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### REPORT TO COUNCIL AND BOARD/COMMISSION CHAIRS AND VICE CHAIRS

#### SUBJECT

Joint Meeting of City Council with Board and Commission Chairs and Vice Chairs to Review and Improve Overall Effectiveness of Commission Meetings

#### BACKGROUND

In early 2015, the City Council adopted a recommendation made at the June 2014 meeting of the Council Subcommittee on Board and Commission Bylaws (Subcommittee), to have a joint meeting of the Council and the Chairs and Vice Chairs of each board and commission (B/C) at least annually to discuss the overall effectiveness of B/C meetings.

In advance of this Study Session, the City Manager coordinated the proposed agenda with Mayor Hendricks and Vice Mayor Larsson to make sure that topics where input is desired are covered and to prepare the Subcommittee for its upcoming work. Below is the proposed agenda for this Study Session:

#### **Working Agenda**

1. Governance
2. Work Plan Development
3. Study Issues
4. Meetings
5. Overall Effectiveness

Today's joint meeting is the first to take place since the Council action last year. ***The purpose of this study session is to discuss, at a macro level, issues related to board and commission operations and to refer any issues in need of resolution to the Subcommittee, which is slated to meet before the end of the year.*** The Subcommittee is made up of three members of Council including Mayor Hendricks, Vice Mayor Larsson, and Councilmember Griffith and the purpose of this Subcommittee is to evaluate the City's practices and policies relative to Boards and Commissions to ensure their continued effectiveness.

#### **Governance**

##### Advisory or Quasi-Judicial

The City currently has 10 active boards/commissions; some created by the City Charter, while others by Ordinance or Resolution. As depicted in the graphic below, some have an advisory-only role while others are both advisory and have some decision making authority. Decision making can be established by the City Charter, Municipal Code, state law or Council Policy.

Quasi-Judicial*	Advisory
<input type="checkbox"/> Arts Commission <sup>3</sup>	<input type="checkbox"/> Bicycle and Pedestrian Advisory Commission <sup>3</sup>
<input type="checkbox"/> Board of Building Code Appeals <sup>2</sup>	<input type="checkbox"/> Board of Library Trustees <sup>1</sup>
<input type="checkbox"/> Heritage Preservation Commission <sup>1</sup>	<input type="checkbox"/> Housing and Human Services Commission <sup>3</sup>
<input type="checkbox"/> Personnel Board <sup>1</sup>	<input type="checkbox"/> Parks and Recreation Commission <sup>1</sup>
<input type="checkbox"/> Planning Commission <sup>1</sup>	<input type="checkbox"/> Sustainability Commission <sup>3</sup>

\* Decision making authority as established by the Charter, Municipal Code or Council Policy

<sup>1</sup> Created by the Charter

<sup>2</sup> Created by Ordinance

<sup>3</sup> Created by Resolution

## **EXISTING POLICY**

**Council Policy 7.2.19 Boards and Commissions:** Council shall conduct regular joint meetings with Chairs and Vice Chairs with the intention to review and improve overall effectiveness of commission meetings. (Attachment 1)

## ***City Code of Ethics and Conduct for Elected and Appointed Officials***

## **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a “project” with the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378 (b) (5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

## **DISCUSSION**

The intent of this joint meeting is to discuss, at a macro level, issues related to board and commission operations and to refer any issues in need of resolution to the Subcommittee, which is slated to meet before the end of the year. If there are policy changes that the Subcommittee desires to advance, our goal is to support the process such that Council action is considered during the first part of next year.

## **Significant Policy Work Underway**

The City of Sunnyvale has a strong tradition of community participation, one of which is through service on a board or commission. Each board and commission functions as a communication link between the community and the City, explaining City programs and recommendations, advocating established City policy and services, as well as providing a channel for citizen expression.

The Boards and Commissions have been very productive and the structure has served the City well. Working together, the Council, under the advisory of boards and commissions and with the support of

City staff, has recently initiated significant policy initiatives. Some examples of those efforts include:

- Development of a Vision Zero Plan - Total Elimination of Traffic Fatalities;
- Update to the Murphy Avenue Design Guidelines;
- Study to evaluate the adoption of a Water Efficient Landscaping Ordinance;
- Transportation Demand Management Programs for Multi-family Residential;
- Adoption of the Climate Action Plan;
- Solar Access study;
- Adoption of the Peery Park Specific Plan;
- Amendments to the Special Development Permit for Town Center;
- First Community Housing Proposal for \$6 Million in Housing (Orchard Gardens Apartments);
- Priority Needs for Human Services Biennial Review;
- Landmark Alteration Permit for Murphy Avenue storefront;
- Resource Alteration Permit for home in downtown residential Frances-Taaffe historic district;
- Mixed Use Development on El Camino Real;
- Adoption and implementation of an aggressive zero waste strategic plan;
- Achieving the water reduction goals in response to the water supply situation;
- Implementation of Staff Suggested Improvements via the Personnel Board to make operations more efficient; and
- A Study of Community Choice Energy which led to the formation of Silicon Valley Clean Energy Authority.

Study issues are important and can ensure the successful implementation of Council-directed Policy Priorities. Most of the initiatives mentioned above began as study issues.

### **Work Plan Development**

As defined by Council Policy 7.2.19 *Boards and Commissions* (Attachment 1), Work Plans are the calendar of the policy issues the board/commission will be acting on during the year.

Although not specifically prescribed by policy, long-standing practice includes Council review/approval of annual work plans in the spring and after the Council adoption of study issues presentation dates for the year. As recently as last year, the Council utilized its annual review as an opportunity to set priorities for the work plans as proposed by individual boards/commissions.

