

# ATTACHMENT A – NEIGHBORHOODS COMMISSION ANNUAL REPORT

## San José Neighborhoods Commission 2018-2019 Annual Report

### 1. INTRODUCTION

This report covers the activities of the San José Neighborhoods Commission (NC) from July 2018 through June 2019. 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 2016 Measure B ¼-cent Sales Tax Independent Citizens Oversight Committee (ICOC). The ICOC analyzes the 2016 Measure B ¼-cent Sales Tax data provided by the City and produces an annual report containing an evaluation of the proposed budget allocations with the actual expenditure, and the resultant outcome and submits that report to the City Council.

### 2. NC COMMISSIONERS

A list of the NC Commissioners serving during 2018/2019 is provided in table 2-1. Gary Cunningham (D1) served as chair and Jim Carter (D6) 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 2018/2019**

Commissioner	District	Commissioner	District
Barousse, Jeremy	8	Labosky, Nick	10
Buchanan, Jewell	5	Langer, Cassandra	4
Carter, Jim	6	Martin, Terry	9
Cunningham, Gary	1	Navarro, Olivia	6
Edraos, Nichole	8	Nguyen, Franklin	1
Fernandez, LaToya	3	Quiñones, Juan	7
Giammona, Richard	10	Richard Wong	3
Henry, Perry	2	Velasquez, Jonathan	7
Hernandez, Mimi	5	Wilkins, David	2
Hinman Jr*, Alan C.	4	Young, Michael	9
* Resigned in August			

### 3. 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 NC created an annual workplan, which was approved by the Neighborhood Services and Education Committee of the City Council on September 13, 2018.

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 3-1, 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. In those cases, the related charter elements associated with the workplan tasks are identified. For example, Illegal Fireworks has a Code Enforcement element, also affects Quality of Life in SJ Neighborhoods and Neighborhood Safety. The following paragraphs describe what was accomplished for each of the workplan tasks.

**Table 3-1. Workplan Items/NC Charter Correlation Matrix**

Work Plan Items	Charter Reference				
	SJ Neighborhoods	Quality of Life in Neighborhood Safety	Transportation	Code Enforcement	Budget Priorities Recommendations
Measure B Sales Tax Oversight	X	X	X		X
Annual Budget Evaluation	X	X	X	X	X
Public Outreach	X				
Disaster Preparedness	X	X			X
Illegal Dumping	X			X	
Neighborhood Traffic	X	X	X		
Illegal Fireworks	X	X		X	

**3.1 NC Process Improvement.** NC processes govern how the workplan is developed and managed and workplan items are implemented. The NC, on its own, started the initiative of continuous process improvements. Continuous process improvement of the operation of the NC reduces CMO staff time and resources. Improvements to NC processes result in the operation of the commission in a more efficient and cost-effective manner. The ad-hoc committee process and the NC caucus process are examples of NC-initiated improvements to its operation.

**3.2 Quality of Life in SJ Neighborhoods.** The primary task associated with this charter element was Public Outreach. Also related to Quality of Life in SJ Neighborhoods were Disaster Preparedness and Code Enforcement tasks, Illegal Dumping and Illegal Fireworks. Additionally, related to Quality of Life in SJ Neighborhoods was 2016 Measure B ¼-cent Sales Tax Oversight.

**3.2.1 Public Outreach.** The ad-hoc's purpose was to continue building on last year's successful Roadshow and expanding on the Neighborhood Tool Kit. On April 23, 2019, the City of San José Neighborhoods Commission Public Outreach Ad Hoc had a Roadshow in District 7 that was a big success. The Ad Hoc introduced the Neighborhood Tool Kit to an audience of twenty plus Neighborhood Leaders without advertising. In order to have the Neighborhoods Commission visible to the community this will have to change in order to reach a bigger diverse audience. The Ad Hoc would like to thank each and every person who came to the Voice of the Community Roadshow and also recognize the support of the ten District Leadership Groups within our San Jose communities. It's the NC's hope that we can work together to continue providing resources that empower residents to thrive in our city.

