



POLICY AND SERVICES COMMITTEE

Special Meeting
September 30, 2010

Chairperson Yeh called the meeting to order at 7:14 p.m. in the Council Conference Room, 250 Hamilton Avenue, Palo Alto, California.

Present: Yeh (Chair), Holman, Price (arrived at 7:38 p.m.), Shepherd

Absent: none

1. Oral Communications

None.

2. Continued Discussion of Recommendations to City Council on Proposed Changes to the City Council Procedures and Protocols.

Assistant to the City Manager, Kelly Morariu stated Attachment A was the final redlined version of the Council Procedures and Protocols Handbook (Handbook) for the Policy and Services Committee for recommendation to the Council. Minor clerical errors would be revised prior to submission to the Council. This evening provided the opportunity to review Attachment A and ensure all revisions were included.

City Clerk, Donna Grider stated unfinished business was called out in Section II-8 of the Handbook. She stated unfinished business was also called out under action items. The Council had the authority to adjust unfinished business dependent on audience participation.

Council Member Shepherd stated she had not heard unfinished business called out as a separate item on the Council agenda. She inquired whether the City Clerk was requesting this change.

Ms. Grider stated that was correct. There was not currently a section on the Council agenda that called out unfinished business agenda items. Currently unfinished business verbiage was listed at the end of any given agenda item.

Ms. Morariu recommended that unfinished business be moved under action items.

Ms. Grider concurred with Ms. Morariu. She recommended an overall category listed as unfinished business, and then subcategories could be listed.

Council Member Holman asked about consent items that were pulled off the Council agenda for further discussion. She inquired whether these items would be moved to unfinished business.

Ms. Grider spoke on the various ways a consent item could be pulled from the Council agenda. She felt it would be beneficial to indicate, in the Council's motion, whether a removed consent item should return as an action item.

Council Member Holman stated a removed consent calendar item would then be called out in a Council's motion, rather than having the item automatically placed as an action item.

Ms. Morariu stated typically a consent item, pulled from the Council agenda, was heard as an action item.

Council Member Holman stated this practice had caused ambiguity at Council meetings.

Ms. Grider recommended that when the Council pulled a consent item they specify that it be placed as an action item in the motion.

Council Member Holman stated a removed consent item be spelt out in a motion, opposed to being automatically placed as an action item.

Ms. Grider stated the Council could also add, in the motion, to have the consent item return as an action item at a later specified date.

Council Member Holman concurred.

Ms. Grider stated typographical errors were found within the Handbook. On page 5 of the Protocols, the first bullet should read as "Refrain from Lobbying Board and Commission Members". On page 11, Staff recommended that City Manager Reports be renamed as Staff Reports.

Council Member Holman inquired why Staff recommended renaming City Manager Reports.

Ms. Morariu stated topics overviewed by the City Manager were not exclusively City Manger reports.

Ms. Grider stated other jurisdictions listed these types of reports as Staff Reports.

Council Member Holman inquired whether these reports should be listed by the originating City departments.

Council Member Shepherd stated agenda items currently listed the originating City departments. She stated information on the cover memos of agenda items were not always uniform.

Ms. Grider stated Staff was working toward standardizing the cover memos of agenda items.

Ms. Morariu agreed that Staff was working on standardizing agenda items. Naming reports as Staff Reports would make the documents more consistent.

Council Member Holman stated Council questions would continue to be sent to the City Manager or Assistant City Manager.

Ms. Morariu stated that was correct.

Fred Balin, Palo Alto, spoke on the benefit of the Council agenda policy changes.

Tom Jordan, Palo Alto, spoke on his recommendation to treat all quasi judicial items, on the Council agenda, the same as how they are treated at the Planning and Transportation Commission.

Council Member Holman stated Section I-2 read that public speakers shall state their name and address if presenting evidence in a hearing required by law. She felt the Council could not require a public speaker to provide their address.

Council Member Shepherd stated that was for public hearings.

Ms. Morariu stated public speakers were not compelled to register their name with the City Clerk. She stated she would verify this.

Ms. Grider stated the section was referring to presenting evidence only.

Council Member Holman stated Section II-1, under Regular Meetings, stated regular meeting agendas must be posted no later than 7:00 p.m. on the preceding Friday.

Ms. Grider stated the preceding Friday, at 7:00 p.m., was the deadline to comply with the Brown Act requirement. Agendas could be amended or revised up to that date and time. She indicated Staff typically posted agendas sooner than this deadline.

Council Member Shepherd stated City policy was to make every effort to complete and distribute the agenda, and related reports, by the preceding Wednesday.

Council Member Holman inquired whether the Council should impose its own deadline.

Ms. Grider stated that would benefit the public; however, an agenda that was revised multiple times may be confusing to the public.

Ms. Morariu recommended keeping the last legal deadline in the Handbook. She stated stronger language could be added to show the Council's preference for earlier agenda postings.

Council Member Holman stated both could be referenced.

Ms. Grider agreed.

Council Member Shepherd recommended adding that posting of agendas change from the preceding Friday to the preceding Thursday at 7:00 p.m.

Council Member Holman suggested that Staff change the language to make Thursday the preferred deadline, with the caveat that revised agendas must be posted by Friday.

Ms. Grider stated State law established the deadline as Friday at 7:00 p.m. Instructing Staff to post agendas by Thursday could potentially create a gray area. The Council had the discretion to revise the deadline, as long as the deadline did not pass the preceding Friday at 7:00 p.m.

Council Member Holman stated it would be easier on Staff if the agenda posting date was changed to the preceding Thursday.

Ms. Grider stated the Council created their own guiding rules, and could tighten the agenda posting requirement established by the Brown Act.

Council Member Holman inquired whether the Policy and Services Committee was in agreeance.

