

**DRAFT MINUTES\***  
**CITY OF SUNNYVALE**  
**COUNCIL SUBCOMMITTEE ON BOARD AND COMMISSION BYLAWS**  
**MONDAY, JULY 25, 2011, 7 P.M.**

**CALL TO ORDER**

Subcommittee Chair Jim Griffith called the meeting to order at 7:06 p.m. in the Garden Conference Room.

**ROLL CALL**

**PRESENT:** Subcommittee Chair Jim Griffith  
Subcommittee Member Otto Lee  
Subcommittee Member David Whittum

**ABSENT:** None.

**STAFF PRESENT:** City Clerk Kathleen Franco Simmons

Subcommittee Chair announced Item 2.b. may be postponed due to time constraints, but public comment would be taken at this meeting from anyone who is present to speak on that item.

**CONSENT CALENDAR**

1.A. Approval of Draft Minutes of September 8, 2010 Council Subcommittee Meeting.

MOTION: Subcommittee Member Lee moved and Subcommittee Member Whittum seconded the motion to approve the Minutes of the September 8, 2010 Council Subcommittee Meeting.

VOTE: 3 - 0

**PUBLIC COMMENTS**

Public comment was opened at 7:09 p.m.

Speakers:

Kevin Jackson expressed concerns regarding interpretation of policy versus operational matters within the duties of BPAC and provided background information on the creation of the BPAC to satisfy the requirements of the Transportation Development Act. Mr. Jackson also recommended using automatic notifications when agendas for all boards and commissions are posted and having a dedicated email address for each.

Public comment was closed at 7:11 p.m.

Public comment on Item 2.b. regarding Consideration of Adoption of Council Policy Regarding Board member and Commissioner Contact Information was opened at 7:11 p.m.

Kevin Jackson stated he wouldn't mind email and telephone contact, but stressed caution on using addresses. He suggested requests for personal contact information be handled through the city clerk's office with a requirement that requesters must provide their own contact information.

Jeanine Stanek stated she is not speaking officially for the Heritage Preservation Commission, but that the commission discussed this and expressed a negative reaction to having personal contact information posted on website.

Hannalore Dietrich recommended several alternatives including: 1) email sent to staff could be forwarded to the commissioners; 2) have an email address available to commissioners; 3) provide links on the website to each of the email addresses.

Public Comment on Item 2.b. was closed at 7:19 p.m.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

2. Review of proposed revisions to Council Policy 7.2.19. *Boards and Commissions*
  - a. Consideration of Change to Commission Chair Election Timing, and Appointment of Council Liaisons to Commissions

Chair Griffith provided a report regarding Commission Chair Election Timing, Council Policy 7.2.19, Section 2.G.(I).

Public comment opened at 7:21 p.m.

Kevin Jackson provided background on the intent of the requirement of new chairs to receive training before running a meeting. He recommended a newly elected chair should not take over as chair until the following meeting and suggested if the language is changed to allow for election of chair to occur at the next scheduled meeting after July, additional chair training would have to be offered later. He suggested as an alternative, that non-urgent items from May or June could be scheduled for the July meeting to give more reason to meet.

Jeanine Stanek stated she echoes the comments made with regard to logistics. She added that the Heritage Preservation Commission meets every other month and may not have anything on the July agenda except election of chair and vice chair.

Public comment closed at 7:29 p.m.

MOTION: Subcommittee Member Lee moved and Subcommittee Member Whittum seconded the motion to approve the written recommendation in the report to change the wording of Council Policy section 7.2.19 Section 2.G(I) to require election of officers during a commission's July meeting, or during the first regularly-scheduled meeting after July if a July meeting is not otherwise required.

AMENDMENT: Subcommittee Member Lee amended the motion to include recommendation that the chair and vice chair training be open to anyone who is interested in attending.

RESTATED MOTION: Subcommittee Chair Griffith restated the motion to approve the written recommendation in the report to change the wording of Council Policy section 7.2.19 Section 2.G(I) to require election of officers during a commission's July meeting, or during the first regularly-scheduled meeting after July if a July meeting is not otherwise required; additionally, to make no changes to the requirement that training occur before serving office; and to clarify the language to state that the new chair does not take effect until after the current meeting is over.

AMENDMENT: Subcommittee Member Whittum amended the motion to include modification of the current text by inserting two phrases as follows: "Unless otherwise dictated by City Charter, each board and commission shall, within the month of July each year, or during the next regularly scheduled meeting, elect one of its members as presiding officer, to serve commencing after the end of the meeting, and following mandatory chair training."

VOTE: 3 - 0  
Motion carried.

Chair Griffith provided a report regarding consideration of appointment of Council Liaisons to Commissions.

The Council Subcommittee took a brief recess at 7:59 p.m.

The Council Subcommittee reconvened at 8:03 p.m.

Public comment opened at 8:18 p.m.

