

**Council Meeting: May 11, 2010****SUBJECT: Resolution for the Formation of a Sustainability Commission Advisory to Council or Sustainability Committee Advisory to Staff – Study Issue DPW 09-10****REPORT IN BRIEF**

At the 2010 study issues review, City Council approved the study of a sustainability commission or committee as the number two study for Public Works (DPW 09-10 – Attachment A). This report suggests a composition of the commission/committee and its members, based upon current practices and policy, and provides a resolution (Attachment B) to form and support this body.

EXISTING POLICY

General Plan 7.2 Community Engagement:

Goal B: Achieve a community in which all community members can be actively involved in shaping the quality of life and participate in local community and government activities.

Policy 7.2.B1 - Encourage community involvement in the development and implementation of City and community activities, programs and services.

Council Policy 7.2.19 Boards and Commissions

DISCUSSION**Options for Creating a New Commission or Advisory Committee**

There are three ways to organize a group to focus on sustainability issues:

1. Add a sustainability item to the work-plans of existing commissions or committees; or,
2. Create a Sustainability Committee; or,
3. Create a Sustainability Commission.

A Sustainability Committee would act in an advisory capacity to staff to provide expertise on areas related to environmental sustainability issues primarily derived from the Community Climate Action Plan (CAP) and General Plan.

A Sustainability Commission would act in an advisory capacity to City Council to provide expertise on major policy areas related to environmental sustainability issues primarily derived from the CAP and General Plan.

A request for information was sent to other bay area agencies to determine the prevalence of sustainability committee's or commissions at other local agencies. Nine cities and two counties responded to the request. Four of the cities, which include San Jose and Milpitas, did not have a committee or commission and have no plans to develop one due to staff time and funding. Four cities, including Menlo Park and Belmont, have Council appointed committees or commissions that are advisory to Council. Mountain View's Council Environmental Sustainability Commission is comprised of three Council members who meet as needed before taking sustainability issues to the full Council. Santa Clara County is currently responding to a request from Supervisor Ken Yeager to create a committee. San Mateo uses a not-for-profit community group, Sustainable San Mateo County, to advise Council on sustainability issues. In general, agencies that do have a committee or commission advise Council on policy issues related to green house gas reduction targets, zero waste policies or other policy issues related to sustainability.

The three options to organize a group focused on sustainability outreach and issues are as follows:

Option #1: Utilize Role of Existing Boards, Commissions and Advisory Committees to Further Address Sustainability Outreach and Issues

The City currently has ten existing boards and commissions that are advisory to Council on policy issues and whose members are appointed by Council. In addition, the City has four staff advisory committees. In an effort to more effectively utilize these existing resources, an available option is to incorporate sustainability outreach and issues, as appropriate into the work plans of the existing boards, commissions, and committees.

Pros:

1. This option would not require a dedicated new board, commission or committee. The Land Use and Transportation Element (LUTE)/Climate Action Plan Advisory Committee also provides input on sustainability.
2. This option would assure issues of sustainability are examined from a number of different disciplines and perspectives.

Cons:

1. The existing boards and commissions already have clearly defined areas of focus that are not directly related to issues of sustainability outreach. The Land Use and Transportation Element (LUTE)/Climate Action Plan Advisory Committee has been formulated to assist in the Climate Action Plan and would cease its function after the plan is adopted.
2. This approach may dilute the focus of existing boards, commissions, and committees.

Estimated Cost: There is no additional fiscal impact for this option.

Option #2: New Committee on Sustainability Outreach and Issues - Advisory to Staff

Under this option, a new committee would be created to review and make advisory recommendations to staff on City programs and activities related to sustainability issues. The committee would meet quarterly or as otherwise determined by staff. This Committee would further the work of the Community Climate Action Plan Task Force.

Proposed responsibilities include:

- Advise staff on emerging sustainability issues and community needs;
- Advise staff regarding sustainability-related Study Issues for Council consideration;
- Act as ambassadors, linking community members and City staff;
- Advise staff on ways to promote and collaborate with community groups to create sustainability-related educational programs that increase sustainability awareness;
- Advise staff on effective, creative strategies to encourage civic engagement of residents;
- Advise and support staff efforts to build relationships with civic groups and leaders in order to promote sustainability through City services, and civic engagement.

Pros:

1. The City has a wide variety of programs and services that may benefit from increased sustainability outreach. Creation of a staff advisory committee would allow that involvement.
2. A committee advisory to staff, would support staff in achieving the goals already established by the City Council, while providing input for staff to recommend future policy revisions, as necessary, to the City Council.
3. The formation of an advisory committee would visibly demonstrate the City's commitment to supporting sustainability.

Cons:

1. City resources are limited and staff time may be better spent on continuing to implement recommendations already made by the Community Climate Action Plan Task Force.

