



Policy and Services Committee TRANSCRIPT

Special Meeting
Thursday, May 21, 2015

Chairperson Burt called the meeting to order at 7:06 P.M. in the Council Chambers at 250 Hamilton Avenue, Palo Alto, California.

Present: Berman, Burt (Chair) DuBois, Wolbach

Absent:

Oral Communications

None.

Agenda Items

1. Continued Discussion Regarding City Council Procedural Matters, Including Updates to Procedures and Protocols Handbook (Continued from April 8, 2015).

Khashayar Alaei, Senior Management Analyst: Good evening, Chair Burt and Committee Members. Khash Alaei, Senior Management Analyst with the City Manager's Office. Just to quickly reorient us and place tonight's conversation in context, the City Council on January 31 at its Retreat discussed updates to the City Council's Procedures and Protocols and referred certain elements to the Policy and Services Committee. Again on February 17, the City Council held a Committee as a Whole meeting and focused on the Procedures and Protocols, meeting management, Committees and Staff relations. At this meeting, certain items about the Procedures and Protocols as well as meeting management were referred again to the Policy and Services Committee. Some ideas about the Committees and Staff relations were deferred to the next Committee as a Whole meeting. As we talked about at our April 8 meeting, the Committee has discretion to talk about any of those items and make recommendations to the Council or to the Committee as a Whole. On April 8, the Committee began to take the referrals and items and made recommendations to Staff about changes to the actual Handbook and Manual. The Committee discussed the referral items. If I could ask you to look at packet Page 5, if you guys all have your packet.

Chair Burt: Tonight's packet?

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Mr. Alae: Yeah, tonight's packet. Everyone there? If you look at Number 1, the discussion of Procedures and Protocols. At our meeting on the 8th, we were able to have substantive conversations about Number 1 and all the sub-elements; the telephone participation, the Consent Calendar as well as the agenda setting. We began to have conversations about the meeting management items. There were a lot of different ideas put out there, but it was not as substantive as the first three items. The City Clerk has put a set of the Minutes in front of you. Just to orient you on a little bit of what we talked about. Beginning on Page 3 of the meeting Minutes is where the telephone conversation began. That conversation goes through Page 21. At the top of Page 21, you'll notice the first sentence in there says agenda setting. That's where we begin to start talking about that. That conversation carries through to Page 24. At the top of Page 24, right below consensus, in that first sentence you see the word Motions. That's where we started to discuss Motions. That then carried through and the conversation started to move into meeting management. That gives you a little bit of a sense of what we got through. It seems to me that to focus on packet Page 5, 6 and 7 and continue the conversations about meeting management is where the Committee had left off. Certainly on Page 7, the items going to the Committee as a Whole, we could continue conversations about that. If I could also refresh your memory that on April 8 we put an at-places memo. There was some items left off the Staff Report. We've placed another at-places memo tonight. It's double-sided. On the back of the first Page, Page 2, is the at-places memo from April 8. Hopefully that reorients us a little bit to where we had left off. Staff did start taking some of your comments and putting them in the Handbook. Truthfully, it's a difficult process to take the feedback and put it in the Manual. Due to time constraints and workload constraints, we weren't in a position to feel comfortable providing you or the public with what we have done so far. Our preference is we finish the conversation, update the whole Manual, certainly have the Attorney's Office review it, and then bring the final package to you and the public. With that, I turn it to you, Chair, for any direction and next steps.

Chair Burt: Let me just get recalibrated. I'm trying to recall whether we were using the referral items as our sequence or just the sequence as it exists in the Policy and Procedures.

Mr. Alae: Correct. From reading the Minutes and my recollection, you were using the referral items to start to go through the Handbook. We had done pretty well with finishing Number 1. It seemed to me you had given us enough direction on those items. If you look at the set of Minutes, towards the end a lot of popcorn ideas were being popped for all the items in Number 2. There was no clear direction. We had gone pretty clearly through 1a, b

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and c. The meeting was getting towards the end, and the ideas were just flowing.

Chair Burt: I have some miscellaneous notes that we went through the existing Procedures and Protocols that aren't necessarily listed here. Whether I or others have those, we can look at whether we do a final run-through at the end that tries to capture what we didn't capture in this format. Colleagues, if we go to packet Page 5 from this evening's Council packet, the second section Meeting Management, 2a talks about trying to provide Staff with digital versions of draft Motions. We've actually been experimenting with that this year and seen more of that. Just one level of question, do we think it's a good idea? The second one is how would we capture that in our Procedures or Protocols. Anyone have any initial comments? Marc.

Council Member Berman: From my standpoint, it's been very helpful for those who have been using it. I don't think it should be mandatory. I think it should definitely be utilized by those who want to, to get ahead of the game and be able to provide that to the Clerk. It saves time during the meetings for those who are able to.

Chair Burt: To try to take that and capture it. As we look at 2a, the way this was put out, it's directional. We might want to consider language that City Council Members are encouraged, if we go the direction that you just ...

Council Member Berman: That's my preference.

Chair Burt: Others? Cory.

Council Member Wolbach: I'd agree.

Chair Burt: Tom.

Council Member DuBois: I'm good with that.

Chair Burt: All right. We're moving a lot faster tonight than last time.

Council Member DuBois: If we could talk through some of these last items.

Chair Burt: I'm looking at the second sentence of 2a and asking myself whether, in addition to the Policy, we should give a context. That is helpful for future Councils. They look at a Procedure and say, "Why is this here?" There probably would be a good way to re-frame that just to give a little more context. The next one is—we got into a little bit of discussion of this

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last time; the City Manager was here—Staff Reports offering options that are available to the Council. I saw in review of our Minutes last time that the City Attorney had weighed in a little bit on that. The City Manager had. I don't know if there were any follow-up thoughts. Molly, do you have anything?

Molly Stump, City Attorney: The spirit of this suggestion in many cases is helpful and a useful one. I do think that it has to be applied in the particularized case that's before the Council. If I recall correctly, my particular concern was that subset of issues that the Council is sometimes involved in, where you're adjudicating a particular project. The Staff is really called upon in that case to give you their best view of how the current rules apply to the facts before them in the project. In that kind of case, it may be that there's less ability to provide alternatives that stand on equal footing or are of equal weight. There are areas of course, as you know from your recent work on a couple of projects, where there is a fair amount of Council discretion. In those cases, the Staff is able to say that the Planning Director or the ARB reached this conclusion, that these findings can be made. Council has discretion to judge this and may come to a different conclusion. Sometimes I think that can be done. In other cases, there's less ability. I guess I would want this also perhaps to be put in language that recognizes that the particular item and the elements of the item may provide for lots of room to do that or less room to do it.

Chair Burt: Cory.

Council Member Wolbach: Would it be appropriate in the language to that effect to specifically refer to the distinction between quasi-judicial agenda items and others?

Chair Burt: Yeah. One way that we might do that is have it as a preface. To the effect that we're not limited by quasi-judicial hearing Protocols or however we want to describe it, and then go on to put it that way. We could simply say ...

Council Member Wolbach: Where appropriate?

Chair Burt: Yeah. Within the quasi-judicial, it doesn't mean that they can't provide any alternatives. It's just that they're more constrained. We basically want to acknowledge those constraints and encourage Staff, especially in legislative matters but where permitted in quasi-judicial, to provide alternatives to the Staff recommendation. One of the things that's historically been an issue is in particular when there's reference to Comprehensive Plan policies and programs, to put a balance between those

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policies and programs that support a given recommendation and also to list some that are pertinent where the recommendation may be in conflict. My recollection is that that's been one of the issues. Molly, did you want to wade in on that?

Ms. Stump: Yes. I think the Committee's going in a good direction. If we could be given the direction to draft some specific language that would encourage that, but recognize there may be cases where there might be limits on that process of providing alternatives. We've talked about the quasi-judicial. There may be others. For example, where you are setting municipal utility rates based on Cost of Service Studies. Again, you need to be basing those rates on the evidentiary record before you. There sometimes is an ability to ask for more information, return the item, sometimes less so. Again, I think it's the same general direction that you'd like to see where possible alternatives are provided.

Chair Burt: Ed, did you want to add something?

Ed Shikada, Assistant City Manager: Sure. To pick up on comments the City Manager made last time. In addition to the potentially legal boundaries and the context in which Staff Reports are done, from a policy development perspective and in advising the Council in bringing forward recommendations, the City Manager pointed out Staff's obligation to develop recommendations and effectively defend or justify those recommendations. That said, it is appropriate to expect that Staff would be able to explain some of the dimensions of discretion that exist within developing those recommendations. The language that Molly pointed out works. By encouraging the discussion and the consideration and explanation of the variations that are brought forward to the Council.

Chair Burt: I might put it slightly differently. While recognizing the role and responsibility of the Staff to put forward their best professional recommendations, we're looking for the reports to acknowledge the alternative interpretations of the Comp Plan or relevant portions of the Comp Plan that may be considered. That doesn't constrain Staff from saying, "However, in the net our recommendation is such and such for the reasons we stated." My question for colleagues would be does that seem to capture the intent and do we feel that we've given Staff enough direction to allow them to come back with specific language to reflect that. Tom.

Council Member DuBois: This discussion is coming back to me. I think what we're saying is we want to see the range of possibilities along with the recommendation. As long as that point is clear. Ed, what I heard you to be

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saying was more detail on justifying the point of view, but also more about the range of options.

Mr. Shikada: Understood.

Chair Burt: Are we okay? Great. The next item has to do with meeting efficiency and public participation. This is really just about trying to anticipate, either before a meeting or during a meeting, if things are drifting off of an initial schedule to inform the public as best we can. That doesn't seem very contentious to me. Yes, we could have it as a Policy to do so. I'd put it in this category that one of the functions of the Policies and Procedures is just to remind us of good practices when we go through. Even if it's not stipulating what shall be done, it's very helpful to not have to have every Mayor reinvent the wheel and think of what are best practices, but just to give recommended guidelines. Molly, was there something you wanted to add? No. Anybody have anything in particular on that? Other than that, maybe we just include it as essentially a note of a practice. Marc.

Council Member Berman: I agree completely, but I just want to make sure. Maybe I'm reading it wrong. It seems to have a preference for committing to hearing the public who have come to speak to an item in the timeframe that the item was noticed. Then it says if this can't be accomplished ... In our Policy and Procedures, I wouldn't say that it's a hard and fast rule that the public will have the opportunity to speak during the time that was advised in the agenda. There's always terminology on the agenda that says the timeframes are just guesses or whatever the phraseology is that we use. I think that would be very disruptive, if we were to stop a conversation and then hear public comment on a different topic and then go back. I wouldn't recommend that. What you were recommending earlier is the right idea.

Chair Burt: That's a good point. Let's look at that first sentence there. That's a little different from what I was alluding to. If the public comes to speak to an item, we have one question. Do we want to make sure that we make every effort to allow them to speak even if we're not going to be able to take that item up in full that night? We've been doing that. Sometimes saying, "We're going to continue the item, but let's allow the members of the public who came tonight to speak to it." Then we have another question of to what extent would we feel obligated to allow them to speak in the timeframe that's on the tentative timeline on the agenda, which is clearly just an advisory reference point. I would agree that we don't want to have the meeting be disjointed to achieve that, even though we do want to make efforts to allow them to speak in approximately the timeframe that we and they are anticipating. Tom, did you have suggestions?

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Council Member DuBois: I'm just looking through my notes. In my notes, we completed through Section d last time. Looking through the Minutes on Page 26-27, it captures what we're saying right now pretty well.

Chair Burt: Good. I have to say that for whatever reason the Minutes in the packet were not the intended Minutes, and so we didn't get them until an hour ago.

Council Member DuBois: I know. I'm just looking at them right now.

Chair Burt: I got through about half of the Minutes. What do you find there?

Council Member DuBois: On Page 26 and 27, we talked about the intent to stay on schedule. Let people speak at the right time. Rather than committing, we softened the language. It seems to be in line with what we're saying right now.

Council Member Berman: We affirm that one.

Chair Burt: At least we're thinking consistently.

Council Member DuBois: So far this seems to hold together pretty well. It doesn't seem like random items popping up. If you guys have enough here, we covered this one.

Chair Burt: Good. I'm sorry. Go ahead.

Council Member Wolbach: I'm sorry. It looks like we continued maybe during item 2d.

Council Member DuBois: I think we stopped right after d.

Council Member Wolbach: Did we really conclude that discussion or were we just starting to share thoughts on that with no consensus?

Council Member DuBois: That's right about where we stopped. We could probably pick it up there.

Council Member Wolbach: I'd be okay with jumping back to 2d.

Chair Burt: That was the next thing. We were on c, and the next thing I was going to ask about was d. From your reading of the Minutes, did we get through a recommendation for d or just part way into discussion?

