



City of Palo Alto

Policy and Services Committee Staff Report

(ID # 11814)

Report Type: Action Items

Meeting Date: 12/8/2020

Summary Title: 2020 P&S Review of Protocols & Procedures

Title: Annual Policy and Services Committee Discussion and Recommendations Regarding City Council Protocols and Procedures Handbook

From: City Manager

Lead Department: City Manager

Recommendation

Staff recommends that the Policy and Services Committee review the Council Procedures and Protocols and recommend revisions for Council consideration at its annual retreat, to be held in January or February, date to be determined.

Staff have no recommended revisions at this time.

Background and Discussion

Policy and Services Committee last reviewed the [City Council Procedures and Protocols \(CPP\) Handbook](#) at their December 10, 2019 meeting ([Minutes](#)), with those recommendations going to the full Council on February 1, 2020 ([CMR #11036; Minutes](#)), during the annual Council Retreat.

Following the Retreat, two discussion items returned to Policy and Services Committee on June 7, 2020 ([CMR #11244](#)). Policy and Services Committee unanimously recommended that further discussion be delayed as a result of travel budgets in light of COVID-19 budget reductions ([Minutes](#)):

MOTION: Council Member Filseth moved, seconded by Council Member Kou to recommend the City Council delay a discussion of the Council Procedures and Protocols, Section 7, City Council and Boards and Commissions Policy for Travel and Miscellaneous Expense Reimbursement to determine whether Council's Travel Expense Reports should be made available to the public, and refer any recommended changes to Council for approval and adoption until such time as Council has a Travel Budget to expend.

Council Member Filseth emphasized that the item needed to be discussed as

soon as it was deemed reasonable.

The CPP describes the way the Palo Alto City Council does its business and is a directional guide. It is intended to accomplish two goals: First, the CPP is an informational guide for anyone doing business or appearing before the City Council. Second, the CPP is a compilation of procedures and protocols that have been formally adopted by Council. Municipal Code 2.04.100 states the following related to the handbook:

Municipal Code 2.04.100 - Handbook of procedural rules

The council shall adopt by resolution a handbook of procedural rules governing any aspect of the conduct of meetings and hearings for the council and its standing committees, including but not limited to agenda requirements, the order of business, rules of order, rules of evidence, closed session procedures and rules for public participation in meetings. The handbook of procedural rules shall be deemed guidelines and failure to comply with any procedural rule shall not be the basis for challenge to or invalidation of any action of the council, nor shall they be construed to create any independent remedy or right of action of any kind.

In addition, the CPP includes two provisions for the Policy and Services Committee to annually review the CPP as stated below from Section 3 – Other Procedural Issues (p. 34):

Section 3.1 – Commit to Annual Review of Important Procedural Issues

At the beginning of each legislative year, the Council will hold a special meeting to review the Council protocols, adopted procedures for meetings, the Brown Act, conflict of interest, and other important procedural issues.

And from Section 5 – Enforcement (p. 36):

Section 5 – Enforcement

Council Members have the primary responsibility to assure that these protocols are understood and followed, so that the public can continue to have full confidence in the integrity of government. As an expression of the standards of conduct expected by the City for Council Members, the protocols are intended to be self-enforcing. They therefore become most effective when members are thoroughly familiar with them and embrace their provisions. For this reason, Council Members entering office shall sign a statement affirming they have read and understood the Council protocols. In addition, the protocols shall be annually reviewed by the Policy and Services Committee and updated as necessary.

This is that annual review and staff do not currently have any recommended changes.

Timeline, Resource Impact, Policy Implications (If Applicable)

There is no resource impact identified at this time. Should Policy and Services recommend changes, those could be discussed in 2021, either as part of the Council Retreat or another Policy and Services Committee meeting.

Stakeholder Engagement

Council members were asked to review the Handbook prior to this meeting; should any responses be forthcoming, an at-places memo with those suggestions will be available.

Environmental Review

This is not a project as defined by CEQA and no review is needed.