**3.3 Neighborhood Safety.** The primary tasks associated with this charter element were Disaster Preparedness and Neighborhood Traffic. Also related to Neighborhood Safety was Illegal Fireworks and 2016 Measure B ¼-cent Sales Tax Oversight.

**3.3.1 Disaster Preparedness.** The ad-hoc's purpose was to support the Emergency Services Council request of the Neighborhoods Commission to inform the SJ Neighborhood Associations of the Office of Emergency Management's (OEM) opportunity to attend Awareness and Community Emergency Response Training (CERT) classes.

The Disaster Preparedness Ad Hoc Committee held several meetings with the OEM. The Committee determined what awareness, information, and training were available and went through the OEM. The OEM provided the information to be delivered. The Committee reached out to the City's ten districts that involved the neighborhood associations and community organizations in those districts. Each Commissioner was responsible for coordinating the outreach in their district. It is not specifically known how many Neighborhood Associations are currently active within the city. That data is currently not available. The Ad Hoc committee relied on information obtained from council offices and Leadership Groups within the city regarding known Neighborhood Associations. The result of the ad hoc committee was that the OEM Awareness and CERT Training classes information was provided to 114 San José Neighborhood Associations. In conclusion, we strongly recommend increasing staffing and supplies for OEM to better serve and deliver emergency preparedness programs to our neighborhoods. We also recommend during training sessions a cultural awareness and sensitivity component.

**3.4 Transportation.** The primary task associated with this charter element was Neighborhood Traffic. Also associated with this charter element were the NC Annual Budget Evaluation and 2016 Measure B ¼-cent Sales Tax Oversight, which is discussed in paragraph 3.6.2.

**3.4.1 Neighborhood Traffic.** The ad-hoc's purpose was to identify ways in which Commissioners can work with residents and City staff to address concerns about traffic safety such as speeding, reckless driving, pedestrian safety, and cut-through traffic. Statistically, San Jose is one of the best large cities in the U.S. for traffic safety. However, speeding, reckless driving, and cut-through traffic are a reality in the city and negatively affect the quality of life in local neighborhoods. By partnering with Department of Transportation (DOT) staff, Commissioners and resident leaders can have a positive impact on identifying areas where evaluation and engineering methods can slow down traffic and reduce reckless driving. The ad-hoc found that the best way to have a positive impact is for Commissioners and neighborhood leaders to partner with their Councilmember and staff to ensure that DOT efforts are going into the areas of highest concern for the greatest number of residents. In addition, Commissioners and neighborhood leaders can work with residents on ways they can educate and encourage their neighbors to drive more safely in their neighborhood. Like many quality of life issues, residents need to realize that they cannot look to the City alone to address all their concerns. However, by working in partnership with DOT and Police Department staff and their Councilmember, Neighborhoods Commissioners can empower resident leaders to have a positive impact on addressing traffic safety concerns in their neighborhoods.

**3.5 Code Enforcement.** The tasks associated with this charter element were Illegal Dumping and Illegal Fireworks.

**3.5.1 Illegal Dumping.** The ad-hoc's purpose was to review City policies and programs to curb dumping, communicate them to the community, and provide feedback on how those policies are working or not working for the community. The ad hoc found that there has been an increase in blight and pollution in San Jose. With great diversity in the city, there is still a large tech divide where on-the-ground community engagement would still have a major impact in reducing blight and pollution in the city. The Committee recommended funding of \$60,000 for neighborhood anti-litter community education and engagement and \$250,000 for a neighborhood resource center to direct city residents to community programs and resources to combat illegal dumping, litter, and blight.

