



# MILPITAS

## *General Plan Update*

### MEMORANDUM

**March 15, 2017**

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TO: Milpitas General Plan Advisory Committee (GPAC)

FROM: Ben Ritchie, De Novo Planning Group

SUBJECT: General Plan Advisory Committee Role and Structure

DATE: March 15, 2017

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Welcome! Congratulations on your appointment to the City of Milpitas' General Plan Advisory Committee (GPAC). This memo provides an overview and summary of the roles and responsibilities of the GPAC, and a summary of the format and structure of GPAC meetings. All GPAC members are encouraged to read this memo prior to the first GPAC meeting. The information contained in this memo will be reviewed and discussed during the first GPAC meeting.

### WHAT IS A GENERAL PLAN?

State law requires every city and county in California to prepare and maintain a planning document called a general plan. A general plan is a "constitution" or "blueprint" for the future physical development of a county or city. All future planning decisions and project approvals must be consistent with the general plan, including, but not limited to: specific plans, subdivisions, public works projects, and zoning decisions.

A general plan has four defining features:

- **General.** As the name implies, a general plan provides general guidance for future land use, transportation, infrastructure, environmental, and resource decisions.
- **Comprehensive.** A general plan covers a wide range of social, economic, infrastructure, and natural resource issues. The Milpitas General Plan Update will include goals, policies and implementation programs (actions) to address: land use, circulation, housing, conservation, open space, safety, noise, community design, parks and recreation, air quality and energy, flood management, water resources, and economic and fiscal sustainability.
- **Long-Range.** A general plan provides guidance on achieving a long-range vision of the future for a city or county. To reach this envisioned future, the general plan includes goals, policies, and implementation programs that address both near-term and long-term needs. The City of Milpitas General Plan Update will look ahead approximately 20 years, to the year 2040.
- **Integrated and Coherent.** The goals, policies, and implementation programs in a general plan must present a comprehensive, unified program for development and resource conservation. A

general plan uses a consistent set of assumptions and projections to assess future demands for housing, employment, public services, and infrastructure. A general plan has a coherent set of policies and implementation programs that enables citizens to understand the vision of the general plan, and enables landowners, businesses, and industry to be more certain about how future planning decisions will be made and implemented.

## **WHAT IS A GPAC?**

The General Plan Advisory Committee (GPAC) is an ad hoc committee established by the Milpitas City Council for purposes of the General Plan update. The GPAC will serve as one of the primary channels for the community to make recommendations to the City Council on the updated Milpitas General Plan.

The purpose of the GPAC is to provide recommendations to City staff and to the consultant team regarding strategic milestones in the process (Vision, Land Use Plan, Issues and Opportunities, etc.). Another crucial function of the GPAC is to assist in the formation of City goals. What do people say they want in their city? How can this be translated into a set of compatible, consistent, long and short-range City goals?

Through its recommendations the GPAC can help make these goals a part of the decision-making process, recognizing that the determination of what items are included in the General Plan ultimately rests with City Council.

Participation by members appointed to the GPAC is temporary; the roles and responsibilities of its members will conclude with City Council adoption of the General Plan, which is anticipated to occur in approximately two years.

## **PARTICIPANT ROLES AND RESPONSIBILITIES**

### **City Council- Legislative body directing the affairs of the City**

- Authorized the preparation of the General Plan update and approved the budget.
- Provides overall policy direction for the General Plan.
- Resolves City policy issues and budget/scope adjustments as necessary throughout the General Plan update process.
- Certifies the Environmental Impact Report (EIR) that accompanies the General Plan.
- Conducts public study sessions and/or hearings on the General Plan and EIR.
- Adopts the General Plan as recommended by the Planning Commission, or as modified by the City Council.

### **Planning Commission- Chief advisory body on community planning and development matters**

- Conducts public study sessions and/or public hearings on the General Plan and EIR.
- Advises the City Council on recommendations for approval, modification, or deletion of goals, policies, or actions proposed in the General Plan.

**GPAC- Appointed special advisory body on the General Plan update**

- Provides feedback to City staff and the consultant team on the planning process and its products.
- Informs City staff and the consultant team of information that is valuable to the process or issues/opinions that should be taken into consideration as part of the General Plan preparation.
- Passes on knowledge to the community on General Plan related topics.
- Reviews and discusses items proposed by City staff or the consultant team.
- Stays familiar with, and seeks policy consistency with the City's Vision during General Plan policy deliberations.
- Serves as an ambassador for the General Plan process; provides the community at large with information about the General Plan process.
- Irrespective of individual perspectives or preferences, seeks the benefit of the entire community in recommendations

**City Staff- Facilitators of the General Plan update and providing key technical and logistical support**

- Provides input regarding professional, technical, administrative, and policy insights and implications on topics being discussed.
- Manages consultant team's work program and products.
- Reviews and modifies consultant products as necessary to ensure consistency with City policy and practice.
- Arranges for logistics and support of each meeting/workshop.
- Distributes materials for the GPAC approximately one week prior to scheduled meetings.
- Prepares and presents staff reports as appropriate.
- Oversees schedule modifications and compliance.
- Keeps consultant team informed of current City activities and issues that relate to the General Plan.