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Council Member DuBois: I think we agreed that we didn't want a hard ending time, at least I didn't want a hard ending time. Then we were talking about current Policy around looking at the schedule at 10:30 and deciding what to do.

Mr. Alae: On Page 28 of the Minutes, it states that Council Member Wolbach suggested that the Council vote on taking up items after 10:30 or extending the meeting beyond 11:00 or 11:30.

Chair Burt: At that time, our meeting was pretty late, and I suggested we continue that item. That's where we apparently left off, which was Cory suggesting that the Council vote on taking up items that begin after 10:30. Our existing Procedure, let's just refresh ourselves on that.

Ms. Stump: It's on Page 8 of your Procedures. It says that the Council makes every effort to end meetings before 11:00, also generally does not take up new matters after 10:30. Before 10:00, the Council will decide and announce whether it will begin consideration of any agenda items after 10:30.

Chair Burt: Cory, does that differ from what you were suggesting?

Council Member Wolbach: Give me just one moment please. I don't think that we've been following that current Procedure very closely. That's a good refresher. (crosstalk)

Chair Burt: This is on taking up items. I think we actually have.

Council Member Wolbach: Okay. The idea of having the decision before 10:00, about whether we're going to take something up later, that gives good guidance if there's a situation where for some reason it's after 10:00 and we do make a decision that we want to press through with something. I don't want to feel constrained. If the current language allows for that flexibility, then I'm fine with retaining it as is.

Council Member DuBois: I agree it's pretty good the way it is in this regard.

Chair Burt: Okay. Marc.

Council Member Berman: I agree that it's good the way it is. Should we—whether just through advice to Staff or actually putting it in the Policies and Procedures—have some mechanism in there that says—this past Monday we didn't necessarily follow it. I think we took up an item after 10:30 without

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having a discussion about it before 10:00. Maybe the City Manager at 10:00 or the most opportune time stops the discussion to remind the Council it's 10:00 and it has another item or two more items. That might spur us to either be more concise or decide at that point that we're not going to take up the following items.

Chair Burt: I don't know whether that's something the Clerk might be able to track as a reminder.

Beth Minor, City Clerk: (inaudible)

Chair Burt: Good. Should we then put language in here that says that the Clerk will make efforts to remind the Council? I don't know if that starts getting a little ...

Council Member Berman: That could work. Remind the Council of this Policy.

Chair Burt: Or to raise the need for Council to consider taking up an item. Molly, do you want to wade in?

Ms. Stump: My suggestion would be at that level, it's really more direction to the current Staff and a reminder. Your Procedures now don't include that level of instruction to support Staff.

Chair Burt: Good. The other thing that was in this recommendation from Vice Mayor Schmid was a hard ending time at 11:00 P.M. I can't remember whether we specifically addressed that in any way or what the consensus is of the Committee on that. Cory.

Council Member Wolbach: The key question here on Council Member Schmid's recommendation is what qualifies for an extreme circumstance. He allows for the qualification that there can be exceptions under extreme circumstances.

Chair Burt: That's only key if we think that extreme circumstances are the only time that we would continue an item past 11:00. If we don't go past that threshold, we don't have to worry about extreme circumstances.

Council Member Wolbach: Good point. I'm not terribly excited about this idea.

Chair Burt: We guessed that. Maybe this is a good opportunity. I know a number of times you've pushed to have us barrel through. One of the

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overriding considerations in why we attempt to do this is not whether the Council can endure—although there is a question of whether we make the best Policy at that time—but whether we do the public's business when the public is awake. That is a transparency and public participation issue aside from the question of the quality and endurance of the Council.

Council Member Berman: I agree 100 percent. Maybe one thing we could say is no new items will be taken up after 11:00 P.M. other than the Council comments which is always the last item. If it's so substantive that we feel like we need to take it up, we probably shouldn't be taking it up after 11:00 P.M. anyhow.

Chair Burt: The only exception that I've recalled to that and the only one that seems to make sense is something that truly is urgent and, for whatever reason, it was agendized toward the end of the meeting. That's where maybe this extreme circumstances or ...

Council Member Berman: Extenuating.

Chair Burt: Yeah. Extenuating or urgencies. It's implicit in that if we're going to start an item after 10:30, it has to have a vote. That doesn't give guidance that says we shouldn't be starting anything after 11:00 unless it's a real urgency. Maybe we want to add that? Tom.

Council Member DuBois: I don't. We're nine adults. I don't know if we need to be that specific. We can make the judgment call. I like the language that's in there, that we do the check at 10:00.

Chair Burt: Okay. Anybody else? All right. E is when the Council time estimates call for it, limit Council times for questions. Then it says pre-Council written questions should cover most key issues.

Council Member DuBois: There's a whole bunch of separate points about time management. I'm wondering if going through these in the order that they're here is the best way to do it.

Chair Burt: I'm not sure it is, but I haven't organized them in a different order. If you have suggestions, I'm open to it.

Council Member DuBois: Should we look through this and the next Page and pull out all the meeting time?

Chair Burt: I see. It does jump around there.

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Council Member Wolbach: They're organized by Council Member who submitted them, I think.

Chair Burt: No. (crosstalk) Meeting Management section.

Council Member DuBois: In this Meeting Management section, maybe pull out from each Council Member the issues that have to do with time.

Chair Burt: Yeah. There is some repetition. Like Council Member Kniss says just the topic of time and topic management. That's not specific.

Council Member Wolbach: J iii, which is Tom's chess clock, certainly applies. Two was mine, similar to that, also talking about having a clock or timer.

Chair Burt: How about this? We see a number of items that are—3 appears to be time management also. 2e and f. We could open discussion on any of the time management issues or we could proceed sequentially as they're before us, even though that may not be the most efficient way to do it. We also have an obligation to take up whatever was referred to us, even if we don't need to have a whole bunch of discussion before determining whether we're going to accept it or not.

Council Member DuBois: I'd suggest we look at 2e and f, j iii and iv and ii, which are all the ones specifically about timing.

Council Member Wolbach: Those ones in particular refer specifically to constraining or encouraging Council comments to be brief. The others refer to Staff or Staff Reports. We could take those up maybe as a separate group.

Chair Burt: Let's go through 2e and then 2f, and we'll just jump over there. Limit Council time for questions. That's something that the Mayor has discretion with the consent of the Council to do and has been getting done as a request more than a binding limitation. One question is do we think that works and something we want to continue to allow. If so, then we want to have some language that would reflect that. I don't see anybody jumping in. Tom.

Council Member DuBois: Having done this for several months now, I'm starting to lean towards harder limits particularly around question periods, because we usually follow it with a more open-ended comment period. Sometimes we'll say we're going to do a three-minute question round, but the timing and enforcement of that round is inconsistent. When the public speaks, they get the green, yellow, red lights, but we don't get that. Even if

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we say we're going to do a three-minute question round and we had a three-minute countdown clock that we could see. I feel like that's the first step. If people ignore it, then maybe we have to come back and talk about something else. A lot of times we'll say it's a three-minute question round and several people will stick to three minutes, a couple of people won't. It's not really equitable.

Chair Burt: Let me add a couple of other considerations. One is that these are questions. If a Council Member asks a question in 10 seconds and Staff takes 2 minutes and 50 seconds to answer it, that's problematic. If a Council Member uses the question for rhetorical questions that are really their own advocacy of policy positions, that also is problematic. The third thing is it's important that the public participation be adequate, but the Council and the public are not equal participants in creating legislation.

Council Member DuBois: I was using three minutes as an example, not to say we should only have three minutes. When the Mayor says, "Let's do a two-minute question round or a five-minute question round," it doesn't usually happen that way. That was my point.

Chair Burt: One of the problems is that we don't have visible to Council Members the amount of time. A countdown clock being visible would be useful. We've talked about this, and that doesn't require being in the Procedures. I wonder if that's something we might be able to get out here. It could even be below the table here and just reset, or maybe below Beth. I don't know if it'd have to be wired so the Vice Mayor would start it. It's really disruptive when the buzzer goes off and a Council Member is in the middle of a question. I find that offensive and disruptive to clear thinking. It would be helpful for us to have that visibility of how much time is going on. Between a guidance from the Mayor with the consent of the Council and an awareness, I think that goes quite a ways.

Council Member DuBois: Your point about asking a question and getting a ten-minute answer, I don't know how we manage that. Maybe another approach is to do a round based on number of questions. Council Members could ask three questions each or something. I don't know. It's a tough issue. Like you said, if you ...

Chair Burt: It is. We also have items where a Council Member may have no familiarity or didn't do any homework on an item. Another Council Member may have familiarity and a set of questions that are valued by the rest of the Council. We do have times where we have gratuitous questions. We're not going to solve all those problems. Those are just some of the vagaries of how this is going to go on. The more rigid we are, the more we don't allow

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for flexibility that may be valuable. It's a balance. We also don't want to have no constraints. From my experience, what we've been doing this year in suggesting time limits on those has been helpful. If we aren't looking for it to be a perfect cure, then it's in the right direction. I would like to see a countdown clock. That would be additionally helpful. Cory.

Council Member Wolbach: That actually is very similar to what Tom was suggesting in j iii and what I was calling for in 2. We'll probably have a lot of consensus that that wouldn't be a bad idea. One question there is do we want to put it somewhere where it's public or just for our reference, facing us. I'm open to either of those. One other thing we might want to consider, whether it's in written Procedures or just as practice, is if a Council Member asks a question that has a necessarily long explanation from Staff that uses up that Council Member's time and that Council Member has some other questions, just to ask at the pleasure of the Mayor and the rest of the Council if they can continue with their questions in that situation.

Chair Burt: It's a question of whether that's required, given that these are not binding as it is. In response to one of your questions, the clock should be visible to the Council and not to the general public. Tom.

Council Member DuBois: It's a good step. What I was proposing went a step beyond that, which was a budget of time for each Council Member for the evening that they would manage between questions. The idea is that I would set the chess clock, but you would have 40 minutes or 50 minutes. If you use zero minutes on Item 3, you'd have more time for Item 4. That was the idea, but in the concept it would be almost a tally of how much time each Council Member was speaking. I have a feeling we don't want to go that far, but it was beyond just a countdown per question.

Chair Burt: I wouldn't support that. I don't know how others feel.

Council Member DuBois: Not to argue this point, but what we're trying to get to is a way to force Council Members to prioritize their comments, be more succinct, but also don't ask spurious questions. If we had something like everybody gets five questions or three questions, it'd really make you think about if you're asking the three most important questions. Again, a countdown clock is a good first step, but if we have other ideas to get more to forcing people to prioritize a little bit, it would be a good step.

Chair Burt: I'll give you an example of where I personally would run into this problem. There are areas where—in part because this Council has fewer people with land-use experience and some of these other areas—nobody would go until I would on those items. My preference would be to go later

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and allow colleagues to ask as many of the questions as I might want to ask. I might have ten questions that I know need to be asked, and I don't want to be the one who asks all of them. It creates that kind of dilemma. Where I felt pressured by colleagues to ask as many of the important questions as possible, and it wasn't my choice.

Council Member DuBois: It raises a different issue, but it's tied to this, which is instead of on each item seeing who wants to go first, should we have a rotation? You go first on an item, and then Cory goes first and then I go first. It just rotates. That way it's not a waiting game for who's going to ask questions last or who's going to ask questions first. There would be a set order.

Chair Burt: If I might, Marc? There are tradeoffs to that. That works in this regimenting mindset, but that's not the best way to make legislation and the best way to conduct the arguments. Yeah, it parcels things, but it doesn't necessarily result in the best discourse. Marc.

Council Member Berman: In an ideal world, some of these things might work. When you think about it logistically, how would it work? You'd end up with arguments on Council about that second thing wasn't a question; it was a follow-up to the first question. I worry about what we're talking about creating, nobody would be able to manage it. Plus who would do it? The Mayor and the Vice Mayor normally serve that role, but they're also trying to follow the dialog and have their own thoughts in their head. The City Clerk's not going to be keeping track of that stuff, I don't think. You all seem pretty busy enough during the meetings as is. We just need to be cognizant of some of these logistical hurdles as well. This is something we talk about every year. Maybe this year we take some steps forward to see if maybe they are having a positive impact. If they're not, we can reevaluate next year.

Council Member DuBois: I like the idea. We have one idea that I haven't heard anybody disagree with. Can we come up with one or two others that we do as experiments?

Chair Burt: We've already done them. Let me give some context. As I said about ten minutes ago, the practice of the Mayor with the consent of the Council saying, "I'd like colleagues to try to limit their questions to X number of minutes," hasn't historically been common. It's been helpful this year. As a result, it's moderately improved the questioning period by colleagues. We seem to have consensus on the value of us having visibility for a chess clock or something. That's two right there. I would argue that those aren't very constraining, but they're constructive. If you start going in the other

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direction, there are clear tradeoffs to every one of the things that you're advocating. Just as we discussed in our last meeting, let's be cautious about overshooting in our corrections. We can always come back and calibrate it a little bit more. If you go from one swing of the pendulum to another, you probably haven't got it right, because these really are circumstances that have pros and cons to every one of these alternatives. Cory.

