



Council Meeting: January 13, 2009

SUBJECT: Explore Development of a Human Rights/Relations Board or Commission Advisory to Council (Study Issue)

REPORT IN BRIEF

The purpose of this report is to examine the possible development of a new board or commission focusing on human rights and relations. The study examines existing City policies relating to human rights and relations, and reviews options for the creation of a new board or commission. The potential mission and role of the board or commission, as well as the kinds of issues it might review, are discussed. The study further explores established practices in other cities.

Staff recommends that Council not develop or further explore creation of a new human rights and relations board or commission at this time. Staff further recommends that Council direct the City Manager to clarify the roles of the Housing and Human Services Commission and Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council consideration later this fiscal year. Should Council adopt these recommended actions, staff would also expand the operational role of the Cultural Diversity Advisory Committee to include a broader range of human relations issues.

BACKGROUND

Recognizing Sunnyvale's growing cultural and linguistic diversity, Council convened a Multicultural Outreach Task Force in February 2004 to focus on outreach to Sunnyvale's multicultural populations. The task force was charged with reviewing the City's outreach practices and making recommendations to Council on how the City could encourage broader multicultural civic engagement and help ensure that all Sunnyvale community members were informed about City issues and activities. The task force submitted 21 recommendations in a final report to Council (RTC 04-206), one of which was to create a board or commission focused on multicultural issues and outreach. The City Council approved 18 of the task force's recommendations, but the creation of a multicultural board or commission was not one of them, as neither staff nor Council was sufficiently clear as to the intended purpose of such a board or commission.

The Council did, however, endorse a study to further explore the pros and cons of establishing such a board or commission, and on October 10, 2006, staff

presented its related findings (RTC 06-311). Consistent with the origin of the study issue, the report focused on cultural diversity as it pertains to ethnic heritage, race and/or religion.

There was considerable Council discussion that evening regarding the distinction between “cultural diversity” and “human relations”. The latter was defined as being much broader in scope, including not only cultural issues, but issues arising from differences in ethnicity, national origin, religion, sexual orientation, gender, socioeconomic class, age, citizenship, intellectual ability, physical and emotional conditions. Council ultimately supported the creation of a two-year pilot committee, to review and make advisory recommendations to staff on cultural diversity issues only (a 12-member Cultural Diversity Advisory Committee (CDAC) formed in fall 2007 now meets bi-monthly).

In addition to creating the CDAC, however, Council sponsored a study to explore the establishment of a Council-advisory board or commission focused on broader human relations issues. That study was scheduled to be conducted in calendar year 2008, and this report presents staff’s findings. (See Attachment A, Study Issue OCM-01, *Explore Development of a Human Rights/Relations Board or Commission Advisory to Council*).

EXISTING POLICY

Legislative Policy 7.3A.2 Establish advisory committees and boards and commissions as necessary to assist Council in planning and policy development.

7.3A.2a As community conditions change, add, delete or change non-charter boards and commissions as necessary.

Socio-Economic Policy 5.1A Preserve and enhance the physical and social environment and facilitate positive relations and a sense of well-being among all community members, including residents, workers and businesses.

5.1A.1 Encourage citizen and business participation in City policy decisions and civic affairs and assure that all of the City’s residents have equal opportunities to participate.

Administrative Policy, Chapter 1, Article 11 – Program Service and Accessibility The purpose of this policy is to ensure that no qualified individual with a disability is excluded from participating in, or denied the benefits of, the programs, services, and activities of the City of Sunnyvale. This policy does not apply to employment-related complaints of discrimination, or requests for reasonable accommodation in employment which are governed by Chapter III of the Administrative Policy Manual (Personnel Policies).

Administrative Policy, Chapter I, Article 22 – Non-Discrimination in Programs and Services The purpose of this policy is to establish overall guidelines regarding the administration of all City programs and services in a manner which does not discriminate against individuals on the basis of their membership in any protected class as defined by applicable state and federal law. It is the policy of the City of Sunnyvale to comply with all applicable laws prohibiting discrimination with respect to the provision of City programs and services. Protected classifications include, but are not limited to, race, religion, color, sex, gender identity, sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, citizenship status, uniformed service member status, marital status, family relationship, pregnancy, age, cancer or HIV/AIDS related medical condition, genetic characteristics, and physical or mental disability (whether perceived or actual).

Administrative Policy, Chapter 3, Article 6 – Personnel Policy against Harassment, Discrimination and Retaliation It is the City's intent and the purpose of this Policy to provide all employees, applicants, and contractors with an environment that is free from any form of harassment, discrimination or retaliation as defined in this Policy. This Policy prohibits harassment or discrimination on the basis of any of the following protected classifications: an individual's race, religion, color, sex, gender identity, sexual orientation (including heterosexuality, homosexuality and bisexuality), ethnic or national origin, ancestry, citizenship status, uniformed service member status, marital status, family relationship, pregnancy, age, cancer or HIV/AIDS related medical condition, genetic characteristics, and physical or mental disability (whether perceived or actual). It is also the policy of the City to provide a procedure for investigating alleged harassment, discrimination and retaliation in violation of this Policy. The protection from discrimination includes the protection from retaliation on any of the above identified protected classifications against an employee for his or her having taken action either as a complainant or grievor, or for assisting a complainant or grievor in taking action, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this policy.

The City has zero tolerance for any conduct that violates this Policy. Conduct need not rise to the level of a violation of law in order to violate this Policy. Instead, a single act can violate this Policy and provide grounds for discipline or other appropriate sanctions.

Administrative Policy, Chapter 3, Article 13 – Equal Employment Opportunity The City Manager shall establish and administer a program, to be known as the Equal Employment Opportunity Program (EEOP) of the City of Sunnyvale. The purpose of the EEOP is to ensure equal opportunity in City

employment for all persons, including qualified members of underrepresented groups to achieve employment status at all job levels and in all City departments reflecting their availability in the relevant labor market.

DISCUSSION

The discussion section of this report attempts to answer the following questions: What are the possible purposes of a human rights and relations board or commission? What are other cities doing in this regard? What is Sunnyvale doing and/or not doing? Are there specific problems that the City is attempting to resolve through the creation of a human relations board or commission? What would be the advantages and disadvantages associated with creating a Council-advisory board or commission to address some or all of the possible purposes of such a body?

Each of these questions is posed and discussed below, with a summary chart provided in Attachment B.

What are the possible purposes of a Human Rights/Relations Board or Commission?

A human rights/relations board or commission could potentially serve several purposes. The types of concerns addressed by a human rights/relations board or commission may be categorized into four broad areas: (1) Promote inclusionary Practices (2) Provide education and outreach (3) Hearing complaints/concerns and (4) Advise Council on policy issues.

Promote inclusionary practices: Inclusion may be described as a paradigm that involves collaboration among various stake holders in a community to ensure that every member of that community has an opportunity to successfully participate in all the activities and programs offered in the community. A value and respect for all people is at the core of a successful inclusion philosophy. Examples of inclusionary practices include: reasonable accommodation for individuals with special needs, translation services and the provision of multilingual materials in response to needs.

Provide education and outreach: These efforts could include a wide array of programs and services promoting cross-cultural understanding and discussing strained relations stemming from differences in ethnicity, national origin, religion, sexual orientation, socioeconomic class, age, physical and/or emotional conditions. For example, a human rights/relations board or commission could support the Sunnyvale Library in efforts to provide multi-lingual services and programs. This board or commission could also invite organizations specializing on these topics to speak at City facilities (or other local facilities), for the purpose of educating City staff or community members.

In doing so, the board or commission could strengthen community relationships.

Hear resident complaints and concerns on various human rights and relations issues. These could include complaints resulting from limited access or unlawful discrimination on the basis of disability, or a variety of other concerns arising from social, religious, ethnic, economic, or intellectual differences. While this could also include complaints regarding police actions, Council specifically indicated when it originated this study that a Commission to review citizen complaints of police misconduct was not to be considered.

Advise Council on related policy issues (e.g., recommend revisions to the City’s Charter, Municipal Code, or Council Policy Manual): This role would be similar to that of all other City boards and commissions, with the work plan of the new commission directed by the City Council through its study issues calendar and specific additional directives.

What are other cities doing in this regard?

To explore the feasibility of creating a human rights/relations board or commission, staff conducted a survey of 14 surrounding cities and public agencies. The following cities did not have a board or commission focused on human rights/relations:

- Campbell
- Cupertino
- City of Los Altos
- Los Gatos
- Milpitas
- Santa Clara
- Saratoga

The following table identifies neighboring cities/counties with a human rights or relations board or commission.

City	Board/Commission or Committee	Member/Terms
Fremont	Human Relations Commission	9 members/3-year term/meets monthly
Los Altos Hills	Community Relations Committee	8 members/4-year term/meets monthly
Mountain View	Human Relations Commission	7 members/ 3-year term/meets monthly
Palo Alto	Human Relations Commission	7 members/3-year term/meets monthly
Redwood City	Housing and Human	9 members/4-year

	Concerns Committee	staggered terms/meets monthly
San Jose	Human Rights Commission	13 members/3-year term/meets monthly
Santa Clara County	Human Relations Commission	15 members/meets monthly

Varied Approach by other Cities and Agencies

Each city is unique in their approach to human rights/relations issues. The human rights/relations commissions in the cities surveyed are advisory to City Council or the County Board of Supervisors. The following summarizes the purpose of each of the commissions/committees listed above:

City of Fremont Human Relations Commission: The Human Relations Commission (HRC) advises City Council on the provision and quality of human services to the City, including coordination of all human services, public and private. They also foster mutual understanding and respect among all racial, religious and nationality groups, and work to eliminate prejudice and discrimination. At this time, their main focus is building community relationships through partnerships and events to eliminate hate crimes and violence in Fremont. Recently, the HRC collaborated with local non-profit organizations on *Make a Difference Day*, an event promoting unity through diversity in community service. The Commission has been involved with the *Alliance for a Hate-free Community*, which includes workshops and forums in partnership with local, faith-based organizations. A film festival is also being planned with a guided group discussion at the conclusion of the film. Fremont’s HRC provides education and outreach through a brochure entitled, *What You Should Know about Hate Crimes*, in collaboration with the Police Department. As described in the brochure, “The Human Relations Commission, founded in 1964, promotes and helps create a community environment in which all men, women and children, regardless of race, religion, national origin, sex or disability may live, learn, work and play in harmony.”