**3.5.3 Illegal Fireworks.** Illegal Fireworks continues to be an issue. There was no ad-hoc committee formed as part of this year's workplan. Commissioners attended community meetings that addressed the issue and coordinated with the San José Fire Department. Based on community input, the NC recommended in the NC 2019 Annual Budget Letter funding SJ Fire and Police Departments with additional budget, staff, and internal support, commensurate with the public concerns on illegal fireworks and also allocating discrete resources to staff known "hot-spots" during peak illegal fireworks use on July 4, Lunar New Year, and Tet.

**3.6 Budget Priorities Recommendations.** The tasks associated with this charter element were the Annual Budget Evaluation and 2016 Measure B ¼-cent Sales Tax Oversight.

**3.6.1 Annual Budget Evaluation.** Commissioners solicited budget recommendations from neighborhood/homeowner associations, leadership groups, and community organizations for each of their districts. The Commissioners' engagement with the organizations provided meaningful neighborhood-level information from those affected by neighborhood safety, code enforcement, and transportation issues. The Commission's budget recommendations were based on the inputs received from their communities.

The budget letter included the following: hiring additional full-time employees to answer calls for police instead of relying on overtime; funding SJ Fire and Police Departments with additional budget, staff, and internal support, commensurate with the public concerns on illegal fireworks; empowering Community Service Officers to issue citations for illegal dumping, abandoned vehicles, people living in RVs on residential streets, and graffiti; and communicating the repaving plan and timeline to the community via all means of communication, on websites like the City's "Current Pavement Projects" to alleviate the ongoing concern on paving and potholes.

*The Commission's budget letter was included in the [Manager's Budget Addendum #24](#) "Neighborhoods Commission Budget Recommendations."*

**3.6.2 Measure B ¼-Cent Sales Tax Oversight.** The NC Independent Citizens Oversight Committee (ICOC) was authorized as a result of the San José City's 2016 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 as the local sales tax independent citizens oversight committee.

Each year, for the life of the 2016 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
- 2016 Measure B ¼-cent Sales Tax independently audited sales tax revenue expenditure data provided by the San José City Manager's 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. The following is a summary of the reported ICOC findings and recommendations for FY 2017-2018 2016 Measure B 1/4-Cent Sales Tax revenues and allocations submitted to the Mayor and Council. The findings, observations/comments, and recommendations are provided in the ICOC report submitted to the Mayor and Council.

**3.6.2.1 FY 2017-2018 Findings.** The revenues reported for FY 2017-2018 represent the second year of Measure B implementation and were for 12 months. The revenues reported for the first year of Measure B implementation were for 8 months. San José City Manager provided the 2016 Measure B 1/4-Cent Sales Tax revenues and expenditures for FY 2017-2018. The findings in this report as well as observations/comments and recommendations are based on the Measure B data provided by the San José City Manager's Budget Office. The ICOC Report will be submitted to the Mayor and Council via the Neighborhoods Services and Education Committee of the City Council.

**3.6.2.2 FY 2017-2018 Revenues.** San José City's 2016 Measure B ¼-Cent Sales Tax revenues received for FY 2017-2018 were \$42,605,777. The revenues were expended for each of the Measure B categories as detailed in table 3-1.

**Table 3-1. FY 2017-2018 Measure B ¼-Cent Sales Tax Expenditures**

<b>Measure B Category</b>	<b>Measure B Expenditures (dollars)</b>	<b>Percent</b>
Improving Police Response to Reduce Violent Crimes and Burglaries	22,982,447	53.94
Improving 911/Emergency Medical/Fire Response Times	7,536,544	17.7
Repairing Potholes and Streets	998,642	2.34
Expanding Gang Prevention	1,000,000	2.35
Maintaining the City's Long-Term Financial Stability	9,150,000	21.47
Other	938,144	2.20
<b>Total</b>	<b>42,605,777</b>	<b>100</b>

#### **4. NC MEETINGS**

NC meetings were conducted in accordance with San José Sunshine Policy and California Brown Act requirements. 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 4-1 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 Jose residents to present their concerns and views on issues affecting their neighborhoods. Additionally, organizations provided presentations on relevant San Jose matters including the following:

