



POLICY AND SERVICES COMMITTEE TRANSCRIPT

Special Meeting
August 25, 2015

Chairperson Burt called the meeting to order at 7:01 P.M. in the Community Meeting Room, 250 Hamilton Avenue, Palo Alto, California.

Present: Berman, Burt (Chair), DuBois, Wolbach

Absent:

Oral Communications

Chair Burt: At this time we have an opportunity for the public to speak on items not on the agenda. We have one speaker. Welcome. It is Ms. Madhuri Chattopadhyay. Welcome.

Madhuri Chattopadhyay: Good evening. I am a recent move. About 2 1/2 years ago I moved to Palo Alto. We live on Addison. Like, I would say, 70 percent of the folks north of Oregon, we have a dog. I was hoping if the City has any thoughts on creating some off-leash dog use areas in the parks on this side of Oregon. That would be Rinconada, Eleanor Pardee, Johnson Park, etc. So that we could have a place where we can take our dogs, let them run around and get to know our neighbors. I was wondering what the City's thoughts are on this.

Chair Burt: Thank you. I should clarify that we can't hold discussion on items that are not agendized. However, we can provide brief comments. One, that we have had a number of these discussions through our Parks and Recreation Commission. Cash, would you be willing to link up with our speaker?

Cashayar Alae, Senior Management Analyst: Yes. We'll follow up.

Chair Burt: Cash would be glad to follow up with you at a later time. You have the information? Yeah, her gmail is here. Great.

Ms. Chattopadhyay: I will hear by email from him?

Mr. Alae: Yeah. I can give you my card as well.

Ms. Chattopadhyay: Thank you so much.

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Mr. Alae: Yeah, of course. Thank you for coming.

Chair Burt: Thank you.

Agenda Items

1. Discussion and Recommendations to City Council Regarding the Colleagues Memo on Strengthening City Engagement With Neighborhoods.

Khashayar Alae, Senior Management Analyst: I'm going to kick it off, put it in context and turn it over to Ed. As the Committee recalls—good evening, Policy and Services Committee. Cash Alae, Senior Management Analyst with the City Manager's Office. As the Committee recalls, Council had a Colleagues Memo on April 20th which was forwarded to the Committee. We had a substantive conversation on June 9th, where we reviewed the seven recommendations that had come from the Colleagues Memo. At the end of that conversation, what we recommended was that we would take your feedback, summarize it into four action items or four recommendations to Council, and then bring it to you right after your break so we can discuss those recommendations. If I could turn your attention to page 2 of the packet, where the four recommendations are. I'll just read them. The first recommendation would be to direct Staff to begin ongoing town hall meetings on a quarterly basis, rotating throughout the City to engage neighborhood associations on specific and Citywide issues with two meetings to occur in 2015. Just to highlight that we would need to go to City Council straightaway after tonight to make this happen, to have two meetings in 2015. The second recommendation would be to accept the changes to the Know Your Neighbors Grant Program to provide neighborhood associations with resources to further develop their organizations and transfer \$25,000 from the City Council Contingency to the City Manager's Office to fund these requests for the remainder of the fiscal year. The third recommendation would be to direct Staff to return to Policy and Services with an update to the Community Services Department's co-sponsorship agreement to broaden the scope and allow for neighborhood associations to use City facilities for meetings at no charge as well as options for waiving insurance fees for these meetings in City facilities. Finally, to discuss the method of meeting with neighborhood leaders to further the City's neighborhood engagement initiative specifically focusing on the association definition, the support models, communication, conflict resolution, the ombudsman concept, the City's website and social media for the neighborhoods. With that, I'll turn it over to Ed.

Ed Shikada, Assistant City Manager: Thank you, Cash. Chair, members of the Committee, Ed Shikada, Assistant City Manager. I wanted to share that

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subsequent to putting the report out, we've had the opportunity among the departments to have additional discussions that we thought we might share and perhaps in the interest of doing a bit of brainstorming around next steps. Perhaps one launching point is on packet page 4. You see an initial stab at some thoughts for nine groupings of neighborhood associations or neighborhoods that could be a method of organizing town hall meetings. I actually got specific feedback from one Council Member who suggested we might be being too ambitious in setting up a program that required nine, and suggested that again perhaps here and use the slide that are now on the screen to express some additional thoughts. One, first is the thought of using the town halls perhaps more modestly on the front end and to use more geographically based quadrants of the City to start off and then refine and perhaps get more granular as we build experience and can do town halls as a production and perhaps as an event more easily. The quadrants method of dividing up the City also reflects our police beats. To the extent we'd like to share information around public safety as a starting point that would typically be of interest for neighborhoods, that would be a very seamless way for us to pull together statistics and additional information that might be helpful. Second, here listed in "B," work with neighborhood associations, the associations that have been identified in the report, for the purpose of helping develop town hall agendas and formats and how to identify the topics that might be timely from the association's perspective as well as that we could, again from departments, provide support and resources that might be available on, again, almost on an event planning basis to help support how these town halls would work. Third here, to use the town halls to market as described in the report the Know Your Neighbors Grant Program, facility use opportunities, conflict resolution and other programs, so that the town halls themselves could be a venue for further marketing the resources and some of the key levers that have been identified both in the Colleagues Memo and as we're thinking further about how to put this into motion. Finally, really sort of the moral of the story here, that we could use and here reflecting some really positive momentum among departments just talking about how the town halls would work. To use the town halls and to use this engagement around place making and other community building themes, that the town halls could ultimately serve and do some experimentation around formats that could be helpful to pursue the neighborhood's interests as well as our interests as a city organization. Again, simply some additional thoughts and some options for your consideration as reflecting some additional brainstorming among the operating departments and how we might use the tools that the Committee and the Colleagues Memo suggested. With that, that concludes our Staff presentation. Turn it back to you, the Committee.

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Chair Burt: Thank you. Colleagues, who would like to go first? Maybe around the questions, if we have them, and then any comments or we can do both at the same time. Cory.

Council Member Wolbach: I'd actually for starters suggest that we, just to break procedurally for this conversation, I'd suggest we maybe deal with the town halls discussion first before moving on to the others.

Chair Burt: Sounds good, okay.

Council Member Wolbach: I'll weigh in on the town halls. I actually think that something between nine and four might be better. I didn't think nine was bad; I did feel that the 2.25-year cycle is a bit odd. I know that our neighbor to the southeast, Mountain View, does a two-year cycle for, I believe, seven different meetings including one which is for their mobile home parks. I'm not sure if Staff had a chance to look at the Mountain View example for these. Is that for consideration? As I've said before, I don't know that we'd need to exactly model them. It's an interesting model to use as an example. I'm inclined to support, I guess, some more, closer to eight or nine town halls even if that means it's a smaller production. I think that you get a little bit more of a personal neighborhood touch if you get a smaller grouping of neighborhoods. As far as working with the neighborhood associations, I think it would be good to do outreach to them definitely, especially in trying to get people to turn out and to hear thoughts from neighborhood associations about what some of the key issues are. I would want to make sure that this is really a City-led event and that it's more consultative than dependent upon neighborhood associations especially some neighborhood associations are strong, some are less organized or less strong. I want to make sure that no matter what neighborhood or part of the City you're in, the town hall experience that you have is still a strong one. Those are just some initial thoughts for right now.

Chair Burt: Who else? Tom.

Council Member DuBois: I actually was kind of leaning the other way. I thought the two-year cycle was too long. I actually like the idea of the quadrants and maybe trying to get everywhere in a year. Backing up a second. I guess one of the questions is what are the goals of these meetings. I think we need to be careful about over-scheduling them and maybe having too much content. I think a lot of Q&A time would be good. I think there's a danger if we try to have, like, every major department speak. I think that'd be a lot of content; there'd probably be very little time for feedback. The other question I had is it going to be kind of Staff-led or Council-led. I think that kind of ties into this idea of is there a lot of content

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and presentation or is it really more kind of Q&A and talking about maybe projects relevant to those areas. The Midtown Homeowners Association schedules meetings quarterly. They typically have two or three topics. Attendance varies on the topic. The last one they had was pretty good. They had airplane noise. They had somebody come and talk about the composting program, and they talked about SSOs. That was a couple of hours.

Chair Burt: SSOs you said?

Council Member DuBois: Single-story overlays. I mean, I think the quadrant group—I had some comments on the groupings when you had the nine. Doing quadrants kind of solves that. I think Palo Alto Hills is kind of an odd one. I wonder if it's even worth doing a small one just for them. If you'd get more attendance (crosstalk) country club. The other thing is—I don't know if you had it on your list. There's some apartments over here near Stanford, right, that aren't really in a neighborhood. I think we should include them and include the senior housing over there as well. I guess that's my primary comment. I really like the idea of the town halls. Again, I think it'd be good if we could maybe try it out and try to get around the whole City in a year and see how it goes. I mean, if we were going to do nine, and it was more kind of Council-led, less Staff time, I was going to suggest we try to do two in parallel and mix it up to try to get everywhere in a year.

Chair Burt: Marc, did you have something?

Council Member Berman: Forgive me if we talked about this last time; I just don't remember. How many Council Members are we trying to have at each? Is that still up for debate or what's the plan in terms of who would be at each one? I don't know what they do in Mountain View or if you guys have thoughts on that.

Mr. Alae: I don't think the Committee made a recommendation on that.

Council Member Berman: Did you guys have any—have you guys talked about it all?

Mr. Shikada: Only from the purpose of Brown Act perspective and wanting to be mindful of that. Not really in terms of trying to organize around that.

Council Member Berman: Cory, do you have any idea what they do in Mountain View?

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Council Member Wolbach: I'm not sure if they even have a requirement that Council Members be at the Mountain View ones. I'm not sure. I haven't had a chance to (crosstalk).

Council Member Berman: The Mountain View ones are kind of more Staff-driven then, it sounds like.

Council Member Wolbach: I think so, but again I can't recall off the top of my head.

Council Member Berman: I also like the idea of—I'm curious to see and I'm sure Cash is nervous to see how much time these things take to set up. I think that might—we'll learn a lot from the first couple, to see exactly what's realistic and what's not in terms of how many we'd do annually. In an ideal world, I think it would be great to touch every part of town annually, but I definitely don't think it's—I think one per quarter is probably the right time period between them. We're leaning more towards the quadrant aspect. Maybe if we see that that's not micro enough or local enough, then that can also be changed in Year 2 and we can kind of iterate as we go. That's kind of some general thoughts so far.

Chair Burt: My thoughts are partly shaded by what I've seen done in the past on more limited or targeted bases and what seemed to work fairly well. Although, the things I'm going to cite aren't exactly what we're going to attempt to do now. I think the most recent go-round when we had senior City Staff schedule meetings was when we were going through the early stages of the economic downturn and cuts going on. Jim made presentations at several different neighborhood meetings. The one that I remember the most was at Barron Park. Maybe that was the one I attended and wasn't at any of the others. It was well attended; it was a combination of a good presentation of information and then good discussion. Now that was principally on the budget and where we were. That was a pretty full topic right there. It was also a pretty well attended meeting. It was just Barron Park; it wasn't Barron Park plus the other, Green Acres and Orchards and those. That goes into this question of how many people at a meeting, what's the range of attendees that works well for this kind of thing. Where we can have it not be so small that it was a lot of work for the number of people who showed up, and not so many people that we can't really engage or that the Staff can't really engage. I would say that—I wanted to say way back when, when I headed University South and we had a very active neighborhood association, we'd get generally 50 to 100 people to a regular meeting almost monthly. We often had senior City Staff come on given topics. It worked well. I would say that it could have handled more people, but sure wouldn't want to have triple the number of people. Try to have a

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meeting that really allowed for engagement rather than a lecture and a few people asking a question or answer—question from the audience. That leads me to the number of groups. I think trying to get this into these quadrants is going to provide the convenience of having a City meeting within a short distance of your home, but move away from having a sense of shared interests that are more around a given neighborhood and just potentially too large of groups. I don't think that's the way we want to go. That would not be a lot different from having four Citywide meetings each year. I just don't think it would really create that focus on those neighborhood clusters that is part of what we, I think, are trying to address. That goes into if we have—whether it's nine or eight or who knows what it is in terms of different groupings, how much Staff work is it and how many should there be per year? I remember—I think it was maybe my year as Mayor; I'm not sure. When Jim was doing those go-rounds, I seem to remember some of the preparation work that went into it. There was preparation—a set of materials that he had been preparing really around the budget issues. He didn't have to do a whole bunch of customization for a given neighborhood. In fact, very little I would say. I think that a good chunk of what would be presented would be similar for each neighborhood. Over the course of a year or even two years, there will be some evolution in that content, even if the subject matters are similar. It's not going to be radically changed from quarter to quarter or even if we had them every two months, which I want to consider. There will be a certain portion that will be focused on that neighborhood. If there's a specific plan that's getting ready to be done that is on the edge of that neighborhood or if there are certain developments or transportation issues that are going to happen, I would think that we'd have a special focus on that for what's most pertinent for those neighborhoods. Then we're going to have a Q&A. I kind of see it as three segments. I don't know what portion of the meeting would be each, but those three segments. I don't anticipate an enormous amount of Staff preparation for each of these meetings, especially if a great deal of the facility planning and refreshment planning is done by neighborhood associations, which I would expect will be the norm. It's been the case at the ones I've seen over time. I would think that's what is going to happen here. We certainly would want to help support with resources, but I don't this as the City Clerk's Office and Staff having to do all this work like a State of the City meeting or anything like that. This is neighborhoods that generally have periodic neighborhood meetings, some less than others. Combining their efforts and sharing preparation and asking for a little help from the City if they ever need it. Some won't need any. I don't think that thinking that we could do one of these every two months is—or we think two to three months—a big Staff burden. You'll know more once you've done a couple of them. Maybe what we want to do is try it on for size and come back. My anticipation is that you'll kind of have a routine set up and you'll do modest modifications for

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each one. It's not going to be an overwhelming burden. A couple of other things. One is the Sand Hill Road neighborhood, whether that is most aligned with essentially College Terrace or most aligned with University South and Downtown North and Professorville. I actually—even though geographically it's more separated from Southgate and College Terrace, my gut says that they maybe have more in common with College Terrace than over here. I could live with either one. One of the things that I don't have a good sense of—I have a sense but not data—is the number of residents that reside in each of these clusters that are proposed. For instance, Midtown itself is a real large neighborhood group and a lot of residents there. You add in Palo Verde and those other neighborhoods, I suspect that we may have two or three times as many residents in that cluster that would be in one meeting as in some of the other clusters. I think that's worth looking at. It doesn't mean that we should create these groupings precisely around populations, but I think it's something as a factor to be aware of and have influence our thought processes. Those are my inclinations. I think we ought to have more rather than less, and more frequently. I'm game to—if none of us really have perfect foresight on how much of a burden and how this would work—try it on for size and loop back. Tom.

