

*Neighborhoods Commission*

Mayor and City Council  
City of San José  
200 E. Santa Clara Street  
San Jose, CA 95113

August 8, 2018

cc: Dave Sykes, City Manager

Dear Mayor and City Council:

Please accept the Neighborhoods Commission's annual report of its efforts and accomplishments in accordance with its duty to the City Council to make recommendations on neighborhood safety, transportation, and code enforcement as well as advise on annual budget priorities.

On August 23, 2017 the Rules & Open Government Committee of the City Council [approved a Work Plan](#) that included nine "projects" to be managed by Ad-Hoc sub-committees or individual "Champions." A short summary, and status of each item, follows:

Approved Item	Status
Adopt Commission Bylaws	Completed
Independent Citizens Oversight Committee (ICOC) for Measure B	Completed
Caucus Process	Completed
Fostering Creation of Neighborhood Associations ("Roadshow")	Completed
Budget Letter/Community Budget Feedback	Completed
Illegal Fireworks	Completed
Sales Tax increase strategies	Not Completed
Participatory Budgeting	Not Completed

Adopt Commission Bylaws – Completed

The Commission approved the City's standard bylaws on June 13, 2018. Commissioner David Wilkins is commended for his work Chairing this Ad-Hoc.

Independent Citizens Oversight Committee (ICOC) – Completed

The ICOC was created as part of voter-approved Ballot Measure B, June 7, 2016 creating a ¼-cent General Fund sales tax to be used for city services. The Measure required an Independent Citizen's Oversight with public review of spending, with revenues controlled locally. After a difficult start, including nearly a year of requests for data, the City responded with processes that enable tracking and transparency in use of Measure B funds.

The Commission concurs with the use of approximately \$26.5M the City received under the Measure for public safety, road repair, and rapid rehousing for the 2016/2017 fiscal year.

The City subsequently created Manager's Budget Addendum #28, outlining use of an estimated \$43M of Local Tax funds for 2018/2019. Going forward, to enable clear tracking and auditing, the City will create a separate allocation for Measure B funds. Finally, and importantly, the Commission needs deeper insight into the audit process for the tracked data, including Independent Auditing. Commissioner Gary Cunningham is commended for his work Chairing this Committee.

Caucus Process – Completed

The Neighborhoods Commission is the only Commission for which its members are recommended to Council by Neighborhood Associations in a "Caucus" process held every two years. The Caucus process received a tremendous upgrade this year, yielding a valuable toolkit of systems, processes, scripts, and flyers needed to run successful outreach and Caucus events generated "ground up" by the Commission. The pilot of these new tools was used this spring to appoint four new Commissioners: LaToya Fernandez, Richard Wong, Jewell Buchanan and Juan Quiñones, as well as re-appointing Commissioners Franklin Nguyen, Gary Cunningham, Mimi Hernandez, Jonathan Velazquez, Michael Young and Terry Martin.

Designed with the goal to reduce staff time, encourage new leaders to "run" for a seat on the Commission, and create robust systems to run the full Caucus process from soup-to-nuts in partnership with Council Offices, the upgraded process creates a robust, new pathway for Commission success. Commissioner Pete Kolstad is commended for his work Chairing this Ad-Hoc.

Fostering Creation of Neighborhood Associations ("Roadshow") – Completed

Another significant upgrade included the production of tools to foster the creation of Neighborhood Associations. Nicknamed the "Roadshow," the Commission approved a standardized template and process used by Commissioners to deliver community events on topics within the Commission scope of code-enforcement, transportation and public safety in partnership with City Council members. The first Roadshow in this format was February 28, in District 2 driven by Commissioner Perry Henry. We look forward to future Roadshow events, and fostering many more Neighborhood Associations, in collaboration with City Councilmembers. Commissioner Perry Henry is commended for his work Chairing this Committee.

Budget Letter/Community Budget Feedback – Completed

The Commission's budget letter was included in the [Manager's Budget Addendum #13 "Neighborhoods Commission Budget Recommendations."](#) The letter advised increased funding to combat illegal fireworks, bring Fire Station 37 online, and additional staffing for the Traffic Enforcement unit. In addition, the Commission recommended investment in Code Enforcement staffing and new data tools, opening new police stations in North and South San Jose, and growing community engagement via the creation of Neighborhood Associations.