Council Member Wolbach: Beyond what we've been doing with the practice of the Mayor saying we're going to use this round for questions and do a later round for comments and Motions and a clock that we can see—the idea of having a clock that tracks overall speaking time—I would exclude the time that it takes for Staff to respond. Through the course of the meeting, it might be useful if it's not too much burden on Staff. I'd be open to that as long as there's not the constriction accompanying it, just as constructive information for Council Members to be aware.

Chair Burt: You said as long as it's not too much burden. Logistically how are you going to do that in the middle of a meeting, track each Council Member's time and then subtract the Staff response times?

Council Member DuBois: If there was a timer on the on/off at your mike, then it would be up to each Council Member. Again, as an experiment to see.

Chair Burt: You guys are trying too hard on this. Marc.

Council Member Berman: I'm with Pat. Just logistically speaking, I don't see how we accomplish that. I like the ideas, but a lot of people leave their mikes on probably for too long or they talk without having them on, if you're Greg Scharff. We've got two pretty good ideas; let's move forward on those and see if that helps our meeting management.

Council Member DuBois: Before we move on, I'm not really advocating for any position. I was trying to throw out ideas to spur other ideas. It feels like very small steps, and I don't have a lot of confidence it's going to make a big improvement. I would just ask you guys if you have any other ideas, even if it's something we just try for a meeting or two in a way the public doesn't see. If we just want to try some things, I'd be up for that.

Chair Burt: We've already tried one with moderate success this year. Having the visibility of a clock is another one. Those are my two.

Council Member Berman: Pat, I don't know if you remember it. I think it was last year or the year before where we tried the Vice Mayor keeping track

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of the time that people were talking. It didn't work. The Vice Mayor just forgets and gets caught up in the meeting. Frankly we shouldn't be placing that burden on the Vice Mayor. I'm open to other ideas so long as they're logistically feasible and will have more benefits than tradeoffs.

Chair Burt: I'll add one other thing that in 3 1/2 years we'll have a smaller Council, and that probably will have some benefit in some of these regards. Cory.

Council Member Wolbach: I'm fine with moving forward with just having one change for now. A question is if, as Tom's suggesting, we try something on an experimental basis, then we could do that without it being in the Policies and Procedures, especially if it's not something that's constraining. If we want to establish a timekeeping system that's connected to our on/off switch on our microphones just for our information, I don't think that needs to go into this document. We could probably try that if we wanted to. I would actually be okay with that. That would be a simple logistical way to do it.

Chair Burt: It's not simple electronically.

Council Member Wolbach: It would be logistically simple during the meeting and would not require a lot of extra Staff or the Vice Mayor's attention, but it requires the electronic setup.

Chair Burt: This is not a smart mike. Tom.

Council Member DuBois: We talked about questions. Vice Mayor Schmid also had an item on comments. We really haven't talked about comment time separately from question time.

Chair Burt: Let's see if we're done with the question time part. We have a consensus that this would not be in part of the Procedures, but we want to try to get a clock visible that could be ...

Council Member Berman: You might need two. Me on the edge over there, I can't see anything that's ...

Council Member Wolbach: Get one there and over there.

Chair Burt: Whatever. One or more countdown clocks would be visible to the Council.

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Ms. Minor: I can look into different options that there are. If they're in two different locations, it might be difficult for Staff to stop and start them.

Chair Burt: No, they can be wired together. There's no problem there. They'd be showing the same thing. You wouldn't be running them with two different toggles; you'd have one toggle.

Ms. Minor: Right. We'd have to figure how we could do it so that all of it fits in here, to be able to have one there and one here and be able to do it.

Chair Burt: That's easy. It's just cantered slightly from here for the person at the far end and vice versa. That's physically not much of an issue.

Council Member DuBois: Let's just get the scoreboard clocks from the Paly gym before they tear it down, and then we'll have the air horn that goes off.

Chair Burt: That's your new one that you wanted to add? Spoken like a basketball player. Cory.

Council Member Wolbach: My guess is the answer is probably not easy. Is there a way that's not too difficult that it could be displayed on our screens?

Chair Burt: Our time?

Mr. Alae: We get the sense where you guys are going with the countdown clocks. Let us research the technology available and how we can integrate that into the existing system and not make it too complicated and have to go through the RFP process.

Chair Burt: That's right.

Council Member Wolbach: That takes care of my whole issue under 2.

Chair Burt: Tom, the next thing you were bringing up was the discussion.

Council Member DuBois: I don't think we've really limited that at all.

Chair Burt: One limitation. There are some things in the Procedures that place certain limits. One is we're limited to one round on each item that we're going to vote on. If somebody else speaks, then everybody else has a right to the second round. We've been having that not followed rigidly. Under existing Procedures, that's under the discretion of the Mayor. It's not the need for a new Procedure. Some of these things have always been a question of how the Chair exercises the existing rules as well.

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Council Member DuBois: I don't have a specific proposal right now. I made a comment about trying to change the culture so that everyone doesn't feel like they have to speak on every issue. We've been talking about sticks; are there incentives we could consider? If somebody doesn't speak on an item, they get extra time on another item. I don't know.

Council Member Berman: The incentive is we get to go home early. Sorry, I didn't mean to interrupt.

Council Member DuBois: I was done. If you guys don't think there's anything to be done in addition, we can move on.

Chair Burt: I'll just make one comment. This year we've had late meetings, but in comparison to other years we are having more substantive agenda items that we have actually been working through. My overall sense is that we're having moderately good efficiency per substantive agenda item, but we have more substantive agenda items this year. We are having long meetings. I actually perceive some improvement in the efficiency of the meetings despite their length, because (crosstalk).

Council Member DuBois: Yeah, I'd agree with that. We've taken on some really big issues. Changing course takes a lot of time and discussion. If we were just on a roll and not making substantial changes, it would go a lot quicker.

Chair Burt: Any other discussion on limiting discussion time? No recommendation to do so, then? Okay. Let's see. Anything else under Meeting Management that we haven't covered through the discussion we just had? Cory.

Council Member Wolbach: There's a couple of things we might put under that category. Tom's suggestions, under j ii, public comment. Also Suggestion I about breaks.

Chair Burt: Let's go to j ii.

Council Member DuBois: Could we go to j i first?

Chair Burt: Okay.

Council Member DuBois: If we look at the meeting from beginning to end, the idea is where could we save time. A lot of times we'll have an hour for an agenda item with no real assignment for how much each component of

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that hour is used. This wasn't necessarily that Staff was taking too much time. It was the idea that whatever time we have for an agenda item, allocate so much time for Staff, for questions and try to manage items so that we don't get behind schedule.

Chair Burt: Good comments. One of the things we're doing tonight is looking at changes to Policies and Procedures. We're going to want to separate where we're talking about good practices versus any specific recommended changes to Policies and Procedures.

Council Member DuBois: This point would be emphasizing that Council Members should have read the reports and that the time for presentation or overview should be kept to a certain percentage as a recommendation or guideline.

Chair Burt: Marc.

Council Member Berman: I'm intrigued by the idea of having a percentage of the allocated time be for Staff Reports. Staff Reports are always very informative, but sometimes—one time recently that comes to mind—the Staff Report was twice as long as it needed to be for the item. Staff Reports hold a dual purpose. One is for the Council and one is for the public. I don't expect the public to read the Staff Reports. I'd still want to encourage the presentations to be thorough, but I want to encourage them to be more concise.

Chair Burt: Let me add here this is akin to Council Members speaking. We don't want Council Members to speak and waste time. We don't want Staff Reports to waste time. We have times where we have Staff Reports that basically Staff says, "No. We don't need to make any written presentation." We have other times where there's a need to be more than this 15 percent.

Council Member DuBois: Again, that was a number. If we have an hour, is 45 minutes too long for the Staff Report? Probably.

Chair Burt: You're saying if we have an hour. What I was trying to say was I don't see a way to have a rule that covers all circumstances.

Council Member DuBois: Again, I was saying encourage or suggest, not a hard limit. Like we were talking about our own time, give a guideline.

Chair Burt: That's not the way this is written nor was it stated. Cory.

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Council Member Wolbach: It looks like the City Attorney has a comment here. I'd (crosstalk) as well.

Ms. Stump: Just an observation. I agree this really varies depending on the item. Sometimes no report is needed. Sometimes there is time that's needed. The amount of time that's needed may change between the time that the packet is published, ten days before, and when the meeting actually occurs. It can be influenced by questions that have come up in the community and questions that the Council has asked. Perhaps this is really a suggestion to the Chair. At the pre-Council, the City Manager gets a chance to talk with the Chair about what is the current situation. The Chair can jot down some guidelines, perhaps even share them with his or her colleagues, about how they foresee managing that item that night, rather than trying to publish it or trying to make a rule about it.

Chair Burt: Marc.

Council Member Berman: That sounds like a good suggestion. I don't even know if it's the City Council's role to make limits on Staff Report or if it's the City Manager's role. I don't know that dynamic and how that would work. We can provide good guidance and suggestions tonight, but I don't know how it would fit in our actual Policies and Procedures.

Chair Burt: Cory.

Council Member Berman: We're actually right now talking about both j i and also j vi, combined. I'm more interested in j vi than in j i because, as we've discussed, it's hard to have a general rule when things vary so much. The City Attorney's comments are very interesting and a good reminder that things can change between the time of publication of an agenda and the night of the meeting, as far as how substantive the Staff presentation might have to be. I do like the idea of having something, even if it's just as an estimate. I don't know if there's a way to do that that's either part of the agenda or supplemental to the agenda, so that it's not bound by the rules of the agenda publication. I'm trying to think if there is a way to do that as a guideline that could be updated on the day of the meeting and available in the back of the room. I'm open to ideas about that.

Chair Burt: One potential is along the lines of what the City Attorney alluded to, which is there can be a reference to the pre-Council meeting. They go over the agenda and a sub-issue within that can be anticipated allocation of time for the Staff Report. That might make it a more deliberate process, so it doesn't just happen. I can't see how something more restrictive than that works in the range of circumstances that we actually have. For you guys

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who are new to the Council, it's all nice in theory to say, "We'll do it this number of minutes across the board." It doesn't reflect the reality of the range of issues and the complexity, from things that are perfunctory to things that are very complex, things that require much more Staff input and things that require much less. This effort at rulemaking just doesn't reflect the reality of how meetings not just do function but how they need to function. There has to be latitude. Hopefully we'll have good meeting leadership. I'm perfectly fine with putting some suggestions and guidelines that will help that, but it's naive to be too prescriptive and try to find a prescriptive solution in most of these circumstances. There may be some where we can, and we've done a few things.

Council DuBois: I don't see anything in the guidelines about the pre-meeting. Can we suggest that for large agenda items ...

Chair Burt: You don't see anything about the pre-meeting or ...

Council Member DuBois: In the guidelines (crosstalk).

Chair Burt: We have it; we do. We may want to expand upon it.

Council Member DuBois: What section is that?

Ms. Stump: It's towards the end.

Chair Burt: Of Procedures, right?

Ms. Stump: It's on Page ...

Council Member Berman: (inaudible)

Ms. Stump: Yes, Page 36. Thank you.

Chair Burt: 3.7, this is where we could provide some additional suggestions. I wouldn't support things that are prescriptive, but it's useful to include, for instance, that they will review the approximate time for Staff Reports versus other portions of an item.

Mr. Shikada: If I could add also, Chair and Members of the Committee? Based on my experience, I would also share that this varies greatly by the, quite frankly, the temperament and the interaction and the tenor of interaction between Staff and the Council. In some cases there can be times at which the Chair can make it very clear to the City Manager that presentations have been going long. That word is very easy for the City

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Manager to pass along to Staff, tighten them up. That can reflect the comfort level that the Council has at any given moment in time. Again, that varies greatly based on what's happening in the community overall and the Council's impression of the matter on which the Staff is presenting the information.

Chair Burt: I'd add that there may be a time where we say, "In the next month, we've got this really full agenda that we've got to get done. At a different time, we might have a different amount of time we'd allocate for an agenda item, but we're going to truncate it." That becomes a guiding principle for a month or two. That's part of the dynamics of the circumstance. I don't think you can try to prescribe this as a set rule. Cory.

Council Member Wolbach: I very much agree. What I'm interested in are those things that provide better information for all Members of the Council and potentially for the public going to the meeting to have an expectation, even if it's only an estimate. If we're going to suggest any changes to 3.7—I'm open to whether we do or don't—it might be to expand Item 1 within that to mention something about estimated length of time for Staff presentations.

Council Member DuBois: I would make it more general, more of Number vi. Instead of just saying Staff time ...