Town of Los Altos Hills Community Relations Committee: The Community Relations Committee encourages communication and participation between residents and Town government, and studies and identifies means of assuring continued cooperation among different groups. The committee coordinates and sponsors regular Town events, makes every effort to welcome new residents to the Town, and informs all residents of actions and approaches of government, by written communication, telephone committees, parties or other appropriate methods; and seeks input from citizens in order to report to City Council the tenor of Town feeling and reactions to long-range plans and projects.

City of Mountain View Human Relations Commission: The Human Relations Commission was established in 1994 to address the various economic, political, educational and social issues facing the community. Specific responsibilities of the Commission include: acting as an advisory body to the City Council, serving as a forum for public discussion, and acting as a liaison/facilitator between City government and the public on issues as they relate to tolerance, inclusiveness and involvement. Education and outreach efforts include a Diversity Calendar on their Web site to announce and educate Mountain View residents about the wide variety of diversity-related events and celebrations that take place throughout the year locally, nationally and internationally. Their work plan for 2008-09 includes providing recommendations to the City Council regarding Community Development Block Grant (CDBG) funding, including public service projects and HOME funding, and conducting a workshop/training with Police Department representatives to review/discuss bias-free policing efforts and the department's programs and services.

City of Palo Alto Human Relations Commission: The mission of the Human Relations Commission is to address human relations issues, including the promotion of awareness, understanding and resolution of actual or potential conflicts, discrimination, or injustice while encouraging community building and civic engagement. The top five priorities of the HRC are: 1) monitoring police/citizen interactions 2) homelessness and affordable housing 3) building community and civic engagement 4) understanding senior issues 5) promote conflict resolution and peaceable methods. The City of Palo Alto's Human Relations Commission "addresses issues that are as diverse as police interrogation practices to whether someone was unfairly treated in renting a public or private facility." The HRC was instrumental in forming the Palo Alto Mediation Program to address landlord/tenant complaints and a Mandatory Response Ordinance. They advocated for a Police Auditor to address issues related to profiling, and a member of the HRC was on the task force regarding the use of tasers for Palo Alto Police. They meet with the Palo Alto City Council annually for updates on human relation issues.

City of Redwood City Housing and Human Concerns Committee: The Housing and Human Concerns Committee was established in 1977, and was reconfigured in 1995. The Committee's goal is to advocate the improvement of the quality of life of Redwood City citizens and to assure that human considerations, as set forth in the General Plan, are given adequate consideration in physical and economic decision making. Responsibilities include serving as the citizen participation vehicle for the CDBG application process and Human Services Financial Assistance Funds Consolidated Plan. This Committee plays an important advisory role to the City Council on issues related to housing policy and recommendations for improved, changed and/or

new city services. Their mission is comparable to the City of Sunnyvale's Housing and Human Services Commission. This Committee meets at least once per month, and more often as needed. For instance, during spring months, when grant recommendations are being discussed, two meetings per month are common. This committee also has four sub-committees, who meet ad hoc to discuss topics of human services, housing, funding and outreach.

City of San Jose Human Rights Commission: The Human Rights Commission was established to implement San Jose Human Rights Policy and to develop programs promoting the fulfillment of human rights in the City. The Commission studies, reviews, evaluates and makes recommendations to the City Council relative to all matters affecting human rights including: discrimination, equal employment opportunity policies and practices, and equal access efforts. It also hears complaints from the community including: police misconduct, employment and discrimination. The Commission currently addresses issues of internal staff recruiting and hiring processes, making recommendations to encourage a more diverse workforce. The Commission has the ability to hear resident issues and concerns during regularly scheduled meetings, but the Commission has seen less and less of this in recent years. The exact cause of this reduction is unknown. The Commission also maintains a public safety subcommittee and an outreach subcommittee. They also have three members who serve as liaisons to the City's Youth Commission.

County of Santa Clara Human Relations Commission: The Human Relations Commission, founded in 1972, is an advisory body to the County Board of Supervisors. Through the Office of Human Relations, the Commission promotes positive community relations by sponsoring activities such as Unity in Diversity Day, Dispute Resolution Services, Anti-Hate Forums, Holocaust Remembrance Day and the Observer Program at Correction facilities. The Commission advocates for the elimination of prejudice and discrimination and promotes peace and justice for all residents of Santa Clara County. The Peace-building Committee of the Human Relations Commission of the Santa Clara County Board of Supervisors, along with the Office of Human Relations, has offered a series of meetings designed to allow a place for the community to speak, be heard and move toward greater understanding. This series, called *Building Opportunities for Lasting Dialogue (BOLD)* has included discussions with: undocumented immigrants, African-American, Asian, Latino, Arab, Jewish, Muslim, Sikh, Lesbian/Gay/Bisexual/Transgender, and other community members. Additionally, the County Office of Human Relations Immigrant Relations and Integration Services (IRIS) works on projects that promote positive immigrant relations. Current projects include: annual free citizenship days in 16 languages allow thousands of county residents to become U.S. citizens, immigrant leadership course in collaboration with San

Jose City College, and KIN (Knowledge of Immigrant Nationalities) cultural proficiency workshops.

What is Sunnyvale doing in this regard already? What is Sunnyvale not doing?

The City of Sunnyvale is doing a great deal in the areas of:

- Promoting inclusionary practices
- Providing education and outreach
- Hearing resident complaints and concerns
- Advising Council on Policy issues

Promoting Inclusionary Practices

Policies encouraging and supporting inclusionary practices are developed by the City Council, but in Sunnyvale, the actual implementation of inclusionary practices is considered an operational issue, and as such the responsibility of the City Manager. The City of Sunnyvale is committed to the goals of non-discrimination and equal access and increasing opportunities for those with limited English proficiency, low-income residents and under-represented ethnic and racial groups. The City is responsible for the implementation of affirmative marketing policies and procedures to ensure that all persons—regardless of their race, color, national origin, age, religion, sex, disability, familial status or English proficiency—are aware of opportunities for all residents. The goal of these policies and procedures is a more diverse representation of community members which is consistent with their representation in the City. The City employs a wide variety of inclusionary practices through its various departments, ranging from Parks and Recreation's fee waiver programs and therapeutic recreation for individuals with physical, mental emotional or social limitations, to the below market rate (BMR) housing program in the Community Development Department, to the celebration of Los Posados by the Library and community engagement events conducted by Community Resources (Office of the City Manager).

In addition, the City currently maintains six community committees to advise staff on departmental policies and programs:

- Advisory Committee on Accessibility
- Child Care Advisory Committee
- Columbia Neighborhood Center Advisory Committee
- Cultural Diversity Advisory Committee
- Senior Center Advisory Committee
- Teen Advisory Committee

Each of these committees is rooted in human relations issues, and is well-positioned to advise staff on inclusionary practices and procedures.

Providing Education and Outreach

Similarly, the provision of education and outreach related to human rights and relations is considered operational. Every City department is involved in educating the community, and several are heavily involved in outreach related to human relations issues, from the Columbia Neighborhood Center's outreach to economically disadvantaged families, to educational programs on parenting skills, to Community Development's outreach to social service agencies and educational sessions for first-time home buyers.

Similar to issues surrounding inclusionary practices, each of the City's six advisory committees stand ready to advise staff on operational issues related to education and outreach. For example, the 12-member Cultural Diversity Advisory Committee (CDAC) meets bi-monthly to focus on issues related to cultural diversity in the City of Sunnyvale. Responsibilities related to education and outreach has included advising staff on:

- Ways to promote and collaborate with community groups to increase cultural awareness and understanding;
- Methods to ensure that residents of all cultures are welcome in Sunnyvale and have equal access to City services and programs;
- Effective, creative strategies to encourage civic engagement of all community members;
- Supporting staff efforts to build relationships with cultural groups and leaders in order to promote access to City services.

Hearing Resident Complaints and Concerns

The City of Sunnyvale has established a number of mechanisms for hearing resident complaints and concerns related to specific human rights and relations issues. In addition to complying with all state and federal anti-discrimination laws, the City has developed administrative policy and procedures to address complaints of discrimination in City employment. Resident complaints against Public Safety employees are investigated by the Department of Public Safety, Division of Professional Standards. Disability-related complaints or requests for reasonable accommodation are addressed by the "Program and Service Accessibility for Persons with Disabilities" administrative policy through the City's Americans with Disabilities Act (ADA) Coordinator. The City also has a Community Liaison Service administered by the Community Resources Division in the Office of the City Manager to handle complaints and concerns that may require cross-departmental review.

The Assistant City Manager is responsible for ensuring compliance with the non-discrimination policy, and is the designated point of contact for discrimination complaints. Historically, as documented by the Office of the City Manager and the Office of the City Attorney, the City has had few cultural or

ethnic discrimination complaints. According to the City Attorney's office, excluding complaints regarding workplace investigations, ADA and public safety, one complaint from the public was filed within the past five years involving a claim of racial or ethnic discrimination.

The City also contracts services with Project Sentinel for fair housing and discrimination investigation, as well as for mediation services between residents with disagreements. Those dispute resolution services would include addressing any conflict arising from differences in ethnicity, national origin, religion, sexual orientation, socioeconomic class, age, physical and/or emotional conditions.