Council Member Shepherd stated she did not agree. The High Speed Rail (HSR) Committee sometimes rushed last minute to gather a forum of Committee members before posting their agenda.

Ms. Grider stated the Policy and Services Committee needed to determine whether they were discussing regular Council meeting deadline postings, or

Board and Committee agenda postings. The HSR meetings were typically special meetings, therefore, only required a 24 hour agenda posting notice.

Council Member Shepherd stated she was referring to receiving HSR information, from their Thursday morning meeting, for inclusion in their next agenda in time for the posting requirement.

Ms. Grider stated this caused anxiety because HSR minutes would not be available in time.

Council Member Shepherd concurred. She spoke on her concern for pushing the agenda posting deadline earlier. She provided an example for an adoption of a HSR resolution that would be blocked by noticing requirements.

Chair Yeh stated the Friday deadline was in accordance with the Brown Act. The deadline could be revised, as a City Policy, to do everything possible to post the agenda, and related reports, by the preceding Wednesday.

Ms. Morariu stated it was important to highlight the Brown Act deadline. She suggested calling out the City's Procedure and Brown Act requirements separately in the Handbook.

Chair Yeh stated the Wednesday deadline would be revisited with the implementation of the on-line system.

Council Member Holman spoke on a Colleagues Memo that stated significant or large items would be published two weeks ahead of time. She stated this was not referenced in the Handbook.

Council Member Shepherd inquired on the definition of a large agenda item.

Ms. Morariu stated large or significant agenda items had not been defined. She stated they would be major discussion items, such as Stanford projects. She recommended that Staff attempt to distribute materials two weeks prior to scheduled Council agendas for major projects.

Council Member Price stated the two week consideration should consist of items that needed thoughtful contemplation.

Council Member Holman stated that in Section II-1, under Study Sessions, the public comments will be heard at the end of any Council discussion. She stated it was at the discretion of the Chair, but had been helpful to have public comments ahead of time. She asked if they should highlight that it was at the discretion of the Chair.

Ms. Morariu suggested that public comments be heard at the end of the session, but the policy could be flexible or at the discretion of the Chair.

Council Member Holman stated Section II-3 spoke on teleconference guidelines. She spoke on the language on one week advanced written notice. She stated that it did not provide sufficient time for emergencies.

Ms. Grider spoke on the requirements on teleconferencing to comply with the Brown Act. She would work with the City Attorney to ensure this procedure would fit with legal requirements.

Council Member Holman stated that was fine.

Council Member Shepherd inquired whether that policy was necessary.

Ms. Grider stated that was correct.

Ms. Morariu stated the policy was formed at the request of the Council.

Ms. Grider stated teleconferencing created angst among the Council. She stated hearing the teleconferenced Council Member was difficult.

Council Member Holman stated late submitted materials, that could significantly change a project, were delivered to Council Members' homes. There was no public transparency here. She stated information brought to a Council meeting lacked transparency. She indicated that this topic was not addressed in the Handbook.

Ms. Morariu suggested adding to the Handbook that late submitted materials could be no later than noon five working days prior to the release of the Council agenda packet. This would include materials submitted from Staff to Council Members' homes, or material delivered to Council meetings.

Ms. Grider expressed her concern over materials delivered to Council Members' homes. She stated that if she did not receive a copy of the material it would not be included in the official record. She recommended that the City Clerk be added to the distribution list for materials delivered to Council Members' homes.

Council Member Price inquired how the City Clerk currently monitored this process.

Ms. Grider stated there was no mechanism in place.

Council Member Price stated the Council could report that they received late submitted items to the City Clerk. She suggested that one Council Member be designated to bring forth a copy to the City Clerk's Office.

Ms. Grider stated that would be helpful.

Council Member Price spoke on her concern that the public was not receiving a copy of items submitted late.

Council Member Price stated the City Clerk would ensure that the public had access to the item.

Council Member Holman stated the public would not have an opportunity to view these items until the Council meeting.

Council Member Holman suggested that the Council contact the City Manager's Office and alert them when they have received a late submitted item. She stated this honor system would alleviate concerns pertaining to quasi judicial items. She suggested that the Council not accept late materials.

Ms. Morariu suggested that this be within the Protocols versus the Procedures. If materials were delivered to the Council they should notify the City Manager and City Clerk as soon as the material was received.

Council Member Holman spoke on a late submitted Planning and Transportation Commission item that was submitted to the Council, but never brought forth to the City Clerk or public.

Council Member Shepherd inquired whether this would trigger a postponement of the agenda item.

Council Member Holman stated not unless the Council add it in the Handbook.

Ms. Grider stated she had no way of notifying the public if the Council did not communicate with her. She suggested that the Council email her if they received information.

Council Member Price stated if the Council received something at their home they should notify the City Manager and City Clerk. She had no way of knowing whether other Council Members had received the same items. The City Manager could then determine whether that item would need to be deferred. She inquired how other jurisdictions handled this situation.

Ms. Morariu stated it had not been an issue in her past experiences with other jurisdictions.

Council Member Price stated she had not received additional packet materials at her home since January 2010.

Council Member Holman stated this situation had not presented itself this year because large developmental items had not occurred.

Council Member Shepherd suggested the Handbook state that the Council was not allowed to talk before a presentation and before a decision was made. She recommended that the Handbook include language that stated if the Council received a late packet by the preceding Thursday they could not speak to one another. And any additional information needed to be documented before it was considered as received by the Council.

Council Member Holman stated this subject was complicated and discussions were difficult.

Council Member Shepherd stated there was a section in the Handbook that prohibited the Council to talk to anyone until there was a vote. She stated this spoke to some issues brought forth.