Chair Burt: You said Number vi?

Council Member Wolbach: He's referring to his vi.

Council Member DuBois: I'm sorry, we're jumping between different lists. Discuss interim times for large meetings including things like Staff time, questions, comments, Motions. I didn't want to just focus on Staff time. It was really the idea of the whole thing.

Chair Burt: I would say that for large, complex items, that might be useful. Trying to do that on every agenda item gets ...

Council Member DuBois: (inaudible) large items.

Chair Burt: Yeah. How do we feel about a combination of what Cory and Tom alluded to, which is under 3.7, Number 1, including review of approximate time for Staff Reports and for large, complex items approximate time allocations for different aspects of the agenda item. I wouldn't say that those get published. This is between the Mayor and the City Manager. Is that good enough guidance?

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Mr. Shikada: Yes.

Council Member Wolbach: Just a question there. Would they then provide that, as had been discussed earlier, to other Council Members? So we all have a sense of what to expect walking into the meeting. I'm open to arguments either way. I'm trying to move back to that question that had been raised earlier.

Chair Burt: Marc.

Council Member Berman: The length of presentation time, no. We don't need to know that. I don't need to know that. This year the Mayor has been doing a good job of letting us know at the beginning of items that we're going to have three-minute rounds for questions and that kind of thing. It can be done at that point. I don't know that I need an at-places memo giving me a heads up on it.

Chair Burt: It's really a question of how far we want to go in terms of putting these good practices into our Procedures and Protocols. For instance, what Marc just described is a good practice for the Mayor, under her discretion, to say, "This is a significant item and here's how we have this set up," versus us saying, "Thou shalt do so."

Council Member DuBois: I'm in agreement with that. I'm looking at Cory's n iii which is related to this. Specifically, you're getting to things like presentations that aren't available until the night of the meeting.

Chair Burt: Can you clarify what you're saying here? What you're recommending?

Council Member DuBois: Avoiding reading aloud at meetings. That gets to part of the time of a Staff presentation if they're just reading something out loud. Then making sure that presentations are available digitally, ideally in advance of the meeting. For people following at home, it can be difficult. There are often items that weren't in the packet. I don't know if you want to speak to what you meant.

Chair Burt: Go ahead, Cory.

Council Member Wolbach: When I was providing these, these weren't necessarily things that I thought needed to go into Policies and Procedures. Some of these were definitely just recommendations for best practices for Staff and Council to consider. That's how I felt about that item.

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Chair Burt: It's important to bear in mind that there may be practices that are Staff practices that fall outside of the Council Policies and Procedures.

Mr. Shikada: If I might do a postscript on that as well. At the risk of speaking out of turn, I believe the City Manager would welcome that type of feedback informally at any time. It's often that those can be conveyed on a one-on-one basis and, presuming no conflict typically among the feedback that's coming from Council, then once again the City Manager can immediately act on that with Staff. As a means of maintaining some alignment in feedback on how the presentations are being received and any issues whether they be concerns or perhaps guidance in providing that back to Staff making the presentations.

Chair Burt: Great. Have we covered all the time management stuff? Cory.

Council Member Wolbach: Also within that is the question of whether or not to take breaks, whether or not to prescribe breaks. Kniss mentioned it in Item I.

Council Member Berman: I find that to be a case-by-case basis. I don't know how we'd write that into our Policies and Procedures. That's just my thought.

Chair Burt: Tom.

Council Member DuBois: Just thinking on the fly. If we did know a break was coming up, we might have less people leaving during actual meeting time. That would be the only thing.

Chair Burt: Let me ask this question. Do we think it is appropriate over the course of a Council meeting to routinely have at least one break?

Council Member Wolbach: Yes, I do think that is appropriate. Whether it's in Policies and Procedures or not, I would encourage a five-minute break every two hours.

Chair Burt: We get tempted when we're feeling the pressure of a meeting to cut it out, skip the break. If we as a Committee want to recommend that as part of these changes, there be at least one five-minute break per Council meeting.

Council Member DuBois: I'm not trying to be overly prescriptive, but there'd be value to knowing it was a particular time.

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Chair Burt: It would be valuable, but I don't know how you would know that unless you are willing to break up items.

Council Member DuBois: If it became a tradition that there was a 9:00 break for five minutes, people would not get up and walk out during a discussion.

Chair Burt: The tradeoff is if we always have a 9:00 break at that time, then we'd have to be willing to break in the middle of an important item, to split it for that purpose.

Council Member DuBois: I'm just throwing out there that I see the value of the break in not having people get up. When a break's a surprise, then I'm not sure we're going to get as much benefit from it.

Chair Burt: It doesn't have to be one of those two extremes. The Mayor can say, "Let's plan for a break at the end of this item." That may not be a precise time, but it gives us an estimate.

Council Member DuBois: Maybe the suggestion would be to put it on the agenda between items.

Chair Burt: Except we don't necessarily know how long an item is going to go. Those are only estimates, and they often are far off. This goes back to in a perfect world we could be all prescriptive. That's just not the legislative environment. That's not where we actually do function. Cory.

Council Member Wolbach: I agree with the point about if it's on the agenda, that makes it tough. Items can run long. Having something written in our general Procedures or Policies about recommending a break every two hours would not be a bad thing to include with flexibility given to the Council and Mayor as the meeting progresses. On the question of whether we want to have a break in the middle of an item, that's something where it depends on the circumstances. I want to leave it up to us or the Mayor to decide at that time. I can actually see potentially an advantage to having a break sometimes. If you have a long and very contentious and complex item, sometimes stretching your legs, clearing your head for a minute can actually help you focus when we come back. (crosstalk)

Chair Burt: I'm not saying you would never have one in an item. I'm saying that what you don't want to do is have a rigidly prescribed time, so that you're in the middle of an important discussion and the buzzer goes off and we have to take a break.

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Council Member Wolbach: I completely agree.

Chair Burt: Let me just try to move this forward by seeing whether there's support for simply an addition to the Procedures that each Council meeting will have a minimum of one five-minute break. That doesn't limit it that we can't have more breaks or longer breaks or any of those things. It just puts a minimum threshold and a reminder in there.

Council Member Wolbach: Do we have anything right now?

Chair Burt: No, we don't have anything right now.

Council Member Berman: I'm fine with that. This is up to the Chair of the meeting, but maybe you put the timer on for five minutes. I don't think I've ever seen us take a five-minute break. We always take five-minute breaks, but they never go just five minutes. That's something to keep in mind. I've seen us have breaks run to 15 minutes. That's excessive.

Chair Burt: Having the buzzer on the break is a good practice. I don't think we have to put it in Protocols, but it's a good practice.

Council Member Wolbach: Sounds good to me.

Chair Burt: You're okay with saying we're going to have one break per meeting. We can even say one break per meeting; we don't have to say how long. All right. Let's see. Are there any other things under Meeting Management or we've covered that well enough? It's listed under Meeting Management, but one of the substantive things is Committee as a Whole. We don't have that in our Procedures and Protocols. That's one thing we'll want to discuss. Shall we take that up at this time?

Council Member Wolbach: One item that I'd suggested is less about management within the meeting, but how we schedule and plan meetings. That's what I have under n i. I'm okay with taking it up now or later.

Chair Burt: Let's see if we can dispose of that one quickly.

Council Member Berman: That has some support.

Chair Burt: I see what's there. I thought we had a prior discussion of this maybe at the Committee as a Whole. I don't see how doing this has any relation to reality. Cory.

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Council Member Wolbach: As I mentioned, we talked about this briefly at the Retreat several months ago. My expectation is that this wouldn't necessarily result in fewer meetings, in that we would almost always end up with the second or fourth meetings. Even if this was just a guideline where we have to break it occasionally based on the number of things on the monthly or the annual agenda for the Council. My major reason for suggesting this was to provide clarity and expectations for members of the public, especially about when a continued item would be picked up. Let's spend the first half of the month on this chunk of issues and get through them hopefully in the first meeting. Anything we don't finish we can be put on the second. In the second half of the month, take up another set of issues. In that way when items are continued, they're brought up the following week rather than at some point often undetermined in the future. There might be other ways to achieve the same goal that's less prescriptive.

Chair Burt: It's founded on a premise that we might have second Mondays that we don't need meetings for. That's just not there. What we actually have in our procedures is our regular meetings are only the first three Mondays of the month. It seems like that doesn't exist because we invariable need four. This states it as if we only have a need for two. That's why I'm going, "This is a nonstarter." You said we might occasionally break this. That's not what we'd be doing; we'd be always breaking our rule. I don't believe in rules that are always going to be broken. What's the point?

Council Member Wolbach: Certainly I will acknowledge that the reality, at least over the last several months, has been that we've ...

Chair Burt: It's not the last several months. It's the last several decades, Cory. You've been on the Council the last several months. I don't want to get in a long debate on something that's a nonstarter to me.

Council Member Wolbach: I'm not trying to debate it. We have an obligation to take up the issues, and I figured I'd explain where I was coming from. My goal was to find ways that items that get continued don't get continued indefinitely with a lot of confusion for the public. That's my number one objective with this. If there are other ways that we could achieve that goal, I'm completely open to those ideas.

Chair Burt: We can ask Staff and colleagues, if that's the stated objective, how that might be done. Marc.

Council Member Berman: In an ideal world, at some point hopefully in the not too distant future, we get back to having meetings only the first three Mondays of the month. That fourth Monday can be used for that purpose.

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Pat's right that there's just a boatload going on right now. I haven't been Mayor or Vice Mayor—I've sat in on a couple of pre-Council sessions—so I haven't totally seen behind the scenes. I know it's a juggling act trying to keep all the trains moving on time. I don't think we can set up a system that's that clear cut as to guaranteeing when things will be rescheduled if they're pulled or that kind of thing.

Council Member DuBois: The Mayor's been trying to do that to a degree, by having some extra meetings or more Study Sessions or moving non-Action Items to other times, which is getting to what you're thinking about, freeing up the actual meeting to try to get through items. I don't think we've continued that many items. We've had discussion sessions that have continued.

Chair Burt: When we have continued items and when it has a need to continue promptly, that's what we've done. The City Manager and the Mayor look at what flexibility there is or prioritization there needs to be in the subsequent meeting's agenda. A typical discussion is which of these things are not time sensitive on next week's agenda. They move it about. That's how you go about doing business that recognizes the circumstances of each situation and goes about that thoughtfully. Ed, did you have something?

Mr. Shikada: I appreciate the discussion. I'm not sure this will necessarily help. I would call to the Committee's attention one similar discussion that happened in the Finance Committee over the last couple of weeks, which was to suggest moving portions of the meeting during the business day. As a result, there were some juggling of meetings, and they started earlier on a few of the meetings related to the Budget. Once again, I'm not exactly sure how that would work. Talking about the trains being scheduled, how Staff might organize agenda items if it were of interest to the Council to potentially have some items that were conducive to conducting during the business day to happen at that point in time. Just something for your consideration.

Chair Burt: Ed, I'll just add as a Council that is not by definition full-time positions, the times historically when that's been done is when on a Committee we had the four Committee Members who either had enough discretion in their work or didn't have a conflict. It was by that consent. As the Council as a whole, it'd be a problem. The other factor that goes into that is the public availability for that is less. If it's something that there's a significant public input, then we're less inclined to make that adjustment, even though there are some practical advantages to doing so. I haven't seen a real problem in how we're dealing with unfinished items. It's not

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very common. When it does occur, we have a deliberate process by which we either schedule it for the next meeting or, for reasons that are pretty transparent and rational, schedule it for a different meeting. I'm trying to figure out the problem we're trying to solve.

Council Member Wolbach: I'm fine with moving on. I was fine ten minutes ago.

Chair Burt: Tom.

Council Member DuBois: The next section here where things have been referred to the Council as a whole ...

Chair Burt: Where are you referring to?

Council Member Berman: 2h.

Council Member Wolbach: I don't think we're done with this list yet.

Council Member DuBois: Aren't we? I'm sorry.

Council Member Wolbach: There's the public comment stuff under j ii and m also.

Council Member DuBois: Which section are you?

Council Member Wolbach: Still looking at the (crosstalk).

Council Member Berman: 2j ii.

Council Member Wolbach: Yeah, 2j ii and 2jm—sorry, 2m—are also kind of meeting management. They're both about public comment.

Chair Burt: Let's break those up. They're both about public comment.

Council Member DuBois: I think we already spoke about mine. Previously in the Minutes, it was a suggestion to the Mayor if she wanted to try that basically.

Chair Burt: This issue of whether to take public comment at a time other than the beginning of a meeting. There are some elected bodies that do that. Palo Alto's spirit has been one where—this is reflected elsewhere in our Procedures and Policies—it's to make the greatest opportunity for public participation. Moving it to the end would meet legal requirements and be

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less open to the public for their participation. It goes back to the inefficiency of democracy. The more we're an open democracy and the greater the public process, the more conflict there is with efficiency. We have to decide what our values are.