**Consultant Team- Advisors hired by the City to provide technical support and serve as an extension of City staff during the General Plan update process**

- Complies with the adopted Scope of Work and Budget.
- Submits draft documents identified in the Scope of Work to City staff for review, revision and distribution as required.
- Prepares consultant technical reports as specified in the Scope of Work.
- Provides input regarding professional, technical and policy insights.
- Assists in clarifying issues, providing options and evaluating the implications of topics being discussed.
- Recommends methods to resolve policy issues when conflict arises.

- Advises on schedule or procedural matters.
- Presents consultant-prepared work products to decision-makers, City staff, and the public.
- Coordinates with agencies and other organizations outside of City Hall in the preparation of work products.

## **PARTICIPATION IN THE GENERAL PLAN ADVISORY COMMITTEE**

Selection as a member of the Milpitas General Plan Advisory Committee provides an opportunity to serve the City at an important role as the City continues to shape its future. The following is a summary of important considerations to keep in mind as you undertake your commitment to the City:

### **Representing the GPAC:**

Individual GPAC members must be careful not to represent their own views or recommendations as those of the body unless the majority has officially voted on the issue.

### **Maintaining Community-wide Perspective:**

Although GPAC members may be selected in part on the basis of representing clearly defined groups or neighborhoods, in order to assume that all interests are voiced and considered, each member should represent the overall public and not that of an exclusive group or interest.

### **Keeping the Lines of Communication Open:**

The GPAC members will serve as liaisons between the City and the general public in helping to educate and receive input from the community. Therefore, each member must serve as a communication link between the community and the City, explaining City programs and recommendations, as well as providing a channel for citizen expression. To properly represent the community, members must be accessible to the public so they can receive input as to the sentiment and opinions of their fellow residents.

### **Be Conscious of your Relationship to the City Council, City Staff, and the Consultant Team:**

Good relations with the City Council, City staff, and the consultant team are necessary for the successful operation of any Committee. It is important that each member respect the authority of those who, in the end, will be charged with the final responsibility for action taken by the City. To facilitate effective communication, your actions as a member should be done with the approval of the body. In contacting City personnel or the consultant team on business matters, the proper channel is through the staff liaison appointed to your advisory group (in this case it is the Planning Director).

### **Establishing a Good Relationship with Other Members:**

Cooperation among the individual members is of great importance to ensure the GPAC functions effectively. In order to build a consensus around common goals and objectives, members will often first have to reconcile contradictory viewpoints and show a willingness to objectively consider the issues.

Another way of developing this cooperation is for each member to do their part to ensure that meetings proceed in an orderly manner. The consultant team is primarily responsible for seeing that meetings are conducted in an expeditious and thorough fashion, and the consultant team will directly assist in facilitating the meetings. However, each member can help by becoming familiar with the basic rules of parliamentary procedure and by adequately preparing for meetings.

### **Other Important Points to Consider:**

GPAC participants should always show respect for other individuals' viewpoints and shall allow other members adequate time to present their views before making comments. It is essential to be open and honest at all times, welcome new members and see that they become acquainted with their duties. Be aware that, in the public's eye, GPAC members represent the City they serve. Comments and actions of the GPAC, therefore, should express sensitivity to the diverse viewpoints held within the City.

### **OFFICIAL CHARGE OF THE GPAC**

Ensure City staff and the consultant team is aware of and understands community concerns, values and expectations.

- Assist City staff and the consultant team in identifying critical issues that should be addressed in the planning process.
- Identify areas of existing or potential conflicts and find ways to constructively resolve them.
- Capitalize on the creative ideas and insights within the Milpitas community for input into the General Plan.
- Keep community organizations and interested citizens informed about the status of the planning process.
- Provide recommendations to the Planning Commission and City Council supporting the General Plan.

## **RULES AND PROCEDURES**

1. All meetings of the General Plan Advisory Committee must be open to the public pursuant to the Ralph M. Brown Act enacted in 1953. The intent of the Act is to ensure that “actions be taken openly and that deliberations be conducted openly.” Once selected, the time, place and date for regularly scheduled GPAC meetings shall be publicly posted or announced.
2. The consultant team’s Project Manager will serve as the Chairperson for the GPAC meetings. The Chairperson will be responsible for calling the meeting to order, administering the public comment period (order of speakers, enforcement of speaker time limits, relevance of comments to the topics before the GPAC, etc.), assisting with keeping GPAC members focused on relevant topics before the GPAC at a given meeting, and adjourning the meeting

However, all GPAC members act as “ambassadors” of the General Plan to the community and are encouraged to share their knowledge about the process to ensure the community’s exposure to the process is as far-reaching as possible. Prior to any commitments, GPAC members that receive requests from the community for information or presentations about the General Plan should advise the Planning Director who will coordinate all outreach activities.

3. The General Plan update is subject to a constrained time schedule. GPAC members need to have done their “homework” for each meeting and be prepared to make recommendations and decisions in a timely manner that allows the process to move forward according to the adopted schedule.
4. The GPAC is not involved in the administration or operation of City departments, and should not direct the administrative staff or its consultants to initiate programs, conduct studies or establish official policy. GPAC members however, are encouraged to review and comment on relevant department programs as they pertain to the formulation and implementation of the General Plan.
5. It is hoped that agreement can be reached by the full GPAC for as many issues as possible. Where a committee member does not agree with the direction being taken by the committee, he or she is expected to offer a constructive alternative approach or approaches. Concerns and issues need to be brought up early in the process so that they can be addressed to the extent possible. Lack of comment will be considered an agreement with the majority opinion.
6. The GPAC will not be asked to formally vote on issues or items. Rather, the GPAC will be asked to consider information, provide input, listen to other GPAC members, and strive to find consensus and compromise in order to facilitate the preparation of a General Plan that addresses a wide and diverse range of community priorities and issues. If fundamental disagreements exist between GPAC members on key issues, the City Council will be asked to provide input and direction, or the Planning Commission and City Council will resolve such issues in the course of their review.

7. Conflict of Interest: The Political Reform Act is intended to prevent conflict of interest by requiring designated public officials to disclose financial interests which could potentially cause conflicts. You may be required to disqualify yourself from making, participating in, or attempting to influence any governmental decision which will affect your financial interests, including those required to be reported on a statement of economic interest where appropriate.

The Fair Political Practices Commission's Guide to the Political Reform Act, California's Conflict of Interest Law for Public Officials, explains what a conflict is and when disqualification is required by law. If in doubt, the staff liaison person will assist in acquiring legal clarification.

8. Community input is a very important component of the General Plan update process. GPAC members will need to carefully consider input from a wide range of stakeholders. GPAC members should bring other stakeholder comments to the process, as appropriate.
9. In accepting appointment to the GPAC, each member accepts responsibility for devoting sufficient time to the project to effectively represent the views of the community. Attendance is required at every GPAC meeting, approximately 15 meetings are scheduled over the duration of the process. If you cannot attend a meeting, please let the Planning Director know.
10. If members have questions or are concerned with particular issues, the Planning Director should be contacted to review the matter.

#### **KEY INFORMATION THAT GPAC MEMBERS SHOULD BE AWARE OF**

- A total of 15 meetings are planned with the GPAC.
- Each meeting may run three or more hours in length.
- Reading materials will be assigned prior to each meeting, and members should expect approximately 50 or more pages of materials to read prior to each meeting. It is imperative that all members come to each meeting having read and thought about the materials.
- Reading materials will generally include:
  - Select portions of the Existing Conditions Report
  - Select portions of the Issues and Opportunities Report
  - Existing General Plan Elements
  - Memos and materials prepared by the consultant team
  - Draft General Plan policy sets prepared by the consultant team
- Reading materials will be provided to GPAC members approximately 7-10 days prior to each meeting.
- It will be expected that all GPAC members attend all GPAC meetings.

- Meetings will generally be held once a month, but may occur more or less frequently, depending on the project schedule.
- The consultant team will serve as meeting facilitators for each meeting. This role will include:
  - Preparing all meeting materials and meeting summary notes.
  - Facilitation of discussions during each meeting, including answering questions, providing additional information, and explaining possible approaches to addressing key topics in the General Plan.
  - Preparing all technical reports and General Plan policy documents.

**Role of the GPAC:**

- Assist the General Plan Update team in the identification of key issues and topics to address in the General Plan, and assist in developing a range of solutions and approaches to address these key topics.
- Represent the community-at-large during the General Plan Update. This includes providing input and guidance that each member feels will best serve Milpitas as a whole over the next 20 years, and serving as an 'ambassador' to the community through sharing information about the General Plan Update and gathering input from residents, neighbors, businesses, community groups, and community organizations.
- Review draft materials (draft policy sets) prepared by the consultant team to ensure that the priorities of the community are being addressed in the General Plan Update.
- In general, the GPAC will be presented with either new topics to discuss at each meeting or a policy set to review for topics discussed at previous meetings. Following 2-3 meetings of new topic discussions, the consultant team will prepare draft policy sets addressing the previously discussed topics, and bring these policy sets to the GPAC for review, refinement, and discussion. This process will be repeated 2-3 times during the GPAC's time together.
- The result of the GPAC's time together will be a Draft General Plan that is prepared and submitted to the Planning Commission and City Council for further review, input, and refinement. The City Council will have the final word regarding the content of the General Plan Update.



**Role of the public during GPAC meetings:**

- Members of the public are invited and encouraged to attend any and all GPAC meetings.
- Structured opportunities for public input and comment will be provided at each meeting. However, the public will not be permitted to participate in open discussions with the GPAC members during meetings. In order for the GPAC to operate effectively, each member must be able to speak freely and openly with other members, free from interruptions and questions from the public.
- Members of the public wishing to speak at a GPAC meeting will be asked to identify themselves so that the Chairperson can determine and enforce the appropriate time-limit per speaker in order to stay within the allotted public comment period.