorbed by the Library Department. The Library Department will work closely with the City Manager’s Budget Office to ensure that funding is allocated for this purpose through future budget processes.

BUDGET REFERENCE

Fund #	Appn #	Appn. Name	Total Appn	Est. Amt. for Stipends	2022-2023 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
001	0722	Library Non-Personal/Equipment	\$5,838,562	\$26,400	N/A	2/14/2023, Ord. No. 30883

¹¹https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT2AD_CH2.08BOBUCO_PT1GE_PR_2.08.120MEOM

¹²https://www.huduser.gov/portal/datasets/il/il2022/2022summary.odn?states=6.0&data=2022&inputname=METRO41940M41940*0608599999%2BSanta+Clara+County&stname=California&statefp=06&year=2022&selection_type=county

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/s/

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City Librarian

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