Council Member Berman: I agree.

Council Member DuBois: Yep.

Chair Burt: Does that cover it? Can we go to committee of the whole?

Council Member DuBois: I was going to suggest we look at these items that didn't make the list next, because they seem to be more for us than the Committee as a Whole.

Chair Burt: You're talking about the backside of the at-places item?

Council Member DuBois: Yeah.

Council Member Wolbach: Just to clarify, what Chair Burt was suggesting is before getting to the items on Page 3 that are assigned to the Committee as a Whole, there are a couple of things relating to Policies and Procedures on Page 2, Item h and Item i, that refer to Committee as a Whole.

Chair Burt: Yeah. We haven't historically used Committee as a Whole. This is something that the City Manager had raised as a way for us to be able to address things where we want the less formal setting and conduct of a meeting that we have as a Study Session, but be able to take action. We've used it essentially in our second Retreat, but it's not in our Procedures and Protocols. We don't have such a critter that's identified there. The first question is do we think this is something we want to adopt as a form of a meeting. Then we can go into the particulars about it. What do we think about having a third category of meetings other than regular scheduled meetings and Study Sessions? Cory.

Council Member Wolbach: As you've stated, one of the primary objectives of it would be to have a more informal discussion, where you have more back and forth for the Council as a whole. That's a question of whether we like having (crosstalk).

Chair Burt: Right. That's the question. What's your opinion?

Council Member Wolbach: I'll be honest with you. Going back to our earlier discussion about the sequence of people speaking in regular Council

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meetings, there have been times in a regular Council meeting when for myself and noticing it for others, I would have liked a little bit more informality and a chance to go back around. Have a couple of rounds of questions. By the time I've heard other Council Members ask their questions, I realized there was something important I'd never thought of before that came to mind. Whether it's in a separate meeting or allowing for a little bit more informality in the regular Council meetings, I would like that.

Chair Burt: It's a separate subject.

Council Member Wolbach: If the regular Council meetings were able to achieve that, then I don't think it's necessary. That's why (crosstalk).

Chair Burt: Let me just say then if it's done in regular Council meetings, we have to revisit the whole conversation we had earlier about restricting time and all of that. This is part of the tradeoff problem. I agree with you. This is part of why I was arguing for flexibility in how regular Council meetings are conducted. We're a deliberative process which hopefully means we're listening to the public and listening to each other. Over the course of a meeting, it may either prompt thoughts or change our minds. That's a good thing. Let's focus for the moment on the concept of the committee of the whole. Let me put it out there so we can move forward. It's a good idea, and we should at least allow for that as a form of meeting that allows the City Manager and the Mayor to use that form where it seems to be the most effective way for the Council to proceed on business.

Council Member Berman: I agree. My concern about all this isn't with the form of the meeting. It's a good form of meeting; it can be helpful with certain topics. I can't decide whether or not it falls under this topic of discussion or not, the frequency of them and the frequency of the non-first third Monday of the month meetings. I'm happy to just throw that out as a general concern. If it comes up later, I'll not bring it up. I don't know if we meant to talk about the frequency of these as well as the benefits of the form of the meeting. I want to make sure that we don't use this as a fifth and sixth and seventh Council meeting of the month.

Chair Burt: Tom.

Council Member DuBois: We had a meeting of the whole, and we're saying it was not defined essentially.

Council Member Berman: Yeah, which is odd.

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Council Member DuBois: I'm looking at the rules on Committees, and the ad hoc committee specifically says it's less than a quorum of members. Was it really just a special Council meeting that we had?

Chair Burt: It was, yes.

Ms. Stump: Legally, yes, it's a Council meeting.

Council Member DuBois: Where it makes sense is for topics where an ad hoc committee may not work because so many Council Members want to participate. The Comp Plan may be a good example where we may not want to appoint a committee of four of us. If a Comp Plan issue came up, we may want to have a committee of the whole meeting. That flexibility is good. The question is how much do we need to define. If we do define it—I'll echo Marc—that we should have a little bit of an indication of how often it should be used or when it should be used.

Chair Burt: I would agree. I'm trying to think about how we would give guidance to not overuse it. Just like a Study Session, it can be on the same evening as a regular Council meeting. We've had a lot of times where we have Study Sessions. We call it a Study Session, because we wanted to be able to dig deeper and have the informality of probing into a topic, but we can't take action. If we could foresee that that may happen, that we may want to take action after a Study Session, then we schedule in succession an agenda item on the topic that was in the Study Session. It gets broken up. If you take what we did at the one Committee as a Whole meeting, we were able to go through and as the meeting progressed say, "Is this a specific proposal? Let's have a motion and vote on it." It was a series of Motions within a broad agenda item. In fact, it was how we got referred a bunch of these. It worked well. I can tell you over the years there's a lot of times where we got done with a Study Session and it got referred to—let me give you an example. We had a joint meeting with the UAC, and we gave five directions that we wanted to see the UAC pursue this coming year. It was a Study Session, so we didn't take any votes on them. If you look at the meeting and review it, there was strong consensus on the Council on all the items. There was almost no dissent. It went back and the UAC thought they had guidance from the Council to proceed. Staff said, "No, there was no vote taken. There's no such guidance." It might be a little more awkward when we have a joint meeting, but it does give an example of how we have Study Session-like meetings where we want to be able to take actions.

Council Member DuBois: There's a lot of good language in the language around ad hoc committees that we could use.

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Chair Burt: Give us the Page and stuff.

Council Member DuBois: Make sure I have the right packet. I'm looking at (crosstalk). It's Page 26 of the Protocols and Procedures. It's a limited basis where necessary to study City business in greater depth than possible in time allocated for a Council meeting. The Mayor would decide when there is a committee of the whole. The difference here is that it's all members instead of less than a quorum. If we just directed Staff to model it on this, change it where it needs to be change. That would accomplish it.

Chair Burt: Does that sound good?

Council Member Berman: Sure.

Chair Burt: Thank you. Pardon me?

Council Member Wolbach: Sounds okay to me. Obviously the Brown Act would apply, so that would be one of those things that Staff would remove, that language.

Chair Burt: Molly, does that sound good? Okay, great. Before we go to the at-places memo, do we have any other things that we haven't gotten through on these referrals? We're going to have the whole discussion on what goes into the Committee as a Whole. We have a whole Page of that, Page 7 of the packet and Page 3 of the referral items.

Council Member Wolbach: I've been trying to check these off as we've been going through them. I don't know if we've addressed Schmid's Item 2g, give Council periodic agenda item to make comments on Council agenda priorities. That's on Page 5 of the packet.

Chair Burt: We do receive from the Clerk the upcoming agenda and then those things that are a list of future agenda items that no meeting date has been set for. Correct?

Ms. Minor: That's correct. There's also another one that I'm sending out that now lists the Action Items and Study Sessions.

Chair Burt: I don't see what prevents Council Members from doing exactly what Vice Mayor Schmid is asking for.

Council Member Wolbach: Yeah. I'm just trying to put myself in his shoes, which is very difficult. I wonder if maybe he's referring to our annual

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Priorities, a periodic chance to have a Study Session or a committee of the whole or some agendized item to discuss how we're making progress towards those annual Priorities. I wonder if that's what he means.

Chair Burt: Which letter again are you referring to right now?

Council Member Wolbach: G. I could be wrong. I'm just trying to read it. It's give Council periodic agenda items to make comments on Council agenda priorities. I'm trying to think why would we want to have a periodic discussion of our Priorities, except maybe just to see how we're making progress on it. I don't know if that's ...

Chair Burt: I'm trying to think through that.

Council Member Wolbach: I could be mistaken or reading into it.

Council Member DuBois: The question is if we individually mail in questions or comments from the upcoming agendas the Clerk sends out, is that the same thing as having a periodic discussion of are we spending our time on the right things. I think that's what he's trying to get to.

Council Member Wolbach: Like a midyear review. Maybe after the break, check in and say, "How are we doing on our Priorities that we set during the Retreat." I'm not sold on it, but that's what (crosstalk).

Chair Burt: It's a separate question whether that might be a good practice. Is that something that a Council Member raises at Council Comments and says, "I'd like to ask this to be agendized." Do we put it into our regular Procedures and Protocols? Holy smokes. (inaudible) one-by-one. What are the thoughts? I'm not yet convinced that it should be in Procedures and Protocols.

Council Member Wolbach: That's where I am.

Chair Burt: Not a bad idea, but leave it out of Procedures. Do we want to go into the Committee as a Whole in greater depth?

Council Member Wolbach: Maybe Tom is right that we should address these first, because they ...

Chair Burt: Okay. I can do it either way. The suggestion has been made that we go to the at-places memo. Most of these are not Council Policies and Procedures. These are not changes. We're going to go off topic here if

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we do that. I'm okay. This is informal enough, but these are things that are specifically not in the Procedures and Protocols.

Mr. Alae: Chair Burt, that is correct. That's why they weren't in the original Staff Report. In conferring with the City Manager before we brought the item on the 8th, he said that we better bring them because they were brought up at the Retreat.

Chair Burt: Let's put those off until the end, because they're out of sequence.

Council Member DuBois: Where is something like the revolving door policy captured?

Chair Burt: Wait. We're going to talk about that later.

Council Member DuBois: Where is it, if it's not in here?

Ms. Stump: It's in the Municipal Code.

Chair Burt: We'll talk about where it is when we bring up that item. Committee as a Whole. Here are some of the sub-subjects. We've already asked Staff to frame it around the way we do ad hoc committees and things, but let's see whether there is anything else here that we would add to that direction as a result of considering what's before us. 1a sounds specific to a one-time event and outside of what we're discussing here. We've already addressed in the Committee as a Whole 1b. That does need to come back to the Council. I guess it would come back when we have these changes to Procedures.

Mr. Alae: Correct. Presumably we'll get through everything tonight. If we don't, then we'll have another meeting. We'll bring all the changes back in the Manual to you, and then we can review it again.

Chair Burt: In the interests of proceeding, interrupt me if you disagree. I'll say 1a is not applicable to Procedures. 1b was already covered by the Council as a whole. We do have the discussion of Core Values, but that should be over on this other sheet. It's not part of the Policies and Procedures.

Council Member Berman: Are they trying to ask here what types of things should be sent to a committee of the whole?

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Mr. Alae: Yes. Just to frame this for the Council again. At the Retreat, these items were already referred to the committee as the whole.

Council Member Berman: We already did that.

Mr. Alae: (crosstalk) Committee as a Whole. We've just identified them here for you in case you wanted to have a more substantive conversation.

Chair Burt: This is not about the nature of the committee as the whole. This is about potential agendas of the Committee as a Whole.

Mr. Alae: Topics that will be discussed.

Council Member DuBois: At the committee of the whole meeting, we said that we may discuss these at Policy and Services but they'll (crosstalk).

Chair Burt: Sorry. That's different from what I understood. My apology.

Mr. Alae: Correct. This is just in case you want to add any more substance or give us more direction to do homework before we bring them back.

Chair Burt: As we go through this meeting, this like the things at-places is outside of our Policies and Procedures. At the beginning of the meeting, if you recall, I said, "There are some other things in our Policies and Procedures that were not identified by colleagues going into the start of the year." We have our annual review of Policies and Procedures. I had some notes and other colleagues may have notes about issues that need to be cleaned up in Policies and Procedures. At this time, I'd like to go into any other recommended changes to Policies and Procedures. If possible, do it sequentially as we have them in the existing Policies and Procedures. I have some notes, but others can proceed first if they have any.

Council Member DuBois: Can we just go through the Pages and then you speak up (inaudible)?

Chair Burt: I'm trying to remember at the last meeting whether we did proceed that way sequentially or no.

Council Member Berman: I don't think we'd gotten to that point, because ...

Chair Burt: If we can do it expeditiously and only pause where we actually have recommendations. Page 1, 2 or 3, anything?

Council Member Wolbach: I don't have any.

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Chair Burt: I have something small on Page 5. Maybe I mentioned this last time. It's this directive that says meetings will begin at 7:00 P.M. I'd say more language of "are to begin" or "are scheduled to begin."

Council Member Berman: Frankly they all begin at 6:00 now anyhow.

Chair Burt: That's a good point. We should say that the regularly scheduled meeting time is 7:00 P.M. Is that a more accurate way to put it?

Council Member DuBois: Should we talk about changing the regular time to 6:00?

Ms. Stump: That was done last year. The Municipal Code now reflects that the Council meeting starts at 6:00. This just needs to be trued up.

Chair Burt: It does say that it does start at 6:00 or it may start at 6:00?

Ms. Stump: No. It provides for a regular start time at 6:00. When the Clerk notices a meeting for 6:00, it's a Regular Meeting. When she notices it for 5:30 or 5:00, it's a Special Meeting. It's an Ordinance that Council passed.