- City of San José Illegal Fireworks: San José Fire Department
- Emergency Preparedness: Director of Emergency Services
- San José Budget Overview: San José City Manager Budget Office
- Traffic Enforcement: San José Police Department
- City's Annual Audit Presentation: San José City Auditor
- Community Clean Energy presentation: San José Clean Energy Department
- Make Music Day presentation: San José Office of Cultural Affairs
- Abandoned Shopping Cart Ordinance: San José District 2 Councilmember Jimenez

- Development Noticing Audit Presentation: San José City Auditor's Office

**Table 4-1 NC Meetings and Occurrences**

<b>Meeting Type</b>	<b>Occurrence</b>	<b>Mtg Hours</b>	<b>Commissioner Hours</b>
NC Regular	11	21	304
Annual Budget Eval Ad-Hoc	6	2	20
Public Outreach Ad-Hoc	6	6	50
Disaster Preparedness Ad-Hoc	9	33	28
Illegal Dumping Ad-Hoc	2	2	3
Neighborhood Traffic Ad-Hoc	2	3	3
ICOC Regular	7	7	27
ICOC Special	1	1	3
<b>Total</b>	<b>44</b>	<b>75</b>	<b>438</b>

## 5. EMERGENCY SERVICES COUNCIL

Recent city emergencies expedited the need to make citizens aware of what they can do during an emergency. On October 30, 2018, the City of San José City Council approved the proposed members of the Emergency Services Council (ESC). The NC was identified as a body having an official emergency responsibility, and was requested to serve as a member of the ESC.

Per City of San José Municipal Code, Chapter 8.08, the City Manager serves as the Emergency Services Director; identifies representatives of organizations (with input and consent of the City Council) to serve on the ESC; and calls for the ESC to convene. The purpose of the ESC is to:

- Review plans and procedures and when appropriate recommends approval by the City Council.
- Review agreements (mutual aid or others) and when appropriate recommends approval by the City Council.
- Review and approve how volunteer organizations are organized and integrated with city response, which includes Community Emergency Response Team (CERT) and Radio Amateur Civil Emergency Services (RACES) volunteer programs.

District 6 Commissioner Carter was selected to serve as the NC representative on the ESC. Commissioner Carter has many years of experience in public safety and served in the SJ Fire Department. The NC participation in the ESC was coordinated with this year's Disaster Preparedness Ad-Hoc. Refer to paragraph 3.3.1.

## 6. RESULT OF NC RECOMMENDATION FOR ENFORCEMENT AND UPDATE OF CITY COUNCIL POLICY 6-30

Policy 6-30 is the Public Outreach Policy for Pending Land Use and Development Proposals and establishes baselines for public outreach on development activities, encouraging early communication between City staff,

applicants, and the public. The NC studied and evaluated City Council Policy 6-30 Commission during the 2016-2017 session through an Ad-Hoc Committee process. The assessment was based on the fact that numerous San Jose residents had complained about not being noticed properly on projects ranging in scope from small to significant, and that had affected the quality of life in San Jose neighborhoods. The NC Ad-Hoc chaired by District 9 Commissioner Terry Martin, determined the policy, last updated in 2004, needed a comprehensive update to address the many concerns and complaints of the San Jose residents. The NC Ad-Hoc also determined that staff needed updated compliance training to ensure this policy is used correctly and fulfills its intent, which is to protect the people by ensuring they are informed. The ad-hoc committee's findings and recommendations were forwarded by the NC to the Mayor and City Council.

The Audit of Development Noticing was added to the City Auditor's Fiscal Year 2018-2019 Work Plan. The audit was conducted in response to the NC request to review the effectiveness of outreach for new development including notice radius, timing, and language accessibility. The findings of the audit were documented in the City Auditor's Development Noticing: Ensuring Outreach Policies Meet Community Expectations report.