Illegal Fireworks – Completed

Illegal fireworks are an extremely dangerous threat to the safety and morale of a city and yet their use is on rise...and not just on the 4<sup>th</sup> of July. While the Commission continues to gain policy insight, and while the City continues to expand reporting and deterrence tools, we have a long way to go to get this issue under control. Commissioner Mimi Hernandez is commended for her work Championing this effort.

Sales Tax Increase Strategies – Not Completed

This item was proposed by a Commissioner who wished to “Champion” bringing in new ideas. The Commissioner left the Commission. This item was not completed.

Participatory Budgeting – Not Completed

This item was proposed by a Commissioner who wished to “Champion” bringing in new ideas. The Commissioner left the Commission. This item was not completed.

Thank you for the opportunity to serve our City. We look forward to partnering with City offices in the new fiscal year!

Sincerely,



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Nichole Edraos, Chair  
San José Neighborhoods Commission

**San José Neighborhoods Commission  
2017-2018 Annual Report**

## 1. INTRODUCTION

This report covers the activities of the San José Neighborhoods Commission (NC) from July 2017 through June 2018. The purpose of the report is to inform the Mayor and City Council of the tasks undertaken by the NC, what was accomplished, the lessons learned, and recommendations for going forward. The report also includes a description of the measures taken by the NC to significantly reduce City Manager Office (CMO) staff time, a major concern of the Mayor, Council, and CMO.

As defined in San José City Ordinance No. 29297, the commission has the functions, powers, and duties to study, review, and evaluate and make recommendations to the Council regarding issues, policies, and programs affecting the quality of life in San José neighborhoods focusing on neighborhood safety, transportation, and code enforcement. The NC also advises and makes recommendations to the Council regarding annual budget priorities.

Additionally, City of San José Council Resolution No. 78016, adopted December 13, 2016 designated the NC as the San José City's Measure B ¼-cent Sales Tax independent citizens oversight committee (ICOC). The ICOC will analyze the Measure B ¼-cent Sales Tax data provided by the City and produce an annual report containing an evaluation of the proposed budget allocations with the actual expenditure, and the resultant outcome and submit that report to the City Council.

## 2. NC COMMISSIONERS

A list of the NC Commissioners serving during 2017/2018 is provided in table 2-1. Nichole Edraos (D8) served as chair and Johnathan Fleming (D7) served as vice chair during this period. The commissioners were selected by district caucuses (with the exception of those appointed to fill vacated seats until the next caucus) and represent their district's views and concerns. The commissioner's backgrounds provide a broad spectrum of experience in neighborhood affairs complemented by experience in different occupational areas including management, finance, and technical.

**Table 2-1. Commissioners Serving During 2017/2018**

Commissioner	District	Commissioner	District
Carter, Jim	6	Kolstad, Pete	3
Celestin*, Nia	3	Labosky, Nick	10
Cunningham, Gary	1	Martin, Terry	9
Edraos, Nichole	8	Navarro, Olivia	6
Estrada, Juan	5	Nguyen*, Franklin	1
Fleming*, Jonathan	7	Semanik, John	4
Giammona, Richard	10	Sikka, Harbinder <sup>t</sup>	8
Henry, Perry	2	Wilkins, David	2
Hernandez*, Mimi	5	Young*, Michael	9
Hinman Jr*, Alan C.	4	Velasquez*, Johnathan	7
* Appointed to fill vacated seats until the next caucus		<sup>t</sup> Resigned in February	

### **3. BACKGROUND**

Events leading up to the start of the 2017—2018 NC session influenced the workings, functionality, and interoperability of the commission. In March 2017, Councilmember Rocha and the SJ CMO proposed recommendations that would (1) reduce the size of the NC from 20 to 11, (2) change the commissioner selection from a caucus process to an appointment process, (3) consider whether the NC scope needed to be revised or clarified, and (4) consider whether any adjustments to Commission staffing were appropriate. Also, it was recommended that no new appointments should be made to the Commission until the Council has considered the four recommendations.