Hannalore Dietrich stated she would love having anyone from the council and city manager come to the meetings, and when they have, they've brought a wealth of knowledge that the commissioners don't have. She stated it isn't necessary to have a specific liaison.

Fred Fowler recommended allowing the chairs to testify at council meetings without limitation on time. He spoke in support of councilmembers attending commission meetings as members of public, to answer questions when asked, but to remember the purpose of the commission is to give advice to Council. He recommended development of guidelines as to how councilmembers should conduct themselves and stated agreement that the chair is the real liaison.

Kevin Jackson stated a council liaison is something that could be very positive if done right. He stated he doesn't often see chairs attending council meetings to present their board or commission's view, and the exception to the three-minute time limit didn't work out well. He stated having a council member who has interest in the purview of the commission would be helpful in transmitting the perspective of the commission as "action minutes" don't fully convey it. He stated the biggest down side to having council liaisons is that a councilmember might have undue influence.

Jeanine Stanek stated Heritage Preservation typically only meets when there is something coming before the commission; and when the preservation studies were done, there was a lot of passion among the members of the commission. She stated she would feel comfortable with councilmembers who are present to hear and understand the passion members have. She supported the idea of having a chair attend council meetings on a rotating or quarterly basis to give an update of the commission. She suggested there should be some kind of parameters for councilmembers who attend the commission meetings.

Public comment closed at 8:36 p.m.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion that the Subcommittee is not in favor of having an officially-designated liaison.

VOTE: 2 – 1 (Subcommittee Chair Griffith dissented)  
Motion carried.

The Subcommittee developed the following Consent Calendar of recommendations:

- 2) The chair of the board or commission should be notified in advance when agenda items, including their reports are on an agenda to come before Council.
- 3) Commissions are required to have chair or designated alternate present at Council to present commission position all non-consent calendar items.
- 4) Commissions can invite councilmembers to attend specific meetings on potentially interesting or relevant topics.
- 5) Regular (quarterly or otherwise) meetings of chairs and possibly vice chairs with the full council, possibly in a study session setting.
- 6) Encourage councilmembers to attend commission meetings occasionally as a member of the public.
- 7) Consider audio or video recordings, webcasts, or podcasts of all commission meetings.
- 8) Consider deliberately scheduling specific commission meetings in Council Chambers for potential recording when key issues are agendaized.
- 9) If Council decides to pursue designating liaisons, consider holding a meeting of chairs to contribute to the policy guidelines for liaisons.

By consensus, the Subcommittee agreed that it would be acceptable to have Subcommittee Chair Griffith wordsmith the recommendations.

ITEMS PULLED FROM CONSENT:

Subcommittee Chair Griffith pulled Items 4 and 6 from the Consent Calendar.

Subcommittee Chair Griffith pulled Item 7 from Consent.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to approve Items 2, 3, 5, 8, and 9 on the Consent Calendar.

VOTE 3 – 0  
Motion carried.

The Subcommittee added Item 10 for consideration:

- 10) Support a public, online e-notify for all board and commission agendas.

MOTION: Subcommittee Member Lee moved and Subcommittee Member Whittum seconded the motion to support Item 4 revised to read: Build into chair/vice chair training the fact that commission can invite councilmembers to attend specific meetings on potentially interesting or relevant topics.

VOTE: 2 – 1 (Subcommittee Member Griffith dissented)  
Motion carried.

MOTION: Subcommittee Member Whittum moved to accept Item 6 to: Encourage councilmembers to attend commission meetings occasionally.

Motion died due to lack of a second.

MOTION: Subcommittee Member Lee moved to accept Item 6 modified to: Adopt as a matter of policy that councilmembers may occasionally attend commission meetings.

Motion died due to lack of a second.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to strike Item 6 as written.

VOTE: 3 – 0  
Motion carried.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to accept Item 7 as revised: Consider creating and archiving webcasts, podcasts, or full video recordings of all commission meetings and providing the recordings to the public, now or in the future.

AMENDMENT: Subcommittee Member Lee offered a friendly amendment to add the phrase: “when it becomes financially and technologically feasible.”  
Subcommittee Member Whittum accepted the friendly amendment.

VOTE: 3 – 0  
Motion carried.

MOTION: Subcommittee Member Lee moved and Subcommittee Member Whittum seconded the motion to approve Item 10: Support a public, online e-notify for all board and commission agendas.

VOTE: 3 - 0  
Motion carried.

2.b. Consideration of Adoption of Council Policy Regarding Board member and Commissioner Contact Information

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to consider Item 2.b at the next Subcommittee meeting.

VOTE: 3 – 0  
Motion carried.

Subcommittee Chair Griffith reported future agenda items will include:

- Consideration of potential extended maternity leave for board and commissioners
- Consideration of changes to the way Council votes on board and commission appointments

**ADJOURNMENT**

Subcommittee Chair Griffith adjourned the meeting at 9:39 p.m.