Ms. Morariu stated Page IV-2, Section d, stated "Closure of the Hearing, and prior to a final decision, Council Members will refrain from any contacts pertaining to the item, other than clarifying questions directed by City Staff".

Council Member Price stated that if the late information was significantly different than the project detailed in the official posting, Staff should be required to go back to square one. The late item should be reported to the City Manager, and City Clerk, and shared with the public as soon as possible. If it was significantly different, the item should be deferred.

Council Member Shepherd suggested this be incorporated onto Page IV-2, Section b.

Ms. Morariu stated this was not in reference to solely quasi judicial items. She stated, in the paragraph regarding late submittals, items could include materials delivered to Staff, or Council, before or during the meeting. The Protocol could include that if a Council Member received additional materials related to a matter, being considered on the Council agenda, the Council Member will notify the City Clerk and City Manager as soon as possible after receipt of materials. Staff will make a determination by Monday morning whether the materials require further analysis or a continuation of the item.

Council Member Price stated there could be potential difficulties regarding the details of the noticing, and if something was significantly changed, a new project would potentially need to be proposed.

Ms. Grider stated this would require an additional three weeks to send out an additional Public Hearing notice.

Council Member Price stated Staff would be able to make a decision to re-notice or defer an item upon evolution of the late material.

Ms. Morariu suggested that on Page 6, of the Protocols, a bullet be added, as follows "When a Council Member receives material related to the Council agenda item, they will notify the City Clerk and City Manager as soon as possible.

Council Member Holman inquired whether the issue of private communications was in the Protocols. She stated members of the public often speak to the Council and have conversations with Staff, or visa versa. She stated it gave the appearance of negotiations going on in private. She suggested language be added to the Protocols on transparency.

Ms. Morariu spoke on her hesitation to restrict the need for clarifying questions by Staff from applicants or the public. She stated this primarily happened during project reviews.

Council Member Holman stated that communications coming into the Staff area should be restricted.

Ms. Morariu inquired on thoughts to where this language should be added in the Protocols. She suggested placing it under Public Meetings on Page 2.

Council Member Holman inquired whether a new section should be added.

Chair Yeh stated there were no sections that were currently appropriate.

Ms. Morariu stated it was ultimately at the City Manager's discretion to direct employees under his purview. She cautioned on placing this in the Protocols.

Council Member Holman stated her issue was on applicants and members of the public coming into the Staff area and holding private conversations.

Ms. Grider stated that if the direction was to direct Staff behavior, it did not belong in Council Protocols.

Ms. Morariu suggested adding the following under Section I-4: "In addition, Council discourages members of the public from coming into the Staff area in the Chambers."

Chair Yeh stated the Policy and Services Committee should be careful with the Municipal Code, as violations were a misdemeanor.

Ms. Morariu stated Staff could delineate which part of the added language was part of the Municipal Code.

Chair Yeh stated decorum violations were punishable as a misdemeanor.

Council Member Shepherd inquired whether this statement would be appropriately placed in the section titled Addressing the Council after a Motion.

Ms. Grider concurred with Council Member Shepherd.

Chair Yeh inquired whether the statement would be appropriate under quasi judicial hearings on Page I-3.

Council Member Holman stated the language may not exclusively apply to Quasi Judicial Hearings.

Ms. Morariu suggested the language fall under General Requirements on Page I-1, Section b. She suggested adding a new subsection titled Members of Public Should Not Approach Staff.

Council Member Holman concurred with Ms. Morariu.

Chair Yeh suggested the language be placed on Page I-2, under Presiding Officer's Permission Required,

Ms. Morariu suggested adding the following: "No member of the public may enter the Staff area without permission from the Presiding Officer." She stated this statement would fit under Page I-2, Section 2.

Council Member Holman stated the Policy and Services Committee was struggling with how to include language precluding Council Members from bargaining.

Council Member Holman stated it would be good to ask the City Attorney, or members of the public on any further thoughts.

Chair Yeh stated that would be fine.

Mr. Jordan suggested that when Council Members bargained with applicants, the agenda item should be deferred to give Staff and the public time to respond.

Council Member Shepherd inquired why the City Attorney had not stopped this behavior in the past.

Council Member Holman stated sometimes the City Attorney stepped in, and the Council had disregarded his advice. That was why it was essential for the Council to have its own Handbook.

Council Member Shepherd stated the Mayor had the ultimate control over the Council meetings.

Mr. Jordan spoke on an example of where there was a vote by the Council before the applicant could respond. If the Council did respond, he recommended a continuance of the agenda item.

Council Member Holman stated that if the public hearing closed, there could not be any back and forth negotiation.

Chair Yeh stated the applicant was granted certain rights.

Council Member Holman stated applicants and proponents were allowed time for rebuttal, and afterward, the discussion returned to the Council. The Council had their discussion and makes a Motion. If the public hearing closed after the final speaker, there could not be back and forth conversations unless the Council majority voted to reopen the public hearing.

Ms. Morariu stated re-noticing the agenda item may need to occur at that point.

Ms. Grider spoke on her uncomfortably for this issue and stated the City Attorney's advice was needed.

Ms. Morariu stated that having a discussion with the Planning and Transportation Director was advised because he crafted the last planning application submittals.

Ms. Morariu inquired whether the Policy and Services Committee requested the advice of the City Attorney before the Handbook returned to the Council for consideration.

Council Member Price inquired how the input from the City Attorney would be sought.

Ms. Morariu stated Staff could move forward with the recommended change, and return to the Policy and Services Committee with answers from the City Attorney regarding bargaining with applicants. She stated the purpose statement of the Policy and Services Committee for inclusion in the Protocols would return at a later date.

Council Member Shepherd inquired whether the later changes could be accepted by the Council, opposed to returning to the Policy and Services Committee.