All commissioners were opposed to reducing the size of the NC from 20 to 11 and to changing the commissioner selection from a caucus process to an appointment process. The issues of NC scope needing to be revised or clarified and Commission staffing support were discussed at length.

CMO staff published a memo with recommendations regarding the duties, composition, and appointment process of the NC. The recommendations were to maintain the current scope, caucus process, and current staffing levels. The major change was to reduce the size of the NC from 20 to 11 which was opposed by commissioners. Commissioners provided information to their respective council members regarding this issue. At the 8/22/17 SJ Council meeting, agenda item Actions Related to the Structure of the Neighborhoods Commission was discussed. NC commissioners presented their views on the CMO staff recommendations to the Mayor and council. The council voted to accept the CMO staff recommendations with the exception reducing the size of the NC. The NC would maintain the current 20 seats.

The March 2017, Councilmember Rocha and the SJ CMO proposed recommendation that no new appointments should be made to the Commission until the Council had considered the four recommendations impacting the size and effectiveness of the NC. NC membership ranged from 15 to 19 commissioners for 2017/2018. A full NC was not attained. The average number of commissioners per meeting for 2017/2018 was 17 or 84%. Fewer commissioners were available to work on the workplan elements. As a result, the NC workplan effort and accomplishments were impacted and some goals were not achieved.

### **4. NC WORKPLAN**

The goals and objectives of the NC are defined by the NC charter. The NC is advisory to the City Council regarding San José neighborhoods.

The Neighborhoods Commission created an annual workplan, which was approved by the Rules & Open Government Committee of the City Council on August 23, 2017. The scope and completion of the workplan was based on having a full commission for the reporting period.

The NC meets 10 times per year, 2 hours each meeting. The effective time to address workplan topics/issues is 1 to 1.5 hours per meeting (10—15 hours per year). The NC uses ad-hoc committees as a viable method for investigating and researching workplan item development and providing the commission with the results. Per San Jose City's Policy 0-4, ad-hocs are allowed for specific short-term tasks or projects with a narrow scope and shall not last longer than six months. The purpose of an ad-hoc is defined, and that purpose is within the "functions, powers, and duties" of the Commission.

The workplan incorporates the NC charter elements with the goals and objectives for the year. Table 4-1, Workplan Items/NC Charter Correlation Matrix, identifies the tasks approved for the year and the appropriate NC charter element associated with that task. In some cases, a task may be associated with more than one charter element. The following paragraphs describe what was accomplished for each of the workplan tasks.

**Table 4-1. Workplan Items/NC Charter Correlation Matrix**

Work Plan Items	Charter Reference					
	SJ Neighborhoods	Quality of Life in Safety	Neighborhood	Transportation	Code Enforcement	Budget Priorities Recommendations
NC Bylaws Development*						
NC Caucus Process*						
Measure B Sales Tax Oversight	X	X	X	X		X
Fostering Neighborhood Associations Process Development	X	X	X	X	X	X
Annual Budget Evaluation						X
Illegal Fireworks City Policy Review	X	X			X	
Sales Tax Increase Strategies						X
High Speed Rail Status Reporting				X		
Participatory Budgeting						X

\*NC Process Improvement

**4.1 NC Process Improvement.** NC processes govern how the workplan is developed and managed and workplan items are implemented. In 2015, the NC concluded the Unmanned Aerial System (UAS) study and published its recommendations to the Mayor and City Council. The NC, on its own, started an initiative of continuous process improvements. The purpose of continuous process improvements is to improve the operation of the NC and reduce CMO staff time and resources. Subsequently, in 2016, the NC, also on its own, created two ad-hoc committees, one to develop a process for conducting ad-hoc committees and one to develop a process for conducting NC caucuses. Improvements to NC processes resulted in the operation of the commission in a more efficient and cost-effective manner. The processes affected this year were NC bylaws Development and NC Caucus Development and Conduct.

**4.1.1 NC Bylaws Development.** The Commission approved the City's standard bylaws on June 13, 2018. Commissioner David Wilkins is commended for his work Chairing this Ad-Hoc.