The Administration reviewed the City Auditor's Development Noticing Report and agreed with all eight recommendations and is planning to implement them.

## **7. IMPROVE MECHANISMS FOR REACHING NEIGHBORHOOD ASSOCIATIONS AND LIMITED-ENGLISH SPEAKING COMMUNITIES**

The City Auditor's Development Noticing Report, prepared by Auditor Sharon Erickson, has numerous references to Neighborhood Associations and the need for contact lists. Finding 2 of the report stated that the City should improve mechanisms for reaching neighborhood associations and limited-English speaking communities. Included in the finding was the recommendation that the Administration should develop a list and map of neighborhood association contacts and create a mechanism for associations to add and update contact information

The Administration agreed there is a definite need to improve communication with neighborhood associations for development noticing and other city purposes. Currently, various City departments and Council offices may have some neighborhood association information obtained through separate efforts, but it isn't comprehensive, up-to-date, or widely accessible. The Administration will identify a project lead and work with various departments and Council Offices to create a comprehensive list and map of neighborhood associations and contacts for all City departments to use. This recommendation will also benefit various other Citywide outreach efforts.

In conducting its affairs, the NC has experienced difficulty in doing outreach throughout the City. Most recently, the NC was tasked by the SJ Emergency Services Council to distribute information regarding awareness and Community Emergency Response Training to neighborhood associations in the city. Each Commissioner was assigned to distribute information in their district. Many of the Commissioners had difficulty finding a list of neighborhood associations in their districts.

The NC recommends that it be included in the development of the comprehensive list and map of neighborhood associations and contacts for all City departments to use. The need for effective communications with neighborhood associations for development noticing and other city purposes affects the quality of life in San José neighborhoods.



## **8 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, the NC meeting outcomes, and workplan activities:

- Participate in and contribute to the development of the comprehensive list and map of neighborhood associations and contacts for all City departments to use. This recommendation correlates with a City Auditor's Development Noticing Report finding. The comprehensive list and map will improve communication with neighborhood associations for development noticing and other city purposes that affect the quality of life in San Jose neighborhoods.
- Update NC Reports and Letters on the SJ City website. Updates to NC Reports and Letters have not been posted since 2014-2015. The website should be updated and have as a minimum the following posted:
  - NC 2017-2018 Annual Report Final 8-8-18
  - NC 2018-2019 Annual Report Final (Pending)
  - NC 2017-2018 Budget Letter Recommendations
  - NC 2018-2019 Budget Letter Recommendations
  - NC 2019-2020 Budget Letter Recommendations (Pending)
  - ICOC 2016-2017 Measure B Report FINAL to NSE
  - ICOC 2017-2018 Measure B Report FINAL to NSE (Pending)
  - Also, any other NC letters and reports such as the recommendation for an audit of City Council Policy 6-30.
- Initiate NC Commissioner informal group meetings prior to the start of the yearly session. These meetings were conducted in prior years and provided new Commissioners with an overview of the commission and allowed them to communicate with each other on an informal basis. The meetings provide a means of facilitating interaction and communication. The meetings would be conducted in accordance with the Brown Act and applicable SJ City policy and requirements.
- Continue the NC roundtable as an agenda item for information only. The roundtable allows a 1-minute update from each district (10 minutes total).
- Continue to require the NC meeting presentations be related to the five NC charter elements. The meeting presenters need to have presentation materials available to commissioners before the NC meeting and materials to correlate with the actual presentation.
- Continue developing communications with CMO staff. This area continued to improve this year with an assigned staff member. This has provided continuity throughout the year and improved the working relationship.
- Develop improved communication with Council. Provide Council with timely updates on the NC progress and solicit feedback.
- Encourage Councilmember attendance at some NC meetings to improve communications with Council.

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- NC needs to know CMO staffing allocation for support.
- Make certain Commissioners are aware of their need to be committed and aware of their duties and responsibilities and be prepared at the 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.