Ms. Morariu stated that was at the discretion of the Policy and Services Committee. She indicated the purpose statement of the Committee and Workplan efforts were scheduled to return at a later date.

Council Member Price spoke on her preference to expedite this matter. She inquired whether it was possible to bring outstanding items back to the Policy and Services Committee quickly to resolve any other issues.

Ms. Morariu recommended moving forward with the changes discussed, and return with the two remaining items for further discussion.

Council Member Holman concurred with Ms. Morariu.

Ms. Morariu spoke on her recommendation for the Council to adopt the changes discussed by the Policy and Services Committee sooner rather than later.

Chair Yeh spoke on his preference to move forward with changes before the departure of Ms. Morariu.

Council Member Price spoke on her concern regarding At Places Items. She stated it made no sense to receive items in this fashion. She inquired on any language within the Handbook that spoke to this.

Ms. Morariu stated the only language that might talk about At Place Items would be in the Council Agenda E-mails section.

Council Member Price stated it was unlikely that At Places Items would stop.

Council Member Shepherd suggested that At Places Items be overviewed in Staff presentations.

Council Member Price stated that would be helpful.

Council Member Holman suggested that Staff clearly identify At Place Items.

Ms. Morariu stated Staff would bring this suggestion to the Executive Staff. Staff was in the process of improving the process of distributing PowerPoint presentations. She stated including At Places Items may be incorporated into that process.

Council Member Price stated stamping the agenda item number on all At Place Items would be beneficial.

Ms. Grider stated the majority of At Place Items were stamped with its corresponding item numbers.

Council Member Price stated she did not open emails, with attachments, received on the afternoons prior to Council meetings. Therefore, sending PowerPoint presentations in advance may not always be useful.

Ms. Grider stated some At Place Items were from the public and they were the public's right to communicate. Staff had no way of knowing which Council Members have opened attachments, and they were printed for everyone.

Ms. Morariu stated Staff was encouraged to submit At Place Items as early as possible.

Council Member Price stated Council meetings could possibly be held on Tuesday evenings.

Ms. Morariu stated Staff had discussed this matter. The Midpeninsula Media Center was unable to broadcast Council meetings on Tuesday due to a prior commitment. She would reinforce the message to encourage Staff to submit At Place Items and PowerPoint presentations to the Council as early as possible.

Herb Borock, Palo Alto, spoke on the implications of bargaining.

Chair Yeh stated Staff would follow up with the City Attorney and report back to the Policy and Services Committee.

MOTION: Council Member Holman moved, seconded by Council Member Shepherd to approve all changes made to the Council Procedures and Protocols Handbook, recommend approval of the Council Procedures and Protocol Handbook to the City Council, and that Staff return to the Policy and Services Committee at their earliest convenience with clarification on the two outstanding items.

Ms. Morariu recapped the following changes to the Council Procedures and Protocols Handbook: 1) add a bullet "no person shall enter the Staff area or dais area without permission of the Presiding Officer" on Page I-2, Section 2d; 2) whether page I-2, Section 3b, was legal; 3) add on page II-1, under Regular Meetings, "regular meeting agendas must be posted in the plaza no later than 7:00 p.m. on the Friday preceding the Council meeting as required by the Brown Act. It is City Policy to make every effort to complete and distribute the agenda by the preceding Wednesday. For complex projects, material will be provided to the Council two weeks prior to the Council meeting where the item will be considered"; 4) changes to the oral communications language under Study Session; 5) add "this includes materials delivered to Staff or Council

either before or during to the Council meeting” on page II-4, Section c; 6) add fourth bullet under Other Procedural Issues “If Council receives materials related to an agenda item matters they will notify the City Clerk and the City Manager as soon as possible” on Protocols page 6; 7) revise all typo’s mentioned by the City Clerk and have them return to the Policy and Services Committee; 8) seek City Attorney’s advice regarding modifications to Planning application changes during a Council meeting; and 9) formulate the purpose statement and work planning outline for the Policy and Services Committee. She stated exact language was to be determined on all language changes made.

MOTION PASSED: 4-0

3. Discussion on the Role of Policy & Services and Work Planning.

Chair Yeh stated there was a request to continue Agenda Item No. 3 to the Policy and Services Committee scheduled on October 12, 2010.

MOTION PASSED 4-0.

4. Discussion on Structure of Council Priorities Accomplishments Report

Assistant to the City Manager, Kelly Morariu stated one of the outcomes of the Council Priorities Workplan (Workplan) was for Staff to return by December 2010 with the Council Priorities Accomplishments Report (Report). She requested feedback from the Policy and Services Committee on what the Committee would like to see in the Report. She provided the Top Five Priorities Accomplishment Report created in 2004. She suggested creating a simple table that outlined the Council’s accomplishments to date. Many Council priorities had not been started because Staff was working on how they fit into the existing workload.

Council Member Price inquired how the 2004 Top Five Priorities Accomplishment Report related to the Council’s recommendation to select ten Council priorities to focus efforts on. She inquired whether it would be an organizing principle in terms of moving forward with the priorities.

Ms. Morariu stated that was correct. She stated the top ten items chosen by the Council would be areas of emphasis over the next two years.

Council Member Price stated the Council priorities were equally weighted at this time.

Ms. Morariu stated that was correct.

Council Member Price stated the Council priorities had not yet been specified to receive additional attention.

Ms. Morariu stated mandated items would be weighed more than others. The matrix had been expanded to show mandated items. She stated outside funding items would receive the highest priority. She stated a conversation had not been held on prioritizing existing Workplan items with existing Staff workload.

Council Member Price suggested a system where tier one priorities would be mandated projects, and tier two priorities would encompass all others.

Ms. Morariu suggested a hybrid approach where mandated projects were shown above, and everything else was shown as un-weighed below.