What the City does not do, is involve itself directly in these disputes, or in complaints registered against other organizations. The City will, however, provide referral services to the proper agencies.

Advise Council on related Policy Issues

As evidenced by the "Existing Policies" section of this report, the City has developed numerous policies related to the protection of human rights and the promotion of positive human relations. The City of Sunnyvale also has a strong tradition of encouraging civic participation in the development and revision of its policies affecting the Sunnyvale community. Below is a list of the City's current boards and commissions:

- Arts Commission
- Bicycle and Pedestrian Advisory Commission
- Board of Building Code Appeals
- Board of Library Trustees
- Heritage Preservation Commission
- Housing and Human Services Commission
- Parks and Recreation Commission
- Personnel Board
- Planning Commission

In particular, Sunnyvale's Housing and Human Services Commission (HHSC) acts as an advisory body to Council on existing and potential programs, policies and other issues regarding housing and *human services* in Sunnyvale. The Housing and Human Services Commission was formed by Council in 1985 when it combined the former Housing and Development Citizens Advisory Committee and the Human Development and Advisory Planning Council into a single entity. The function of the HHSC is to "assist the City Council in matters that pertain to existing and potential programs, policies and other official City undertakings in the fields of housing and human services." It is specifically charged with reviewing the Socioeconomic Element of the Sunnyvale General

Plan and providing “policy analysis, review and preparation of policy recommendations on socioeconomic and social service issues.” The HHSC also advises Council on City funding of outside groups and reviews CDBG programs and priorities.

Council Resolution 134-85 (Attachment D) highlights these duties of the HHSC, further specifying that it shall not be involved formally in issues which relate to programs provided by City Departments for which the Council has established another advisory board or commission unless dual responsibility is explicitly authorized by the City Council-approved Legislative Calendar (now known as the Tentative Council Meeting Agenda Calendar) or work program. This language recognizes the fact that the City also addresses policy issues on human relations and services through other existing boards and commissions (e.g., senior issues are addressed by the Parks and Recreation Commission).

To the degree that Council feels the need to do more with human rights or relations issues, one alternative would be to consider revising the Housing and Human Services Commission’s bylaws rather than creating an entirely new commission.

Are there specific problems that the City is attempting to resolve through the creation of a human relations board or commission?

The origin of this study issue was not accompanied by any suggestion that there were specific problems to be addressed or resolved. A summary of recently completed Study Issues (which are intended to identify policy areas in need of revision or study) from 2005-2008 illustrates that no issues were specifically focused on human rights/relations. (See attachment C - Completed Study Issues 2005-2008).

What would be the advantages and disadvantages associated with creating a Council-advisory board or commission to address some or all of the possible purposes of such a body?

Advantages:

- The very existence of a human rights and relations board or commission could serve to heighten community awareness of related issues, and instill confidence in local government’s intent to deal with those issues.
- When policy issues affecting human rights and/or relations did arise, Council would have an advisory group to consult.

Disadvantages:

- Most human rights and relations issues that do arise are operational in nature (i.e., have to do with promoting inclusionary practices, education and outreach, or responding to concerns and complaints). Board or

commission members could become frustrated if restricted to dealing with related policy issues, which have been few and far between.

- The City's Housing and Human Services Commission is already charged with addressing human service issues; the creation of an entirely separate commission could cause confusion as to which group was charged with reviewing specific policy issues (i.e., if an issue concerning senior services at the Senior Center arises, is this the domain of the Parks and Recreation Commission or the new human relations commission?).
- The establishment of an additional advisory board or commission would require funding during a time of fiscal constraint, and require a reduction in another, existing service level

Are There Other Options?

Staff has identified two options in addition to that of creating an entirely new board or commission to deal with human relations issues:

- Clarify and/or expand the bylaws of the Housing and Human Services Commission and Parks and Recreation Commission when revising all board/commission bylaws later this fiscal year: As indicated on pages 11 and 12 of this report, these two commissions already play a role in advising Council on policy issues regarding human relations. These roles could be clarified and/or expanded to address many, if not all, policy issues of concern to Council.
- Expand the role of the staff-advisory committee on cultural diversity (CDAC): While this report was specifically intended to consider the creation of a Council-advisory body to review policy issues, another option staff has considered is expanding the operational role of the Cultural Diversity Advisory Committee to include a broader range of human relations issues. To the degree that staff's assertion that most human relations issues which arise are operational in nature as opposed to policy-related, charging a staff-advisory group to deal with them could be a more effective solution.

FISCAL IMPACT

The costs associated with a new board or commission advisory to Council would depend on the role and responsibilities of the board. Excluding the Planning Commission, on average, it takes approximately sixteen hours of staff time per meeting to support a board or commission. This accounts for management and administrative staff time to support: staff liaison meetings, training and orientation, ongoing communication, scheduling and participating in meetings, meeting notes and documentation, posting of meetings, compliance with Brown Act, etc. Costs vary by work plan, number and time of meetings, number of board or commissioners, posting requirements and level of staff support required. The projected per meeting cost of \$1,200 is based on sixteen hours of staff time at \$75 per hour. The estimated annual cost would

vary depending on the total number of meetings, and could range from \$4,800 annually for quarterly meetings to \$14,400 annually for monthly meetings. This cost is primarily composed of the staff time, professional and administrative, required to support the board or commission. An additional \$2,000 in start-up costs is estimated for the first year of the program.

Establishing a human rights/relations board or commission would create a new service level that would require funding. The General Fund Long-Term Financial Plan is fully balanced to the twentieth year, so any increase in costs would require a corresponding revenue increase or service level decrease in another area. Therefore, in order to establish this new board or commission, Council would need to take one of the following actions:

- 1) Establish a priority ranking for the new service level. Direct the City Manager to incorporate the new service level and a corresponding service level reduction into the FY 2009/2010 Recommended Budget. (See Attachment E – Priority Ranking Tool).
- 2) Establish a priority ranking for the new service level. Commit a portion of the General Fund Service Level Set Aside to cover additional costs. \$340,000 of this set aside is available annually beginning in FY 2009/2010; however, given the current economic climate, staff does not anticipate this set aside to be available, and therefore does not believe this to be a viable funding option.
- 3) Establish a priority ranking for the new service level and use the Priority Ranking Tool to select an existing service to cut to maintain a balanced long-term financial plan. Agendize a public hearing on the recommended change and establish the new board or commission once the service level reduction is determined.

PUBLIC CONTACT

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

The Council-approved Study Issue prompting this study (Attachment A) anticipated no participation on the part of existing boards or commissions, and no review of this report by them (the very notion of creating a new board or commission presumed that there was no existing board or commission to advise the Council on related matters). However, as staff's research progressed,

it became clear that some of the possible purposes of a human rights/relations board or commission are already fulfilled by existing boards or commissions. For example, if Council were interested in exploring additional policies related to the rights of the economically disadvantaged with regard to housing opportunities, that matter would be referred to the Housing and Human Services Commission. One of Council's options would be to expand the role of one or more existing boards or commissions; for example, charge the Personnel Board with reviewing complaints of employment discrimination.

Due to staff's specific recommendations regarding the Housing and Human Services Commission and Parks and Recreation Commission bylaws, each of these commissions conducted a public hearing on this issue. This report has also been shared with all other City boards and commissions, and each has been offered the opportunity to place it on an agenda, hold a public hearing, and provide Council an advisory recommendation. Additional feedback was solicited from the City's Cultural Diversity Advisory Committee (advisory to staff).

Any formal recommendations received from these advisory bodies as of the distribution of this report to Council is included under the Recommendation section. Those bodies not able to provide a recommendation in time to have it incorporated into this report have been encouraged to attend the Council's public hearing and to provide the body's official recommendation in person.

ALTERNATIVES

1. Develop a new Council-appointed board or commission on human rights or relations.

Approval of this alternative would require Council to take four actions:

- a. Establish a priority ranking for the new service level. Staff recommends a priority ranking of 5 – Other.
- b. Determine the frequency of board or commission meetings
 - i. Monthly meetings would cost approximately \$14,400 annually with \$2,000 in one-time costs
 - ii. Bi-monthly meetings would cost approximately \$7,200 annually with \$2,000 in one-time costs
 - iii. Quarterly meetings would cost approximately \$4,800 annually with \$2,000 in one-time costs.
- c. Determine the implementation of the service level reductions necessary to fund the additional service. Implementation options include:
 - i. Direct the City Manager to consider the new service level and corresponding service level decrease in the FY 2009/2010 Recommended Budget.

- ii. Use the Priority Ranking Tool to select a service to cut to maintain a balanced long-term financial plan.
 - iii. Agendize another Council meeting to act on recommendation for service level cut.
 - d. Approve a plan to return to Council in the fall of 2009 with proposed By-laws and Resolution for the new board or commission and appoint new members.
2. Direct the City Manager to clarify the roles of the Housing and Human Services Commission and Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council consideration later this fiscal year.
3. Do not develop or further explore creation of a human rights/relations board or commission at this time.
4. Other action as identified by Council.

RECOMMENDATION

Staff recommends Alternatives 2 and 3: Direct the City Manager to clarify the roles of the Housing and Human Services Commission and the Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council consideration later this fiscal year. Do not develop or further explore creation of a new board or commission at this time.

Staff recommends these actions for the following reasons:

Staff has explored all of the possible reasons for establishing a Human Relations Board, and finds that each of them can be sorted into one of four general categories or purposes: promotion of inclusionary practices; public outreach and education; dealing with human relations complaints and concerns; and advising Council on human relations policies. Within Sunnyvale's governmental framework, the first three are considered operational or administrative matters under the purview of the City Manager, and the establishment of a Council-advisory board or commission to address them would not be appropriate. With regard to the fourth category—advising Council on human relations policies—staff finds insufficient issues or justification to warrant the creation of a new board or commission.