Council Member DuBois: I could follow up, I guess. I mean, it feels like you were headed toward six groups (crosstalk).

Chair Burt: No, I was headed toward maybe nine.

Council Member DuBois: I could see doing—again, I looked (inaudible) for the City in a year. If you did it every other month, six groups, that seems to make sense to me. I think the venues—I mean, my assumption, would it be a venue in the neighborhood, so that might drive the grouping, kind of what venues are in these different parts of the City. If we do Council Members, I think maybe specifying how we do that would be good. Like, two Council Members per meeting and have, like, a random rotation. Keep track if you did which ones, so that Council Members maybe the second year would get to do different neighborhoods. I mean, I think there'd probably be interest for the Council Members in seeing different neighborhoods. Maybe even formalize that a little bit.

Council Member Berman: A follow-up question. Who would be leading these meetings?

Mr. Shikada: I think we could design it for however Council feels would be effective. With the suggestion of, let's say, two Council Members per meeting, would really want to organize it around that and have roles that are fairly defined in making the presentations as well as perhaps hosting.

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Then identifying the method of planning the topics as well. I suspect that the associations will also be interested in having some input into what those topics are. Establishing a format that allows it to be interactive. Again, within the context of the topic that's being discussed and the nature of the neighborhood.

Council Member Berman: Assuming there'd be minimal Staff staffing at these things. Is the assumption that just questions will be asked that those who are—either the Council Members there or the Staff that are there might not necessarily know detailed information about, and then they would get back to the—I mean, I'm just trying to think of how we do this with minimal work but still be effective. I'm not sure that I've figured out mentally, personally what that looks like if the goal is to have frequency and hyper-local and minimal work.

Chair Burt: Cory.

Council Member Wolbach: I'll kind of weigh in on that, having heard comments from colleagues. As one of the coauthors of the original memo, my own preference was to have more. If that means they're—I'd rather have more and more frequent. I actually would like to see it done on an annual cycle. I think one of the advantages to doing an annual cycle instead of a biannual cycle is if you have a—I think that if you have meetings in the summer or fall of an even year, there's going to be a political tension in the air that's going to change the nature of the meetings. For good or for bad, it's going to change it. That is one thing to consider about doing it on an annual cycle instead of a biannual cycle. I would like that to be a possibility, to get it done in a year. If they're leaner and meaner and more frequent and smaller, I'm fine with that. This is something where we might very much differ from the Mountain View model. In Mountain View, I think every department head or one of their representatives attends. We don't need to go that big, as long as there are a couple of people who can really do a good job representing City Staff. I do think two to three Council Members per meeting makes a lot of sense. I very much like what Council Member DuBois is talking about of having basically a randomized—drawing lots and rotating that over years.

Chair Burt: I'm sorry. I'm not following that.

Council Member Wolbach: How do you decide which Council Members go to these mtgs.

Chair Burt: Oh, I see. (crosstalk).

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Council Member Wolbach: I think randomized is actually good. It forces us out of our comfort zone maybe. Also because it's an opportunity to see different parts of the City and for residents in different parts of the City to see different ones of us over the years. I would also add I would actually like to see, or at least try to have, one Board or Commission member each, especially from some of our more prominent Boards and Commissions. PTC, ARB, Parks and Rec, HRC, maybe Utilities. I think that having Board and Commission representation, even if it's just one person from each of those, just to be there, to hear stuff and bring it back to their respective Commissions or to answer questions if questions are raised that they're able to answer. I am leaning still towards having again more. Rather than only four, I think that eight or nine makes more sense. Regarding goals, I think that was a good question that Tom raised. I see at least two or three goals. One is to have a regionally focused rather than subject-focused meeting. Our regular Council meetings with the full Council are about various agenda items. I think that having a meeting, even if it's not as robust as a full Council meeting, where the subject is what's going on in this chunk of town has a lot of value. It's not just for the community and hopefully not just the sense or the appearance of the City actually caring about the neighborhood, but actually engaging seriously in taking back action items that will be followed up on. I think that's important. A big chunk of the benefit that I see is getting the City out of City Hall for some Staff members, for Board and Commission and for Council Members to reinforce in ways that are sometimes intangible who we're all working for. I see that as one of the big goals. Again, smaller, maybe more informal meetings and more of them, I think, are more helpful for that goal. Those are some of my thoughts right now. Just out of curiosity, just so I've an understanding, even though I'm probably not going to support, what are the quadrants? What are the dividing lines for the quadrants?

Mr. Shikada: As I understand it from the Police Department, the divisor is Alma going north/south and Oregon/Page Mill. That's where the dividing lines are.

Council Member Wolbach: That's interesting. Just throwing out another possible grouping. What if you added in another line or two on top of that? If you had Oregon/Page Mill as one line, Alma's another, and then you added Middlefield as another. Then you'd have six.

Council Member DuBois: That's kind of where I was ending up, just looking at it.

Mr. Alae: That could work. The only thing is Midtown gets cut in half.

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Council Member Wolbach: Right. Yep.

Mr. Shikada: Or gets twice.

Council Member Wolbach: Or you could (crosstalk). Actually that might not be bad. Right, because Midtown does intersect with 101, Middlefield and Alma. They experience issues—just noise issues, for instance, They experience train issues and 101 noise issues.

Council Member DuBois: That quadrant, you might actually split on East Meadow instead of Middlefield. It would be Midtown, Palo Verde, south of Midtown. I mean, it's really pretty all integrated. Then you'd have the other side, Greenmeadow, Fairmeadow, Adobe Meadow.

Council Member Wolbach: That's kind of going back to the original—closer to the original groupings as well that way.

Council Member DuBois: It would be six, but that one would be vertical instead of horizontal.

Council Member Berman: People can go from ...

Mr. Shikada: It'll be open meetings.

Council Member Berman: Yeah, if you want to go to a different meeting if they're closer. If they feel like they're on a far corner of a quadrant and have more in common with the folks across the street who are in a different meeting, depending on how things break up.

Mr. Alae: Just a question for you. Where do you envision the meetings being held? From your experience, are they held at people's homes or ...

Chair Burt: No, no. Often at schools. As I was going through these clusters, almost all of them have a school where the meeting could occur and others have some other natural ...

Council Member DuBois: School, community centers, sometimes churches, the Friends Quaker House in Midtown.

Chair Burt: I had a few follow up comments. First, I don't think we should by design have meetings that split a neighborhood or an organization. I think that would be not well received.

Council Member Wolbach: Good point.

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Chair Burt: People are still free to attend whatever meeting they have an affinity toward or convenience. Second, the content and how much of it should be specific to a region of the City or a sector of the City. I think some things should, but I don't think it should be principally that way. I think we want to be able to speak to issues that are based on an area of the City that residents care more about, but we also aren't trying to do these to further parochialism in the City. That's not the objective. It's a response to—we want to have responsiveness to interests that are in certain areas of the City. We also want people to come out of this with a greater understanding of the City as a whole. I think back about examples I was citing about Jim's discussion on the City finances. I think virtually everyone who attended walked away saying, "I understand much better the totality of my City and where the dollars go." They weren't principally focusing on their neighborhood. Now, that doesn't mean there aren't going to be issues that matter to them about their neighborhood. It was healthy. I don't want to get over parochial; I want to be responsive to those interests.

Council Member DuBois: I mean, I heard you say three topics. I think the budget is perfect; you could just use that every year or kind of a mini State of the City. Then the second topic would be something local and third Q&A. That seems like a great agenda right there.

Chair Burt: I did want to support this notion that I don't think that the Council participation—I think we should deliberately avoid politicizing these meetings. I think random rotation of Council Members sounds like one good way to do that. Also, I think we should put guidelines, and I don't think they should be predominantly Council driven. I think there will be questions that some of the attendees will want to address to elected officials rather than to City officials. To the extent that the Council Members either say "I'm speaking for myself" or, because Council has already taken up a matter, can speak on behalf of the Council. I think that's healthy to have them there, but I actually think that the bulk of the information should be from Staff. That's another temptation for Council Members to turn these into their own political events, and I don't think that's the purpose here. Finally, as we're maybe trying to move toward some guidance on at least how to kick this off, first, when did you envision being ready to do a first one?

Mr. Alae: If we do get direction tonight, we'll bring it back to Council ideally on the 31st of August, get Council approval, and then start the planning stages and try to do one in September and ideally before November. We don't think December is a good month.

Chair Burt: There will be two in the fall?

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Mr. Alae: Yeah.

Chair Burt: Would those two be good enough to then have a feedback loop to Policy and Services right after the first of the year? We check in and say, "How'd it go? Now, how many do we think we could do in a year? What did we learn from the first couple that helps us move away from just our own notions of what would work to actually seeing what worked and what didn't work well?"

Mr. Shikada: Sure. Sounds like a great idea.

Council Member DuBois: Do we want Staff to pick those first two? I'm just thinking if we do Downtown with the RPP rolling out. I don't know if that's the best representative one to judge on.

Chair Burt: I guess I would say that if we want to have these be proactive more than reactive, I don't think we should start off with places that have hot-button issues.

Council Member DuBois: That's what I'm saying.

Council Member Wolbach: I'd actually throw out a couple of suggestions. If we do two in the fall, two in a season, that puts on an eight per annum cycle. I think that trying that and seeing how it works ...

Council Member DuBois: That's fall and winter, though, really.

Chair Burt: Not necessarily.

Council Member Wolbach: Winter is December, January, February, early March.

Council Member DuBois: I thought I heard you were trying to avoid December.

Mr. Alae: We are, just because of the vacations and holidays and things.

Council Member Wolbach: If we're talking September and November, those are both—September is summer/autumn. It would probably be late September, so we're talking about two in three months.

Mr. Alae: It will most likely be more like early October, late September.

Council Member Wolbach: Okay, but we're talking about two in the autumn. We'll find out is it reasonable to try and do two each season. For our first couple, rather than trying to pick two of eight or two of nine locations,

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maybe just go with a couple of kind of central locations, maybe Mitchell Park and either Lucie Stern or Rinconada Library, kind of is potential locations.

Chair Burt: Location picking doesn't address neighborhood groups that we would collaborate with in getting them going. If we did that without thinking about neighborhood groups, then it starts having it as a process that is—neighborhood groups could be perceiving it not as kind of further building that, but instead driving a wedge. I'm very hesitant to do something that is—without attempting collaboration with the neighborhood groups that would be part of whatever cluster we have.

Claudia Keith, Chief Communications Officer: Can I make a suggestion? Claudia Keith, Chief Communications Officer. You might start with a neighborhood association that's very well organized and that could kind of set the tone and the bar, someone who could bring a good membership and could be helpful to kind of start things off, rather than maybe a neighborhood who even doesn't have a strong association. You might pick a neighborhood to start with that could really be a partner to kind of get the ball rolling. That could might be one way to look at it. Just a suggestion.

Council Member Berman: I like that idea, but I also think if—I'm comfortable with doing two before the end of the year. I'm not at all comfortable with talking about doing eight in a year moving forward. I think to get an idea for how much time they really take, doing one that has a strong neighborhood association and then doing an area that doesn't really have a strong neighborhood association will give us a good sample of exactly what this is going to look like in terms of ...

Ms. Keith: Maybe pair in the fall and see how it goes.

Council Member Berman: Yeah, have one of each if that works out. If we just choose the ones with the strongest neighborhood associations, we're really not getting—I mean, we shouldn't then use that really as an example of how each one of these is going to go.

Ms. Keith: I was just suggesting maybe for the initial launch.

Council Member Berman: I agree. I think that's a very good suggestion. I just want to make sure that we're realistic about what we're doing here.

Council Member Wolbach: I'm just going to chime in with a couple of things. One, on this question of whether it's Staff or Council-led as far as running the meeting, I definitely agree that it should be Staff-led with Council like Board and Commission members being present. Just to kind of follow-up on how much geographic focus there is in the meeting, what I was envisioning

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is that the geographic focus, more comes out of the Q&A and what the residents bring to the meeting. I very much agree with what Chair Burt was saying about ...