Council Member Shepherd inquired how decisions were being made as to what Staff worked on within individual City departments.

Ms. Morariu stated each department head used their best judgment depending on current events. Staff was working on a system to create consistent criteria for prioritizing projects.

Council Member Shepherd inquired whether mandated priorities that were currently being worked on, or easily accomplished, could be removed for the matrix. She suggested a list of items that would require much time and effort.

Ms. Morariu stated one challenge was that the Workplan was not helpful in its current format. There would be an Executive Staff retreat in late October to focus on this challenge.

Chair Yeh recommended a new structure, for the Report, which addressed the Workplan discussions held at the Policy and Services Committee meetings. The Report should contain four Council priorities with structured deadline dates. He spoke on prioritizing the Workplan and supporting Staff in the implementation process.

Ms. Morariu stated the Council requested a reporting mechanism on what had been accomplished by the Policy and Services Committee on the Workplan. She indicated this report would need to be done, as well as the Accomplishments Report.

Council Member Price inquired on the discussion, held with the City of Sunnyvale, on items which addressed elements discussed by the Policy and Services Committee.

Ms. Morariu stated Staff attempted to schedule a meeting during the Budget process. The vacancy of the City's Budget Manager had postponed the meeting with the City of Sunnyvale.

Council Member Price stated it was incredulous that there was not a systematic process in terms of Staff being able to manage their work and feel they are making progress.

Ms. Morariu stated City departments kept track of their own major projects. She stated a City-wide tracking mechanism, which would tie with an overall City Workplan, was Staff's priority.

Council Member Price state managing an organization without departmental consistency would be difficult. It was her belief Staff was not in a position to optimize efficiency and opportunities because the structure did not currently accommodate it. She inquired whether this process was the best use of the Policy and Services Committee's time.

Ms. Morariu felt there would be more structure around the Workplan after the Executive Staff retreat in October. The discussion could continue after that point.

Council Member Holman stated the Workplan had not been discussed outside of the Policy and Services Committee.

Council Member Shepherd stated the Workplan was discussed at a Council Meeting once this year. She stated the Council had similar responses as the ones this evening.

Council Member Holman stated, for all practical purposes, the Workplan had not been discussed out of the Policy and Services Committee. She inquired whether appropriate Staff members have seen the Workplan.

Council Member Shepherd stated the Workplan would be presented and reviewed at the Executive Staff retreat.

Ms. Morariu stated department heads have all seen the Workplan. It was her belief that the Workplan had been shared with various Staff by their department heads.

Council Member Holman inquired on the extent that Staff had participated in the Workplan.

Ms. Morariu stated a concern of Staff was there were more items on the Workplan than what could be accomplished. It was her belief many Workplan

items were being prioritized or already underway by Staff. She stated many deliverables were Staff generated.

Council Member Holman stated, in many ways, the Policy and Services Committee had completed the Council Procedures and Protocols Handbook (Handbook). She inquired whether this document be added to the Workplan under Transparency, Accountability and Oversight.

Ms. Morariu stated the Handbook's process was listed under Planning/Building Processes. She stated it was listed as follows "process and project review evaluation to improve process efficiency, transparency, effectiveness and improved project outcomes."

Council Member Holman recommended creating a new subcategory for the Handbook under the section on Planning/Building Process. She felt it had more to do with project review.

Council Member Shepherd inquired why the Handbook was recommended to be added to the Workplan.

Ms. Morariu stated there was a specific accomplishment in responding to the concerns on transparency around the submittal of planning materials. The discussions were more comprehensive than in previous years.

Council Member Holman stated there were significant discussions around this topic, as a response to a Colleagues Memo.

Ms. Morariu agreed that it was a significant accomplishment of the Policy and Services Committee.

Council Member Holman stated the Policy and Services Committee was struggling with the form of the Report.

Ms. Morariu felt the same frustrations because the form was unclear due to many factors. She spoke on the transition of Executive Staff which brought a different dynamic to the City.

Chair Yeh stated it was discussed to add the discussions of potential top ten Workplan items onto the remainder of the Policy and Services Committee meetings for this calendar year.

Ms. Morariu stated the Policy and Services Committee's commitment was to return to the Council this December with the Report. The Policy and Services Committee should continue to work on fleshing out priorities. She recommended that they pick a topic to discuss on the Policy and Services

Committee meetings scheduled on November 9, November 30, and December 14, 2010.

Council Member Price stated the Report should be presented in a way that celebrated the successes and accomplishments that have occurred.

Ms. Morariu stated the intent of this evening was to gather ideas on what the Report should encompass and look like.

Council Member Price stated there were models available that would make this process easier.

Council Member Holman suggested a Report that reflected manageable bites that were comprehensible. She suggested a cover sheet, which listed five priorities, and had a simple delineation that pulled everything together. She suggested a City finance chapter, land-use chapter, environmental sustainability chapter, and so on, listed by City department. She stated the Actions and Deliverables, with deadlines, be listed incorporating whether they were mandated or funded. She stated individual chapters be scorecards and progress be kept on them.

Council Member Shepherd stated this suggestion was similar to Ms. Morariu's suggestion. In the Executive Staff retreat, Staff would adopt Workplan items and distinguish accountability.

Ms. Morariu stated the comprehensive matrix, used at the Staff level, may transpose into a more accessible document for the Council and public.

Council Member Shepherd stated that would be similar to the information on the See-It Site.

Ms. Morariu stated it would be slightly different than the See-It Site.

Council Member Shepherd inquired how many views were received on the See-It Site.

Ms. Morariu was unclear on how many residents viewed the See-It Site.

Council Member Shepherd stated the See-It Site was not completely updated. She inquired whether it was another step, that Staff was responsible for, and whether that time could be used in a more efficient manner.