Chair Burt: What if we don't start it at 6:00? What if we start at 7:00?

Ms. Stump: That would be a Special Meeting also.

Chair Burt: That's a Special Meeting at 7:00.

Ms. Stump: The Council passed an Ordinance last year. For more than a year, every meeting was a Special Meeting starting at 6:00, so the Council passed an Ordinance providing the regular start time would be 6:00.

Council Member Wolbach: You said this just needs to get cleaned up to reflect that.

Ms. Stump: The Municipal Code trumps the Procedures, but Procedures should be aligned.

Chair Burt: We'd need to just reflect that, say the regularly scheduled meeting time is 6:00 P.M.

Mr. Alae: Just to add onto that. When the Municipal Code was updated, the Clerk did update the Procedures with some minor edits. We haven't

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brought that forward pending this conversation. If you look in the next paragraph, it's been changed to the sentence that begins with it is City Policy to make every effort to complete and distribute an agenda and related reports by the proceeding Wednesday. It's now been converted to Thursday, 11 days prior to the meeting. That's been updated as well.

Chair Burt: It might be useful to not only say that the regularly scheduled meeting start time is 6:00 P.M. Other start times will be listed as Special Meetings. Maybe it's clear enough elsewhere, but this might be the appropriate location, so that in one place it says what Molly just described.

Council Member Wolbach: Would that go under a or would it go under b, which is Special Meetings. Just to say any meeting starting at a different time.

Chair Burt: Either way.

Ms. Stump: You certainly could say that. That is what State law requires, but you could repeat that here if you'd like.

Council Member Wolbach: That clarity might be useful.

Chair Burt: Just a note under c which is our Study Sessions. It says it's intended to encourage in-depth discussion. What we do have sometimes is direction and moderately frequently because they're typically one hour, you'll have one round of questions. My point is that seems to be in conflict with the stated intention of Study Sessions. We lose that ability to have discourse and follow-up questions. It doesn't mean that we have to change this. It's one of those where we need to reflect on abiding by it. It says it's in an informal setting. Some are on the dais, and the setting is not any less formal. That probably needs to be changed to something that says it's conducted informally or less formally. Does it ...

Council Member Berman: Unless us being crammed together is informal. That's right.

Chair Burt: I like the idea of having them in other settings.

Council Member Berman: We just don't always do that.

Chair Burt: Those are my comments on that. A new e would be where we'd put in Committee as a Whole. On 2.4A, it says attendance required. Maybe that's okay. I don't know what the consequence is of not doing what's required.

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Council Member Berman: Levy fines. This is so vague it's fine.

Chair Burt: Maybe it's fine the way it is. We've already got through the telephonic discussions at our prior meeting. That, I think, takes us all the way over to ...

Council Member Wolbach: Can I just ask a quick question?

Chair Burt: Yeah, sorry.

Council Member Wolbach: You mentioned under 2.3E add a section on Committee as a Whole. When we were talking about committees of the whole earlier, we were looking at maybe adding it on Page 27. Do we want to do that in both places?

Chair Burt: Potentially yeah.

Council Member Wolbach: That's fine. I just wanted to clarify.

Chair Burt: This is a much larger project, which is part of what I brought up at the outset of the meeting. We still haven't defined what a Policy is versus a Procedure or a Protocol. That is something we should yet take up. What we have is a hodgepodge of things. As I stated at the beginning of the prior meeting, I have always interpreted the first section as the Procedures as being more directive, and the second section of the Protocols as being more guidelines. Even the directive one is not legally binding in any way. We have no introduction that even attempts to describe the difference between a Procedure and Protocol, even if those descriptions are not legally binding in some way. That's one question. Do we mean for the Procedures to be more prescriptive? If so, do we want to have Staff come back with suggested language that we can weigh at our wrap-up meeting on this? Tom.

Council Member DuBois: Were you going to say anything?

Chair Burt: Marc.

Council Member Berman: No.

Council Member DuBois: I think we had this discussion last time. I was happy with our City Attorney's description. Just looking at the Minutes, the terms themselves aren't legally binding. There was an intention in the document, but it doesn't bother me the way it is.

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Chair Burt: Why do we have two things then? Why do we have Procedures and separately Protocols, if they aren't different?

Council Member DuBois: We use the terms interchangeably. I know there's the two sections.

Chair Burt: They really are different. Without the distinction we start using them interchangeably, and that wasn't the original intent. There are differences. If there is no difference and we're using them interchangeably, they should be one, not two. Cory.

Council Member Wolbach: I don't know if you want to take up the task of trying to define them this evening or not. Perhaps each of these, the section on Procedures and the section on Protocols, could begin with a short preamble or something explaining in this section we will explain either the City's Procedures or the City's Protocols for the purpose of X, Y, Z. I don't know if we want to get into the definitions tonight or at a future meeting.

Chair Burt: What I was suggesting is that Staff come back; we give them a framework for them to come back with language that we can review at the wrap-up meeting. The framework that I would suggest is that Procedures are more directive, and Protocols are more guidelines. Not that simple of a description. They'll probably have several sentences, but along those lines. If you look at the content, it aligns roughly with that kind of The other thing is that I have a recollection from a decade or more ago, maybe 15 years ago, listening in to Council discussions around their updates. They were along the lines of what I'm describing. Because it was never codified, we've lost sight of it, and we start saying they're interchangeable. That wasn't why there were two different sets of guidelines. They weren't interchangeable historically. We don't have to make the decision tonight, other than perhaps to ask Staff to come back with prospective language, and then we can decide whether we do want to go forward with such a recommendation or not. In the interests of moving it forward, I'd recommend that we ask Staff to at least give us some draft language, and then we can (crosstalk).

Council Member DuBois: Sounds great.

Council Member Wolbach: Sounds okay to me.

Council Member Berman: I'm fine with that.

Council Member Wolbach: Would we want to suggest that Staff do that as a preamble to each section?

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Chair Burt: Mm-hmm.

Council Member Berman: That would be the right place. Great.

Chair Burt: Let's see, where did we leave off? We had gone through telephonic conversations as well as on Page 8 discussions about meeting closure time. I had a note under Council comment. I'm sorry. Council Comment, at the end.

Council Member Berman: No Council comments.

Chair Burt: This is F on Page 9. This is under Consent Calendar. I'm just trying to find whether this is all under Consent. No. This is always a little confusing to me.

Council Member Berman: L on Page 12, no.

Chair Burt: This is 2.4F. I don't know, Beth, if you have any guidance here.

Ms. Minor: (inaudible)

Chair Burt: It pops up as Council comment, but it's actually a description of what to do with the Consent Calendar. We have other places that we have Consent Calendar. If this is under the agenda, we want to keep that there. We should simply re-title it. It's about Council comments on Consent Calendar items or something to that effect. Cory.

Council Member Wolbach: What's missing here is a section heading to say that this is addressing Council comment. It looks like this several-Page section of the Protocols ...

Chair Burt: This is under Section 2, which is Council meeting and agenda guidelines. Then 2.4 is general requirements of Council meetings and agenda guidelines. That's what we're in.

Council Member Wolbach: Right. It looks like it goes through meetings and the sections of the meeting in roughly the sequential order that they typically are agendized. That's why it goes from Consent Calendar. We're under E6. It's listing the first few items that are usually at the start of a meeting. Under agenda order, which is E, and then it goes to a discussion about Consent Calendar.

Council Member Berman: You're saying it could be under (crosstalk).

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Council Member Wolbach: Actually what I think the ...

Chair Burt: I'm sorry. Let me just jump in here. It's not really following a good flow, but F is about Consent Calendar. The point I was trying to make is that if Subsection F is about Consent Calendar, we should title it that way. Beth.

Ms. Minor: It appears that both Section F and G refer to the Consent Calendar, whether it's Council comment or public. We could put a subsection under the 6 above, where it shows Consent Calendar, and make those as a part of it or include it in that above.

Chair Burt: That's just about agenda order. That's why 1 through 6 fall under E. They're about order. F and G are about how to conduct the item. They need their own subsections. F and G could be combined to Consent Calendar item, and one part of that is Council comments. The other part is public comment.

Council Member Wolbach: If I might add ...

Chair Burt: I'm sorry. H is Council request to remove an item.

Council Member Wolbach: The whole next Page is Consent also.

Chair Burt: I'm sorry. As I'm going through it, we need a whole section on Consent, and then these become subsections.

Council Member Wolbach: That's why I was (inaudible) earlier. Now the way it's currently formatted, it looks like it was inserted in the midst of the agenda order, and that's why the agenda order ends with Consent Calendar. It doesn't include Action Items or Council Member Comments. Those get picked up as Item 7 on Page 11. (crosstalk)

Chair Burt: Let's just take what you said. It does seem that under E the balance of the agenda order should be included there. Then we have a whole section on Consent Calendar items. I do have a couple of comments. Before we leave Consent Calendar items, if it's okay I'd like to hit that. One thing is that we already say the Mayor has the option of allowing testimony prior to adoption of the Consent Calendar. Do we simply want to change that? Are there circumstances where we don't want to allow the public to speak until after we've removed items or voted on them? The Mayor has been doing that, and it's a good practice. If the public's going to speak, it

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should be before we take action rather than after we take action. I'm seeing the City Attorney give agreement.

Ms. Stump: Yes. The rule is awkward the way it's written. The way the Council's practice has developed recently is pretty sound. If you're going to approve an item on Consent, legally you want to have given the public a chance to speak to that item before you approve it. Where you know you're going to remove it, it's fine to delay the public comment until the item is heard. You wouldn't want to do it the other way around. It almost presupposes the result. Or you take the public comment regardless and then take your vote.

Chair Burt: I'm not quite clear how to reflect what the City Attorney just stated. There is this other circumstance where if we know we're going to remove it, the public may have different comments if they've been told we're going to remove it. Their comments are generally please remove it. We aren't going to go into the substance usually that evening; although, sometimes the public came for that purpose and they want to speak to that substance. Do we simply want to ask Staff to come back with language that reflects these two circumstances? How do we know we're going to remove until we've heard from the public? Marc.

Council Member Berman: One thing we could try is before public comment on the Consent Calendar items, the Mayor asks Council if anybody wants to remove an item. If so, then great. If not, then we go to public comment, and maybe public comment sways Council Members' opinion and has that effect. At least that gives that opportunity.

Chair Burt: That's probably the reality. Do we want Staff to come back with language that reflects what Marc just described? That the Mayor would give the Council Members an opportunity to remove items from Consent. If they do at that time, public comment on that item would follow the removal from Consent. If items were not removed from Consent, the public would be allowed to speak, and the Council would have an opportunity to remove it from Consent at that time. Cory and then Tom.

Council Member Wolbach: You'd have two opportunities to pull something, before and following public comment.

Council Member Berman: (inaudible)

Ms. Stump: Essentially the Council has that now. Until you approve the Calendar, you can ...

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Council Member DuBois: How is that different?

Ms. Stump: It's not that formal about exactly when you have to take it off.

Chair Burt: I'd say the difference is it's never been clear, and it's been done a whole bunch of different ways at the discretion of the Mayor, including not letting the public speak until after the Council has decided not to remove something from Consent and not giving the Council another opportunity. The lack of clarity has been problematic over the years.

Council Member DuBois: Where would this change be, and could you say it again?

Chair Burt: It would need to be reflected in Council request to remove the item as well as under the public comment. We just have to look at how to fit these concepts into those two sections, I would think.

Council Member DuBois: It sounds like you want to change G and not give the Mayor the discretion.

Chair Burt: Oh, correct. That's what Molly just said. It is probably not lawful to have that discretion.

Council Member DuBois: Just to be clear, we're just editing G. Am I missing something? I want to make sure I understand what you're saying.

Chair Burt: The H edit is that we would have a second opportunity to remove it from Consent after hearing from the public.

Council Member Berman: To formalize the process.

Chair Burt: That would have to be in H, because it talks about when the Council can request to remove an item. Both changes would have to be there.

Council Member Wolbach: Just to clarify for everybody's benefit. One change to G would be to remove from the Mayor the discretion to refuse public comment. Secondly, the change to H would be an opportunity to remove an item from Consent both prior to and following any public comment.

Chair Burt: Correct. Are we okay?

Council Member DuBois: Yeah. There's no timing in H right now at all.

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Chair Burt: We've asked them to come back with language that will reflect what we just described.

Council Member DuBois: All right.

Chair Burt: I don't know why I have some other note here about appeals and Individual Review. I guess that was a placeholder to remind me about whether we want to have any discussion on changing any threshold for Individual Review. There was some discussion—maybe this was at the Retreat or the Committee as a Whole—about changing thresholds, how many Council Members would need to concur with pulling an IR item from Consent. We didn't change anything, did we?