Staff is concerned that the establishment of a new human relations board or commission would appeal to those wishing to involve themselves in the operational aspects of human relations issues (as opposed to policy issues), and that the board or commission would feel underutilized if restricted to analyzing policy issues. Few human relations policy issues come before the Council, and even fewer have prompted Council to request policy assistance (most have been considered “not City business”—e.g., whether or not to

condemn China's treatment of Falun Gong practitioners). Therefore, staff finds no identifiable problem to solve, and no compelling reason to establish a human relations board or commission.

Staff also believes that the creation of an entirely separate commission could cause overlap, and confusion as to which group was charged with reviewing specific policy issues (i.e., if an issue concerning senior services arises, is this the domain of the Parks and Recreation Commission or the new Human Relations Commission?).

Staffs' recommendation is supported by the Housing and Human Services Commission, the Parks and Recreation Commission and the Planning Commission. The Housing and Human Services Commission held a Public Hearing on this Study Issue on November 19, 2008; see Attachment F – *Minutes Sunnyvale Housing and Human Services Commission*. The Planning Commission held a Public Hearing on this Study Issue on December 8, 2008; refer to Attachment G – *Draft Minutes Sunnyvale Planning Commission*. The Parks and Recreation Commission held a Public Hearing on this Study Issue on December 10, 2008; see Attachment H – *Draft Minutes Parks and Recreation Commission*. Each of these Commissions made their respective formal motions to accept staffs' recommendation for Alternatives 2 and 3; the motions passed unanimously with each of these three Commissions.

To the degree human relations issues impacting the City arise, there are existing tools in place to address them, both administratively and from a policy perspective (from responding to complaints of discrimination or harassment, to addressing concerns regarding disabled accessibility or tenant/landlord disputes). Clarifying the roles of the Housing and Human Services Commission and the Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council's consideration later this fiscal year would provide Council adequate advisory bodies for reviewing policy issues which arise. Should Council adopt this recommendation, staff would expand the role of the Cultural Diversity Advisory Committee to provide staff an additional tool for dealing with human relations issues of an operational nature. The Cultural Diversity Advisory Committee (CDAC) reviewed the Study Issue at their November 12, 2008 meeting. Summary notes of the discussion may be found in Attachment I – Summary Notes of Cultural Diversity Advisory Committee Meeting.

Given all of the above, staff does not believe that an expenditure of City resources (and/or cuts to existing services) to develop and maintain a human relations board or commission is warranted.

Reviewed by:

Robert Walker, Assistant City Manager Director
Prepared by: Patricia Lord, Community Resources Manager

Approved by:

Gary Luebbbers
City Manager

Attachments

- A. Study Issue OCM-01, *Explore Development of a Human Rights/Relations Board or Commission Advisory to Council.*
- B. Summary chart depicting Potential Issues and Purposes to be Addressed by Human Relations/Rights Board or Commission.
- C. Summary of Completed Study Issues 2005-2008.
- D. Council Resolution 134-85.
- E. Priority Ranking Tool.
- F. Minutes Sunnyvale Housing and Human Services Commission, November 19, 2008.
- G. Draft Minutes Sunnyvale Planning Commission, December 8, 2008.
- H. Draft Minutes Parks and Recreation Commission, Regular Meeting, December 10, 2008.
- I. Summary Notes from Cultural Diversity Advisory Committee meeting, November 12, 2008.

Attachment A

Proposed New Council Study Issue

Number	OCM-01
Status	Pending
Calendar Year	2008
New or Previous	Previous
Title	Explore Development of a Human Rights/Relations Board or Commission Advisory to Council
Lead Department	Office of the City Manager
Element or SubElement	7.2 Community Participation

1. What are the key elements of the issue? What precipitated it?

RTC, 06-311, "Explore Development of a Board or Commission with a Focus on Multicultural Diversity" (Study Issue) was presented to Council on October 10, 2006. Consistent with the origin of the Study Issue, the report's recommendation was focused on cultural diversity as it pertains to ethnic heritage, race, and/or religion. The report noted that some other local public agencies have commissions that also address gender, age, employment status, or lifestyle diversity issues.

Council supported the creation of a 2-year pilot committee on Multicultural/Diversity and Outreach that would be Advisory to Staff. However, Council also requested the creation of a Study Issue Paper to further "Explore Development of a Human Rights/Relations Board or Commission." Consistent with the approach some other local public agencies have adopted, the proposed board or commission would review and make recommendations to Council on policy issues focused broadly on human relations issues, including but not limited to: ethnicity, national origin, religion, sexual orientation, socioeconomic class, age, citizenship, intellectual ability, physical and emotional conditions.

Council specifically indicated that a proposed Human Rights/Relations Board or Commission would not review citizen complaints of discrimination, such as police misconduct. In Sunnyvale, in addition to complying with all state and federal anti-discrimination laws, the City has developed administrative policy to address this issue. Complaints of discrimination in employment, complaints against Public Safety, or disability-related complaints, are governed by separate City policies.

2. How does this relate to the General Plan or existing City Policy?

Policy Making and Program Planning

Goal 7.2C.1 Representation - Plan for and encourage an appropriate cross-section of the community when obtaining public input for policy decisions.

Service Delivery

Policy 7.2D.3 Access - Provide reasonable and fair citizen access to information and services within budgeted resources.

3. Origin of issue

Council Member(s) Lee, Chu, Spitaleri, and Howe
General Plan
City Staff
Public
Board or Commission none

	Staff CY1:	0	Staff CY2:	0
Interdep Moon, Rebecca	Mgr CY1:	4	Mgr CY2:	0
	Staff CY1:	0	Staff CY2:	0
Interdep Yurutucu, Annabel	Mgr CY1:	4	Mgr CY2:	0
	Staff CY1:	0	Staff CY2:	0

Total Hours CY1: 131

Total Hours CY2: 0

Note: If staff's recommendation is 'For Study' or 'Against Study', the Director should note the relative importance of this Study to other major projects that the Department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by

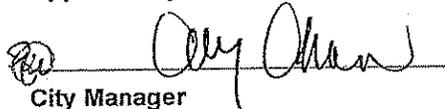


Department Director

11-7-07

Date

Approved by



City Manager

11/13/07

Date

Attachment B

**Potential Issues and Purpose
To be Addressed by Human Relations/Rights Board or Commission**

Potential Purpose	Potential Issues	How Currently Addressed in Sunnyvale	Policy and/or Operational
Inclusion Policies and Practices	<ul style="list-style-type: none"> • Need for translators • Need for materials in languages other than English • Accessibility • Welcoming new residents • Gender issues/Gay rights • Improve quality of life 	<ul style="list-style-type: none"> • Translation services with city-wide bank of translators • Multi-lingual materials and services at Library • Policy of inclusion in delivery of services citywide • Advisory Committee on Accessibility • New resident guides/ “pocket” guides • Cultural Diversity Advisory Committee • Parks and Recreation programs and services • Parks and Recreation Commission • Arts Commission 	Operational
Education and Outreach	<ul style="list-style-type: none"> • Promote cross-cultural understanding • Provide forums to create understanding • Child Care • Youth/Teens • Older Adults 	<ul style="list-style-type: none"> • Wide variety of programs offered through: Library, Parks & Recreation, Public Safety community outreach, neighborhood associations, • Multi-cultural programs offered • Teen Advisory Committee • Senior Center Advisory Committee • Child Care Advisory Committee • Board of Library Trustees 	Operational
Hearing Complaints and Concerns	<ul style="list-style-type: none"> • Hate crimes • ADA complaints • Immigration/Citizenship • Amnesty • Safety/security • Accessibility • Homeless/Housing • Domestic Violence • Neighborhood blight • Special Events • Perceptions of discrimination in employment • Gangs • Graffiti 	<ul style="list-style-type: none"> • ADA Complaint Procedures • Personnel Board • Immigration issues administered at Federal level • Agreements with Outside Groups providing services: Project Sentinel, Support Network, Sunnyvale Community Services, etc. • Housing and Human Services Commission • Neighborhood Preservation/code enforcement • Special Event Permits/community event applications • Department of Public Safety • Community Liaison Service • Personnel Board • Board of Building Code Appeals 	Operational

**Potential Issues and Purpose
To be Addressed by Human Relations/Rights Board or Commission**

Potential Purpose	Potential Issues	How Currently Addressed in Sunnyvale	Policy and/or Operational
Advise Council on Policy Issues	<ul style="list-style-type: none"> • Policies related to human rights and human relations 	<ul style="list-style-type: none"> • City Policy on Non-Discrimination in Programs and Services • City Personnel Policy Against Harassment, Discrimination and Retaliation • City Policy – Program Service and Accessibility • Policy on Equal Employment Opportunity 	Policy