Chair Burt: We use informal (crosstalk).

Council Member Wolbach: What Pat was saying about having the presentations be pretty consistent. That also reduces Staff time because of the prep time; you kind of do it once and maybe update it if things have changed a lot over the course of the year from where you started. I like that idea. I think, again, the regional benefit comes from what the community brings. On the question of whether it's really a City event, at least an attempt at collaboration with the neighborhoods or whether it's a City-sponsored event where we rely on the neighborhood associations to run it. I was, as I was mentioning earlier, envisioning it being really a City event. Hearing from colleagues, I'm open to that going either way. I'm open minded. I don't have any really strong feeling one way or another.

Council Member DuBois: I think what we're saying is it's a City event, but we would leverage the mailing list of the neighborhood association, perhaps the venue that they use for the meetings, so that people are used to going there. They would help send out invitations along with whatever Claudia does with Nextdoor or that kind of stuff.

Chair Burt: I would describe it more advocate for—even slightly differently which is collaboration with neighborhood groups to the extent that they are interested and able, and not try to limit it. I think where neighborhood groups want to play a major role in this, we should embrace it. I think we'll have a number. I think that over time these events will help build neighborhoods along with the other efforts that we're having here. We'll see stronger neighborhood groups that hopefully will be emerging in the areas of the City that don't currently have them.

Council Member DuBois: My only concern there is that we have three or four neighborhood groups in a cluster. Again, I think it should be clear that this is kind of a City-run meeting; otherwise, you could spend a lot of time trying to get those neighborhood associations to agree to topics, because they have different topics among them. It turns into more of a process. That would be my hesitation there. I think we just do a couple and figure out how it goes.

Chair Burt: That's why I described it the way I did, as collaboration to the extent they're willing and able. I can foresee—maybe this goes into kind of a pre-planning component—where we have the neighborhood groups that Staff would invite in a pre-meeting and not only for logistics planning but to

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hear whether that leadership thinks certain topics are of interest to their neighborhoods. That would help us include that within the subject matter. Yes, I would say try it on for size, but my supposition is that you go that route. Don't fear that neighborhood engagement is going to be real problematic.

Council Member Wolbach: One other thing that I'd envision as a benefit perhaps, as part of the agenda for these on a regular basis. Open to other colleagues' thoughts. Having a couple of leading questions to kind of kick off the Q&A. Maybe the City talks about some of the things we're working on, maybe highlight some things that other neighborhoods have done, whether it's focused on transportation or single-story overlays or whatever, just to put them out. Not saying necessarily those specifically, but things like that, to put them out to the people in the meeting and see the conversation. Encourage people to suggest what kinds of things like that they'd like to see in their neighborhood, whether that's something that neighborhood, that part of the City wants to look into, whether it's they want another off-leash dog park area or they want more shuttle service or they want a single-story overlay, but they haven't really looked into that much before. Just high level examples.

Council Member DuBois: I don't know why; it's triggered another idea. It's a little bit different. If we were going to do Proclamations for people at a Council meeting, if they're in that neighborhood, it might be nice to recognize somebody at each meeting. It would also maybe offload the Council agenda a little bit.

Council Member Wolbach: I participated in community meetings with a different hat that I used to wear in a former job. That was something that we would utilize, and it's good. It might be additional work, but if possible it's a nice thing to do.

Chair Burt: Let's see if we can pull this together into guidance for moving forward. Staff has already said that they would intend to do two in the fall. We have a question of how broad of a geographic area would they pick for those first two. Let me put out there a suggestion that they pick two that are roughly along the lines of what they have in this table. If Staff rethinks it and wants to have it be one-eighths rather than one-ninths or whatever and to start off with that. Is there support for that?

Council Member Wolbach: I'd like to hear what Staff thinks about that. What would you like?

Mr. Alae: I think that's fine.

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Mr. Shikada: In addition, the overlay of organizations, associations that are perhaps ready to go, I think, may be a driver for us as well. We'll see how quickly that can come together.

Council Member Wolbach: I like the idea of maybe doing one—I was intrigued by the idea of doing, like, one where there's a strong neighborhood, one where there aren't any strong neighborhood associations. For our first couple, I kind of think maybe we should set ourselves up for success. I'll respectfully disagree with that one for right now. I'd actually suggest looking for where we're going to have strong collaboration just for the first couple. That's my take, at least. Just for right now.

Council Member Berman: I think that's fine as long as we recognize that those aren't necessarily—I mean, then depending on the boundaries that we draw, that won't really give us an accurate idea of the time that it will take for all of these events. That's fine if that's what we want to do. It's just when we do the analysis, we've got to be cognizant of the fact that there will still be a lot of unknowns with some of these areas.

Council Member Wolbach: I agree.

Chair Burt: I think that what is likely to happen is that your first meetings, the Staff is going to be needing to do extra work on organizing kind of the repeat content and how agendas would be structured and kind of the logistics of reaching out and organizing the meeting. Once they have that under their belts, adding a future dimension of how do you deal with some of these sectors that don't have strong neighborhoods, they'll be able to do that on top of something that's already established. They won't have to do all of those new things in a given meeting. They'll be adding that dimension. I think that'll probably work best.

Mr. Alae: Just to throw a suggestion out there. I think if we go back to the recommendation, just so we can advance it to Council in a logical way, it would seem to me that it's broad enough and we have enough of your feedback to be able to scope out an agenda and go with it. I don't think we need to wordsmith it. Maybe if you want to add to the end "and return back to Policy and Services in January with an update," would I think ...

Council Member Berman: For an evaluation.

Chair Burt: This also—this says on a quarterly. We're basically ...

Mr. Alae: We could strike that out.

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Chair Burt: ... attempting two per quarter for right now, and then return to Policy and Services.

Council Member DuBois: It's two meetings in 2015.

Chair Burt: Yeah, which maybe is a little under our current schedule.

Mr. Alae: How about we just strike out "on a quarterly basis"?

Chair Burt: Yeah. I'll move that we adopt Staff Recommendation Number 1 with the deletion of "on a quarterly basis."

Council Member Wolbach: Second.

MOTION: Chair Burt moved, seconded by Council Member Wolbach to recommend the City Council direct Staff to begin ongoing town hall meetings, rotating throughout the City to engage Neighborhood Associations on specific and citywide issues, with two meetings to occur in 2015.

Chair Burt: Any other discussion? All in favor.

MOTION PASSED: 4-0

Chair Burt: Staff is going to incorporate some combination of our comments.

Mr. Alae: Moving on to Number 2, if we could jump to packet page 7. We just made some brief changes to the Know Your Neighbor Grant Program. I can walk you kind of through it. It is a tracked change on. The first one, we're just striking out the first sentence, "do you know who lives next door or down the block," as we're expanding the program. We added in a Number 4 of the goals of the program to increase governance and organizational leadership of neighborhoods. I think that starts to give us the base we need. We just made a word change; we took out "2013," took out the word "implementation" under grant guidelines and eligibility requirements. Again, added "activities must focus on one or more of the following areas," we added an "E," again, "increase governance and organizational development in neighborhoods." If we jump to the next page, under Number 4, it says "events must be held within the City of Palo Alto limits."

Council Member Wolbach: That one caught my eye.

Mr. Alae: It says, "except if request is for association training which is not within City limits."

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Council Member Wolbach: How far away do we want to sponsor travel?

Mr. Alae: You're more than welcome to give us specificity on that. If it's a significant request outside the area or somewhere, I don't think we'd approve.

Council Member DuBois: I think they were trying to respond to the Santa Clara conference.

Chair Burt: Let me ask, if we're not thinking of travel further than San Jose or up the Peninsula, do we really need to have travel reimbursement at all? I mean, people can carpool. It's just not a big deal. It starts what are the logistics of managing travel reimbursement at that level. If we just will reimburse sign up fees, I think that's a lot simpler. I don't think we have to do the travel reimbursement.

Council Member Wolbach: This isn't really saying that we're going to provide—I just want to make that we're not providing travel reimbursement then.

Chair Burt: It says exceptions to travel expenses may be made.

Mr. Shikada: (crosstalk)

Mr. Alae: You'd be surprised how detailed we get with the grant program and, like, reimbursing apples and oranges and not this on a receipt. We're used to that level of specificity. I could envision someone submitting a gas receipt.

Council Member DuBois: I think we're suggesting scratching that last line, so there'd be no travel expenses.

Mr. Alae: It's up to you guys.

Chair Burt: You've got an answer; travel isn't covered. If they ask you.

Mr. Alae: That would coincide with Number 8. We could strike that last sentence too, that we put in there. Then again, we've just added under evaluation criteria, again, the increased governance and organizational development of neighborhoods. Going on to the final page. As far as the evaluation criteria, is the work well developed, clear tasks, adequate resources allocated, community or organizational need addressed. Finally if for neighborhood association training, how does the training increase the governance and organization (inaudible) of your association. If you're okay with those changes, we can approve the second recommendation. The second recommendation, I think we could bring this along with the first

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recommendation to Council on consent if we get a 4-0 vote. We'd probably most likely bring a Budget Amendment Ordinance at the same time to shift the funds. Those could be active immediately for neighborhood associations.

Council Member DuBois: My question was on the dollar amounts. Currently, Know Your Neighbor is funded for 25,000. You're suggesting an additional 25,000?

Mr. Alae: Correct.

Council Member DuBois: How did you come up with that amount?

Mr. Alae: We took about—there's 30 or 32 neighborhood associations. I didn't think that all of them would put in a request for funds. I basically said \$1,000 for about 25 of them. We have already—the funds for the current fiscal year for the Know Your Neighbors Grant Program is already all allocated, so there's zero money to be allocated. We do need extra funding to do it. You have discretion to change that amount.

Council Member DuBois: I'm sorry if it's in there. How much are they eligible per group? Is there a limit?

Mr. Alae: Yeah, there's a \$1,000 per grant application is the max.

Council Member DuBois: (crosstalk) today, right?

Mr. Alae: Correct.

Council Member DuBois: One association could apply for 1,000 for a block party and 1,000 for something else?

Mr. Alae: In theory, yeah.

Council Member DuBois: I was just concerned about the total dollar amount, and whether we want to take it out of our contingency fee or not. I don't know if you guys have any feelings about that.

Council Member Berman: Can I ask a question? Is the plan to kind of have a subset of the Know Your Neighbors Grant Program be just for neighborhood associations or would this increase the overall pool of which folks could apply for grants from?

Mr. Alae: You certainly have the ability to provide us direction on how you'd want to do that. I think our thinking was that 25 would be for neighborhood activities, block parties, things like that; 25 would be for neighborhood association training and to increase their governance.

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Council Member Berman: I'm not expressing an opinion one way or the other. I'm just trying to get an understanding of what the thought was there. I don't know from the folks who wrote the Colleagues Memo, if they had had any specific conversations with folks about what this might look like and what the needs are and costs might be.

Chair Burt: No. I'm glad to hear that essentially things have been fully subscribed this year. Can you give us a sense are most of these for things like—what portion is block parties, what portion is for neighborhood association meetings and efforts? Is there some third category?

Mr. Alae: 90 percent are block parties. 10 percent would be—for example, Emerson Street does a radio project where they're going around and recording older residents in the neighborhood. We funded that. There was a neighborhood in south Palo Alto—I want to say probably the Palo Verde area. There's a homeowners' association in there where one of the gentleman is doing a video project, but he's going and videotaping all the Know Your Neighbors grants events if the grants want them videotaped. I think the Palo Alto Chinese Parents Club is also doing a unique cultural immersion program. Those are some of the outliers, but 90 percent are all block parties. Basically, our thinking was that whether it goes to a neighborhood grant for a specific activity or it goes to an association, overall it's meeting that building a sense of community developing. It's all going to the same place.

Chair Burt: Those are kind of interesting descriptions of where they're going and including some of these creative efforts. It occurs to me that maybe we should be sharing those on what's going on for this pretty small amount of money and what is its impact. I think when a neighborhood has a block party that hasn't ever had one before, it's a big thing in the history of that neighborhood. It's just people go, "We had our own block party. A big deal." They love it. Some of these other creative things are interesting. This ties into what will be my comment on the next aspect of this. We want to share practices, so that not everybody is trying to reinvent a wheel. I would encourage us to figure out some ways to share what's happening as a result of this. Maybe it even can have some sense of—ask them to report how many people attended the block parties. We go "all right." We've got what level of participation for \$25,000.

Council Member DuBois: I'm just a little concerned. I've been pretty active in a neighborhood association. There are a couple of events, and we applied for a block grant for those. The actual running of the association is pretty low cost. I mean, if you offered \$1,000 it would pay for everything. Where today people pay to be a member optionally. I think the main thing this

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group would ask for is their newsletter and printing costs and postage. That's not really included in this, right? Is that an option?

Mr. Alae: Just so I understand. You're saying that one of the things a neighborhood may apply for is for us to cover their mailing and their (crosstalk).

Council Member DuBois: They're covering it now.

Mr. Alae: They're covering it themselves now?

Council Member DuBois: Yeah.

Mr. Alae: You think that they would request the \$1,000 to help cover some of those costs?

Council Member DuBois: I'm trying to imagine—I mean, I guess we had feedback at our last meeting that some of the speakers didn't really think the conference was a good use of money. (crosstalk)

Chair Burt: What meeting?