Ms. Stump: I don't believe so, no, Council Member. Just to inform folks, there are various requirements in this regard that are in our Municipal Code, in the Zoning Code, and in other places. The Procedures and Protocols are not complete. The Code is the last word on these particular types of appeals. That's where the IR requirement is.

Chair Burt: You gave that guidance at the beginning of the last meeting, that some of these things would be most of all a recommendation to the Council to change the Municipal Code. If that occurred, then we'd track it here. I don't know whether we want any consideration at this time. It maybe belongs more in that other bucket list that we're going to hit later. There's no point in talking about a Protocol change if it's a Muni Code change. Cory.

Council Member Wolbach: I've got something to say, but I'll let Khash go first.

Mr. Alae: It's Item Number 2 on the at-places memo.

Chair Burt: Thank you. That was fast.

Council Member Wolbach: I was just going to ask that we do give direction now to Staff to provide clarity in this document that we're editing for whatever the thresholds are, whether they get changed or not. They should be very clear here.

Chair Burt: A good point, that the Procedures and Protocols reflect what's in the Muni Code. This is still the guideline and the reminder for the Mayor and the Council of what it is, and we don't have to fumble through the Muni Code to figure out what the threshold is.

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Ms. Stump: Yes. Just to be clear, the Procedures have a backstop or a standard rule. For example, the number of votes to remove a contract item, there isn't a different Procedure in the Muni Code. It's whatever you have in your Procedures. It used to be two; now it's three.

Council Member Berman: Can I ask—sorry to interrupt—the Chair? Do you have a sense for how late you intend on tonight's meeting going? It's 9:20.

Chair Burt: Yeah. Not past 10:00. Twelve, near the top—I'm sorry.

Council Member Wolbach: I was just going to highlight for Staff that of those items that we want to maybe relocate under—as we try to consolidate and complete the agenda order on Page 9, E, it looks like Item 7 on Page 11 is one of those. Actually it looks like all of these are. Several of them are items that really go under agenda order.

Council Member DuBois: Six (inaudible).

Chair Burt: They may be placed both locations. One to simply talk about the order. The other to speak about the substance of ...

Council Member Dubois: It's just a formatting error. Six and 7 on Page 11 really belong under E. Is that going to (crosstalk)

Chair Burt: My point is they also belong under E, but there are two purposes. One is to simply list the agenda.

Council Member DuBois: They're not Consent Calendar categories, which the other items in that list are.

Council Member Berman: They definitely don't belong (crosstalk).

Council Member DuBois: The list is ...

Council Member Wolbach: It's this list.

Council Member DuBois: No, I'm talking about here.

Council Member Wolbach: What I'm saying is there's a formatting error that leads to this list being here.

Council Member DuBois: Right. Six here (crosstalk)

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Chair Burt: E is the agenda order.

Council Member Berman: (inaudible) 6 and 7 aren't here and here. Don't (inaudible).

Chair Burt: I see. At the top of Page 10, J i, see. It's all under J.

Council Member Berman: Which is Consent Calendar.

Council Member DuBois: Six and 7J don't belong there.

Chair Burt: Yeah. Six and 7 are K and L, right?

Council Member DuBois: No. I think they're actually ...

Chair Burt: I mean a new ... reordered in ...

Council Member Wolbach: That's what I'm saying. They're actually 6 and 7 from List E.

Council Member DuBois: Actually they're 7 and 8.

Council Member Wolbach: They would be 7 and 8 for ...

Council Member Berman: There's no substance (crosstalk).

Council Member Wolbach: ... lists under E on Page 9. This is the formatting complexity.

Chair Burt: Is there somewhere else—I assume there is—under Action Items where we go into all the details?

Council Member Berman: You hope so.

Chair Burt: That may be that the way they're listed there.

Council Member Wolbach: The same thing is true of Items L and N on Page 12.

Council Member Berman: Those have substance under them. That's more than just a list.

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Chair Burt: Action Items have a whole section about how we conduct ourselves under Action Items. I'm just trying to relocate it where we go into the discussion of Action Items. That's much of what we're doing.

Council Member Wolbach: I'm fine with just asking Staff to clean up the formatting. Just let you guys figure it out.

Mr. Alae: If I could throw a suggestion to the Committee. When we do this, we'll probably benchmark other agencies' Policies and Procedures, look at best practices, look at some more professional associations. We may provide some Staff revisions to the whole document to align with that. Maybe if the Committee wants to focus on some of the broader Policies, substantive stuff, we'll deal with those.

Chair Burt: It does seem that J6 and 7 actually belong to part of E. Elsewhere, at least Action Items needs to have its own section. I don't know whether Agenda, Changes, Additions and Deletions, whether we have substance, maybe we'll find that as we go through it. I'm at the top of Page 12 which is about Council matters. I tend to think it should have its own header about Colleague's Memos. This is actually all about Colleague's Memos, that first paragraph. Actually two paragraphs. We call it K, Council matters, but it's Colleague's Memos as I dug into it. That's just a re-titling issue.

Council Member Berman: The entire thing.

Chair Burt: Yeah, three paragraphs.

Council Member Berman: You're right.

Chair Burt: Or two paragraphs.

Council Member Berman: It is technically (crosstalk).

Chair Burt: As I looked at it, there are a number of things. First, if you look at the third line. It says prior to preparing a Colleague's Memo, Council Members will consult with the City Manager to determine whether he/she is or is willing—I think there's some wording error there—whether he/she is or is willing and able—weird—to address the issues as part of his/her operational authority. The his/her or he/she, we should say the City Manager. This sounds like an error when we were struggling with gender. Within current budgeted resources. First the process is generally that Council Members draft a Colleague's Memo amongst each other and refine it somewhat, and then submit it to the City Manager and the City Attorney for

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their comments, with the City Attorney being a more defined role to give feedback on whether there are any aspects to it that are legally problematic. The City Manager will at his discretion raise a suggestion or otherwise that can be accepted or rejected by the makers of the Memo. Then we have another aspect which is an obligation to have the City Manager provide any comments on fiscal impact. We have a prescribed section of the Memo that does that. These paragraphs get convoluted. They don't necessarily reflect that practice nor the sequence. I saw a number of things that needed to be—I don't know what that one sentence means.

Council Member Wolbach: I think I figured that one out.

Chair Burt: You look down at the last sentence in that first paragraph. We need to update it. It says it's by noon on the Tuesday, so that's changed. It's got to go to the Clerk on the Tuesday before the meeting that the Memo is intended to be agendized. The makers of the Memo often don't know when they're going to be agendized, and that ends up being between the Mayor and the City Manager. I thought elsewhere in here—no, it isn't. There's no clarity on how soon a Colleague's Memo should be agendized. Even if we don't have clarity, there should be guidance. We wouldn't want a City Manager to be able to essentially pocket veto a Memo. There should be some guidance that it will be as soon as it can be practically scheduled in the agenda. Something to that effect. It doesn't say X weeks. Tom.

Council Member DuBois: It says within two weeks.

Chair Burt: That's after we first get it. That goes into the next area, which is what we do when it comes to the Council and whether we refer it to a Standing Committee or go into a deeper discussion. That doesn't reflect the way we do Colleague's Memos either. Somehow the practice has drifted away from what's in this Procedure by quite a bit.

Council Member Berman: The first question is, is current practice better than this. I'd probably argue yeah.

Chair Burt: I would too. We've morphed into the right current practice, and we never had the Procedure track the practice.

Council Member Berman: Should we give general guidance to Staff right now of draft a new section that reflects current practice with the caveat of there being some mechanism to make sure that there's a general timeframe within which it'll be initially agendized?

Chair Burt: Mm-hmm.

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Council Member Berman: Does that cover it?

Chair Burt: I think so.

Council Member Berman: You might have other good points that you wanted to ...

Chair Burt: That covers it well enough for me. Is that okay? Cory.

Council Member Wolbach: I was just going to say I agree with that direction to Staff. As far as that one sentence, the idea was that prior to bringing the Colleague's Memo to the full Council, that you'd find out is this going to require additional budgetary assignments, as you referenced as fiscal.

Chair Burt: There's operational authority and current budgeted resources.

Council Member Wolbach: That way Staff would be prepared to tell the Council when the Council considers it how substantial a change would be required.

Chair Burt: That's in our current practices. This actually says prior to preparing. Our current practice is prior to submitting.

Council Member Berman: Yeah, during preparation of.

Chair Burt: The preparation process involves the colleagues going through their few drafts. When they think it's close enough, they ask the City Manager and the City Attorney for their input. If the City Manager says, "You can't ask me to do that. I don't have operational authority to do this," and it's not a question of whether it's in current budgeted resources, it's asking what would be the budget impact.

Council Member Wolbach: There actually might be a good question here. Do we want to encourage or direct Council Members to come very early on to the City Manager, so that they have a sense of whether—maybe what they're asking for, maybe they weren't aware, didn't realize it's already being addressed or is already covered. That way as they go through iterations of putting a draft together, they have early (crosstalk).

Chair Burt: I don't think we want to prescribe it. We typically have at least three Council Members drafting. Hopefully among those three at least one has a sense of the operational authority. We don't have an issue of whether it's within the current budgeted resources. It's really what would be the

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financial impact of it. The Policy can drive budget decisions. This, as it's written, is saying if it's not within the current budgetary discretion, you can't bring it up as legislators.

Council Member Wolbach: I'm not sure necessarily it does say that. It might just be so that when it does come up for discussion, that's one of the things that everybody will be prepared to discuss and understand.

Council Member Berman: Let's just make sure the new one reflects ...

Chair Burt: Let's see. The second to last sentence says to the extent possible, Council will confer with Staff before raising matters under this agenda item. That's saying that if we're going to ask a question or make a comment ...

Mr. Alae: I'm sorry, Chair Burt. Where are you?

Chair Burt: L, Page 12, Council Member Questions, Comments and Announcements. If I read this correctly, it's saying that we're being told—and this is not something I've observed in practice at all—that in advance of a Council Member question or comment, we're supposed to confer with Staff in advance, before we raise anything at Council Questions or Comments. I've never seen that in practice. Molly.

Ms. Stump: Thank you, Chair Burt. When I read that, I thought that that might refer to a dynamic that doesn't typically happen with this Council under this agenda item, which is a very specific question of an operational nature or a concern about something that's going on where maybe the City Manager would have needed to be prepared to address the item. This Council tends to use Council Questions, Comments and Announcements more to announce activities that are fully within your control, that you've been doing in the community and you want to share with the public and your colleagues.

Chair Burt: If we have that potential contingency that you just described, maybe we should say if a Council Member has a question of this nature, they should do the following. Does that seem reasonable? Cory.

Council Member Wolbach: That seems reasonable. I would also suggest that the issue of oral Colleague's Memos or raising an issue shouldn't be lost here. We might want to provide a little bit more clarity, not that I necessarily want to encourage the practice of oral Colleague's Memos (crosstalk).

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Chair Burt: Let me just pause here, because your point's well taken, except that maybe elsewhere we may have reference to the ability to agendaize items by two Council Members under Council Member Questions, Comments and Announcements. I'm pretty sure it's somewhere else in our Procedures and Protocols. Let's put that as a placeholder, and maybe we need to consolidate those. I believe that it is elsewhere, and I can't recall where.

Council Member Wolbach: I might have missed it.

Chair Burt: Under Closed Sessions, we now have to take a vote. That's not reflected there under M. Under O2, I don't think that reflects how we do it. When a Regular Meeting is adjourned to another Regular Meeting night, all unfinished items will be listed in their original order after roll call. We don't do that. I'd suggest, once again, that we ask Staff to come back with language that reflects current practices. Cory.

Council Member Wolbach: That brings up one of the issues I was talking about much earlier in the meeting, one of my ever general suggestions about having items that get continued pushed to the very next meeting. Apparently that was, at least implied here, to be our previous role.

Ms. Stump: I think that this was drafted to track the Brown Act, but it doesn't reflect this Council's practice. I think this Council has the practice that it wants, which is that when agenda items are continued, there is a prioritization and the Chair, the City Manager and the Clerk work together to juggle and get it right as opposed to do it in a rote way which might not reflect the priorities.

Chair Burt: Where did I have the Closed Sessions? I see that we have Closed Sessions under M and then we have it under S. I'm not clear, no real reason. That needs to be cleaned up so that we have one section for Closed Sessions. I don't have anything until I get over to Page 23 or maybe further. I don't think I have anything for quite a ways. Anybody else have any in the subsequent Pages?

Council Member Berman: I don't.

Chair Burt: Just check one thing, because I made notes in a prior iteration of this. I don't want to skip anything. I'm all the way over to Page 36 before I have anything else. I don't want to run past it if anybody else has anything.

Council Member Berman: Packet Page 36 or Protocol Page 36?