Attachment C

**COMPLETED STUDY ISSUES
2005 - 2008**

RTC#	Council Meeting Date	Department(s)	Title of Report
05-042	2/1/05	CDD	Review of Study Issue Priorities for the Community Development Department for 2005 Relative to a Proposed New Study Issue to Modify the Below Market Rate Rental Program
05-064	3/1/05	CDD	2004-0444- Study Issue - (Introduction of an Ordinance) To Consider Revisions to the Sunnyvale Municipal Code 19.44 to Allow Additional Signage for Automobile Dealers and Large Retail Stores
05-066	3/8/05	CDD	2004-0166 Study Issue: To Consider Modifications to the Height and Story Limit Within the R-3 (Medium Density Residential) Zoning District
05-075	3/22/05	CDD	Study Issue - Clarify CEQA Requirements and Heritage Preservation Commission's Role in Relation to the Heritage Preservation Code
05-108	4/19/05	CDD	2002-0070 Study Issue to Consider Changes to Utility Undergrounding Programs and Requirements Including In-lieu Fees
05-152	5/17/05	DPW	Study Issue on Fluoridation of Drinking Water
05-143	5/17/05	DPS	Informational Report on Council Study Issue (DPS #2) Regarding Gun Amnesty Programs in Santa Clara County
05-156	6/7/05	LIB	Analysis of Library Materials Funding - Study Issue
05-164	6/7/05	DPR	Explore Costs and Benefits of Declaring the Second Saturday in August as "Family Day" and Open Recreation Facilities to the Entire Community - Study Issue
05-221	7/19/05	CDD	Study Issue to Consider Options for Transportation Demand Management (TDM) for New High-Density Residential Development
05-228	8/9/05	DPW	Liquidambar Street Trees - Nuisance Fruit Problem - Study Issue
05-244	8/16/05	OCM	Feasibility of a Neighborhood Grant Program in Sunnyvale (Study Issue OCM-3)
05-253	8/23/05	CDD	Extending Approval of Wright Avenue Single Story Combining District (Study Issue)
05-268	9/20/05	DPS/LIB & ITD	Patriot Act - Council Study Issue (DPS#7)
05-286	10/4/05	OCM	Timelines for Noticing Council Meeting Agendas and the Distribution of Agendized Reports to Council (Study Issue)
05-290	10/4/05	CDD	Study Issue to Consider whether Multi-Family Residential Developments should be required to provide Community Rooms
05-284	10/18/05	DPR	Consider Revisions to Council Policy Governing the Naming/Renaming of Parks and Recreation Facilities - Study Issue

**COMPLETED STUDY ISSUES
2005 - 2008**

RTC#	Council Meeting Date	Department (s)	Title of Report
05-300	10/18/05	CDD	City of Sunnyvale's Lot Coverage Study Issue - Two Year Review - Information Only
05-323	11/1/05	DPW	Sunnyvale Bicycle Map Update, Study Issue
05-336	11/22/05	CDD	Shop Sunnyvale Discount Card (Study Issue)
05-351	11/22/05	CDD	2005-0023 - City of Sunnyvale - Study Issue to consider a new Streetscape Revitalization Plan for the 100 Block of South Murphy Avenue
06-032	1/24/06	DPR	Adoption of Open Space and Recreation Sub-Element (Study Issue)
06-074	3/21/06	CDD	2005-0027 - City of Sunnyvale Study Issue: Consideration of Places of Assembly and Recreation and Amusement in Commercial and Industrial Zoning Districts
06-075	3/28/06	CDD	Zoning Land for Service Use (Study Issue) 2005-0169 - City of Sunnyvale Study Issue to Consider Whether the Zoning Ordinance (Title 19) Allows for Sufficient Opportunity for Service Uses in the City. Amendments to Title 19 (Zoning) may be adopted as part of the study.
06-090	3/28/06	OCM	Explore Community Support for Community Events (Study Issue)
06-101	4/4/06	CDD	Study Issue to consider changes to the current Tree Preservation Ordinance
06-108	4/11/06	DPW	STUDY ISSUE: Update on the Design and Environmental Review of the Borregas Avenue Bicycle Corridor Capital Project
06-131	4/25/06	DPS	Study Issue on City Policy to Address Employee Participation in Disaster Relief/Recovery in the Bay Area, California and Other National Regions
06-117	4/25/06	LIB	Report of the Vision for Sunnyvale's Library of the Future, and Asses Future Library Facility Needs - Study Issue
06-142	5/9/06	DPW	Study Issue - Abandoned Shopping Carts - Create Ordinance and Procedure for Dealing with Shopping Carts From Stores that are Left Abandoned on Public and Non- (cart) Owner Private Property
06-139	5/9/06	CDD	2004-0167 - City of Sunnyvale - Study Issue Zoning Tools to Encourage the Development of Ownership Housing - This study examines modifications to the Zoning Code that would facilitate the conversion to, and development of, ownership housing while still maintaining protection to tenants that could potentially be displaced.
06-187	6/13/06	FIN	Study Issue-Local Business Preference Policy Relative to City Purchases (F0505-92)
06-240	7/18/06	DPW	Study Issue - Carbon Dioxide Emissions Reduction Project

**COMPLETED STUDY ISSUES
2005 - 2008**

RTC#	Council Meeting Date	Department (s)	Title of Report
06-212	7/25/06	LIB	Status of Internet Access Service Delivery at Library - Study Issue
06-231	7/25/06	ITD	Webcasting City Meetings (Study Issue)
06-243	7/25/06	ITD	Wireless Service at City Hall and the Library - Study Issue
06-255	8/8/06	DPW	Study Issue: Bicycle Plan Update
06-259	8/8/06	DPR	Study Issue: Consider Revisions to Council Policy 7.3.22 Recognition of Donations and Use and Layout of Plaques
06-290	9/19/06	DPR	Consider the Effectiveness and Efficiency of the Recreation Fee Waiver Program - Study Issue
06-306	10/10/06	DPR	Study Issue: Consider Establishing Council Policies Regarding Commercial Use of Parks, Open Spaces and Recreation Facilities Owned or Maintained by the City.
06-311	10/10/06	OCM	Explore Development of a Board or Commission with a Focus on Multicultural/Diversity Outreach and/or Issues (Study Issue)
06-333	10/24/06	CDD	2006-0876 -- City of Sunnyvale Study Issue: Examine the rezoning of specified Industrial and Service (M-S) Zoned sites to Industrial and Service/Places of Assembly (M-S/POA).
06-336	11/14/06	DPR	Study Issue: Consider Hosting the California Senior Games
06-353	11/14/06	FIN	Update of the Fiscal Sub-Element of the General Plan (Study Issue)
06-344	11/14/06	CDD	2002-0070 - Recommended Programs for Use of PG&E Funding for Undergrounding Utilities (Rule 20A Funds) and Amendments to Municipal Code Regarding Utility Undergrounding (Study Issue)
06-361	11/28/06	ITD	Additional Technologies to Broadcast Meetings -- Study Issue
06-359	11/28/06	DPW	Mathilda Avenue Overhead Bridge Rehabilitation Project Environmental Impact Report Certification and Project Approval - Study Issue
06-397	12/12/06	DPW	Study Issue - Changes to Residential Garbage Collection Rates, Containers, Policies and Procedures
07-003	1/23/07	CDD	Updating the Precise Plan for El Camino Real (Study Issue)
07-019	1/23/07	CDD	2006-1134 Establishment of a Special News Rack District in historic Downtown Sunnyvale to regulate the appearance and placement of newspaper racks in th public right-of-way (Study Issue).
07-076	3/6/07	OCA	City Council Campaign Contribution Limits and Spending Limits; Public Funding of Campaigns (Study Issue)
07-103	3/27/07	DPS	Study Issue on Reestablishing the Public Safety Community Academy (DPS-07)

**COMPLETED STUDY ISSUES
2005 - 2008**

RTC#	Council Meeting Date	Department (s)	Title of Report
07-098	4/3/07	CDD	2006-0782 Auto Repair in Residential Zoning Districts (Study Issue)
07-138	5/1/07	CDD	Project #2006-1242 Santa Clara Valley Water Resources Protection Collaborative - Guidelines & Standards for Land Use Near Streams (Study Issue)
07-154	5/8/07	CDD	2007-0415 Approve Final Report on Transitioning from a Growth to a Steady-State City (Study Issue) and Adopt Resolution to Incorporate Sunnyvale Community Vision into the General Plan.
07-139	5/8/07	DPS	Options for Dealing with Extraordinary Public Safety Responses to Large Gathering Places and Entertainment Venues (Study Issue)
07-165	5/15/07	CDD	2007-0153 Heritage Districts and Individual Resources - New Residential Heritage Districts (Study Issue)
07-168	5/15/07	CDD	2007-0153 Taaffe Frances Design Policies - New Residential Heritage Districts (Study Issue)
07-171	5/22/07	DPR	Review Rental Fees for Plaza del Sol (Study Issue)
07-173	5/22/07	DPR	Study the Benefits and Impacts of Increasing Weekend Golf Fees \$2 for Non-Resident Golfers (Study Issue)
07-198	6/5/07	DPW	Use of 'Rubber Sidewalks' Adjacent to City Street Trees - Study Issue
07-244	7/10/07	CDD	2006-0169 Rezoning Study for Service Uses from M-S to C-4 Zoning (Study Issue)
07-224	7/24/07	CDD	Policy for Soliciting Corporate Sponsorships and Donations (Study Issue)
07-305	9/11/07	CDD	2006-0271 Rezoning Study for Existing Places of Assembly Sites on Residentially Zoned Properties to the Public Facility Zoning District (Study Issue)
07-301	9/11/07	DPW	Carbon Dioxide Emissions Reduction Plan for City Operations (2006 Study Issue)
07-318	9/25/07	OCM	Recommendation on Role of City and Neighborhood Associations in Impacting Quality of Life (Study Issue)
07-353	10/23/07	CDD	2007-0264 Grocery Sales at Automobile Service Stations (Study Issue)
07-359	10/30/07	OCM	Adoption of Community Sub-Element (Study Issue)
07-363	11/27/07	OCM	Explore the City's Options Relative to Supporting Child Care Providers Serving Special Needs Children (Study Issue)
07-392	12/4/07	DPR	Determine Whether to Continue Agreement with Santa Clara County for Operation of Sunnyvale Baylands Park past 2011 (Study Issue-Phase 1)
07-409	12/11/07	CDD	2007-0800 Citywide Solar Plan (Study Issue)
07-411	12/11/07	DPW	Pedestrian Safety and Opportunities Study - Study Issue
08-042	2/12/08	DPW	Roadway Reconfiguration Guidelines for Retrofitting Streets with Bike Lanes (Originally titled Policy for allocation of Street Space) - Study Issue

