



**OFFICE OF THE CITY MANAGER**

CITY HALL

10300 TORRE AVENUE • CUPERTINO, CA 95014-3255

TELEPHONE: (408) 777-3212 [www.cupertino.org](http://www.cupertino.org)

**CITY COUNCIL STAFF REPORT**  
Study Session Meeting: July 31, 2018

Subject

Study session to explore consolidation of Senior Citizen, Library, and Safety issues into Parks & Recreation Commission.

Recommended Action

Provide staff direction on structure and management of City commissions.

Background

As part of the 2018-19 Work Program adopted on March 6, 2018, Council requested that staff explore the consolidation of Senior Citizen, Library, and Safety issues into the Parks & Recreation Commission.

In Cupertino, the primary role of commissions is to assist the Council in the formation of policy by gathering information, weighing public input, and examining issues in depth to render a recommendation to the Council. This can include hearing public testimony on the Council's behalf, building community consensus for proposals or projects as directed by Council, reviewing written material, facilitating study of critical issues, guiding the implementation of new programs or regulating established programs, assessing alternatives regarding issues of community concern, and ultimately forwarding recommendations to the Council for consideration. Commissions serve at the will of the Council and commissions or commissioners can be dismissed by a majority vote of the Council

Discussion

To explore the consolidation of commissions, staff conducted a survey of 15 local cities to determine best practices in other cities. Staff also analyzed each commission's responsibilities as outlined in the Cupertino Municipal Code and whether the activities of the commission correspond to those responsibilities. The last five years of commission budgets were also reviewed to assess expenditures and potential cost savings. Finally, staff met with the Library Commission, Public Safety Commission, and Parks and Recreation Commission to receive input.

**Public Safety Commission**

The Public Safety Commission is responsible for advising the City Council in all matters pertaining to safety, traffic, police, fire and other areas where public safety may be of concern. Over the last year, the Public Safety Commission worked on topics such as the Cupertino Alert

System, public safety education and outreach, the Public Safety Forum, emergency preparedness, and coordinated with the Neighborhood Watch and Block Leader program. Their past accomplishments include bringing Pulse Point to the City and County; supporting the Public Safety Forum and Senior Safety Forum; starting the Community Academy for Adults; supporting Fall Fest, Earth Day, and National Night Out; bringing the new Cupertino Alert System to the City; and several other outreach and education efforts, including a women's self-defense workshop.

The Public Safety Commission holds monthly meetings, although the Municipal Code only outlines a responsibility to meet at least once every other month (Section 2.60.040). Staff estimates that they spend about four hours of staff time a month on the Public Safety Commission. In addition, staff at the Sheriff's Office spend about seven hours on the Public Safety Commission. The research shows that the commission is serving appropriately in their responsibilities, however, there has been some confusion over responsibility for roadway safety between the Public Safety Commission and the Bicycle/Pedestrian Commission. In addition, one commissioner has received an attendance warning notice for missing three meetings. If they have one more absence, they will be removed as set forth by Council Resolution 16-137.

#### *Commission Feedback*

Staff met with the Public Safety Commission on July 12, 2018 to gather their input. The Public Safety Commission was unanimously opposed to the consolidation of the Public Safety Commission with the Parks and Recreation Commission. The commissioners expressed that they provide several hours of volunteer time per week to improve public safety in the community, educate the public, and maintain important interactions with the Sheriff's Department and the Santa Clara County Fire Department. Six community members also commented in opposition of consolidation during the meeting.

#### *Best Practices*

A survey of local cities found that most cities do not have a commission specifically for public safety. It is worth noting that the cities that did not have a commission had their own police department and most also had their own fire department. Milpitas was the only city with a formal commission related to safety called the Emergency Preparedness Commission with the Emergency Preparedness Coordinator serving as liaison. Saratoga currently has a Public Safety Task Force to provide public safety recommendations to Council but this advisory body is temporary and is scheduled to terminate in November 2018.

### **Library Commission**

The Library Commission is responsible for consulting with the City Council, City staff, and the Santa Clara County Library JPA regarding recommendations for Cupertino Library facilities and programs. The Library Commission also acts as a liaison with private community groups supportive of the library program. Over the last year, the Library Commission discussed topics such as the Cupertino Library User Survey, bicycle thefts at the library, Community Hall usage, and polling box and voting at the Library. Their accomplishments include advocating to increase

library hours, bringing speaker programs to the library, and supporting library programming. In addition, they now manage the Cupertino Poet Laureate program.

The Library Commission holds monthly meetings, although the Municipal Code only outlines a responsibility to meet at least once every other month (Section 2.68.040). Staff estimates that they spend about eight hours of staff time a month on the Library Commission. The research shows that the commission is serving appropriately in their responsibilities. However, the Library Commission needed to be reminded of their advisory role in service to the Council when they voted to send an advocacy letter without making the request through Council. In addition, one commissioner has received an attendance warning notice for missing three meetings. If they have one more absence, they will be removed as set forth by Council Resolution 16-137.