Ms. Morariu stated once the See-It Site was updated with the new priorities and scorecards it was relatively easily maintained.

Chair Yeh inquired whether it was possible to perform a report on the See-It Site's data.

Council Member Price inquired whether it was possible to adjust current resources already in place to create the Report.

Ms. Morariu stated some Workplan items had very defined scorecards making progress tracking, while some Workplan items were complicated and progress tracking was not as easy.

Council Member Shepherd stated that was how the See-It Site was structured. It had a couple different ways for explaining progress. She inquired whether the See-It Site had been updated this year.

Ms. Morariu stated the scorecard should be updated, and regular reporting intervals should be posted. She stated she would verify this.

Council Member Shepherd suggested that the Policy and Services Committee compartmentalize and study the See-It Site next year.

Ms. Morariu stated the See-It Site did not solve the issue of prioritizing Council priorities. Nevertheless, it was an efficient way of looking at the status of projects.

Council Member Price stated analyzing the See-It Site would give the Policy and Services Committee a good indication on which projects were falling short on progress, and whether any should be reprioritized. She inquired whether this would be a better use of time than analyzing the Workplan matrix.

Ms. Morariu recommended that the Policy and Services Committee clearly understand the Staff resources needed for each project. She stated the See-It Site would not display this data.

Council Member Shepherd stated that fine detail may not be necessary at the Council level.

Council Member Price stated that data was important because it gave the Council an understanding of what the implications were for a given project. She stated the basic question was how much Staff wanted Elected Officials engaged in setting Workplan priorities. The Policy and Services Committee was at a transitional point in determining what the appropriate conversations were on making decisions regarding how Staff was using resources at their own disposal.

Ms. Morariu stated the Council would not ultimately need to be involved in the fine detail.

Chair Yeh stated the Policy and Services Committee used a rationed approach in defining priorities and what should get done. The Report was a hybrid document, and was in an indeterminate state. He stated the context of the Report was essential.

Ms. Morariu inquired whether Chair Yeh requested including what the Policy and Services Committee had done in regards to the Workplan in the presentation to the Council.

Chair Yeh stated more data would be filled in during the Executive Staff retreat.

Council Member Shepherd inquired when the Executive Staff retreat would be held.

Ms. Morariu stated the retreat would be held from October 21 through October 23, 2010.

Chair Yeh stated many estimated completion dates had been crossed out and dated seven months later.

Ms. Morariu stated she was uncertain on why this was.

Council Member Holman stated the Report was due in December 2010, and the Council retreat was scheduled in January 2011. If the Council was to continue with the same priorities, they needed to be able to be presented in a way that was discernible by the Council and the public.

Council Member Shepherd felt the Report would return to the Policy and Services Committee after the Executive Staff retreat.

Chair Yeh agreed with Council Member Holman.

Ms. Morariu stated the work done this Fall would require more clarity and structure going into the Council retreat in January 2011.

Council Member Shepherd stated a discussion should be held on what it meant to have a Council priority, and what created a Council priority.

Ms. Morariu stated the City Manager had an interest in bringing this to the Council as part of the Council retreat.

Council Member Holman stated a discussion should be held on defining who the members were for designing the Workplan items.

Council Member Price stated discussions of Workplan items should include financial impacts of Staff and resources.

Council Member Holman recommended that the Policy and Services Committee hold a discussion on what determined a Council priority.

Council Member Price stated finances and the City's Budget set priorities. She felt priorities were intended to introduce new Workplan items.

Ms. Morariu stated the Report would likely look similar to the 2004 Report.

Council Member Shepherd spoke on her concern on the length of the Report, if it was to resemble the 2004 Report.

Ms. Morariu stated Staff could create an executive summary that highlighted key accomplishments.

Council Member Shepherd inquired whether each Workplan item would have its own boxed columns, as seen in the 2004 Report.

Ms. Morariu stated the boxed columns for each Workplan item may not take the same amount of space.

Chair Yeh suggested that the Policy and Services Committee return with a list of top 10 priorities.

Council Member Shepherd spoke on her concern for the amount of work that would need to be performed by Staff to complete the Report.

Council Member Holman inquired how the Report helped Staff.

Ms. Morariu stated the Report visually spoke to the accomplishments that Staff completed. She stated the Report would not be written by one Staff member.

Council Member Shepherd inquired why the data, which would be placed in the Report, could not simply be placed on the See-It Site instead.

Ms. Morariu stated the Council's direction was to have a specific report on the accomplishments for this year. She stated the See-It Site would not provide enough description.

Council Member Shepherd stated there was description within the See-It Site.

Ms. Morariu stated there was a concern amongst the Council on whether enough information was posted on the See-It Site.

Council Member Price stated the Council desired a higher-level report than what was seen on the See-It Site. However, a cumbersome report may hinder a fruitful discussion.

Ms. Morariu stated Staff would focus on a key accomplishments report, in an executive summary format, instead of a line-by-item report.

Council Member Shepherd stated the Report would expand if it modeled the 2004 Report. It was her belief that Staff focus on the See-It Site.

Chair Yeh agreed.

Council Member Shepherd inquired whether the line items, listed on the matrix, were contained in the See-It Site.

Ms. Morariu stated yes. She stated a high-level executive summary could be supplemented with the See-It Site.

Council Member Price stated every achievement on the Report would not hold the same weight in terms of effort, outcome, fiscal impacts, and policy implications.

Ms. Morariu stated this discussion was helpful.

Council Member Holman stated the executive summary should be twice as small as the Workplan and provide an essence of the accomplishments by Staff.

Council Member Price stated that information was available on the See-It Site.

Council Member Holman concurred. However, not everyone visited the See-It Site.