**COMPLETED STUDY ISSUES
2005 - 2008**

RTC#	Council Meeting Date	Department (s)	Title of Report
08-061	2/26/08	CDD	2007-0754 - Study Issue: Parking Requirements for Residential and Commercial Developments
08-060	2/26/08	OCM	Options for Dealing with Extraordinary Public Safety Response to Large Gathering Places and Entertainment Venues (Study Issues) and New Requirements for Special Events
08-079	3/18/08	DPW	Downtown Parking Information System - Study Issue

Attachment D

RESOLUTION NO. 134-85

RESOLUTION OF THE COUNCIL OF THE CITY OF SUNNYVALE
ESTABLISHING A HOUSING AND HUMAN SERVICES COMMITTEE
AND DESIGNATING ITS FUNCTIONS, AND DISSOLVING THE
HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY
COMMITTEE AND THE HUMAN DEVELOPMENT ADVISORY PLANNING
COUNCIL, EFFECTIVE JULY 1, 1985

WHEREAS, the City Council proposes to create a Housing and Human Services Committee to assist in the formulation and implementation of City policies affecting housing and human services issues; and

WHEREAS, it is the intention of the City Council to reorganize and merge certain former functions of the Housing and Community Development Citizens Advisory Committee and the Human Development and Advisory Planning Council into this single new entity;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE RESOLVES AS FOLLOWS:

SECTION 1. CREATION OF COMMITTEE. The City Council hereby creates the Housing and Human Services Committee of the City of Sunnyvale. The Housing and Human Services Committee shall continue in existence, commencing on July 1, 1985, for an indefinite term.

SECTION 2. COMMITTEE MEMBERSHIP. The Housing and Human Services Committee shall consist of fifteen (15) members appointed by the City Council. Every person appointed to the Housing and Human Services Committee shall, at the time of his or her appointment, be a registered voter of the City and shall maintain his or her principal place of residence within the City. Should any person so appointed cease to be an elector of the City or cease to maintain his or her principal place of residence within the City, that person thereafter shall be ineligible to continue to serve as a member of the Committee. The members of the Housing and Human Services Committee shall have a demonstrated interest in housing or human services issues.

Each member shall be selected for membership on the Committee by majority approval by the City Council, following nomination thereto by a City Councilmember. Each City Councilmember shall have the right to nominate two (2) of the fifteen members to be selected.

The fifteenth member of the Committee shall be appointed thereto by majority vote of the Council, upon nomination by any City Councilmember.

SECTION 3. TERMS; BYLAWS; MEETINGS. Each member of the Housing and Human Services Committee shall serve at the pleasure of the City Council. Original members shall serve for the terms set forth in the following table, and successor members shall serve terms of four (4) years each.

<u>Seat #</u>	<u>Current Councilmember</u>	<u>1st Appointee Term Ends</u>	<u>2nd Appointee Term Ends</u>
1	Castillo	1986	1988
2	Wulfhorst	1986	1988
3	Cude	1986	1988
4	Mercer	1987	1989
5	Briody	1987	1989
6	Gonzales	1987	1989
7	O'Toole	1987	1989
	At Large	1986	

The Housing and Human Services Committee shall prepare and recommend to the City Council for adoption, bylaws for the conduct of business by the Committee. All meetings of the Committee shall be in accordance with the bylaws adopted by the City Council and with the Ralph M. Brown Act (Government Code §§54950, et seq.).

SECTION 4. FUNCTIONS AND RESPONSIBILITIES. The function and purpose of the Housing and Human Services Committee is to assist the City Council in matters that pertain to existing and potential programs, policies, and other official City undertakings in the fields of housing and human services.

In carrying out its functions and responsibilities, the Housing and Human Services Committee will be involved, only as may be directed by the City Council through annual Legislative Calendars and Council approved Work Programs, and through particular Council Directives, in the following activities:

A. Review of the Housing and Community Revitalization Subelement of the Sunnyvale General Plan.

B. Policy analysis, review, and preparation of policy recommendations on housing and related issues.

C. Review of the Socioeconomic Element of the Sunnyvale General Plan.

D. Policy analysis, review and preparation of policy recommendations on socioeconomic and social services issues.

E. Advice upon implementation of policies governing funding of outside groups, excepting those outside group funding programs presently within the responsibility of other commissions of the City, such as the Parks and Recreation Commission, the Arts Committee, etc.

F. Oversight of preparation of Community Development Block Grant funding policies and formulation of the Community Development Block Grant budget.

G. Such other and further functions as may be assigned to the Committee by the City Council within the field of housing and human services.

In the interests of efficiency and certainty of the land use planning and development process, the Housing and Human Services Committee shall not be involved formally in matters within the responsibility of the Sunnyvale Planning Commission, as defined by state law and the Charter and ordinances of the City of Sunnyvale, in any manner that would delay or interfere with consideration of land use permit applications or legislative decisions affecting particular properties. The Committee shall not be involved formally in issues pertaining directly to current or future human services programs which are directly provided by, co-sponsored by, or relate directly (in the case of outside group funding) to the programs provided by City departments for which the Council has established an advisory board or commission, unless dual responsibility therefor is explicitly authorized by City Council-approved Legislative Calendar or Work Program.

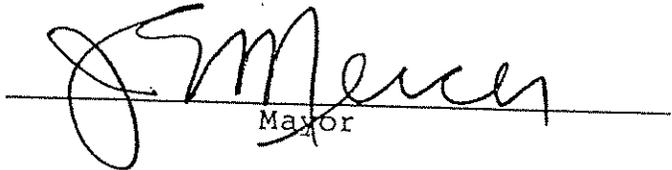
SECTION 5. DISSOLUTION OF HOUSING AND COMMUNITY DEVELOPMENT ADVISORY COMMITTEE AND HUMAN DEVELOPMENT ADVISORY AND PLANNING COUNCIL. Effective July 1, 1985, the Housing and Community Development Advisory Committee and the Human Development Advisory and Planning Council, formerly established by the City Council of the City of Sunnyvale, shall be dissolved and their formal existence

shall come to an end. All provisions of any resolution of the City Council inconsistent herewith are hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Sunnyvale at a regular meeting held on the 19th day of March, 1985, by the following called vote:

AYES: Castillo, Wulfhorst, Cude, O'Toole, Briody, Gonzales, Mercer
NOES: None
ABSENT: None

APPROVED:



Mayor

ATTEST:
City Clerk

By 

Deputy City Clerk

(SEAL)

E/

Attachment E

Sunnyvale Boards and Commissions (FY 2008)

<u>Title</u>	<u>Ranking</u>	<u>Notes</u>
Arts Commission	5- Other	Not required by charter, but Resolution 193-84
Bicycle and Pedestrian Advisory Commission	n/a	
Board of Building Code Appeals	n/a	
Board of Library Trustees	1- Highest	Legally Mandated by City Charter
Child Care Advisory Board	4- Mid	Targets Vulnerable Population
Heritage Preservation Commission	1- Highest	Legally Mandated by City Charter
Housing and Human Services Commission	4- Mid	Targets Vulnerable Population
Parks and Recreation Commission	1- Highest	Legally Mandated by City Charter
Personnel Board	n/a	
Planning Commission	1- Highest	Legally Mandated by City Charter

Attachment F



APPROVED MINUTES

As amended

SUNNYVALE HOUSING AND HUMAN SERVICES COMMISSION

Director Hom announced that Chair Patricia Plant and Commissioner Patrick Meyering had advised staff that they would not be present and that Vice Chair Gal Josefsberg had resigned from the Commission. Therefore, the first order of business was to select a Chair for this meeting.

Commissioner Keeler nominated Commissioner Andersen to Chair the meeting.

Commissioner Keeler moved and Commissioner Yezgi seconded to elect Commissioner Andersen to Chair the meeting of November 19, 2008.

Motion passed 4-1 with Commissioner Falk dissenting, and Commissioner Hubble absent.

The Housing & Human Services Commission met in a regular session in the West Conference Room at 456 W. Olive Ave., Sunnyvale City Hall, Sunnyvale, CA 94086 on November 19, 2008 at 7:02 p.m. with Chair Andersen presiding.

ROLL CALL

Commission Members Present: Commissioners: Ann Andersen, Micki Falk, Jeremy Hubble, Charles Keeler, Florence Tindle, and Demi Yezgi.

Commission Members Absent: Commissioner Patrick Meyering, and Chair Pat Plant.

Staff Present: Robert Walker, Assistant City Manager, Patricia Lord, Community Resources Manager, Hanson Hom, Director of Community Development; Suzanne Ise, Housing Officer, Katrina Ardina, Housing Programs Analyst, and Edith Alanis, Housing Programs Technician.

Director Hom went on to introduce Suzanne Isé, the new Housing Officer. Officer Isé gave a brief overview of her background.

SCHEDULED PRESENTATION – NONE

PUBLIC ANNOUNCEMENTS – NONE

CONSENT CALENDAR

1.A. Approval of **Draft Minutes of October 22, 2008.**

Commissioner Yezgi asked that the phrase “for the purpose of assimilation into the main stream culture” after the Immigrant Services bullet point at the top of page 4 be deleted.

Commissioner Hubble arrived at 7:05

Chair Andersen asked for a motion to approve the minutes of October 22, 2008 as amended by Commissioner Yezgi.

Commissioner Tindle moved and Commissioner Yezgi seconded to approve the minutes of October 22, 2008 as amended by Commissioner Yezgi.

Motion passed unanimously 6-0 with Commissioners Meyering, and Chair Plant absent.