#### *Commission Feedback*

Staff met with the Library Commission on July 23, 2018 to gather their input. The Library Commission was unanimously opposed to the consolidation of the Library Commission with the Parks and Recreation Commission. The commissioners expressed that they serve a vital role in supporting library programming for the Cupertino community and advocating on behalf of library users. At the meeting, two community members also commented in opposition of consolidation and one community member expressed general concern regarding the overlapping duties and disconnect in the Municipal Code sections.

#### *Best Practices*

A survey of local cities found that most cities have either a Library Commission or a Library Board. Two of the cities had commissions where library topics were combined with other functions. Morgan Hill has a combined Library, Culture and Arts Commission and Campbell's Civic Improvement Commission includes library concerns. Since Cupertino's library is run by the Santa Clara County Library District (SCCLD), staff confirmed that the other cities served by the SCCLD also have library commissions with staff liaisons that are typically from the recreation department at the manager or director level. The only exceptions were Campbell and Saratoga, which had the Deputy City Manager serve as liaison, as well as Milpitas which had the Housing and Neighborhood Services Manager serve as liaison.

#### **Senior Citizen Commission/Senior Advisory Council**

In 2009, the City of Cupertino's Senior Citizen Commission agreed to be dissolved as they had significant overlapping functions with the Senior Advisory Council. The Advisory Council has four Board Members and 15 committee members, which meet every other month. Currently, the Advisory Council discusses programs at the Senior Center and receives updates on community group activities. They address any issues or topics involving senior citizens such as Age Friendly Cities. Staff estimates that the Advisory Council requires about 3.5 hours of staff time a month. Given that the Advisory Council requires very little staff time with costs incorporated into the Senior Center program, staff has evaluated that the Senior Advisory Council is operating efficiently and does not require a new Senior Citizen Commission to be formed. However, to

further collaborate, it may be pertinent to have the Senior Advisory Council report out to the Parks and Recreation Commission periodically.

### **Parks and Recreation Commission**

The Parks and Recreation (P&R) Commission is responsible for advising the City Council on the planning and development of parks, cultural activities, historical resources, recreation, community services (including schools, sheriff, library, fire, and disaster preparedness), and capital expenditures related to community activities and facilities. Historically, community services were not included in the commission's scope, but to correspond with the Recreation and Community Services Department reorganization, the P&R Commission's mandate was updated in 2015. This addition has caused the scope of the P&R Commission to overlap with the Library Commission and Public Safety Commission. A review of the past topics discussed by the P&R Commission reveals that they have not taken on discussion of library or public safety issues. Over the last year, the P&R Commission has advised on topics such as the Citywide Parks and Recreation Master Plan, the Cupertino Pedestrian Transportation Plan, the Recreation and Community Services Department's accreditation process, property improvements and acquisition, and recreation programs and events.

These topics also reflect their major accomplishments. The P&R Commission holds monthly meetings as outlined in the Municipal Code (Section 2.36.050). Staff estimates that they spend about eight hours of staff time a month on the Parks and Recreation Commission. The research shows that the commission is serving appropriately in their responsibilities.

#### *Commission Feedback*

Staff met with the P&R Commission on July 24, 2018 to gather their input. The commissioners expressed that the Library Commission and Public Safety Commission take on critical work that needs to continue regardless of whether they are designated as commissions or committees. They also would like to have more partnership and structured interactions with the Library and Public Safety Commissions, as well as more formal reporting from the Senior Advisory Council. They value more resident involvement rather than less, but were open to having more clarity in scope across commissions. At the meeting, two community members also commented in opposition of consolidation and one community member expressed general concern regarding the conversion from commissions to committees and the disconnect in the Municipal Code sections.

#### *Best Practices*

A survey of local cities found that all of the 15 cities surveyed have some form of Parks and Recreation (P&R) Commission served by a liaison from the parks and/or recreation department at the analyst, manager, superintendent, or director level. In Milpitas, the P&R Commission is combined with Cultural Resources and, in Redwood City, they formally include Community Services in the title.

## **Budget Review**

Staff reviewed the budgets of Library, Public Safety, and Recreation Commissions over the last five years. The majority of the budgets are associated with the cost allocation plan and staffing costs of the liaisons. If the commissions were disbanded, the city would still incur these staffing costs, however, they would be redistributed to other programs, allowing staff to work on other projects. The cost allocation charges involve spreading the costs for services such as building maintenance, IT, finance, and HR to different programs to help reflect the full cost of operation. These cost allocation charges would be reallocated to other programs if the commissions were disbanded. When excluding staffing and cost allocation charges, the commission budgets are relatively small and cost savings would be negligible when compared to the City's total operating budget. Very little of the materials and contract services budgets are to support commission meetings, but instead support initiatives of the commissions. If these initiatives and programs were to continue through the Parks and Recreation Commission, the costs to the City would remain.