Estimated Cost: \$14,000 first year that includes start-up expenses, with subsequent years' funding estimated at \$12,000. After initial start-up expenses, including such things as training and orientation, business cards and other supplies necessary for the committee to conduct its work, future expenses would be mainly staff time. Additional funding is not expected since funding can be realized through reprioritizing and refocusing existing sustainability staff time to support sustainability committee needs.

Option #3: New Commission on Sustainability Outreach and Issues - Advisory to Council

Commissions are comprised of members appointed by Council, and act in an advisory role to Council. Under this option, the commission would meet quarterly, or as otherwise determined by Council, to review and make recommendations to Council on policy issues related to sustainability outreach and issues.

Proposed responsibilities include:

- Advise Council on policy issues addressing sustainability issues;
- Advise Council on policy related to sustainability of City services and programs;
- Advise Council on policy related to the civic engagement of residents;
- Recommend sustainability and outreach-related study issues to Council.

Pros:

1. Provides a community-based, public vehicle to advise Council in identifying and addressing issues in the community at a policy level on matters related to sustainability issues.
2. The formation of this commission would visibly demonstrate the City's commitment to supporting sustainability outreach.

Cons:

1. Council-level boards and commissions require more staff time and resources to address policy issues and provide more direct input to the City Council and general public.

Estimated Cost: \$14,000 first year that includes start-up expenses, with subsequent years' funding estimated at \$12,000. Additional funding is not expected since funding can be realized through reprioritizing and refocusing existing sustainability staff time to support sustainability commission needs.

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, and compliance with Brown Act requirements. 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 \$1,000 is based on fifteen hours of staff time. The estimated annual cost would vary depending on the total number of meetings, and could range from \$4,000 annually for quarterly meetings to \$12,000 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.

Due to the City's current fiscal environment and the structural imbalance within the General Fund, the costs associated with any of the alternatives would be absorbed within the Department of Public Works operating budget. Staff time would be reallocated from other activities into supporting the new board or commission advisory to Council, and any other non-personnel start-up costs would be covered with existing resources which will reduce services in other Public Works areas, including identifying funding opportunities for sustainability, grant writing, representation at regional meetings and community events and the ability to support other City Department sustainability efforts.

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.

ALTERNATIVES

1. Direct the City Manager to expand the roles of the existing committees and commissions relative to sustainability when revising all board and commission bylaws for Council consideration later this fiscal year.
2. Approve a resolution for the formation of a new Sustainability Committee, advisory to staff. Staff will return to Council with recommended budget and Bylaws for consideration and adoption.
3. Approve a resolution for the formation of a new Council-appointed commission on sustainability, advisory to Council. Approval of this alternative would require Council to take the following actions:
 - a. Determine the frequency of board or commission meetings and associated budget:
 - i. Monthly meetings would cost approximately \$12,000 annually with \$2,000 in one-time set-up costs
 - ii. Bi-monthly meetings would cost approximately \$6,000 annually with \$2,000 in one-time set-up costs
 - iii. Quarterly meetings would cost approximately \$4,000 annually with \$2,000 in one-time set-up costs
 - iv. Approve by resolution formation of a new Council-appointed commission
4. Do not develop or further explore creation of a sustainability committee or commission at this time.
5. Other action as identified by Council.

RECOMMENDATION

Staff recommends Alternative No. 3 a. (iii): Council approves a resolution for the formation of a new Sustainability Commission, advisory to Council, meeting quarterly, or as needed.

Council has identified several comprehensive sustainability goals through public outreach. A commission composed of local residents and business owners would provide continued input through a commission representative of the population. In addition, Council is establishing a Land Use and Transportation Element (LUTE)/Climate Action Plan (CAP) Advisory Committee that will advise staff and Council as the City develops a CAP as part of the city's effort to update the LUTE of the General Plan. The LUTE/CAP Advisory Committee will be tasked with advising Council and staff on policy issues and assist in community outreach as the LUTE/CAP progresses. The LUTE/CAP Advisory Committee is expected to be a limited duration committee composed of a broad cross section of the community. Various policies regarding sustainability are expected to be incorporated into the LUTE/General Plan update and therefore a Commission advisory to Council will allow the Sustainability Commission to provide input at a policy level expanding progress on the policies developed during the LUTE/CAP/General Plan update.

If Council were to select Alternative No. 3, staff would recommend beginning with quarterly meetings, to allow limited staff resources to focus on results-oriented implementation of sustainable policies.

Reviewed by:

Marvin Rose, Director, Public Works

Prepared by: Dustin Clark, Environmental Sustainability Coordinator

Reviewed by:

Mary Bradley, Director of Finance

Approved by:

Gary M. Luebbers

City Manager

Attachments:

- A. Copy of Study Issue paper DPW 09-10 – Explore Development of a Sustainability Commission Advisory to Council, or Sustainability Committee Advisory to Staff
- B. Resolution for the Formation of a Sustainability Committee

Proposed 2010 Council Study Issue

DPW 09-10 Explore Development of a Sustainability Commission Advisory to Council, or Sustainability Committee Advisory to Staff

Lead Department Public Works

Element or Sub-element 7.2 Community Engagement

New or Previous Previous

Status Pending **History** 1 year ago Deferred 2 years ago None

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

This issue will explore the costs/benefits of creating either a sustainability commission advisory to council, or committee advisory to staff. The overall purpose of this body would be to facilitate and formalize community input, and/or provide expertise on City-related issues that impact the environment. For each type of body (advisory to staff or council) the study will include proposed responsibilities and role, identification of benefits/costs, and general process for implementation.