CITIZENS TO BE HEARD - None

PUBLIC HEARINGS/GENERAL BUSINESS

1. Review Draft RTC “Explore Development of a Human Rights/Relations Board or Commission Advisory to Council” (Study Issue).

Patricia Lord, Community Resources Manager gave a summary of the Report to Council (RTC) and opened the floor for questions from the commissioners. She explained that she was seeking feedback from this public hearing and that any formal recommendation that came out from it would be included in the final RTC that will be going to Council in January 13, 2009.

Patricia Lord explained that the purpose of this RTC was to explore the possible creation of a Human Rights/Relations Board or Commission Advisory to Council. The study issue reviews existing City policies relating to human rights and relations, and it reviews options. Additionally, it reviews the potential mission and role of such Board or Commission and the types of issues that it might review or discuss. Lastly, it reviews the current practices of surrounding cities.

There was lengthy discussion between staff and the Commissioners. Robert Walker, Assistant City Manager was also available to answer questions from the Commissioners. Ultimately, it was agreed that there is no demonstrated problem or need that could be identified to support the creation of such new board.

Staff’s recommendation was that no new Board or Commission be developed at this time. Instead, staff recommended that the roles of the Housing and Human Services Commission as well as the Parks and Recreation Commission be clarified relative to human rights and relations by revising all Board and Commission bylaws for Council consideration. Should Council adopt staff recommendations, staff further suggested to

expand the role of the Cultural Diversity Advisory Committee which completed the first year of a two-year pilot program.

Chair Andersen asked for a motion

Commissioner Hubble moved and Commissioner Falk seconded to accept staff's recommendation for alternatives two and three; direct Council to clarify roles of the Housing & Human Services Commission and the Parks and Recreation Commission relative to human rights and relations, and do not develop or continue to explore the creation of a Human Rights/Human Relations Board or Commission at this time.

Motion passed unanimously 6-0 with Commissioners Meyering, and Chair Plant absent.

Commissioner Yezgi asked to make an amendment to the motion to include the recommendation that the Cultural Diversity Advisory Committee become permanent.

Commissioner Yezgi moved and Commissioner Keeler seconds to propose that the Cultural Diversity Advisory Committee becomes permanent.

Commissioner Yezgi withdrew her motion after discussion.

Commissioner Falk expressed her opinion that at times all the focus on cultural diversity separates/divides rather than bring together people. She also expressed that the committee has not been operating long enough to warrant a recommendation to make it permanent.

It was clarified that the Cultural Diversity Advisory Committee is on the first year of a two year pilot. Assistant City Manager Walker provided additional clarification with regards to City Council's purview over the Cultural Diversity Advisory Committee. He explained that the Committee is advisory to the City Manager not Council.

2. Review Draft RTC "General Fund Support of CDBG Funded Public Services" (Study Issue).

Housing Programs Technician, Edith Alanis, gave the Commissioners a brief summary of the Report to Council and was available to answer questions. She also handed out an e-mail received from Commissioner Meyering with input for this item. Commissioner Meyering was not able to attend the meeting, but felt it was important that his input was shared with the rest of the Commissioners.

Edith explained to the Commissioners that this study issue was originated by City Council and the purpose of it was to gather information on how other jurisdictions handle General Fund support for CDBG eligible agencies and compare those processes to how Sunnyvale

operates in this regard. The report summarizes the findings, reviews the current process in Sunnyvale, and makes recommendations on how to improve and streamline it.

After some discussion and some clarifications Chair Andersen asked for a motion. After further discussion, the Commissioners decided to make individual motions for each recommendation to keep them clear and concise.

Commissioner Hubble moved and Commissioner Tindle seconded to recommend alternative #1b, to designate funding for human service agencies with an operating priority ranking level of 4.Mid-Range and designate that the supplemental General Fund support be incorporated into the Housing Division's base operating budget.

Motion passed unanimously 6-0 with Commissioners Meyering, and Chair Plant absent.

Commissioner Yezgi moved and Commissioner Falk seconded to recommend alternative #2c, to establish an annual maximum amount of combined CDBG funds and supplemental General Funds of \$350,000 which includes a maximum amount of General Funds supplement of \$100,000 and adding a maximum of 25% of the total funding allowed to a single agency, with direction for the City Manager to consider the new service level and corresponding service level decrease in the FY 2009/2010 Recommended Budget.

Motion passed 5-1 with Commissioner Hubble dissenting because he does not feel that the suggested dollar amounts are properly justified based on the historic data that was presented, and with Commissioners Meyering, and Chair Plant absent.

Commissioner Keeler moved and Commissioner Hubble seconded to recommend alternative #3b, that the General Fund supplement be incorporated into the Housing Division's base operating budget making the total available funds known at the beginning of the CDBG process, allowing for a one time allocation rather than the current two-phase process.

Motion passed 5-0-1 with Commissioner Yezgi abstaining because she is not familiar enough with the current two-phase process, and with Commissioners Meyering, and Chair Plant absent.

Commissioner Yezgi moved and Commissioner Keeler seconded to recommend that a minimum grant limit of \$5,000 be set for human service agencies receiving funds through the CDBG process.

Motion passed unanimously 6-0 with Commissioners Meyering, and Chair Plant absent.

3. Discussion and Recommendation of 2009 Study Issues and Budget Items for City Council Workshop.

Director Hom reviewed Study Issue process and explained to the Commissioners that they needed to decide what study issues would be ranked. Each Commissioner was provided with a ranking sheet that included all the study issues. After some discussion, the Commissioners were allowed some time to rank the proposed study issues.

After the Commissioners ranked the study issues, staff compiled the results and announced the final rankings as shown below on Table 1, as they will be presented to City Council.

Table 1
Final Ranking on Proposed Study Issues
by the Housing & Human Services Commission

Ranking	Study Issue No.	Title
1	CDD-33	Study Affordable Housing Incentives for Transit-Oriented Development
2*	CDD-34	Study Regional Coordination of Applications for Affordable Housing
2*	CDD-43	Review of the Housing Mitigation Fee
4	CDD-02	Consider Revisions to Zoning Code for Conversions of Mobile Home Parks to Other Uses
5	CDD-40	Human Service and Housing Nonprofits Needs Analysis
6	CDD-12	BMR In Lieu Fee Requirements Modification
7	CDD-41	Determine the Need and Feasibility of a Multi-Service Center to Serve the Extremely Low and Very Low Income Populations.
8	CDD-09	Pilot Program on Multi-family Rental Housing Inspection
Drop	CDD-35	Examine BMR Current Policy and Requirements

**The HHSC agreed to not break the tie for second place.*

Chair Andersen asked for a motion to accept the final rankings.

Commissioner Tindle moved and Commissioner Yezgi seconded to accept the final rankings for study issues and keeping the tie for second place as voted by the Commission and compiled by staff.

Motion passed unanimously 6-0 with Commissioners Meyering, and Chair Plant absent.

Director Hom moved on to explain the Budget Item proposal process and asked if there were any items to recommend to City Council for their consideration.

After some discussion Chair Andersen asked for a motion for any Budget Items to be recommended to Council.

Commissioner Yezgi moved and Commissioner Keeler seconded to propose a budget item to ask City Council to allocate \$25,000 to provide a training program to provide workshops for non-profit groups to assist them in networking and training in capacity building.

Motion does not pass 3-3-0 with Commissioners Tindle, Falk, and Hubble dissenting and with Commissioners Meyering, and Chair Plant absent.

4. Review Draft Request for Proposals (RFP) Packet for Human Service Agencies seeking CDBG funding in FY2009/10.

Housing Programs Analyst, Katrina Ardina, gave a summary of what was included in the RFP that will go out in mid-December, seeking applications from Human Service agencies that are eligible to receive CDBG funds. She reviewed the requirements and pointed out that the recommendations that the HHSC gave at the meeting of October 22, 2008, when priority and unmet service needs were identified, had been incorporated in the RFP. Director Hom explained that this is a draft document and it assumes that City Council will adopt the priority and unmet needs recommendations by the HHSC.

There was some discussion to clarify why some items are worded the way they were. In some instances the goals seemed too broad while in others they seemed too specific. Staff explained to the Commissioners that the City continues to focus on meeting the goals identified in the Consolidated Plan that was submitted to HUD in terms of how the funds will be expended while taking into consideration the HHSC recommendations on priority and unmet needs.

Katrina went on to review the timeline for this process and pointed out some key dates that are included in the packet for the Commissioners to prepare for upcoming presentations and review of applications.

NON-AGENDA ITEMS AND COMMENTS

- BOARDMEMBERS OR COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

Director Hom pointed to the Commissioners that they had received a flyer in their packet for a Community Workshop taking place on December 4th, 2008 at the Sunnyvale Senior Center. This is the kick-off meeting in connection with the 2007-2014

Housing and Community Revitalization Sub-element Update that the HHSC will have to review when completed. These meetings are designed to obtain public input. Director Hom encouraged the Commissioners to attend if they were interested.

INFORMATION ONLY ITEMS**ADJOURNMENT**

Meeting adjourned at 10:04 p.m.

Respectfully submitted,

Hanson Hom
Director of Community Development

Attachment G

PLANNING COMMISSION MINUTES OF DECEMBER 8, 2008**Explore Development of a Human Rights/Relations Board or Commission Advisory to Council (Study Issue) PL**

Patricia Lord, Community Resources Manager with the Office of the City Manager, presented the staff report. She said that staff recommends that Council not develop or further explore the creation of a new human rights or relations board or commission at this time. She said staff further recommends that Council direct the City Manager to clarify the roles of the Housing and Human Services Commission and the Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council consideration. She said, should the City Council adopt the recommended actions, staff would also expand the operational role of the Cultural Diversity Advisory Committee to include a broader range of human relations issues.