Potential staff-time savings are difficult to determine without knowing the structure of the consolidation and whether the Parks and Recreation Commission would take on the new topics with the same level of detail or time. Given that the Parks and Recreation Commission meets monthly for about 2.5 hours, there may not be additional capacity to include additional topics with the current schedule. If additional meetings are required, this would require additional staff resources, diminishing the staff time saved from disbanding commissions.

## **Findings**

While these three commissions may overlap in their outlined responsibilities in the Municipal Code, they have not overlapped in practice. Overall, all three commissions agreed that refining their mandates to improve clarity and reduce overlap would be beneficial. The issue of consolidating commissions has both opportunities and challenges, which are outlined below.

Having one commission look at various programs serving children, youth, and adults could provide better opportunities for partnership as well as reduced duplication of services. Currently as planned, all three commissions will be staffed by the Recreation and Community Services Department. The consolidation of commissions would reduce staff resources to some extent. If the commissions were consolidated, the creation of committees could create opportunities for addressing specific issues, reduce overall burden on the Parks and Recreation Commission, and retain opportunities for community engagement and volunteerism. Alternatively, the City could rely on groups such as Friends of the Library to provide input to the Parks and Recreation Commission or Council. Additionally, if committees were formed to focus on topics such as library and public safety/emergency management, there is a potential to save some staff time on formal agendas and minutes as they may not be subject to the Brown Act. Whether or not a committee is subject to the Brown Act is dependent on how it is formed. If the committees were formed as independent community groups and structured like the Senior Advisory Council, they may not be subject to the Brown Act. Additional research on this legal issue would be required if Council desired to explore this option.

On the other hand, commissions that are candidates for consolidation believe that consolidation would result in decreased service to the community, reduced opportunities for community engagement, and loss of passionate volunteers on library and safety issues. Currently, representatives from the Library, Sheriff's Office or Fire Department attend their respective commission meetings. However, if the commissions are combined, it may not be an efficient use of time for them to attend and hear issues not relevant to their work. This could result in less communication between the City and these partner agencies. A consolidation of commissions would also result in fewer opportunities for residents to serve and volunteer with the City.

### *Consolidations in Other Cities*

Staff also researched instances of commission consolidation in other cities to gather best practices to consider. In May, San Mateo consolidated their Sustainability and Public Works Commissions as they had significant overlap in key topic areas. The end result of the consolidation was a new Sustainability and Infrastructure Commission comprised of five members selected from the previous commissioners. In 2013, San Jose consolidated their Library Commission and Early Care and Education Commission to enable a broader perspective and participation by community members across the age and programming continuum of services provided. The new Library and Early Education Commission was given four additional seats for members with an early childcare background. San Jose also consolidated their Human Rights Commission with their Disability Advisory Commission due to the fact that changes to law impacted city policies and limited the scope of the Human Rights Commission over the years. As a result of this reduced scope, the Human Rights Commission was making few recommendations to Council.

### **Options**

The Council can choose to keep the current commission structure or choose to consolidate commissions as discussed later in this report. The following best practices are recommended for all the options to ensure that roles are clarified and staffing resources are being efficiently used.

- Refine the mandates, scopes of work, and procedures for the commissions to clarify roles, eliminate overlap, and better serve the Council and community.
- Review and refine commission procedures including the establishment of work plans adopted by Council.
- Request that the Senior Advisory Council provide quarterly updates to the Parks and Recreation Commission or equivalent.

#### Consolidation Option 1:

- Consolidate the Library Commission, Public Safety Commission, and Parks and Recreation Commission into one commission, and create committees for library and public safety/emergency management to periodically report to the Parks and Recreation Commission or Council.

#### Consolidation Option 2:

- Consolidate the Library Commission, Public Safety Commission, and Parks and Recreation Commission into one commission, and encourage community members to form a community groups on library and public safety/emergency management issues to periodically report to the Parks and Recreation Commission or Council.

#### Fiscal Impact

The majority of the commission budgets (currently between 46%-79%) are comprised of staffing costs and the City's cost allocation charges. If the commissions were disbanded, these costs would be redistributed to other programs. In addition, very little of the materials and contract services budgets are to support commission meetings, but instead support initiatives of the commissions. If these initiatives and programs were to continue through the Parks and Recreation Commission, the costs to the City would remain. Due to these factors, the cost savings to the City as a result of consolidation would be negligible.

---

Prepared by: Katy Nomura, Senior Management Analyst

Reviewed by: Jaqui Guzmán, Deputy City Manager, and  
Aarti Shrivastava, Assistant City Manager

Approved for Submission by: Amy Chan, Interim City Manager