The Council-approved work plan also acts as the foundation for building the various board and commission agendas throughout the year. To support this, Council Policy 7.2.19 specifies:

- Boards and Commissions are created for the following general purposes:
  - To recommend to City Council specific policy-related issues for possible Council study and action... (1.A.I)
  - To advise City Council on specific policy issues Council has chosen to study (1.A.II)
- The Chair will: Coordinate the setting of the agenda with the staff liaison. Should the chair and the staff liaison disagree regarding the agenda, the city manager shall have final authority subject to appeal to the City Council. (2.G.II.e)

### Discussion Point to Consider

Council could further define the role of the Chair in developing the agenda - specifically, for issues that are not currently slated on a City Council approved work plan. In April of 2015 Council allowed B/Cs to schedule presentations to facilitate general discussions about issues under their purview and asked that these items be listed in the work plans as *Commissioner-led Presentations*. In recognition of staff's workload, Council also established that these would not utilize staff resources beyond placement on the agenda.

### **Study Issues**

Council policy states that the role of B/C in the study issues process is to assist Council with setting priorities for the coming calendar year. Specifically regarding sponsorship of issues, the role is *to advise Council regarding the identification of policy issues to study*. Once an issue has been sponsored, the role is *to advise Council on those issues Council has decided to study*.

Council Policy also states that within one month of sponsorship new study issue papers will be presented to respective boards or commissions.

In January 2016, the Council prioritized six new study issues and affirmed its support for nine additional studies that were still underway (continuing studies). Continuing studies reflect efforts that have not been previously completed due to existing workload and, as a result, are carried forward to the next year for completion. In an environment of new study issues assigned, while carrying forward those that we have not completed or are in process of fully implementing, results in a compounding effect of workload that is difficult to complete while maintaining services to our residents.

Study Issues take up a significant amount of staff resources - from study issue development for ranking, research and review, to actual City Council action on how to proceed. To date, there are 30 proposed study issue papers for Council consideration in early 2017; 23 of which are board/commission sponsored. Combined with active and significant City Council policy priorities, along with significant operational initiatives such as the replacement and upgrade of mission-critical information technology systems (e.g., ERP, Microsoft 365, permit system, etc.) or the Climate Action Plan that require advancement in the near term, it is worth receiving input on the number of study issues and workload impact to support this process and whether there is a need to initiate any policy changes. While the City Manager has the opportunity to "draw the line" toward the end of the process on which ranked study issues the City can absorb, managing the workload on the front end is also a key area of focus from the Administration's perspective.

### Discussion Points to Consider

1. Council could have a discussion of *Sponsorship Guidelines* including ranking and/or limiting the number of study issues sponsored each year by boards and commission. Alternatively, the number of Study Issues considered in a greater context of *Continuing Study Issues* already underway for either City Council action or full implementation. Study Issues are also drivers of work and may not always directly support the Policy Priorities established by the City Council. In other words, how to manage taking on more work when staff has not completed work already assigned - as to avoid workload compounding and further reducing capacity to handle other priorities and/or maintain service levels for our community.
2. Council could discuss the current parameters for study issue sponsorship. Current Council direction is that B/Cs limit the sponsorship of issues to those under their purview. At times, this line has been blurred somewhat - an example is one B/C sponsoring an issue that would fall

under completely under the purview of another B/C; or an issue that would impact all B/Cs.

3. Council could discuss the ownership of the Issue Paper. There is some tension between the policy and the role of author for a sponsored study issue paper. If a B/C sponsors a paper, does the B/C own the narrative associated with the Scope of the Study? If yes, how can staff clarify and/or contextualize issues for the public? As it currently stands, the City Manager is the authority for final authorship of study issues and she is taking into consideration the concept defined by the B/C and professional assessment provided by in-house experts.

## **Meetings**

Agenda Development - As previously introduced under Work Plan Development, the Council-approved work plan also acts as the foundation for building the various agendas throughout the year.

- Roles of the chair and the staff liaison
- Relation to the Annual Work Plan

Councilmember and Staff Liaisons - the Council liaison shall serve a role similar to that of the staff liaison. The primary responsibility for providing information to board members or commissioners belongs to the staff liaison, but the council liaison may provide additional information at the request of the chair when questions fall beyond the scope of staff's expertise. The council liaison may raise points of order when procedural issues arise.

Conflicts: When questions or concerns arise regarding the conduct of a Council liaison, the chair of the Board or Commission should consult with the Mayor for possible resolution (Council Policy 7.2.19). Similarly, if there are questions or concerns regarding the conduct of a staff liaison, those comments should only be made to the City Manager or Mayor through private correspondence or conversation (City Code of Ethics and Conduct for Elected and Appointed Officials).

## **Overall Effectiveness**

As mentioned above, the B/Cs have provided a lot of value to the City's policy initiatives to drive advancement of the City's goals. Staff believes that the B/Cs have been effective and that the processes utilized meeting the needs of the City. It is worth hearing from B/Cs representatives on areas where we can be more effective or general impressions of our work together.

## **Next Steps**

Discussion of issues to be referred to the Subcommittee for consideration with possible policy changes introduced during the first part of next year.

## **FISCAL IMPACT**

None.

## **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

## **STAFF RECOMMENDATION**

Review overall effectiveness of commissions with the Chairs and Vice Chairs of the City's boards and commissions and refer any issues in need of resolution to the Subcommittee for consideration.

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Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENT**

1. Council Policy 7.2.19 *Boards and Commissions*