Comm. Hungerford commented that one of staff recommendations is that instead of developing a whole new commission that clarification or expansion of the bylaws be provided for the existing Housing and Human Services Commission. He asked Ms. Lord if there is a timeframe for when the Housing and Human Services Commission bylaws would be looked at. Ms. Lord said no schedule has been set, that it would probably be within a year and that the schedules would probably occur when the work plan for the upcoming year is being determined.

Comm. Sulser asked about the scope of the study. He said he understands that the direction from Council was to not study the public safety aspect of having a human rights or relations board or commission. He asked if she knows why. She said she recalls discussion regarding complaints about public safety and that the Council said if staff explored this possible development of a commission that the authority to deal with complaints about public safety not be given to the commission. Comm. Sulser said that one of the attachments shows study issues that have been completed with staff indicating that few of the study issues have anything to do with human rights or relations. He said staff seems to use the lack of related study issues as an argument to not create the board. He commented that the lack of study issues could also indicate the need to create the board or commission to suggest study issues related to human rights or relations.

Vice Chair Chang opened the public hearing.

Vice Chair Chang closed the public hearing.

Comm. McKenna moved staff recommendation which is to recommend to City Council to direct the City Manager to clarify the roles of the Housing

and Human Services Commission and Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council consideration later this fiscal year; and do not develop or further explore creation of a human rights/relations board or commission at this time. Comm. Sulser seconded the motion.

Comm. McKenna said she understands staff's reasoning for the recommendation. She commented that staff may want to change the name of the Housing and Human Services Commission to Human Services and Housing Commission as what comes first in the commission name tells what is of emphasis. She said she worked with the Human Relations Commission of Santa Clara County and saw there is benefit to the community if a commission, when developing its work plan, can plan proactive things such as promoting unity of diversity and days of remembrance. She said there are both complaint issues and a proactive side to human rights and relations and she would like to encourage an emphasis be placed on the proactive activities when considering the goals of a commission.

Comm. Sulser said he supports the staff recommendation to not create a commission at this time. He said he sees merit in doing more in the City relative to human rights and relations issues and at this time he would like to explore those issues by using the existing boards and commissions.

ACTION: Comm. McKenna made a motion to recommend to City Council to direct the City Manager to clarify the roles of the Housing and Human Services Commission and Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council consideration later this fiscal year; and do not develop or further explore creation of a human rights/relations board or commission at this time. Comm. Sulser seconded. Motion carried, 6-0, with Chair Rowe absent.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the January 13, 2009 meeting.

Attachment H



**DRAFT MINUTES
PARKS AND RECREATION COMMISSION
REGULAR MEETING
DECEMBER 10, 2008**

The Sunnyvale Parks and Recreation Commission met in regular session at 7 p.m. on December 10, 2008, with Chair Colvin presiding. The meeting was held in the Council Chambers, 456 W. Olive Avenue, Sunnyvale, CA 94086.

CALL TO ORDER / SALUTE TO THE FLAG

Chair Colvin called the meeting to order at 7 p.m. and led the salute to the flag.

ROLL CALL

Commissioners Present: Chair Jim Colvin
Vice Chair Richard Oliver
Commissioner Robert Harms
Commissioner Bob Kinder

Commissioners Absent: Commissioner Howard Chuck (excused)

Staff Present: Cathy Merrill, Assistant to the Director, DPR
Tricia Lord, Community Resources Manager, OCM
Robert Walker, Assistant City Manager, OCM

CONSIDERATION OF ABSENCES

Assistant to the Director Merrill stated that Commissioner Chuck informed staff prior to the meeting that he had a conflict and would not be attending this evening's meeting.

MOTION: Commissioner Kinder moved and Chair Colvin seconded to excuse Commissioner Chuck.

VOTE: Motion passed unanimously 4-0.

PUBLIC ANNOUNCEMENTS - None

CONSENT CALENDAR

1.A. Approval of Draft Minutes from Regular Meeting of the Parks and Recreation Commission on October 8, 2008.

MOTION: Commissioner Kinder moved and Vice Chair Oliver seconded to approve Consent Item 1.A.

VOTE: Motion passed unanimously 4-0. (Commissioner Chuck was absent.)

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS – None

PUBLIC COMMENT - None

PUBLIC HEARINGS/GENERAL BUSINESS

2. Explore Development of a Human Rights/Relations Board or Commission Advisory to Council (Study Issue)

Tricia Lord, Community Resources Manager, OCM, introduced Robert Walker, Assistant City Manager. Ms. Lord presented an overview of the staff report and recommendations. She noted that the Commission's recommendations would be included in the final report.

Commissioners' questions were answered. Chair Colvin and Commissioner Kinder each complimented Ms. Lord on the thoroughness of the report. Commissioner Harms noted he appreciated learning how other cities and agencies are approaching human rights/relations issues.

Chair Colvin opened the public hearing. There were no appearances and the public hearing was closed.

MOTION: Commissioner Kinder moved and Vice Chair Oliver seconded to recommend that Council accept staff's recommendations:

- Alternative 2: Direct the City Manager to clarify the roles of the Housing and Human Services Commission and Parks and Recreation Commission relative to human rights and relations when revising all board and commission bylaws for Council consideration later this fiscal year.
- Alternative 3: Do not develop or further explore creation of a new board or commission at this time.

VOTE: Motion passed unanimously 4-0. (Commissioner Chuck was absent.)

Commissioners thanked Ms. Lord for the report.

3. Annual Review of City's Code of Ethics and Conduct for Elected and Appointed Officials

Assistant to the Director Merrill noted this was Commission's annual opportunity to review and revise the City Code of Ethics and Conduct for Elected and Appointed Officials. She said there were proposed changes and action was required to approve the changes. Commissioner Oliver requested that staff describe the changes. Assistant City Manager Walker pointed out that the edited version of the report shows sections crossed out, all of which eliminate redundancies or propose relocation of sections to other Council documents. Assistant City Manager Walker said there is no substantive change.

Commissioners had no questions.

MOTION: Commissioner Kinder moved and Chair Colvin seconded to accept the changes as written.

VOTE: Motion passed unanimously 4-0. (Commissioner Chuck was absent.)

NON-AGENDA ITEMS AND COMMENTS

COMMISSION

Commissioner Harms requested information on gang prevention policies and how gang prevention is handled in the City of Sunnyvale. Assistant to the Director Merrill agreed to follow up with a response.

Commissioner Kinder inquired about the Parks of the Future study and if there would be a January Commission meeting or any other public meetings before the study goes to Council. Assistant to the Director Merrill will inform the Commission about the status of the Parks of the Future study and agenda items for the January meeting.

STAFF

Community Resources Manager Tricia Lord distributed flyers and invited the Commissioners to attend the *CitySkills* workshop on Cultural Competency and Sensitivity training to be held on December 11.

Assistant to the Director Merrill briefly described the projects she worked on while participating in the Management Talent Exchange Program (MTEP) in the City of San Jose from September to December.

INFORMATION ONLY ITEMS

- Recreation Division Quarterly Report for July-September 2008
- Miscellaneous Items of Interest

ADJOURNMENT

Chair Colvin adjourned the meeting at 7:35 p.m.

Respectfully submitted,

Cathy E. Merrill, Assistant to the Director
Parks and Recreation Department

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Attachment I

Cultural Diversity Advisory Committee
Summary Notes

**CULTURAL DIVERSITY ADVISORY COMMITTEE
SUMMARY NOTES OF MEETING ON NOVEMBER 12, 2008**

Agenda Item III: *Explore Development of Human Relations Board or Commission and Potential Impact on the CDAC*

Cultural Diversity Advisory Committee (CDAC) members were provided with a draft copy of the Study Issue Report to Council scheduled for January 13, 2009. Patricia Lord, Community Resources Manager in the Office of the City Manager, provided an overview of the study issue and solicited feedback from the CDAC members. The following is a summary of comments from the CDAC:

- The Cultural Diversity Advisory Committee is a two-year pilot committee advisory to staff. If the role of the CDAC were to expand to include human rights and/or relations, then the CDAC should continue beyond the two-year period.
- On pages six through eight of the RTC, it would be clearer if the title of the commission in each city or agency were in bold type. For example, “**City of Fremont, Human Relations Commission...**”
- Since the draft RTC was shared with all the boards and commissions, it would be beneficial to have a dialogue between the commissions. Communication between boards and commissions would be helpful to the board and commission members to have a better understanding of issues from difference perspectives.
- Addressing human rights issues may require greater expertise than the CDAC is equipped to handle. For example, lawyers may be needed to address issues related to amnesty, illegal immigration, and rights for gays and lesbians.
- Expanding the role of the CDAC to include human rights and/or relations would be more complicated than cultural diversity issues.
- Perhaps a name change from Housing and Human Services Commission (HHSC) would help to clarify the role of the HHSC.
- The HHSC looks at CDBG funding applications and makes recommendations on funding.
- Why? Is there a need for a human rights or relations board? Is there a human rights problem in Sunnyvale?
- Human rights issues could include: race, religion, hate crimes, equal access to education, legal and illegal immigration, complaints of police misconduct, violation of human rights, etc.
- This opens a “can of worms” that requires a totally different approach with legal expertise.

- The CDAC wants to welcome diverse groups to Sunnyvale; CDAC members don't have a legal background in human rights.
- Groups form based on needs. For instance, individuals will gravitate toward others that speak their language.
- In reference to page 12 of the report, it is not clear what the advantages are of forming a human rights and/or relations board.
- It is important to make a distinction between “human rights” and “human relations.” If the CDAC were to have an expanded role, “**human relations**” would be more appropriate for addressing operational issues.
- “Human rights” connotes enforcement of legal rights vs. “human relations” may focus on positive community relations among different groups.

Summary notes prepared by:

Patricia Lord
Community Resources Manager