**4.1.2 NC Caucus Process Development and Conduct.** The 2018 caucuses were conducted using a process developed by the NC in accordance with the rules developed by the Commission and approved by the City Council, prior to the commencement of each selection period, as defined in Section 2.08.3450. All five odd-numbered San José district caucuses were scheduled and staffed by commissioners and conducted by commissioners and volunteers using the process. The NC Caucus Ad-Hoc Committee administered and managed all 2018 caucuses. As a result, CMO staff support time has been significantly reduced.

The recruitment for commission vacancies was coordinated with the NC, the City Clerk's Office, and Council offices. The caucus pamphlets and meeting materials were developed and reproduced by the NC Caucus Ad-Hoc Committee.

**4.2 Quality of Life in SJ Neighborhoods.** Tasks associated with this charter element were Fostering Neighborhood Associations Process Development, Illegal Fireworks City Policy Review, a task also associated with neighborhood safety and code enforcement, and Measure B ¼-cent Sales Tax Oversight which is discussed in paragraph 4.6.2.

**4.2.1 Fostering Neighborhood Associations Process Development.** This ad hoc covered a variety of Commission work plan items when putting together the Voice of the Community (VOC) Roadshow presentation, the first of which was held with the support of Councilmember Jimenez's office on February 28, 2018. Those topics included quality of life in neighborhoods, illegal fireworks, illegal dumping, transportation, public safety, code enforcement, and budget priorities.

The 2018 VOC Roadshow was conducted using a process developed by the Fostering Neighborhood Associations committee in accordance with the Neighborhood Commission and City Attorney recommendations. The VOC Roadshow communication platform is set up to run at a district-wide level and can include special guest speakers (Appendix B of the final committee's report). The topics covered are: What is the Neighborhoods Commission; starting a Neighborhoods Association; Illegal Fireworks; and Illegal Dumping. Outreach is a vital part of having a working relationship between Councilmember and Neighborhood Commissioners is a corner stone to the success for the VOC Roadshow.

**4.2.2 Illegal Fireworks City Policy Review.** The Illegal Fireworks Committee continues to make progress and has secured support and a seat at the table with the San Jose Fire Department & city officials. This includes one recommendation to increase staff funding and resources to confront this safety and quality of life issue.

**4.3 Neighborhood Safety.** The tasks associated with this charter element were Illegal Fireworks City Policy Review which is discussed in paragraph 4.2 Quality of Life in SJ Neighborhoods and Measure B ¼-cent Sales Tax Oversight which is discussed in paragraph 4.6.2.



**4.4 Transportation.** Tasks associated with this charter element was High Speed Rail Status Reporting (HSR) and Measure B ¼-cent Sales Tax Oversight which is discussed in paragraph 4.6.2. A commissioner participated in the HSR's Community Working Group will report in the future on the issues created by this important transportation issue.

**4.5 Code Enforcement.** The task associated with this charter element was Illegal Fireworks City Policy Review which is discussed in section 4.2 Quality of Life in SJ Neighborhoods.

**4.6 Budget Priorities Recommendations.** Tasks associated with this charter element were Annual Budget Evaluation, Measure B ¼-cent Sales Tax Oversight, and Sales Tax Increase Strategies.

**4.6.1 Annual Budget Evaluation.** The Commission's budget letter was included in the [Manager's Budget Addendum #13 "Neighborhoods Commission Budget Recommendations."](#) The letter advised increased funding to combat illegal fireworks, bring Fire Station 37 online, and additional staffing for the Traffic Enforcement unit. In addition, the Commission recommended investment in Code Enforcement staffing and new data tools, opening new police stations in North and South San Jose, and growing community engagement via the creation of Neighborhood Associations.

**4.6.2 Measure B ¼-Cent Sales Tax Oversight.** The Neighborhoods Commission Independent Citizens Oversight Committee (ICOC) was authorized as a result of the San José City's Measure B ¼-cent Sales Tax ballot measure approved by the voters on June 7, 2016. The measure required Independent Citizens Oversight with public review of spending, and all revenues controlled locally. City of San José Council Resolution No. 78016, adopted December 13, 2016, designated the NC of the City of San José as the local sales tax independent citizens oversight committee. Each year, for the life of the Measure B ¼-Cent Sales Tax, the ICOC will review:

- Revenue resulting from the measure
- Those areas of the San José annual budget impacted by the measure
- Measure B ¼-cent Sales Tax independently audited sales tax revenue expenditure data provided by the San José City Manager Office.

