

**DRAFT MINUTES\***  
**CITY OF SUNNYVALE**  
**COUNCIL SUBCOMMITTEE ON BOARD AND COMMISSION BYLAWS**  
**MONDAY, NOVEMBER 28, 2011, 7 P.M.**

**CALL TO ORDER**

Subcommittee Chair Jim Griffith called the meeting to order at 7:00 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

**GUESTS:** Sue Harrison, Sustainability Commission  
Jeanine Stanek, Heritage Preservation Commission  
Gerry Glaser, Sustainability Commission  
Kevin Jackson  
Barbara Fukumoto, Sustainability Commission

**CONSENT CALENDAR**

1.A. Approval of Draft Minutes of July 25, 2011 Council Subcommittee Meeting.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to approve the Minutes of July 25, 2011 Council Subcommittee Meeting.

VOTE: 3 - 0  
Motion carried.

**PUBLIC COMMENTS**

Gerry Glaser, Sustainability Commissioner, expressed comments regarding the need for the Sustainability Commission to have regular announcements of upcoming meetings and forums about the environment on their agenda so members of the commission can identify which ones they want to attend.

Kevin Jackson expressed concerns regarding the time limitations for commissions to review study issues materials. He recommended giving the boards and commissions the opportunity to provide an unfiltered statement such as the “for” or “against” arguments as used for ballot measure arguments. Jackson suggested Council's receipt of the commission's comments reflected in the November minutes will not have been reviewed and approved or corrected by the BPAC due to the fact that the December meeting was canceled.

## **PUBLIC HEARINGS/GENERAL BUSINESS**

### 2. Review of proposed revisions to Council Policy 7.2.19. *Boards and Commissions*

- a. Consideration of increasing Sustainability Commission meetings to monthly.

Chair Griffith provided a report.

Public comment opened at 7:20 p.m.

Sue Harrison stated she would like the Sustainability Commission to meet monthly.

Gerry Glaser commented regarding the need for the Sustainability Commission to hold a special meeting every other month resulting in monthly meetings anyway. Glaser also provided comments regarding the definition of the duties of the commission.

Kevin Jackson stated that if the commission does not meet often enough to cover the subject matter, the result is that some items must be rushed through.

Barbara Fukumoto stated that the Sustainability Commission has been having trouble finishing the agendas and indicated there are items of interest to the committee popping up all the time for which there is a need for more meetings. Fukumoto stated the commission didn't have a chance to review its own study issues.

Public comment closed at 7:30 p.m.

MOTION: Subcommittee Member Lee moved and Subcommittee Member Whittum seconded the motion to increase the frequency of the Sustainability meetings to monthly.

VOTE: 3 - 0

Motion carried.

- b. Consideration of the Board of Library Trustees' recommendation that the board meetings be moved from the program room to the Library Conference Room (2nd floor).

Chair Griffith provided a report.

Public comment opened at 7:39 p.m.

Jeanine Stanek stated that the Heritage Preservation Commission sometimes meets in different places and suggested the meeting room should be large enough to accommodate a larger number of people when a presentation is to be made. She recommended that the requirement to meet in one location not be so specific in the Council Policy.

Kevin Jackson expressed comments regarding the audio/visual upgrades made in the Council Chambers, transparency and expectations of access to that in the meeting room. He stated that sitting at the dais as a commissioner in a line of chairs is different than the easy exchange that occurs sitting around the table.

Public comment closed at 7:49 p.m.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to address the Library Board's request through a broader change to the Council Policy.

VOTE: 3 - 0  
Motion carried.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to recommend it be stated as a matter of policy that the meeting places for boards and commissions should be adequate to accommodate public input and preferably held in a regular place.

VOTE: 3 - 0  
Motion carried.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to recommend that boards and commissions should preferably meet in either the West Conference Room or the Council Chambers.

VOTE: 3 - 0  
Motion carried.