Council Member DuBois: The Policy and Services meeting last time when we had people come and speak on this memo.

Chair Burt: They didn't think what was a good use of money?

Council Member DuBois: The Santa Clara conference. What are we saying this extra \$25,000 is for? We really qualify what it could be spent on. I think we're saying it's only for neighborhood associations, not neighborhood groups. I mean, these block parties are just neighborhoods; they're sub-streets. I'm looking at the red lines, and it doesn't seem clear to me that—if a neighborhood association applies for \$1,000 for a party, right now it says each group can only apply once, so could they also apply for association building? It sounded like that was your intention.

Mr. Alae: The language is broad enough to give Staff discretion to make those judgments. Certainly if you'd like to tighten it up, we can do that.

Council Member DuBois: It says each group is eligible to receive up to \$1,000.

Mr. Alae: Yeah.

Council Member DuBois: If they're already using \$1,000 for an ice cream social, the way I'm reading this, they wouldn't be eligible to spend it on

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association building, but we might want them to. Do we want to allow associations to cover newsletter mailings and things or not? I'm not sure. I mean, I'm just a little concerned how large the program gets. If you guys think \$50,000 is appropriate, I could be convinced. I just think it'll get spent. Whatever we put in there, people will find a way to spend it.

Chair Burt: Let me just comment on the amount. I think the 25,000 is a small amount Citywide. That's what? Forty cents per resident per year. It's had a good impact. If it's fully subscribed and we want to broaden what these folks can do, especially in conjunction with the other elements of what we have in this agenda item of helping promote and build neighborhood involvement, I think another \$25,000 is appropriate to budget for that. I also, on the source of the funding of this year it coming from the Council Contingency Fund, that's where we—if we have a Council initiative that was not in the normal budget cycle, that's our normal source of funds. That's frankly why we have that sort of budget is for that kind of thing. If it's a success, then in subsequent years it'll be built into the budget.

Council Member DuBois: Are you saying the second 25,000 would be reserved only for neighborhood association activities?

Chair Burt: No. I'm saying that these additional measures seem to be parallel with the need to help support some of these things financially.

Council Member DuBois: Let me ask a question. Are we adding \$25,000 that could be potentially just spent on more block parties or are we having two buckets of money now?

Chair Burt: The answer is—I don't think the intention is for this to be targeted for block parties, but I don't know that I'd exclude it. If we had more blocks that wanted to have block parties, I think we'd want to support that. Why would we not want to support it? If we thought it was good for the first 50 block parties, why wouldn't we want to support another 10 or 20? Do we start having a lottery?

Council Member DuBois: It seems like it's getting far away from where we started, which was encouraging neighborhood associations to develop their organizations. Right? That's what was in the memo. We're basically just saying we want to double the funding of the Know Your Neighbor Program (crosstalk).

Chair Burt: But we've expanded what we're encouraging. It's not just ...

Council Member DuBois: Right now 90 percent of it is block parties.

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Chair Burt: Is that right? Is it 90 percent?

Mr. Alae: Yeah. Let me give you some of my thoughts and perspective. We're trying to execute this Colleagues Memo at a relatively fast pace to kind of have some action to achieve the goals you have. We had to look at the vehicle of how to do that. We had talked about the Know Your Neighbors Grant Program being a vehicle that's in place, that we could immediately fund, and be able to take to these town hall meetings and have something for Council to go, to say "Look. We're moving forward on this initiative." Certainly our plan was during the FY '17 budget to come back to you and request more money for the Know Your Neighbors Grant Program as a whole, not up to another 25,000. We are seeing enough demand in its second or, I think, third year where I'm turning people away. We can certainly at the budget process come back to you with an update on what happened with the funds you've approved to date, how did it look compared to how many neighborhood associations put in applications for training and to meet this purpose, and then what was the demand like. The action you're taking tonight is just for this fiscal year, to get us through the end of the fiscal year. I think during the FY '17 budget you can adjust and provide direction on if you want the money dedicated in two buckets or one. Certainly if the requests come in don't meet these five guidelines, we're not going to approve.

Chair Burt: Are you anticipating that for these sector town hall meetings that neighborhood groups would potentially apply for funds for that purpose too?

Mr. Alae: That's an interesting question. We did think about that. We didn't really pursue that line of thinking because we were waiting to get direction on you all tonight on how you were visioning the town halls. I think that if a community group as we engage the first two and if funding is a problem, then we would look at what it is they would want funded.

Chair Burt: I would say them trying to pull together an event like that, providing some beverage and snacks, is always a great thing. Looking for them to suddenly get more dollars on their own into their own meager budgets to support a town hall meeting in their neighborhood is kind of reverse order. I was assuming that that would be one of the uses of these additional dollars. Does that seem reasonable?

Council Member Berman: Either one of the uses, are we just kind of somehow giving approval to Staff to have a budget set for each meeting?

Chair Burt: That's the question. Do we have that as a separate budget item?

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Council Member Berman: I'm okay with either.

Chair Burt: I think there's some merit to the neighborhood groups themselves taking on some of this and some ownership, but that we facilitate it. It has a grass roots component to it.

Council Member Wolbach: My inclination is with the town halls, that we would—my strong inclination is that we should foot the bill whatever the financial cost to that degree, at least. It is a City-sponsored event. There's a lot that the neighborhood associations can do as far as promotion of the event, getting people there, pre-meetings perhaps with Staff about potential issues. I definitely don't want to ask the neighborhood associations to be paying for our party.

Chair Burt: One way or another we want to have City financial support for these. Do we say that we want to offer up this additional 25 as the way that happens or do we want it as a different funding? I think we need to give that guidance.

Council Member Wolbach: What options are before us? I'd like to hear from Staff.

Chair Burt: It's those two, I think.

Mr. Alae: If you would like to have the \$25,000 initiated by the associations to tell us what they want to do in order to increase their governance and organizational leadership, then that would probably be best through a grant application method, for us to see whether that's going to help them or not. If you want us to pay for the town hall meetings, which there could be some real costs, like if we have to work with the School District to rent the site, custodial charges, those types of things, I would probably suggest going back and amending the first motion and adding the level of funding there to come from Contingency to be put into the Manager's budget, so we could pay those costs.

Council Member Berman: One other additional thought or issue. If a neighborhood association applies for funds for the town hall, then can they not apply for something else? It could complicate things.

Chair Burt: We have the option. We could fund these sector town halls out of other contingency funds and just (crosstalk).

Council Member DuBois: I think, again, people know the money goes quick unless the people have got their requests in early. The money's gone.

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Mr. Alae: Yeah, the money's gone for the Know Your Neighbors Grant Program as soon as we launch it.

Chair Burt: That wouldn't be ...

Council Member DuBois: (crosstalk) two meetings in the fall. They're not going to apply for money for those, because there is no money left.

Chair Burt: Not if we supplement it with the additional ...

Council Member DuBois: Again, I'm still focused on this \$1,000 limit though. If they've already spent their \$1,000, can we let them go above that?

Mr. Alae: I was going to go back to that. Where do you see the language I put that it says it's ...

Council Member DuBois: Under application process, fourth paragraph.

Council Member Berman: I wasn't sure (inaudible).

Council Member Wolbach: What page?

Council Member Berman: Packet page 10, third line.

Council Member DuBois: That's kind of what got me into this. Like, if they're already spending money for a social event, we're not really letting them spend it on (crosstalk).

Chair Burt: I'm fine with treating these town hall meetings as a separate budgetary item out of Council Contingency. I guess we don't quite know how much. Frankly, for right now, we're just doing the first group. We're going to have a revisit on this. We could allocate a certain amount, and then you can see what your costs are and up it. We want to allocate something above what we think it will be so that you're not having to come back for more dollars.

Council Member Wolbach: You said we would need to amend our first motion in order to accommodate that?

Mr. Alae: I would think that'd probably be the cleanest way. We could just bring it to you as part of the Staff Report. We would say ...

Mr. Shikada: With the Council action?

Mr. Alae: Yeah, with the Council action. We can add to it. It could say direct Staff to begin ongoing town hall meetings, rotating throughout the

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City, to engage neighborhood associations on specific and Citywide issues with two meetings occurring in 2015, and return to P and S in January with an update, and ...

Chair Burt: Why don't I just do it as a separate motion which will be kind of a one (crosstalk). That we authorize \$10,000 out of the Council Contingency Fund to support the Citywide town hall meetings.

Council Member Berman: Second.

Chair Burt: What do we call them?

MOTION: Chair Burt moved, seconded by Council Member Berman to recommend the City Council authorize \$10,000 out of the Council Contingency Fund to support the citywide town hall meetings.

Chair Burt: Any other discussion? Is that ..

Council Member Berman: Could I ask one quick question? How much do we have in the City Council Contingency Fund?

Mr. Alae: \$250,000.

Chair Burt: We haven't spent anything this year. We don't usually spend most of it.

Mr. Alae: Generally, our normal practice is—with your Contingency, if you do spend it—we would re-add the money at midyear anyway from the reserves to make sure you had it in case something came up in the last part of the fiscal year.

Chair Burt: Any other discussion on that? All in favor.

MOTION PASSED: 4-0

Chair Burt: We can move forward on any changes that we want to the recommendation on Item 2. Tom, you were wanting a little more latitude for neighborhood groups.

Council Member DuBois: I'm just trying to think through this. Again, block parties, I don't think there's an issue. I think those are kind of streets that throw the parties. For associations that are already spending \$1,000 on a social event, I guess, are we saying they have to decide if they want to ...

Chair Burt: I've heard you raise the issue. We're now at a point where we want to do a recommendation. I'll step forward and move that we modify

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the—I will attempt to do the—I'll give it as guidance that neighborhood associations would be allowed to apply for up to two grants, not to exceed 1,000 each, for different purposes.

Council Member DuBois: I second that.

MOTION: Chair Burt moved, seconded by Council Member DuBois to recommend the City Council authorize the Neighborhood Associations be allowed to apply for up to two grants annually, not to exceed \$1,000 each for different purposes.

Chair Burt: I'll just say that I didn't get into prescribing what those different purposes are, but generally thinking one bucket is social and one is administrative or communication, that kind of thing.

Council Member Wolbach: Before we vote on that, just want to check whether we need to include something guiding that if we are running short on funds, if the funds are being swooped up pretty quick, to make sure that before one neighborhood association gets two \$1,000 grants, that any neighborhood associations that haven't gotten at least one but have applied get one at least. Does that need to be said or is that already understood? Do you understand what I'm saying?

Mr. Alae: Mm-hmm. I think we have it. I think we've got it. (crosstalk)

Chair Burt: An additional consideration is that we have some small neighborhood associations and some very large. I think there should be some sense of proportionality. It seems like right now there's some Staff discretion that you could address that with. If in the future we need to formalize it a bit more as we learn, I think you can come back with that.

Council Member Wolbach: That's fine.

Mr. Alae: I think we'll learn a lot as we do this. We'll see what the demand is and what they would like to do.

Council Member Wolbach: I'm fine with that then.

Chair Burt: All in favor.

MOTION PASSED: 4-0

Mr. Alae: Number 3. This one is pretty basic. We can talk about it if you like or not. The co-sponsorship agreement is attached. What we'd like to do is come back to you before the end of the calendar year with a revised co-sponsorship agreement and with the analysis about the insurance. In

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essence, I think what it'll be is another addition to the budget which would then be able to use to offset the cost of some of these (inaudible).

Chair Burt: I'll just say I'm glad that you're saying you're going to come back before the end of the calendar year. Frankly, one of the things that this was about was the public meeting space at Alma Plaza that is the unutilized public meeting space at Alma Plaza for the last eight years or whatever, six years I guess. I didn't think it would take so long to get action on something that doesn't seem enormous. If it's in the next few months, I'm okay waiting. I just want to convey impatience with getting that done.

Council Member DuBois: This is the existing agreement?

Mr. Alae: Correct.

Council Member DuBois: How does it work? On page 13, where it says ...

Chair Burt: Packet page 13?

Council Member DuBois: Yeah. Use of City facilities without payment of rental fee (inaudible) provided subject to availability of space. Are we already doing that?

Mr. Alae: Correct. As we had mentioned, the space can be provided for free, but then the custodial cost or the insurance cost are not. That's, I think, the little issue that upsets the associations.

Council Member DuBois: For the insurance, would we be paying for insurance or would we be waiving an insurance? Kind of saying use it at your own risk.

Mr. Alae: We haven't—given the schedule and time, I haven't had a chance to sit down with our risk manager and work through the options. There's at least two we've identified. We provide general certificate liability insurance that you can purchase at Lucie Stern through a third-party vendor. A lot of people purchase these when they rent our facilities. There's different classes of insurance. There are different rates per the classes. The best part about those certificates is that you can either put one date on it or you could put a date of a whole calendar year. The date isn't necessarily defined. We could have each association purchase one of those for—or we could purchase it for \$150 or what have you for the whole calendar year, and then that gives them insurance for the whole year and we use that every time they rent a facility. Or we could sit down with our insurance broker and just put them in under our insurance umbrellas. We'd

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need to sit down with our risk manager and figure that out. When we bring this item back, that recommendation will come to you.

Chair Burt: I would say ideally they're able to be covered under our existing insurance plan. Alternately, under the action we just took, that could be part of those administrative funds that they apply for a grant for. I'd rather that we don't have to go through that. Is there any other discussion on three?

Council Member DuBois: Hang on one second. Was the original memo neighborhood associations?

Mr. Alae: The original memo seven points are listed on packet page 3, if that helps you.

Council Member Wolbach: Staff Recommendation 3 relates to Memo Item 2 and vice versa, right?

Mr. Alae: Yeah, correct.

Chair Burt: I'll move adoption of Staff Recommendation 3 as written.

Council Member Wolbach: Second.

MOTION: Chair Burt moved, seconded by Council Member Wolbach to recommend the City Council direct Staff to return to the Policy & Services Committee with an update to the Community Services Department's Co-Sponsorship Agreement to broaden the scope and to allow options for waiving insurance fees for neighborhood meetings in City facilities.

Chair Burt: Any discussion? All in favor. That passes unanimously.

MOTION PASSED: 4-0

Chair Burt: Number 4.

Mr. Alae: Number 4 is probably a little bit trickier. We have some of these items about definitions, support models, conflict resolution, the ombudsman concept, the website, social media. In June, the Committee provided different options of maybe an ad hoc committee, maybe not, but they're probably longer-term conversations that we need to have. Again, Number 1 and 2 were to get something out of the gate and get going and show initiative. Number 3, bring back the facilities item and get that wrapped up by January. Number 4, we'd look to you for how you want to pursue this. In speaking with Jim in advance of this meeting, he doesn't recommend the ad hoc committee option. He'd rather the items come back to Policy and

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Services Committee, and we just continue to have the conversations here. We could agendize this in January when we bring back an item about the town halls. If we can get it all done, maybe we could bring it back in December with the co-sponsorship agreement. Again, I think your concept was to have neighborhood leaders here and have a discussion. I don't know if we could do some sort of quasi Study Session at Policy and Services where it's more of a discussion.

Chair Burt: One thing that I think would be an early action that would be helpful is to solicit from neighborhood associations any existing bylaws or guiding principles and protocols that they have. I actually—time flies, but 20 years ago, we went through when we created University South a real deliberative process on this for a couple of years. Everybody was pretty happy with what we ended up with, in both bylaws and then we had guiding principles and protocols. Other neighborhood groups actually ended up asking for them, including some neighborhood groups that had been around a long time. They had just kind of functioned loosely. No one had any obligation to adopt anything, but they didn't have to go through repeating a long process, because we said "Do we like this? Do we like 80 percent," whatever, and it was valued. I think that's just leveraging work that has been done. Maybe we come up with several models. If you've got a neighborhood group that's been around or if you're creating one, you go "Wow. This would be easy." I'd encourage that. PAN can probably help with that too, hopefully.

Council Member Wolbach: Can I ask whether we want to tack one more onto that which is Item 5 in the original memo? What we're basically talking about—your Item 4 is the catchall for the remaining ones. Items from the original memo would be Items 1, 4, 5 and 7 as you mentioned on page 5 in the packet, so 1, 4, 5 and 7. I wonder if maybe a slight modification of Number 5 we might want to include with that. In addition to soliciting any bylaws they might have, guiding principles they might have, if they have any officers, if they have a list of officers, that if we're already reaching out to them asking for bylaws and guiding principles, if you want to let us know who your officers are, that would be nice too and if you have a point contact person. They don't have to title them a communications officer, but a key contact person, just to facilitate future conversations. That would be useful. When we do have neighborhood meetings near them or we have some kind of a pseudo Study Session here, we'll know who to get in touch with.

Council Member DuBois: Your question on Number 4 is if we had this meeting in January, who do we invite and what do we do in that meeting.

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Mr. Alae: There's no question it just seems to us that these are deeper conversations that need to occur. You guys had wanted to meet with neighborhood associations to do that. I guess our recommendation would be let's schedule time at a Policy and Services Committee, invite them and have those conversations.

Chair Burt: Have a Policy and Services Committee Study Session with neighborhood leaders who elected to attend.

Mr. Alae: Correct.

Council Member DuBois: We could ask them about each of these points, how would they see it working.

Mr. Alae: Correct, correct.

Council Member DuBois: That seems like a good idea.

Chair Burt: Yeah. I can envision that there might be two different ones. The first, where we convene and kind of identify what we know and what we don't know. They might loop back and say, "We want to meet outside of this and come up with some recommendations" or whatever. Then we meet to—whether we adopt and recommend to Council adoption of a certain set.

Council Member DuBois: Do we just ask PAN to have as many neighborhoods represented and ask them to ...

Chair Burt: I wouldn't say "just," but I would say "yes and."

Mr. Alae: That sounds good.

Council Member Wolbach: Yeah, I think that's good. I mean, I remember after the memo was originally written, some of the PAN folks—I don't want to name individuals in case my memory is failing me—some individuals involved with PAN said some of these things aren't necessary. Having a conversation with them, I think, is useful. I'll support it.

Council Member DuBois: If I could just ask. We don't have the Minutes of our last meeting on this. Can we get those?

Mr. Alae: Aren't they in the packet?

Council Member DuBois: No. At least not in mine.

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Mr. Alae: I don't know. I'll have to check if they were ready. They may not have been ready. I don't want to blame the Clerk. It might have been my fault.

Chair Burt: There are certain Minutes, but they aren't our last ones.

Mr. Alae: The Minutes are from the actual ...

Council Member DuBois: The next time we talk about it, that'd be good. We had a lot of discussion about website and all that stuff. (crosstalk) refresh.

Chair Burt: Let's see. The action we want to take under 4, or guidance.

Mr. Alae: It could be return to Policy and Services Committee in January for a Study Session with neighborhood associations regarding these following topics.

Chair Burt: Yes. I'll move that.

Council Member Berman: Second.

MOTION: Chair Burt moved, seconded by Council Member Berman to direct Staff to return to Policy and Services Committee in January 2016 with a discussion regarding Neighborhood Associations including Association definition, support models, communications, conflict resolution, ombudsman concept, and the City's website and social media for neighborhoods.

Council Member Wolbach: Do we want to include the other recommendation about doing some pre-contact with them?

Chair Burt: I think Staff has that guidance.

Council Member Wolbach: Do you need it as an amendment to the motion?

Mr. Alae: No, no.

Chair Burt: All in favor. That passes unanimously.

MOTION PASSED: 4-0

Council Member Berman: Can I ask one follow-up question to Number 2, the Know Your Neighbors Grant, I meant to ask during that conversation. As a development director of a nonprofit, I'm more than well aware of the reporting requirements that a lot of organizations have for grants that they give. Do we request anything right now with that program?

Mr. Alae: Coming from the person that's applying for it?

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Council Member Berman: Yeah, yeah. A recap of the—I mean, like, a paragraph recap of the event.

Mr. Alae: Yeah, there's an evaluation.

Council Member Berman: They do provide that?

Mr. Alae: Yeah. The application has the evaluation questions. We basically ask them to answer the 1, 2, 3, 4 in the back of that application. It's on packet page 8 and 9.

Council Member DuBois: They have to spend the money first, right, and then get reimbursed?

Mr. Alae: Correct. They spend the money first, and then we reimburse them.

Council Member Berman: Does everybody tend to do that? I mean, follow through with ...

Mr. Alae: They tend to spend the money, and then send us the receipts. And then the evaluation.

Council Member Berman: The evaluation. Okay, great. Sorry, I missed that part of this. If they want to add a photo or something from the event, then we've got a website ...

Ms. Keith: We ask them to do that to tell that story. We can't be at all of them. In the past, we've gotten quite a few. That's a good reminder to kind of restart that.

Chair Burt: That ends Item Number 1. That's it, right?

Mr. Alae: Yeah, that's it. That's Item Number 1.

2. Continued Discussion Regarding City Council Procedural Matters, Including Updates to Municipal Code Sections for Appeals, Post Government Employment Regulations, Date/Time of Policy and Services Committee and Other Referral Items from City Council Retreat (Continued from June 9, 2015).

Chair Burt: Item Number 2 is the updates to the Municipal Code and discussion of referral items.

Khashayar Alae, Senior Management Analyst: I can put this in context too and turn it over to Ed and Molly if there's anything they would like to say. If

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you all recall, at the Retreat you had feedback for us regarding some amendments to the policies and procedures manual. In those conversations, you also wanted some changes to items that were not within the policies and procedures manual, but were more in essence in the Municipal Code. If you ...

Chair Burt: Before we can get into that, can you remind me where we left off on the changes to policy and procedures? Those haven't gone to full Council yet, right?

Mr. Alae: No, they haven't. That's on your—if you look at your schedule, it's supposed to be for next month.

Council Member Wolbach: I was going to ask when that was going to come back. It said after the break.

Mr. Alae: We need to talk about that date because—I'll be honest with you—my work load is stacked with Animal Services and air traffic and this and that. I haven't had a chance to upload or finish this item. I need more time to do it and bring it back. Hopefully at the end of the meeting, we can talk about future dates. Our goal is certainly to bring it back as soon as we can. That's where that was. These three items tonight are within the Municipal Code. We had talked about splitting them up and having them be different agenda items and different discussion items. If we go to page 35 of the packet, there were three items. The revolving door policy, which you can read or I can read for you, the appeals process and then the day of Policy and Services Committee meeting. Amy French is here from the Planning Department. She's behind you. You're welcome to come to the table if you want, Amy. She can talk to you about the appeal process, just overall. I don't want to steal her thunder, but I think that is—we have a process going on for that and it's coming to you in a different venue. The revolving door policy we should talk about tonight. Number 3 is pretty easy. If I can make a recommendation, I'd say let's do Number 3 and get it over with, and then jump to maybe Number 2 and then go back to Number 1, maybe do it in reverse order. That way, Amy can pop out of here.

Council Member Wolbach: Sounds good to me.

Chair Burt: Number 3 ...

Council Member Wolbach: You said you had a recommendation.

Mr. Alae: No, no. It was just that you could do it in that order.

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Chair Burt: Number 3 is about the question of whether we should be having Policy and Services on an evening other than Tuesdays after Council meetings. That's basically it, right?

Mr. Alae: Yes.

Council Member Wolbach: We were talking about maybe doing it on a Wednesday, but we wanted to double check what we would be conflicting with on a Wednesday.

Mr. Alae: Correct. It would probably be conflicting with a Commission meeting, depending on when you do it, whether it's the PTC or ...

Chair Burt: We no longer have meeting space conflicts that matter so much. Are there staffing conflicts that would be a problem?

Mr. Alae: No.

Council Member DuBois: (inaudible) Staff would actually (crosstalk) ...

Council Member Berman: Getting juggled.

Council Member DuBois: ... not to be on Tuesday.

Mr. Alae: We prefer what you prefer.

Council Member Berman: Which is not to be on Tuesday.

Chair Burt: You may have the same exhaustion on a Tuesday. What do we think? Do we want to change it? If so, do we want Wednesday or Thursday or something else?

Council Member Berman: I think Wednesday makes sense. I hadn't thought about it frankly, but it is a grind to come back a day after a Council meeting, for us and for Staff, and to have another meeting. Thursday, given that we've got the 9/80 schedule, that could be tough for Staff if that Friday is a 9/80 day off. I think Wednesday probably—I mean, unless Staff sees a problem with Wednesdays, I don't see a problem with Wednesdays.

Council Member DuBois: Are we making a recommendation for both this meeting and the Finance Committee?

Mr. Alae: No, this is just—the item that was brought up was just the Policy and Services Committee. I don't know if we're limited to just that based on ...

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Council Member Wolbach: Because that's all that was (crosstalk).

Council Member DuBois: It mentions the Finance Committee during budget season meeting on Tuesday nights.

Council Member Berman: Yeah.

Ed Shikada, Assistant City Manager: It's similar to express the (inaudible).

Council Member Berman: I don't know why we'd do one and not the other, unless there's a Staff reason for it.

Chair Burt: When it goes to the Council, Finance Committee members will have a chance to weigh in and say "We want to stick with Tuesday." It is a policy, so ...

Council Member DuBois: The only conflict, I want to say, is our PTC meetings.

Council Member Wolbach: Just to check with City Attorney, what was agendaized, just looking at the agenda, it says one of the items have—third line of Item 2, date/time of Policy and Services Committee. It also says "and other referral items from Council." If we're talking about Finance, can that fall under other referral items? I just want to make sure we're not getting ourselves into hot water.

Molly Stump, City Attorney: The other committee wasn't specifically included in the referral item. I think this entire thing will go to the Council, so if you focus on Policy and Services and have some other general comments about Finance, then Council can deal with it at the time they take this other item up.

Council Member Wolbach: Thank you.

Chair Burt: Let's think about the process for this going to Council. Are we going to have these various things go to Council as action items for full discussion or are we thinking that they'll be as consent items?

Mr. Alae: I mean, certainly I think our preference is a consent item given the Council's agenda and the schedule of meetings. Consent's always easier. We could take it individually; we don't need to lump all three of these together.

Council Member Wolbach: That way, if somebody wants to pull one, you don't have to pull all of them.

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Chair Burt: I guess the other thing, though, is—you were thinking that each of these would be a consent item? Then we have various things.

Mr. Alae: Yeah.

Chair Burt: We had a slew of referrals.

Mr. Alae: I certainly think that the policies and procedures book should go as a standalone item to Council. When we finish the conversation with that, you all may want to have a Study Session or an action item for that. Let's just keep that separate. If we look at the Municipal Code items, again not to jump the gun with Amy, I think what you're going to hear is that that's already coming to you in a different venue as a standalone. Then the question becomes do you want to sync "1" and "3" together and put them both on consent.

Chair Burt: Where does the day of the week of the Policy and Services Committee and for that matter Finance Committee, where is that determined? Is that in our procedures?

Mr. Alae: It's in the Municipal Code. (crosstalk) All three of these are Muni Code.

Chair Burt: So it's a Muni Code.

Mr. Alae: Yeah, it's a Muni Code.

Ms. Stump: The local revolving door policy is also a Municipal Code change. I think it would be good to think about that. The Council's current policy does allow for unanimous items to go on consent from committee, but really contemplates that ordinances would usually be action unless they're consistent with the prior Council policy direction. I'm not really quite sure that either of these make it quite that far. Maybe the Committee has some thoughts about that. We could also do some more thinking about whether that's appropriate to put it on consent.

Council Member DuBois: We had the meeting of the Committee as a Whole. I just don't remember what people's opinions were.

Ms. Stump: My recollection is that the Committee of the Whole noted these ideas and referred them over to this Committee to work on. There really wasn't a policy direction at the Council level. Revolving door policy, if the Committee's going to recommend a change, is this significant impact on current and future City employees? I'm not sure that you want to treat that on consent.

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Chair Burt: The only one that seemed less consequential was the date that we meet.

Ms. Stump: I think the only thing there, Chair Burt, is the Commissions. I'm not intimately familiar with all of the Commission schedule, but I do know we have some significant ones that meet on Wednesday nights.

Chair Burt: It's true. If there's a Council rep who is the rep to the Commission—I mean, a Council Member who's on the Committee and a rep to the Commission, that creates a potential problem.

Ms. Stump: It could. I don't know that Council reps are routinely attending Commission meetings, but they certainly might.

Chair Burt: They do some, certain ones, yeah.

Ms. Stump: Yeah. Sometimes Staff also will need to support a Committee item and also a Commission item; although, I think that's relatively rare.

Chair Burt: I think that—personally I'd prefer to meet on a Wednesday or even a Thursday, but the issues of Council Members needing to simultaneously attend a Board or Commission meeting, I think, is probably the biggest question. I'm not sure that that's resolved.

Council Member DuBois: I think PTC meets every other week.

Mr. Alaaee: I'm looking at our website.

Amy French, Chief Planning Official: It's the second and last Wednesday of each month. It's quite predictable.

Council Member DuBois: We could switch unless there's five weeks (crosstalk).

Chair Burt: Are you the rep and do you attend?

Council Member DuBois: I am not.

Chair Burt: Historically PT ...

Ms. Stump: There is no Council rep to the PTC.

Chair Burt: That's what I thought.

Council Member DuBois: If somebody wanted to attend for a particular topic—I guess right now it's Finance and Policy and Services alternate.

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Chair Burt: PTC is recorded. If I'm going to watch it, I ...

Council Member DuBois: If they both move to Wednesday, I guess one of the groups would conflict with PTC.

Mr. Alae: I just checked. It's only the UAC and the PTC meet on Wednesday nights. The Utility Advisory Commission meets on the first Wednesday night, and then the PTC meets on the ...

Mr. Shikada: Second and last.

Mr. Alae: ... second and last.

Ms. French: Second and last instead of (crosstalk).

Ms. Stump: If I may? We do have some times our utilities team and our finance, on rates issues for example, needing to present at Committee and also ...

Chair Burt: That's on the Finance one. A reason why Policy and Services night might not—you might need to keep Finance on Tuesday, but Policy and Services could switch. The only other thing would be if a Policy and Services Committee member is the UAC rep. We don't have that this year, but it could happen, and then we'd have to make sure that if they're first and third, we'd be second and fourth or whatever like that.

Ms. French: Is UAC first and third or just first?

Mr. Alae: Just first.

Ms. French: The third seems to be open.

Chair Burt: It's once a month. If we think that's manageable, that every other year on average you'd have a Policy and Services Council Member who is also the UAC rep and UAC has one meeting a month and we have to make sure that those meetings didn't conflict.

Council Member Berman: Policy and Services often has at most one meeting a month, sometimes two. That could be strategically scheduled.

Council Member DuBois: What Amy just said was the third Wednesday of the month seems to be open. Right?

Chair Burt: Generally, yeah. It sounds like it's manageable; I just wanted to frame any potential conflict.

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Council Member Wolbach: It sounds like moving Policy and Services to the third Wednesday is pretty easy. It's the Finance. What it means for the City Attorney or other significant Staff, potential for conflicts with Finance and UAC or PTC where ...

Chair Burt: If we're not going to address Finance, we don't have that issue.

Council Member Berman: We don't have to. I would argue we could. I mean, I'm just going to throw out that—I mean, if Finance is the second and fourth and UAC is the first, that takes care of that problem also. We can still—Policy and Services can still be on the third. I think there's a way that you can do this—put the pieces of the puzzles together to make it work if there's the desire from all parties to not have meetings on Tuesday.

Chair Burt: I would say since we weren't assigned Finance and because there are greater complexities over reconciling Finance, I'd recommend we just tackle Policy and Services. At the Council, we can offer to the Council that if you want us to tackle that, we'll do that subsequently.

Council Member DuBois: I thought we were assigned Finance. I thought that was actually the concern, budget season ...

Council Member Wolbach: It says right here on page 35 of the packet ...

Council Member Berman: On the rationale.

Council Member Wolbach: ... in the explanation. Even though the headline says date of Policy and Services Committee, the rationale says, third line, "this is especially true for Finance Committee."

Ms. Stump: I think it does now fall under other referral items.

Chair Burt: Then we have a little more complexity though on staffing in particular.

Council Member Berman: If it's UAC first Wednesday ...

Council Member DuBois: Those groups could move to Tuesday, if Tuesday is suddenly (crosstalk).

Council Member Berman: Very true. I don't know that—I mean, yeah, I was thinking about that earlier actually.

Chair Burt: That's right. They're not up 'til ...

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Mr. Alae: There aren't that many conflicts with PTC though and Finance Committee.

Council Member Wolbach: That would be the one conflict, right?

Mr. Alae: Yeah. The only conflict comes then is if a Council Member on Finance Committee meeting is on PTC.

Council Member Berman: Nobody, no Council Member (crosstalk).

Chair Burt: What about UAC and Finance?

Ms. Stump: That does not happen.

Mr. Alae: UAC occurs the first Wednesday of the month, so you could have Finance the second Wednesday or the ...

Chair Burt: I see.

Council Member Berman: UAC, Finance, Policy and Services, Finance. If there needed to be two, Finance and Policy and Services can juggle a second one if necessary or whatever.

Chair Burt: I will move that we recommend to the Council that Policy and Services Committee and Finance Committee meetings switch to Wednesdays, and that the schedules be made so that they do not conflict with regularly scheduled PTC or Utilities Commission meetings. That the regular schedules do not conflict.

Council Member Berman: Does that ...

Chair Burt: It'd still allow exceptions.

Council Member Berman: Moving either UAC or PTC; they'll probably move ...

Chair Burt: No, we can do it on a regular schedule based upon which week out of the month. Those are the regularly scheduled meetings. We don't even have the conflict if we just say we're the second Wednesday and they're the first Wednesday. That's not a regularly scheduled—a regularly scheduled meetings, I don't hear of a conflict.

Council Member Berman: When is PTC? Just remind me.

Mr. Alae: PTC is the second and last. Basically ...

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Council Member Berman: Which day of the week?

Ms. French: Wednesdays.

Mr. Alae: Wednesdays. You ...

Chair Burt: With PTC, we don't actually have a problem because we don't have a Council rep.

Council Member Berman: Exactly. That's why ...

Chair Burt: And they said there's not a Staff. I haven't heard of a conflict.

Council Member Berman: I agree. I just—having PTC in there threw me off a little.

Council Member Wolbach: UAC is the first?

Mr. Alae: It's the first.

Council Member Wolbach: The current—on page 45 of the packet, the current Code doesn't just say Tuesday. It says specifically second Tuesday for Policy and Services. This is page 45 of the packet. The second section here, stating committee meetings, Paragraph A, it says that Policy and Services is the second Tuesday, Finance is the first and third Tuesdays.

Council Member Berman: We're changing that.

Council Member Wolbach: Should we just change that to Policy and Services third Wednesday and ...

Mr. Alae: Where are you? Packet page what?

Council Member Wolbach: Packet page 45.

Mr. Alae: Down at the bottom.

Council Member Wolbach: About two-thirds of the way down.

Chair Burt: .200(a).

Council Member Wolbach: Should we just be very clear here that ...

Council Member Berman: Keep going. You're on it.

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Council Member Wolbach: ... Policy and Services would change to the third Wednesday and that Finance would change to the second and fourth Wednesdays.

Mr. Alae: Yes.

Ms. Stump: Just the caveat that it would make sense for us to confer with our ELT colleagues to ensure that we've captured all of the issues. It sounds like we have, but I just would like a courtesy to the Staff.

Chair Burt: We could put in the motion "pending Staff concurrence."

Council Member DuBois: What about Council Members that might be on a regional body or something that's meeting, how do we deal with that?

Council Member Wolbach: Regional bodies meet all different days.

Chair Burt: They meet on Tuesdays too.

Council Member DuBois: I mean, we're just changing their schedule, and they've worked it out.

Council Member Berman: I don't think any of them have—I'm not sure they take into account our committee meeting schedule. Not that I know of, that they don't take into account any of our considerations in their meeting schedules.

Council Member Burt: The regional bodies I'm on are Thursdays. Do they tend to be Thursdays for these very reasons? I think so. Maybe not exclusively, but (inaudible).

Council Member Wolbach: I actually have one that's tomorrow, but it's in the afternoon, so I can jump out of that and get here in time for our special UAC interviews.

Chair Burt: We had specific language for this motion. Were you able to capture that?

Mr. Alae: I mean, the gist I got is Policy and Services Committee makes a recommendation to amend Section 2.04.200(a) as such, as you mentioned.

Chair Burt: Let's make sure we got that actual language.

Council Member Wolbach: The second sentence would read "the Policy and Services Committee shall meet on the third Wednesday of each month and

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the Finance Committee shall meet on the second and fourth Wednesdays of each month."

Chair Burt: Contingent on (crosstalk).

Council Member Wolbach: Then a separate sentence on the motion or ending the quotation from the Code, contingent upon Staff concurrence.

Ms. Stump: Council Members, two clarifications. This would be an ordinance change. You could also adjust your schedule sooner than the ordinance could go into effect, which takes two readings and 30 days, just through noticing as special meetings. When does the Committee ...

Chair Burt: I don't think we have an urgency.

Ms. Stump: Would you contemplate the beginning of the calendar year next year to make the change? Then would the Committee, assuming there's unanimous support for the recommendation, would you prefer for this to go onto consent or in order to allow public input into a change in the Council's longstanding practice, would you want to have it on as an action item?

Council Member Wolbach: You know what? Let's throw it on action. It might be really quick, but it might be worth getting a quick chance for action.

Ms. Stump: I make a motion that Council Members have dinner before a committee meeting.

Council Member Wolbach: It kind of sounded like some Staff was hoping it goes on consent. Some Staff is implying that there might be benefits to it going on action. I'm torn as well.

Council Member Berman: I don't see regular community members attending either Policy and Services or Finance. I think they attend on an ad hoc basis based on the issues. I'd be okay with it going on consent.

Chair Burt: I would too. I'm trying to envision what would be contentious about it, and I just can't. We can always pull it from consent if we get public speakers. I think there'd be a sentiment—if we saw that there was a wish, we'd readily pull it from consent.

Council Member Wolbach: I can picture a couple of people in particular who may be making that request, so be prepared for it.

Council Member Berman: Don't shoot them emails.

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Chair Burt: We have that motion. All in favor.

Clerk: There was no second.

Council Member Berman: I'll second.

MOTION: Chair Burt moved, seconded by Council Member Berman to recommend the Council approve switching Policy & Services Committee and Finance Committee meetings to Wednesday's and be scheduled to avoid conflicts with regularly scheduled Planning & Transportation Commission meetings or the Utility Advisory Commission meetings.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion, "Policy & Services Committee and Finance Committee meetings to Wednesday's and be scheduled to avoid conflicts with regularly scheduled Planning & Transportation Commission meetings or the Utility Advisory Commission meetings" with "Policy & Services Committee meetings to meet on the third Wednesday of each month and Finance Committee meetings to meet on the second and fourth Wednesday of each month."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "pending Staff concurrence."

Chair Burt: All in favor. That passes unanimously.

MOTION AS AMENDED PASSED: 4-0

Chair Burt: Amy, you're up next.

Ms. French: Yes, Item 2, the appeal process. I read the notes here. We have no trouble with allowing the speakers to speak for 10 minutes, if that's the pleasure of the Council. Sounds reasonable. The note here about changing back to two votes, I would say we would advise consideration of three votes. I'll tell you why. Currently, it takes four votes to pull the Individual Review appeals off consent and place it on a public hearing. Four votes going down to three would be an improvement there. Consistency is important. Three votes is, I believe, what it takes to pull non-entitlement items off the consent calendar. That would, therefore, be consistent with the three votes that you're used to on other types of matters. It would also be consistent with the three votes required to pull an Architectural Review Board appeal off consent, as well as the other ones, conditional use permits, variances and neighborhood preservation exceptions. If you look at that reasoning, three seems like a good number as far as Planning Staff would say. The other thing is two may be a bit of a low bar. One of the things we think about is putting this in the omnibus ordinance that you may have

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heard of. We think that's a great idea. It's something we're working on, just kind of waiting to hear how this ...

Council Member DuBois: You would take our recommendation and roll it into the omnibus, is that what you're saying?

Ms. French: That's kind of the plan. I'm thinking the three votes is—again I don't want to push too hard. I hope that the reasoning sounds reasonable. I'm interested in hearing about that. I mean, the concept of having, getting frivolous appeals to be dealt with and having a lot of support, I mean, I think it's not all that difficult to get a letter of support. I think it could be done in a matter of days. I'm not sure that that's—that might complicate things, to require those things. Interested in hearing more about that. As far as the fee, we don't really have an opinion on that. \$400, I guess it's not a lot compared to some jurisdictions. Some charge even more. I don't know what the threshold is to weed out the frivolous appeal situation. I don't know what number I would pull out of a hat on that.

Chair Burt: Amy, do you have a sense of the range of dollar amounts that other cities charge for this?

Ms. French: I have not researched it. Assistant Director Lait mentioned that to me today when I said I would be attending.

Chair Burt: He said what again?

Ms. French: That there are other cities that do charge more than 400.

Chair Burt: Did he say whether some charge less?

Ms. French: No, he didn't say that, but I'm sure that's the case. There's a range there. We're interested in hearing if there is something to be researched about that, that you would like to hear back on. We could consider ...

Council Member DuBois: This idea of having a number of supporters and then reducing the fee is somewhat appealing to me. I'm thinking of a number like 20 or 25, and it's not ...

Chair Burt: Oh, I see.

Council Member DuBois: It's not a trivial amount.

Council Member Wolbach: I was thinking 25 or 50, but we are pulling numbers out of our hats either way.

TRANSCRIPT

Council Member DuBois: For elections, it's what? 50? That's a lot though.

Chair Burt: I'm sorry. I'm just trying to follow this. I see the second sentence was about a reduced threshold of votes required if they had a number of supporters.

Council Member Wolbach: I think we're looking at page 35 of the packet.

Chair Burt: I'm assuming it's the same as what we had before. It says also consider a ...

Ms. French: The second sentence and fourth sentence are related to the support level being able to reduce votes and charge less.

Chair Burt: (crosstalk) described above. Let's break this up into several components. First, maybe the easiest one. How do we feel about the ten minutes? Does anybody have any opposition to that?

Council Member Wolbach: Sounds great to me.

Chair Burt: Let's put that tentatively as—maybe we'll be able to vote on everything together. I'll park that for the moment.

Council Member DuBois: (crosstalk) too fast. This is regardless of whether it's pulled off consent, that they get ten minutes to speak?

Ms. Stump: They already get ten minutes if it is pulled off.

Council Member Berman: If it stays on.

Council Member DuBois: This is without—if it's pulled off consent, they would still get ten minutes to speak.

Ms. Stump: That's what I understand this to refer to. Now at that initial stage, when something's on consent for Council to determine whether it's going to actually pull and hear the item, all members of the public including the appellant speak for three minutes.

Council Member DuBois: Before we vote on to pull it.

Ms. French: This would have the appellant speak (crosstalk).

Chair Burt: This would apply to then what? After it got pulled? If it got pulled from consent and came before the Council? I guess I'm not quite clear on that.

TRANSCRIPT

Ms. Stump: I'm not 100 percent sure what the author of this intended, but it's already the case in the rules that, in your procedures, if you vote to pull something off consent and hear the appeal, that the appellant gets ten minutes.

Chair Burt: It sounds like this is intended if somebody paid the fee, do they get their ten minutes?

Ms. Stump: Yes.

Council Member DuBois: They get ten minutes before we vote.

Chair Burt: They make a case ...

Ms. French: On consent calendar.

Chair Burt: ... to get it pulled.

Ms. Stump: Right. It sounds like that's what's intended. They would then have ten minutes. If you elected not to pull, that would be the end of their input opportunity. If you elected to pull it, then it would get scheduled for another night, and there would be another opportunity to speak for ...

Council Member Berman: I think that's fair.

Council Member Wolbach: Sounds fine to me.

Chair Burt: Second, do we—maybe these things get bunched together. How do we feel about the number of votes by Council Members to remove from consent?

Council Member Wolbach: I think consistency—coming into this meeting, I was thinking very similar thoughts to what Staff has suggested. Having the consistency of three actually makes sense. Three is the magic number here. I'm okay with keeping it consistent.

Chair Burt: Let's couple that with do we think that if they have additional number of ...

Council Member Berman: Signatories, supporters.

Chair Burt: ... signatures, does it require fewer votes to come off consent. I don't support that.

Council Member Berman: I don't either.

TRANSCRIPT

Council Member Wolbach: I would support separating that out and including that signatories towards a reduction of the fee.

Chair Burt: I'm just focusing right now on this.

Council Member Wolbach: I agree that I would not support reducing the vote threshold because of signatories.

Council Member Berman: I think all this might change when Council goes from nine to seven. For now, I think three members makes sense.

Ms. Stump: I'll have to look at all those issues.

Chair Burt: Tom, are you okay with that?

Council Member DuBois: Yeah, I think that (inaudible).

Chair Burt: We've got the three, but not reduced based on signatures. The final thing is on the fees. Should our fee stay at 400, but would we want to consider reduction if they have more signatures?

Council Member Berman: Can I ask a question? Do any communities—is it legal to have something where, in this instance, if it gets pulled off of consent, the appellant gets their money back? You could take it another step further which is if the appeal is upheld, then the appellant gets their money back. Something like that.

Ms. Stump: That's interesting. That's almost like a fee shifting.

Council Member Berman: Or just they've proven that their argument was valid and ...

Chair Burt: Why did they have to pay if they were right?

Council Member DuBois: They'd win court fees.

Ms. Stump: I haven't heard of that at the administrative level. Actually there was some community dialog in the other direction when this was initially proposed. If people aren't going to get an opportunity to do a full presentation, why should they have to pay?

Council Member Berman: You have the—I think the fee serves a couple of purposes. One is to cover costs, and the second is to be a deterrent to frivolous appeals. This is something that still provides the deterrent, but says if it wasn't frivolous, then you shouldn't necessarily have to be out of pocket for it.

TRANSCRIPT

Ms. Stump: That's very interesting. I would perhaps make the comment, just hearing this idea for the first time ...

Council Member Berman: It just popped into my head.

Ms. Stump: Yes. Council might not—\$400 is not a lot of money in terms of the City's budget. It compensates for some Staff costs. It doesn't compensate for all of them. On the other hand, for individual members of the community who pay that, that could in fact be a very substantial item. I would hate to see Council in any way have that in the back of your mind when you're considering the merits of something, that you want to perhaps provide that relief. I don't know whether you ...

Council Member Berman: I'd be disappointed in a Council Member if they did. I guess, maybe that's not the right way to put it. A Council Member shouldn't.

Council Member DuBois: It kind of sets up a weird incentive.

Council Member Wolbach: Yeah. I was actually thinking the same thing.

Council Member Berman: The thought popped into my head also.

Council Member Wolbach: I'm prepared to be disappointed.

Council Member Berman: I think it's a valid ...

Ms. French: It's not always somebody appealing a development project who is a neighbor or something. It could be the applicant who was denied. There's a condition of approval they don't like or something they want to bring up. If it's a fraction of the cost of the permit, put it that way.

Council Member Berman: Wait a second. I didn't follow that completely.

Ms. French: Sometimes the applicants appeal a negative decision, an approval or a denial or an approval with a condition they're not happy with. We're not just talking about a neighbor who doesn't like a development. It could be other circumstances.

Council Member Berman: If the Council rejects that appeal, what's the—there's no harm in that.

Ms. French: Right. They've paid to try to get a different outcome.

TRANSCRIPT

Council Member Berman: They've got a way—how strong their case really is and whether or not that merits them putting up \$400 to try to prove that point.

Ms. French: Right. It would be worth it to the applicant, I would think, to pay that \$400.

Council Member Berman: They can do that right now anyhow, right?

Ms. French: Yes. It's not a big cost compared to the cost of the permit.

Council Member Berman: This wouldn't change their situation. They can still—they can always—right? They can do that right now, today?

Ms. French: Yes, right. But if they were right, you wouldn't necessarily want to say, "Here's your money back." (crosstalk) thinking.

Council Member Berman: I mean, I think—I wouldn't have a problem with that. If they're right, they're right. The same principle applies. Just because they have more means doesn't mean that we should penalize them (crosstalk) deciding that they're right.

Ms. French: I agree with that. It's just weird. It's like who is the appellant. (crosstalk) is different.

Council Member DuBois: Back to this. I mean, again I have some—there's some appeal for this idea of reducing the fee if they can show kind of widespread support.

Council Member Berman: How do we prove that the signatures are valid?

Chair Burt: We require people to sign under penalty of perjury for different things. Can we do that, Molly?

Ms. Stump: Sure, sure.

Chair Burt: Most people don't like to perjure themselves.

Ms. Stump: I don't know that we would spend much time investigating that. I mean, I think it would be a good faith ...

Chair Burt: Somebody could challenge it and draw attention if they see something out of line. I think otherwise if we require that they sign it on the proposed conditions.

TRANSCRIPT

Council Member Wolbach: Thinking about how much we want to reduce it by, what about reducing it by half if they get 25 or waiving it entirely if they get 50?

Chair Burt: I think I'd support the former, just cut it in half if they get X number.

Council Member Berman: And leave it at that?

Chair Burt: Yeah. It's a step in the right direction.

Council Member DuBois: Are we already saying that IR projects will only take three instead of four?

Ms. Stump: That's what I understood the motion to be earlier.

Council Member DuBois: Which motion?

Chair Burt: We haven't voted on it, but it was ...

Ms. French: A straw poll.

Chair Burt: ... a straw poll.

Ms. French: The three votes instead of four.

Ms. Stump: That there would be three votes for all purposes to remove from consent.

Council Member DuBois: Just so that's clear.

Chair Burt: I will move that we allow a resident ten minutes to speak, to argue that an item be pulled from consent, that we change to the three votes to remove from consent on appeals, and that if appellants gather 25 signatures, then the fee would be reduced to \$200.

Council Member Berman: Second.

MOTION: Chair Burt moved, seconded by Council Member Berman that the Policy and Services Committee recommend to the City Council to allow a resident 10 minutes to speak to argue that an Appeal be pulled from Consent Calendar, that there be a change to three votes to remove an item from the Consent Calendar on Appeals, and that if Appellants gather 25 signatures, then the fee would be reduced by 50 percent.

Chair Burt: Did I miss something?

TRANSCRIPT

Ms. French: Just I heard half earlier and then this ...

Council Member Berman: Is that not \$200?

Ms. French: The fee could change ...

Council Member Berman: Just say reduce by ...

Council Member DuBois: Reduce by 50 percent.

Ms. French: I mean, our fees change from year to year.

Chair Burt: The fee would be reduced by 50 percent then.

Council Member Berman: Yeah.

Chair Burt: I don't have more comments. Anybody? All in favor. That passes unanimously.

MOTION PASSED: 4-0

Mr. Alae: Just really quick procedurally. Would this come as its own item to Council?

Ms. Stump: I think Amy is suggesting ...

Chair Burt: I think so.

Ms. Stump: ... in the omnibus.

Mr. Alae: Put it in the omnibus, okay.

Chair Burt: Oh, right.

Ms. French: Yeah, not a problem. Already done. I mean ...

Council Member Berman: Will be done.

Ms. French: Tonight.

Mr. Alae: When is that going to potentially come to Council?

Ms. French: We're looking at—it does have to go through the Planning Commission. It is a part of the Title 18 Zoning Ordinance, so the rules say Planning Commission first. We are going to the Planning Commission in September a few times. Looking to come to—let's see—Policy and Services, yes, this group, October 13th. We're looking at that.

TRANSCRIPT

Council Member DuBois: Will you note that it was unanimous in P&S when it goes to PTC so they'll know?

Chair Burt: That won't matter.

Mr. Alae: Then it'll come back.

Ms. French: Certainly it can be noted in the Staff Report.

Mr. Alae: After October 13th, it'll go to Council. Okay.

Ms. French: We're looking at kind of targeting a November 16th date, around there.

Mr. Alae: Perfect, thank you. I just want to make sure we're all on the same page with that. Final one, right?

Chair Burt: Yeah. The final is revolving door policy. Amy, you're welcome to stay, but you don't have to. We know you're (inaudible).

Mr. Alae: Thank you so much, Amy.

Chair Burt: Can you clarify? This doesn't say whether it's revolving door on former employees lobbying. Would it be—what about electeds being employed? Was it intended to cover that? I wasn't quite clear on the intent. Maybe it's not clear.

Ms. Stump: I don't know that any of us know. This is a Council initiated item that came out of the Committee of the Whole, I believe.

Chair Burt: I assume it's referring to lobbying. That's the current ...

Council Member DuBois: I took it as referring to "2E" in changing one year to two year (crosstalk).

Chair Burt: Where is "2E"?

Council Member DuBois: It's at the end of (inaudible).

Council Member Wolbach: There's a local, and there's also the State (crosstalk).

Council Member Dubois: Packet page 47.

Council Member Wolbach: It's two of the attachments, Attachment 2C and Attachment 2E, the local and the State.