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Chair Burt: Protocol Page 36. The work of Standing Committees. One of the things that is already in the Protocols but has been somehow misunderstood is this notion that if something comes from a Standing Committee unanimously, it will necessarily be on the Consent Calendar. In both 3.6, maybe it's just 3.6. It says that unless otherwise recommended by the Committee, Mayor or Staff. We had talked about that we've done that as a Committee, but the Mayor or the Staff—I don't know whether Staff ought to be City Manager. I think it should. Molly agreed there.

Council Member Wolbach: Maybe City Manager or City Attorney. Not with our current executive team that that would ever be a conflict.

Chair Burt: Are there times where something might, at your discretion, want to come off of Consent that was unanimous?

Ms. Stump: It seems like a very remote possibility.

Chair Burt: I throw it in there, because we wouldn't want to preclude that if you thought it was appropriate.

Ms. Stump: Right. I wouldn't be precluded from speaking up, if I thought it was appropriate. I guess it's fine to add it.

Chair Burt: There was a question—Tom.

Council Member DuBois: If we're going to change that, Page 11 captures what you want, Item 4 on Page 11.

Chair Burt: It does. This is one of those places where we have some replication between Procedures and Protocols. Let's put that as a future broader clean-up. We're doing a lot this year just to correct a bunch of errors. This can be ...

Council Member DuBois: I'm just saying Page 36 captured what 4 says. Unless otherwise recommended by the Committee, then it may (crosstalk).

Chair Burt: It says the same thing both places.

Council Member Berman: I might be speculating, but maybe what I'm getting at is should there be something in there that says if a Committee believes that an issue would be controversial ...

Chair Burt: Some guideline.

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Council Member Berman: Yeah.

Chair Burt: That sounds good.

Council Member Berman: The Committee's advised to place it on Action.

Chair Burt: If it is of significant public interest or controversial, the Committee should consider placing it under—really that's a guidance for the Mayor, the Committee or the City Manager. Right?

Council Member Berman: Correct, yes. Three different bites at the apple. Hopefully the Committee picks up on that and makes that recommendation. If not, then the Mayor ...

Chair Burt: If it's of significant public interest or controversial ...

Council Member Berman: Controversial in nature.

Chair Burt: ... that they should consider. We don't want to stipulate it. It's just a reminder. Now under 3.7, under the title, it talks about the Mayor and Vice Mayor ...

Council Member Wolbach: What page?

Chair Burt: Page 36. The Mayor and Vice Mayor working with Staff to plan the Council meetings. It's really the Mayor and the City Manager.

Mr. Alae: Real quick on this section. You guys had somewhat of a substantive conversation, from what my notes show, last time that we already have some notes for. Those describe the adequate relationship between the City Manager and the Mayor; add more specific language about what is the role of the Vice Mayor; do we want the language to reflect the views of the City Council as a whole, not just the Mayor; the Mayor is the representative of the Council at these meetings as the liaison role. These are some of the comments that you guys had mentioned. Intent of representing the best intent of the Council; again clarify the roles between all three in the agenda setting process.

Chair Burt: That's great that you brought that up. That was part of that first chunk that we addressed, and it applies here. You're already going to attempt to capture that. That's great. That's more than I had just going through. Page 37 in Section 4, there's an underlined section that says the Committee shall consider and make recommendations to Council on matters relating to parliamentary and administrative procedures and policy matters.

TRANSCRIPT

I was taking this to mean the administrative procedures were City Council procedures. Are we talking here about other administrative procedures in how the City Manager runs the organization? Do you follow what I'm asking here? Whose administrative procedures are being referred to here? There are a whole bunch of administrative procedures internal to the organization that we as a Council—I can't remember when and how we ever weighed into those. Is that part of our purview?

Mr. Alae: I don't want to speak for the City Attorney. It's a good point, and probably we'd need to look at it. When we bring it back, we could bring back further context.

Chair Burt: There are a lot of HR Procedures and all that. I don't know where the boundaries are on that. Whether there is a point in time where the Council does adopt those Procedures, and we just don't look at them frequently or we don't have a role in that.

Ms. Stump: This is a Council/Manager form of government. Certainly there are many, many, many procedures and practices that are handled out of the Manager's Office, and don't come to Council and probably shouldn't. Certain ones that rise to the level of being of broader community concern or community attention, the Manager will typically bring them or the Council can invite them to come here. There's not a bright line.

Chair Burt: I'm not even sure whether administrative procedures is referring to this document, because it follows parliamentary. It says that the Committee makes recommendation to the Council on matters relating to parliamentary and administrative procedures. I suspect that intention is referring to these documents, and we should say, in that case, Protocols and Procedures Handbook or whatever. You'll look hard at that and come back. That covers everything I had. Cory.

Council Member Wolbach: The issue of when a Council Member wants to raise an issue but either has not had an opportunity or is unable because of Brown Act restrictions to gather the necessary forces to produce a written Colleague's Memo, how they present it during oral comments at the end of a meeting. You suggested earlier that you thought it was reflected somewhere else. The (crosstalk) on Page 12 ...

Chair Burt: I have it in the back of my head. Beth, do you have any recollection on ...

Council Member Wolbach: Maybe in an Ordinance or something.

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Chair Burt: Maybe you do, Molly. This ability of Council Members to agendize items through Council Member Comments, I thought is somewhere in here.

Council Member Berman: You'd figure it would be.

Council Member Wolbach: I've spoken with some people in Mountain View. Apparently their Procedure there is quite different. It's interesting. If you did a written Colleague's Memo there, you'd be criticized for it.

Chair Burt: Either way, can Staff look at whether there is another location where that practice or Protocol is actually referenced in writing?

Ms. Stump: We certainly can research that. It's my recollection that it actually isn't, and the written Colleague's Memo is the form that this Council has historically used for Council Members to initiate an item onto the agenda.

Chair Burt: I've got it in the back of my head differently. There is a place where it says you can agendize, and it's actually pretty specific. I don't think I'm making this up. It requires that it actually come on the next Council meeting. It's something that we may want to clean up, but I'm pretty sure it's in there. I'll look for it. I don't think I dreamed that one.

Council Member Wolbach: As much as we would probably want to have language specifically saying that it's strongly, strongly recommended that Council Members use the written Colleague's Memo procedure in order to bring matters to start getting it agendized, because of Brown Act violations, I would want to make sure that there is an opportunity for items to be raised during Council Member Comments.

Chair Burt: Let's find out what our existing Procedure is. If my recollection is correct, it's more liberal than we may want, not less so. I've got to find it, and I'll try and go back and look for it myself.

Council Member Wolbach: My concern is that, as you were warning earlier, we will in updating the Procedures swing too far towards constraining it. I want to make sure we find a nice middle ground.

Chair Burt: Anybody else, anything else on Policies and Procedures and Protocols? It's Policies and Procedures, but the Staff Report calls it Policies and Protocols. That's our nomenclature thing. We had this other at-places. It's 9:50; we don't, in all likelihood, have time to go through either this or the balance of the discussion around the particular items that we want to

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have go before the Committee as a Whole. Briefly, if anyone wants to provide any brief comments that will tee us up for our next meeting on these, you're welcome to do it at this time. Cory.

Council Member Wolbach: Just a clarification. The items on Page 7 of the packet, items going to the Committee as a Whole, those are going to the Committee as a Whole anyway. As Staff was saying, maybe the next ten minutes would be an opportunity if we do have any last minute additions that we want to add to this. They're already on their way to the Committee as a Whole.

Chair Burt: Do we have a Committee as a Whole agendized?

Mr. Alae: You don't have a Committee as a Whole agendized. If I may make a suggestion. What we can do, since we are done with the Handbook, is bring a smaller Staff Report that just highlights the items on Page 7 and the items on the at-places. Then the Committee can have a conversation just about those. Then we can ...

Chair Burt: You can take a little more time to come back with the draft changes.

Mr. Alae: With the Handbook, correct.

Chair Burt: That sounds great.

Mr. Alae: If that leads to a natural discussion of looking at our schedule ahead, that would be fine unless there's other items the Council wants to talk about.

NO ACTION TAKEN

Future Meetings and Agendas

Chair Burt: We have before us our upcoming schedules.

Khashayar Alae, Senior Management Analyst: On the 9th, we are teed up to talk about Project Safety Net and the Colleague's Memo regarding strengthening the engagement with the neighborhoods. It's pretty much a copy and paste to bring the remaining items from tonight to any future meeting. I don't know if PSN and the Colleague's Memo are substantive and you'd want to wait to bring these items back. I'm pretty sure we could turn the remaining items of tonight around pretty quickly and bring them on the 9th as well. If you want to do that.

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Council Member Berman: It doesn't hurt to agendize it. If we don't get to it, we don't get to it.

Mr. Alae: We'll bring that back right away. From my standpoint (crosstalk).

Chair Burt: I'm sorry. You're thinking of bringing it back when?

Council Member Berman: 6/9.

Mr. Alae: 6/9.

Council Member Berman: Putting it on the agenda.

Council Member DuBois: At the end.

Chair Burt: The Project Safety Net is going to be a pretty full discussion.

Council Member Wolbach: Both of those will be.

Mr. Alae: I was just throwing that out there for you.

Chair Burt: I'm skeptical that it can fit in there.

Council Member DuBois: Can we put it on the end? If we get to it, we get to it.

Chair Burt: I don't mind doing what Tom just said. Go ahead and agendize it. If we have time, we can bring it up in that meeting.

Council Member Berman: That was my idea.

Council Member Wolbach: At the end of the meeting.

Chair Burt: For the moment, I'm assuming we won't have time. Our next meeting is on September 8th. Although there are four items, those four are not ones that are going to take a lot of time for each item. We don't have a P&S meeting in the second half of August, and we get back in mid-August from our vacation. I'm concerned that if we don't get to the Committee as a Whole items until after vacation or worse yet September, our year is running out. There was supposed to be another Committee as a Whole that we'd be having this year. We ought to try and drive it sooner.

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Council Member Berman: Can any of this stuff that's scheduled for September 8th come in late August?

Chair Burt: I'm questioning whether to have a meeting in late August that addresses this Committee as a Whole as being more time sensitive.

Council Member Berman: Yeah.

Chair Burt: Do it in August, the P&S meeting in August.

Council Member Berman: Do a P&S in late August, and do this stuff that we're pushing off. I don't think it'll take three hours.

Chair Burt: We'll just keep these in September is what I'm saying.

Council Member Berman: Okay. Sure. I'm fine with that. I just didn't know if what we're pushing off needs a full meeting.

Chair Burt: We wouldn't be pushing it off.

Council Member Berman: I wasn't sure if the meeting as a whole stuff needs a full meeting or if we can add other stuff to that.

Chair Burt: If we have an August meeting ...

Council Member Wolbach: (crosstalk) items up.

Chair Burt: If you're ready to come back with a draft of Procedures and Protocols in August, then that would be the natural meeting. If not, then maybe we would move some of the September items to the August meeting.

Mr. Alae: Correct.

Chair Burt: Do we want to look at calendars right now on this August meeting?

Mr. Alae: The standing date and time for the Committee is the second Tuesday of every month.

Chair Burt: The second Tuesday. I'm sorry.

Council Member Berman: I don't even know when break ends.

TRANSCRIPT

Beth Minor, City Clerk: (inaudible) August. That's before they come back (crosstalk).

Mr. Alae: Oh, is it?

Chair Burt: The second Tuesday, right. That's the problem.

Council Member Wolbach: I'm pretty open in August currently.

Council Member Berman: I've got to figure (inaudible).

Chair Burt: We should do it after the Council is scheduled to return.

Council Member Berman: Which is the 17th, right? That's the third Monday.

Chair Burt: Yeah. If we have the following Tuesday, which would be the 22nd. How is that? I'm sorry. I got that wrong. We get back the 17th. We're on Thursday. Thursday is what we do, right?

Mr. Alae: No. The regular meeting is the second Tuesday.

Chair Burt: It's regularly Tuesday. I have other Council meetings on the 27th. I'm sorry, that's a Thursday again. The 25th or the 18th?

Council Member Berman: I could do either.

Council Member Wolbach: Same.

Council Member DuBois: I think that's okay. I'm taking my son to college sometime in there. I don't know when yet.

Council Member Berman: You can play it by ear.

Mr. Alae: Tuesday, the 18th.

Chair Burt: Can you let Khash know? Because the rest of us are flexible for either of those dates, we'll let your schedule determine it.

Mr. Alae: Just before we conclude, I want to clarify. For the next meeting on the 9th of June, all I'm going to do is ...

Council Member Wolbach: You mean the 9th of June.

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Mr. Alae: I'm sorry, the 9th of June. All I'm going to do is copy and paste the items from the at-places memo and the items on that Page 7, and just put them in a Staff Report, bring them here if we have time to continue the conversation. Then we're targeting to bring the Handbook back in August.

Chair Burt: Correct.

Council Member Berman: Yep.

Adjournment: Meeting was adjourned at 9:57 P.M.