Based on the previous actions, the Subcommittee drafted the following proposed language to add to Council Policy 7.2.19, Section 2. A. and to remove the specific room location from each of the ten Board and Commission descriptions in Section 2.A.(I) through (X):

As a matter of policy, it serves the public interest to have the greatest possible public access to board and commission meetings. As such, meeting locations for boards and commissions shall be selected by staff according to the following guidelines

- Meeting rooms should be of a size adequate to allow for public participation.
- Commissions should meet in a location permitting regular usage of that location as much as possible.
- Boards and commissions should preferably meet in either Council Chambers or the West Conference Room.

MOTION: Subcommittee Member Whittum moved that board and commission meetings held in chambers would preferably be webcast.  
Motion died for lack of a second.

By consensus, the Subcommittee authorized Chair Griffith to self-modify the draft, proposed text.

c. Formation of a Council Liaison plan.

Chair Griffith provided the report.

Public comment opened at 8:17 p.m.

Kevin Jackson stated there should be a provision for Council Liaisons to make trades due to personal investment in certain areas and to handle schedule conflicts, or that Councilmembers be given the option to choose which board or commission for which they want to be eligible. He stated the longer the term, the better it would be for continuity and that he would prefer having Councilmembers who are willing to serve on the particular board or commission. Jackson stated a Council Liaison would have more direct communication with other Councilmembers and would not necessarily be an advocate, but would act as an unfiltered conveyance of the needs and issues.

Jeanine Stanek stated that she likes the idea of Councilmembers being there to learn, not for the purpose of advocating, and suggested that commissioners need to understand why there is a council liaison. She suggested that if the Council Liaison is interested in a topic under discussion, it would be appropriate for them to provide input if asked. She expressed support for a rotation plan for the Council Liaison where they know they are welcome to come, but she indicated she wouldn't want them to come reluctantly.

Kevin Jackson added that he would appreciate having a specific Councilmember to go to who has the background with the Commission. He stated that in terms of the impacts to the effectiveness of the chair, there is already a problem. He provided a recent example of the BPAC adjourning without giving the chair direction on what to say on behalf of the commission at the study issues hearing. He stated that additional work needed to be done by commissions to instruct their chairs in representation and suggested Staff Liaisons should be given special instructions on the things they should focus on to assist the commissioners during the meeting.

Public comment closed at 8:36 p.m.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Lee seconded the motion to recommend assignment of Council Liaisons by rotation by seat number and alphabetical order of the boards and commissions.

VOTE: 3 - 0

Motion carried.

The Subcommittee drafted the following proposed language for addition to Council Policy 7.2.19 2: Council Liaisons to Boards and Commissions:

The City Council shall appoint one councilmember to serve as a council liaison to each board and commission, except for the Planning Commission, the Personnel Board, and the Board of Building Code Appeals. Appointments shall change every six months as rostered as part of the City Council intergovernmental relations appointment process. The method of assignment shall be automatic rotation using seat numbering and alphabetic ordering of commissions. Attendance at board or commission meetings by

the council liaison is encouraged but not mandatory. Council liaisons may informally arrange for a council alternate when scheduling conflicts arise.

During a board or commission meeting, the Council liaison shall serve a role similar to that of the staff liaison. The primary responsibility for providing information to boardmembers 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.

During board or commission meetings, authority resides with the board or commission chair. Council liaisons shall refrain from:

- Interfering with the smooth operation of board or commission meetings
- Acting in a manner that undermines the chair's authority
- Participating in policy discussions except when providing factual information at the request of the chair
- Speaking on behalf of the full Council without appropriate authority
- Acting as spokesperson for the board or commission.

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. When the liaison in question is the Mayor, the chair should consult with the Vice Mayor for possible resolution.

MOTION: Subcommittee Member Lee moved and Subcommittee Member Whittum seconded the motion to recommend to Council the Subcommittee's draft language for addition to Council Policy 7.2.19 relating to Council Liaisons to Boards and Commissions.

VOTE: 3 - 0  
Motion carried.

## **ADJOURNMENT**

Chair Griffith adjourned the meeting at 9:40 p.m.