Chair Yeh inquired whether information could be extracted from the See-It Site.

Ms. Morariu stated yes.

Council Member Price requested that the See-It Site's report be printed and shared with the Policy and Services Committee.

Council Member Price inquired whether there was more than one report option.

Ms. Morariu stated there was one reporting template available that showed the priorities and actions, but not the scorecards. She stated the See-It Site report was in an outline format. The See-It Site was valuable in many ways; however, there was a context that was missing from it.

Council Member Shepherd inquired whether there was a way to track how many residents viewed the See-It Site.

Ms. Morariu stated yes.

Council Member Shepherd stated the means of communication was transferring to paperless. If the See-It Site was not functioning properly, the Council should explore a different program.

5. Discussion and Recommendation on Council Opposition to Propositions 20 and 27.

Assistant to the City Manager, Kelly Morariu stated that on Monday evening the Council considered positions on the various ballot measures for the upcoming election. She stated Proposition 20 and 27 were referred to the Policy and Services Committee for review and recommendation on a position. The recommendations would be returned to the Council next Monday. She stated additional information was distributed on the arguments for and against the Propositions.

Phyllis C. Cassel, President of the League of Women Voters of Palo Alto, urged the Policy and Services Committee to recommend to the Council to oppose Propositions 20 and 27 for the upcoming November State Election.

Herb Borock, Palo Alto, spoke on the history of redistricting in California, and his support to leave redistricting in the hands of the Legislature.

Council Member Price spoke on her support of ensuring that the Citizens Redistricting Commission be involved in the debate, and outcome of the debate. She stated opposing Proposition 27 would ensure this. She spoke on the position of the League of Women Votes.

MOTION: Council Member Price moved, seconded by Chair Yeh to Recommend that the City Council adopt a Resolution Addressing Fall 2010 Ballot Initiative Opposing Proposition 20, Modifying the Redistricting Process for Congressional Districts.

Chair Yeh stated the establishment of the Citizens Redistricting Commission was a change from a long-time practice. He felt the Commission represented an era of transparency in government. He agreed that there would be a conflict of interest when elected official were able to set the boundaries of their represented districts.

Council Member Shepherd spoke on her interest on how the Citizens Redistricting Commission would redistrict boundaries. She spoke on the application process of the Commission.

Council Member Holman stated it was best to have a Citizens Redistricting Commission because they would not be subject to influence.

Motion Passed: 4-0

Chair Yeh stated the Policy and Services Committee would now discuss Proposition 20.

Council Member Price stated Proposition 20 suggested that all districts would be segregated by income level if passed. She felt the Policy and Services Committee should recommend taking a no position on Proposition 20.

Ms. Cassel stated the attempt of Proposition 20 was to define communities of interest, which would not allow for flexibility.

Council Member Holman stated she was torn on providing a recommendation to the Council, and felt the Policy and Services Committee did not have to make a recommendation. She stated her inclination was to oppose Proposition 20.

Council Member Price stated she would need the full Voters Pamphlet to delve deeper into the details of Proposition 20.

Herb Borock stated the Policy and Services Committee did not have the impartial analysis from the State Ballot. He felt this document should be provided to the Council.

Ms. Morariu stated the impartial analysis was included in the Council's packet from last Monday.

Council Member Shepherd read from the Voters Pamphlet.

Chair Yeh stated there were challenges with the recruitment of the Citizens Redistricting Commission. He spoke on his interest to see the phasing for how the Committee set tasks. He stated his conflict with redistricting was not effected by the Congressional Districts.

Council Member Price inquired whether Chair Yeh felt the Propositions were similar to checks and balances.

Chair Yeh stated he wanted to see how the Citizens Redistricting Commission will go about redistricting at the State Legislative level prior to the Congressional Districts. He stated his inclination to oppose Proposition 20.

Council Member Price stated Proposition 20 would require more examining.

Council Member Holman stated she was not prepared to take a position.

Ms. Morariu stated the Policy and Services Committee had the liberty to not take a position on Proposition 20.

Council Member Holman stated the Council could take a no position.

Ms. Morariu stated Staff could prepare a summary of this evening's discussion, and bring forward both proposed Resolutions. The summary could note that the Policy and Services Committee did not take a position on Proposition 20.

MOTION: Council Member Holman moved, seconded by Council Member Price to take a no position on Proposition 20, Modifying the Redistricting Process for Congressional Districts.

Council Member Shepherd stated she deferred to the League of Women Voters who conducted research on complicated Propositions. She inquired whether this Proposition would directly affect local government.

Council Member Price stated there were resources coming into the City due to Congressional Districts.

MOTION FAILED: 2-2 Yeh, Shepherd no

MOTION: Chair Yeh moved, seconded by Council Member Price to Support a Recommendation to Oppose Proposition 20, Modifying the Redistricting Process for Congressional Districts.

Council Member Price spoke on her concern for the way Proposition 20 may define communities of interest.

MOTION FAILED: 2-2, Shepherd, Holman no

Council Member Holman stated Proposition 20 would move forward to Council with no recommendation by default.

6. Discussion of upcoming meetings and topics

Assistant to the City Manager, Kelly Morariu stated October 12, 2010 would consist of the 2011 Legislative Program, follow up on Project Safety Net, and the Health Cities Resolution.

Chair Yeh inquired when the discussion on the role of Policy and Services and work planning, and the two follow up items on the Council Procedures Handbook would be held.

Ms. Morariu recommended holding this discussion on October 12, 2010.

Council Member Shepherd felt October 12, 2010 would be a lengthy meeting.

Council Member Holman stated some items should move quickly.

Ms. Morariu stated the role of the Policy and Services Committee and work planning may take longer. She stated October 12, 2010 would be her last Policy and Services Committee meeting. Staff recommended modifying the Healthy Cities Resolution, provided by the League of California Cities, to include what the City had already done in respect to being a healthy City.

Chair Yeh inquired whether there was a deadline for the Healthy Cities Resolution.

Ms. Morariu stated no.

Chair Yeh recommended postponing the Healthy Cities Resolution.

Council Member Shepherd stated Project Safety Net usually took time.

Ms. Morariu stated a Project Safety Net report was on specific follow up actions. The report would not be as broad as the prior one. She recommended tentatively scheduling the Council Priorities Workplan on November 9, 2010.

Council Member Shepherd spoke on the Council Priorities Workplan, Item 4a, titled Review Public/Private Options. She spoke on her interest in reviewing public/private junctions with the City-Wide Post Sponsorship Policy.

Ms. Morariu stated the City had a Public/Private Partnership Policy which fit together with the Co-Sponsorship Policy.

Council Member Price stated, when Policy and Services Committee looked at its purpose statement, it should have influence regarding the ultimate financial discussions.

Council Member Shepherd spoke on her desire to look at all of the City's public/private partnerships.

Ms. Morariu stated Staff had been compiling a list of the City's public/private partnerships.

Council Member Shepherd stated there were organizations that the City financially supported that operated at an optimal level, and also supported casual partnerships. She spoke on partnering with these organizations sooner rather than later to redefine them.

Council Member Price stated examining the entities that the City subsidized would be beneficial.

Council Member Shepherd stated showing the purpose for why these entities were subsidized would be helpful.

Council Member Price stated a lot of cities were engaged in this activity.

Council Member Shepherd inquired when the last time this had been performed was.

Ms. Morariu stated many of the decisions to support public/private partnerships were made many years ago.

Council Member Shepherd stated examining funding would be beneficial to the community.

Ms. Morariu spoke on her concern that this conversation would not be ready for the October 27, 2010 meeting.

Council Member Price stated the agenda item would simply start the conversation.

Council Member Holman stated she did not see this conversation happening until January 2011.

Council Member Shepherd stated if a conversation was not held sooner than January 2011, there would be no time for a meaningful conversation.

Council Member Holman stated holding this conversation in January 2011 would be sufficient in influencing the City's Budget.

Chair Yeh suggested that each Policy and Services Committee member select five of their top priorities for consideration by the Committee.

Council Member Price stated voting on these top priorities could occur at the next Policy and Services Committee meeting.

Council Member Shepherd stated there had been items that had fallen off the Workplan list.

Chair Yeh stated individual priorities brought forth by the Policy and Services Committee members did not have to originate from the Workplan.

Ms. Morariu stated a discussion would be held, with the City Manager, on completing priorities that could be completed without delay.

Council Member Holman stated if direction was not given to complete these items, they may not be completed.

Council Member Shepherd recommended that the Policy and Services Committee members return with one or two priorities.

Council Member Price recommended that the Policy and Services Committee members propose three of their top priorities.

Council Member Price stated public/private partnership entities have been waiting for sponsorships for their projects, and some entities may have to step up on their own for funding.

Chair Yeh spoke on the parameters for the selection on top three priorities from each Policy and Services Committee member.

Council Member Price inquired whether the Policy and Services Committee would be making an assumption that their final priority selection would return to Council before January 2011.

Chair Yeh stated the topics, prioritized by the Policy and Services Committee, would be recommended to the Council as priorities to focus on.

Ms. Morariu agreed. A discussion on this could be held at the Council retreat in January 2011. She stated this would not get to Council Member Shepherd's concern on public/private partnerships.

Council Member Shepherd stated public/private partnerships have created anxiety on what programs should be cut. Public entities should not have to operate in fear of their programs being cut. She felt public entities should be invited to participate in discussions ahead of time.

Council Member Holman felt a conversation would not be productive until one was held with the Palo Alto Unified School District (PAUSD). She stated fiscal responsibility would need to be looked into. She suggested the Council be practical and prudent with development agreements.

Council Member Price stated Project Safety Net had been engaged in conversations with the PAUSD. She stated timeliness was essential

Council Member Shepherd suggested that the Policy and Services Committee play a role in facilitating this.

Ms. Morariu stated she would communicate this with the City Manager.

Council Member Shepherd stated these conversations would bring construct to what they would be voting on at Council meetings.

Council Member Price stated the City's Budget was a policy document. She stated the Policy and Services Committee should be mindful of core values and issues in the course of prioritizing discussions to create thoughtful discussions. She stated local governments were in the mindset of reacting to issues.

Council Member Shepherd stated topics, for future discussions, should include returning with available funds for next year's Budget, relations with the PAUSD, and public/private partnerships.

Ms. Morariu stated she would look into bringing these items back for discussion.

Council Member Shepherd spoke on working on projects more expeditiously, so additional items could be added to the October 12, 2010 meeting.

Council Member Yeh spoke on his concern regarding adding additional items on the October 12, 2010 meeting.

Council Member Homan inquired whether the agenda item on the 2011 Legislative Program would be provided by an entity other than the City.

Ms. Morariu stated Staff would return with suggestions for priorities, for both the State and Federal projects, based on internal discussions and review of policies of other Cities and League policies. This would include appropriation requests for Federal projects. This would be an informal discussion to formulate recommendations for the Council in January or February 2011. She stated the City Manager's Office and the City's Federal lobbyist would be present

Council Member Shepherd inquired whether it was possible to put time limitations on agenda items.

Ms. Morariu stated that was at the Policy and Services Committee's discretion.

Council Member Price inquired whether the Federal lobbyist would be discussing High Speed Rail (HSR) topics.

Ms. Morariu stated that was correct.

ADJOURNMENT: Meeting adjourned at 10:35 p.m.