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

- GOAL 7.2.B: Achieve a Community in which all community members can be actively involved in shaping the quality of life and participate in local community and government activities.
- Policy 7.2.B1 - Encourage community involvement in the development and implementation of City and community activities, programs and services.
- Policy 7.2.19 Boards and Commissions

3. Origin of issue

Council Member(s) Hamilton, Swegles

General Plan

City Staff

Public Member of the public

Board or Commission none

4. Multiple Year Project? No Planned Completion Year 2010

5. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? No

If so, which?

Is a Council Study Session anticipated? No

What is the public participation process?
Public hearing at a regular council meeting.

6. Cost of Study

Operating Budget Program covering costs
307000 Environmental Sustainability Coordination

Project Budget covering costs

Budget modification \$ amount needed for study

Explain below what the additional funding will be used for

7. Potential fiscal impact to implement recommendations in the Study approved by Council

Capital expenditure range	None
Operating expenditure range	\$500 - \$50K
New revenues/savings range	None

Explain impact briefly

Operating costs for staff time in support of the committee or commission. An advisory commission is required to follow the Brown Act and is more costly than a staff advisory committee. Operating cost would be dependent on the type of group established, commission, or committee and the frequency of meetings. Estimated annual cost would range from \$5,000 to \$14,500.

8. Staff Recommendation

Staff Recommendation None

If 'For Study' or 'Against Study', explain

There remains some question in staff's mind as to the need for a policy advisory commission dealing with sustainability. If Council desires such a commission, a lengthy study is not warranted, rather a budget issue should be considered.

9. Estimated consultant hours for completion of the study issue

Managers

Role	Manager	Hours			
Lead	Rogge, Mark	Mgr CY1:	20	Mgr CY2:	0
		Staff CY1:	20	Staff CY2:	0

Total Hours CY1: 40
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

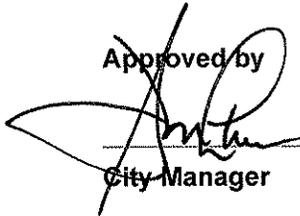


Department Director

12/16/09

Date

Approved by



City Manager

12/17/09

Date

Addendum

A. Board / Commission Recommendation

Issue Created Too Late for B/C Ranking

Board or Commission	Rank Rank	Rank 1 year ago	Rank 2 years ago
Arts Commission			
Bicycle and Pedestrian Advisory Committee			
Board of Building Code Appeals			
Board of Library Trustees			
Child Care Advisory Board			
Heritage Preservation Commission			
Housing and Human Services Commission			
Parks and Recreation Commission			
Personnel Board			
Planning Commission			

Board or Commission ranking comments

B. Council

Council Rank (no rank yet)
Start Date (blank)
Work Plan Review Date (blank)
Study Session Date (blank)
RTC Date (blank)
Actual Complete Date (blank)
Staff Contact

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR THE FORMATION OF A SUSTAINABILITY COMMITTEE TO ACT IN AN ADVISORY CAPACITY TO STAFF ON ENVIRONMENTAL SUSTAINABILITY ISSUES

WHEREAS, the City Council wishes to study practices, policies and receive recommendations for environmental sustainability in the City of Sunnyvale by creating an advisory task force of citizens from the community which will provide recommendations to the City Council for its consideration in achieving sustainability goals; and

WHEREAS, the City Council held a public meeting, having given due notice thereof on April 27, 2010, at 7:00 p.m. at City Hall, 456 West Olive Avenue, Sunnyvale, California, and interested persons were provided an opportunity to speak on the matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE that Council directs that a Sustainability Committee be formed to act in an advisory capacity to staff on environmental sustainability issues and that the Sustainability Committee ("Committee") should have the following characteristics:

The Committee should be comprised of five (5) members appointed by the City Council.

The Committee shall include at least 4 residents, 2 of which shall represent the business community and shall have a Sunnyvale business license. At least one representative shall be a Sunnyvale resident and the other business representative may be a Sunnyvale resident.

The chair of the Committee will be selected by its members after they have been appointed.

The Committee has authority to review and make recommendations on only those sustainability matters/issues selected by the Council.

The Council shall establish guidelines for Committee operations and the guidelines for the Committee procedures.

The Committee should give highest priority to any sustainability issue selected by a majority of the Councilmembers.

The Committee will provide public notice of its meetings, providing the community the opportunity to attend and be heard.

Adopted by the City Council at a regular meeting held on _____, 2010, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney