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August 11, 2020

Chair Mary-Lynne Bernald
Members of the Santa Clara/Santa Cruz Airport Community Roundtable
PO Box 3144
Los Altos, CA 94024

via EMAIL

Dear Chair Bernald & Members of the Santa Clara/Santa Cruz Counties Airport Community Roundtable:

The Cities Association of Santa Clara County (CASCC) appreciates the hard work and dedication you have committed to aircraft noise mitigation and to furthering the collaborative goals of the Santa Clara/Santa Cruz Counties Airport Community Roundtable. We see both the CASCC and the Roundtable as a team working toward increased collaboration between cities of Santa Clara, the County of Santa Clara, and our neighbors in Santa Cruz. In furtherance of our continued partnership, we have some guidance below.

As the CASCC is the Roundtable's fiscal agent, and in light of the successes of the Roundtable, the CASCC wants to ensure that the Roundtable is operating to continue that success by, among other things, taking proactive measures to comply with The Brown Act. Like the CASCC, the Roundtable is subject to The Brown Act and is obligated to comply with its requirements during, as well as outside of, a public meeting. We encourage you to utilize legal counsel to maintain compliance with The Brown Act and reference the Brown Act best practices guide that is available publicly on the Roundtable website. This will secure the Roundtable's operational success, protect the Roundtable from avoidable and foreseeable legal liability, as well as protect the CASCC as the Roundtable's fiscal agent.

Similarly, and to the same end, we encourage and insist that the SCSC Roundtable have legal counsel present at each of its meetings. We also recommend that you seek advice from legal counsel in between public meetings where helpful.

In addition, because the CASCC is the fiscal agent of the Roundtable, the CASCC is responsible for directing (including hiring, delegating assignments to, and managing) staff and managing the Roundtable's budget. As you know, the CASCC, in collaboration with the Chair of the Roundtable, recently approved a scope of work contract with Environmental Science Associates (ESA), which provides critical technical expertise for the Roundtable. We are aware that the Roundtable voted recently to amend that contract. However, per the terms of the Roundtable's bylaws, the direction of staff such as ESA falls within the purview of the CASCC as fiscal agent. For this reason, the CASCC's contract with the consultant, ESA, and the scope of work that has been agreed upon and approved by both the Chair of the Roundtable and CASCC, will remain unchanged at least until the Roundtable becomes fiscally and financially independent from CASCC.

We recognize that the Roundtable is working on establishing itself as an organization that is fully independent from the CASCC. We are happy to support the Roundtable's efforts to do so, and we recognize that one such result of independence is the ability of the Roundtable to hire and manage its own staff once the CASCC is no longer the fiscal agent of the Roundtable. Until that time, however, the CASCC remains the fiscal agent with the above-mentioned responsibilities and obligations. The Roundtable is urged to work toward independence in accordance with the terms established at the June 5, 2020 CASCC Executive Board meeting.

We hope to see the Roundtable continue to flourish and believe that this letter represents our best guidance to accomplish that goal. We recognize both the promise of the Roundtable as a collaborative, goal-oriented organization, as well as the past and future successes of this body, and will continue to provide our support to your mission.

Sincerely,



Mayor Larry Klein (Sunnyvale)
President
Cities Association of Santa Clara County



Councilmember Marico Sayoc (Los Gatos)
1st Vice President
Cities Association of Santa Clara County