The ICOC will analyze the data provided by the City and produce an annual report with a timeline defined by the City, containing an evaluation of the proposed budget allocations with the actual expenditure, and the resultant outcome and submit that report to the City Council.

As of the date of this 2017/2018 NC Annual Report, the ICOC had not completed its findings for 2016/2017 Measure B ¼-Cent Sales Tax revenues and has not yet published a report. The scheduled publication date was June 2018. Data has not been received by the ICOC in order to complete its findings and publish a report.

**4.6.3 Sales Tax Increase Strategies.** Because of the reduced number of commissioners available during the year, this task was deferred and will be reviewed during the 2018/2019 workplan development.



## 5. NC MEETINGS

NC meetings were conducted in accordance with SJ City and Brown Act requirements. SJ CMO staff provided support for meeting agendas, notices, and minutes for regular and special NC meetings as well as regular and special ICOC meetings. The NC meets 10 times a year, not including committee and other meetings as required by the workplan. During this reporting period, the NC conducted regular, special, and ad-hoc meetings. Additionally, the ICOC conducted regular and special meetings. Table 5-1 lists the meeting types, number of occurrences, number of hours of meeting time and the number of commissioner hours supporting the meetings. The hours do not include meeting preparation time or post meeting follow-up time. Additionally, the hours do not include commissioner community and neighborhood participatory engagement time.

The NC meetings served as a forum for San José residents to present their concerns and views on issues affecting their neighborhoods. Additionally, organizations provided presentations on relevant San José matters including the following:

- Transportation Policy Update Required by State Law – LOS TO VMT: San José Department of Transportation
- Anti-Graffiti Anti-Litter Programs. Parks, Recreation: and Neighborhood Services (PRNS)
- City of San José Environmental Sustainability Plan: San José Environmental Services
- City of San José Illegal Fireworks: San José Fire Department
- Local Update of Census Area: San José Office of Economic Development
- Juvenile Probation in San José: Santa Clara County's Probation Department Neighborhood Safety/Services Unit
- City's Annual Audit Presentation: San José City Auditor

**Table 5-1 NC Meetings and Occurrences**

<b>Meeting Type</b>	<b>Occurrence</b>	<b>Mtg Hours</b>	<b>Commissioner Hours</b>
Regular	10	20	340
Special	2	4	68
Caucus Ad-Hoc	5	3	90
Bylaws Ad-Hoc	3	6	35
Fostering NA Process Ad-Hoc	5	5	50
ICOC Regular	7	14	70
ICOC Special	4	8	40

## **6. LESSONS LEARNED AND RECOMMENDATIONS**

The following lessons learned and recommendations are derived from continuous process improvement used to improve the operation of the NC and reduce CMO staff time and resources, NC meeting outcomes, and workplan activities:

- Develop improved communication with Council. Provide Council with timely updates on NC progress and solicit feedback.
- Encourage Councilmember attendance at some NC meetings to improve communications with Council.
- NC needs to know CMO staffing allocation for support.
- Develop communication with CMO staff. This area has improved this year with an assigned staff member. This has provided continuity throughout the year and improved the working relationship.
- Initiate an NC roundtable as an agenda item for information only. The roundtable would allow for a 1-minute update from each district (10 minutes total). This item could follow Public Comment or be part of Reports and Information Only.
- Require NC meeting presentations be related to the five NC charter elements. The meeting presenters to have presentation materials available to commissioners before the NC meeting and materials to correlate with the actual presentation.
- Make certain Commissioners are aware of their need to be committed and aware of their duties and responsibilities and be prepared at NC meetings to discuss agenda items.
- Conduct NC meetings with better time management of agenda items.
- Increase NC meeting time. Previously NC meetings were 2.5 hours and reduced to 2 hours. NC had no input on the reduced meeting time.
- Develop NC operations manual for commissioners.