TRANSCRIPT

Ms. Stump: "2E" is the mandatory State law minimum. This is an FPPC publication; it's not the actual text of the law. It's a helpful, user-friendly summary. It describes that in State law there's a local one-year, post-employment restriction which applies fairly narrowly only to local elected officials and city managers. It says for one year you can't for money represent someone else back before your agency. Cities are allowed to create more stringent rules, and we do have one which I'll describe in a minute. The State law also has another provision which, I think, might have been of concern to the Council Member who had the idea to make the ban more stringent. Looking at the last part of this State law handout, it's packet page 50. There is a State law requirement that while anyone, any employee is employed by the City, if the employee makes an arrangement with a prospective employer, no matter how many months or years they continue to work for the City, which means they're either interviewing or they have made an arrangement to go and work for the prospective employer, then that employer gets treated like a source of income under the conflict rules even though they aren't actually at that time because there's no salary yet. You just scoop that employer into the source of income restrictions in the conflict rules, treat them as if they were currently paying you a salary, and you're recused on everything having to do with that source of income, that comes before your agency. That's the ban on influencing City decisions vis-à-vis a prospective employer. There's no time limit on it. If you have an employer that you make a deal with, that I'm going to work for the City for five more years, and after that I'm going to come and work for you. That employer then, you're restricted from helping them out in the City process. Locally we have a slightly more stringent rule on the one-year post-employment ban. Under State law, again it only applies to electeds and city manager. Our local rule extends it to any employee that's approved by the Council, which there's a list. It's most of the department heads, not all of them. Assistant City Managers, Senior Deputy City Attorneys, and it'll be the other significant position in my office. I don't know whether the Auditor's Office has any senior positions. It's the CAOs also. Again, it just adds those folks to the post-employment advocacy ban.

Council Member Berman: What did you say was the criteria?

Ms. Stump: Employment that is approved or ratified by Council.

Council Member Berman: I didn't realize that we ratified all those positions.

Ms. Stump: Yeah. For example ...

Chair Burt: We don't select them; we ratify them.

Council Member Berman: Interesting. (crosstalk)

TRANSCRIPT

Ms. Stump: For example, when Assistant City Manager Ed Shikada was hired by the City Manager, it was placed on your consent calendar to ratify them.

Council Member Berman: Sure, sure, sure. That's right. I recall. Makes sense.

Ms. Stump: Confirm, yes.

Chair Burt: It sounds like the intent is to address not the one that you explained about ...

Council Member Berman: Prospective.

Chair Burt: prospective employment, because that already seems well covered. It's to increase to two years what's under our local ordinance. This is ...

Ms. Stump: The reason I thought that the Council Member might have intended that prospective employer issue is where it says rationale, employment negotiations can extend for months on end. That's already covered by the State law, and it's covered for every single item.

Council Member Wolbach: They may not have been aware of that State law.

Ms. Stump: They may not have been. It's a kind of a minor, technical issue.

Chair Burt: How do we feel about increasing from one year to two essentially the prohibition on lobbying, I'll call it?

Council Member Berman: I haven't—I don't feel like I've necessarily been given a reason why we should. I'm not opposed to it if there's been a problem, but I haven't heard it.

Chair Burt: I don't want to get into specific examples here.

Council Member Berman: Sure.

Chair Burt: I think there has been concern expressed. We can also hold a discussion on whether we simply think it would be good policy, whether we're reacting to recent events or not.

Council Member DuBois: Without naming names apparently, I mean, somebody waited an entire year and then lobbied, and that was the problem?

TRANSCRIPT

Chair Burt: I think it might have called attention to whether we have a good policy. I don't know whether we'd call that a problem.

Council Member Dubois: I'm just saying (crosstalk).

Chair Burt: Let's simply say it prompted the question of what is good policy. I think that's the way I would prefer to frame it.

Council Member DuBois: I mean, was there any question that it was less than 12 months?

Chair Burt: I don't think so. I don't think that's the issue. I would really advocate that we focus the discussion on good policy rather than responding to any perceptions about any individual circumstances.

Council Member DuBois: The flip side of good policy is somebody's ability to make a living and what's a reasonable amount of time.

Council Member Berman: What benefit is being gained from changing it from one year to two years on the policy front?

Chair Burt: I think the benefit is public trust and whether there is a perception that if an employee, in short order after leaving a senior position from the City, and that employee potentially has influence, or might be perceived of having had, might quickly be lobbying on behalf of say, developers, who had recently been coming before that official when the official was still in some sort of decision-making capacity. Within a year, that person is working for, say, a developer and has switched positions. I think that's the concern about perception. I think that's a separate question from whether we actually have had those problems. I think trying to answer your questions about perception and why, that's framing it as best I can.

Ms. Stump: Just to clarify so that everyone understands. It would not be permissible to ban someone actually taking that job with a developer. The thing that the City can control is to say that, if and when you do that, for X period of time you may not come back here and attempt to influence City officials.

Council Member Wolbach: Just to clarify. That's already illegal for your first year. After the first year, then you're free to come back and start lobbying. The proposal before us is essentially do we want to extend 12 months to 24 months. Is that correct?

Chair Burt: Yeah. I think it would—if we ask ourselves if somebody is providing their professional capabilities, they don't have to come right back

TRANSCRIPT

to the city that just employed them to be able to offer those abilities. If they need to come back right away to the city that just employed them, how much of it is their knowledge and skills in a broad sense versus what they're able to sell is their relationships within their former employer.

Council Member DuBois: You're saying right away, but you mean 12 months?

Chair Burt: Right, that's right. Does two years provide a better cushion? Is that worth changing? I think that's the framing.

Council Member Wolbach: Agreed. I'm ambivalent, but agreed that's the right framing.

Council Member Berman: Do we know what both other municipalities and other levels of government do in regards to ...

Chair Burt: San Jose's been pretty tough on it. Is it two years now?

Council Member Berman: That's a recent change or that's always been the case?

Mr. Shikada: Back around 2011 or thereabouts as part of the Reed Reforms.

Council Member Wolbach: Any problems with that change or complaints or people are happy with that?

Mr. Shikada: What's been interesting is there was also put in at the same time an appeal or process, so that on an exception basis the city council's rules committee and ultimately the council, I believe, could make exceptions where it was determined that there was some public interest served by the specific instance. That would be one thing to consider, if and when that was necessary.

Council Member Wolbach: Just also checking. If we did approve this, we would still have some exemptions for people who are lobbying on their own behalf, for themselves or their business? They're not hired by somebody else.

Ms. Stump: Yes. There are two primary exceptions. One is if you're employed by another government agency, the restriction doesn't apply. The other one is on behalf of your own project or interest.

Chair Burt: We don't happen to have the San Jose rule before us, right?

Ms. Stump: No, we did not do survey work from other jurisdictions.

TRANSCRIPT

Chair Burt: This appeal for doing service that is construed to be public benefit, if that's kind of well enough defined so that it wouldn't be perceived that this is kind of a backdoor, but just simply it's objectively done, that would be interesting to me. Has that been utilized to your knowledge?

Mr. Shikada: It actually has been. I'd like to say a handful of times.

Chair Burt: What kind of examples of what kind of circumstances were viewed as fitting within that?

Mr. Shikada: Very recently there was a situation where a former department head, housing in this case, was doing work for a, I believe, nonprofit. That nonprofit work would involve, again, advocacy with the city. That was discussed and ultimately by the council, I believe, approved as an exception.

Chair Burt: In my own mind, I'm wondering whether it would be useful for this to come back on our September meeting along with being able to see the San Jose ordinance.

Council Member Wolbach: I think that might be useful. I'd also want to consider, on packet page 49, right in the middle, this is in the front of the State level, that we might want to think about including. I don't know if we want to have all eight exemptions or keep it really simple. Although it's a slightly different context, if we had to—right in the middle it says the following conduct is not prohibited because it does not involve an attempt to influence the decision. It identifies a couple of exemptions.

Ms. Stump: Council Member Wolbach, I think that although the City ordinance doesn't include all of those words, that it incorporates those concepts. If we're coming back, we can confirm that for you.

Council Member DuBois: Another thing, the summary says Council Members, Staff and consultants. Is there an issue with consultants? Is that included already?

Ms. Stump: What we talked about the ...

Council Member DuBois: Council authorized.

Ms. Stump: ... the perspective employer role can include consultants, but neither the State nor the local post-employment one-year ban includes consultants. It's much narrower. Again, the State only covers elected officials and the city manager. The local includes an additional, smallest of additional folks.

TRANSCRIPT

Council Member DuBois: We have this page, packet 44, is that the extent of the City ordinance?

Ms. Stump: It is, but it refers to another section of the Code which actually lists most of the people that the Council approves. If you would like me to read that list ...

Council Member DuBois: No, that's okay. Again, this is extending it to consultants which is not on that list, right?

Ms. Stump: Oh, no. It's definitely not. Some department heads are not on this list.

Council Member DuBois: Again whatever ...

Ms. Stump: It wouldn't make sense to—you'd need to have a longer discussion about a sensible, broader group if you wanted to expand the scope of it.

Council Member DuBois: I'm just reacting to the request here which said consultants. We were saying—you were (inaudible) no, that consultants should not be included.

Ms. Stump: It's completely a policy question for the Council. I think that's a longer discussion, because consultants work for us on a project basis. If we were then banning them for a period of time ...

Council Member Berman: We'd lose a lot of consultants.

Ms. Stump: It's possible. I think that's a question we'd need to talk to the—particularly I think you're concerned about the planning and development area. I think we should consult with the Planning Director and her senior Staff about ...

Chair Burt: That could be something else that we get additional information on at the September meeting.

Ms. Stump: I mean, at this point the only folks who are included in our local one-year ban that are in the planning world is the Director of Planning. That's it.

Council Member DuBois: Neither the Director of Transportation or

Ms. Stump: That's correct. You could add additional positions.

TRANSCRIPT

Council Member Berman: Assuming we move for this to come back, could you include that list just with the Staff Report when it comes back? Give us a chance to see it.

Ms. Stump: Yes, yes.

Chair Burt: Are we agreeing to request this item to return at our September meeting?

Council Member Berman: Yes. You had mentioned San Jose. Could you guys also just, hopefully without spending much time, do a quick look at what some other cities around here have, just so we've got a sense of ...

Ms. Stump: You'll want to look at the other major cities. San Francisco has an elaborate government conduct code, so you should look at that role as well, and some of the other large cities.

Chair Burt: Let's see. We voted on the other items, right?

Mr. Alae: Yes.

Chair Burt: We're just going to continue the revolving door policy discussion to our September meeting. Does that conclude Item 2?

Mr. Alae: It does. Just again, the three buckets were the policy and procedures guidelines, these Muni Code changes. If you jump to page 36, there were the items that were going to go to the Committee as a Whole that was already kind of approved by Council.

Chair Burt: Do we have a Committee as a Whole meeting agendaized?

Mr. Alae: We don't. That's just something we'll need to talk to Jim about and the ELT and figure that out. Just want to make sure (inaudible) that.

Chair Burt: That ends Item Number 2.

Future Meetings and Agendas

Chair Burt: Let's briefly go over future meetings. I had some items that are related to policy and protocols that I didn't want to go into substantive discussion on. I wanted to allow us to consider including—I guess, really it's kind of broad if we're in policy and protocols. When we come back, we can include discussion of any policies or protocols. One other that—let me just ask on the broader agenda. The core values, this has been two years of stall.

TRANSCRIPT

Khashayar Alaei, Senior Management Analyst: That's what I wanted to mention. I didn't want you to think we were stalling.

Chair Burt: (crosstalk).

Mr. Alaei: On page 36 (crosstalk).

Council Member Wolbach: (crosstalk) Committee as a Whole.

Mr. Alaei: If we jump back to packet page 36, it seems to me that Number 1 we are doing. Certainly for City School Committee, "1B," where we're starting to ramp up the authority of that and probably take this year and next year to do that.

Chair Burt: I think it would take a new chair of the committee.

Council Member DuBois: I don't think there's been any agreement to do that. There's actually disagreement.

Chair Burt: Yeah, from the School Board side.

Mr. Alaei: At least we're trying.

Chair Burt: Let me just add to that. What was lacking from that discussion is a full or even a moderate understanding of the historic context. My understanding is that when this went back to the School Board, aside from what I would consider to be a misrepresentation as to what the committee had discussed and why. On top of that, there was discussion by the School Board of saying, "We've never had the committee be substantive." I think that that—there was a drift away from—back when it was created, it was created because there were substantive issues. It wasn't created to just be information sharing. Over a period of time, some of those substantive issues went away. In times where people have tried to them bring back, we've had this push back. One of the arguments has been it was never substantive. This is a departure from its history. I think that's factually incorrect. Now, we're going back in time. I had to ask County Supervisor Simitian his recollection, and he supported that it had been more substantive, as best his recollection was. We may not have easy access to that history, but I think that's one of the problems, that our reference is recent history.

Council Member DuBois: I think the point is we want to leave it on and see if Council supports us. Right?

Council Member Berman: I think Council's already supported it.

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Chair Burt: Let's see. We should look at whether there's—we don't have a—occasionally we have a Study Session with the School Board, but not regularly scheduled. This might be something that, if we ever get that again, to bring that out in the open. It's kind of a question in my mind why wouldn't we want to be substantive.

Mr. Alae: Just to continue, if I may. I think when we bring the item back to the Committee as a Whole, or the full Council per se, to talk about other committees, I think Jim has mentioned that he'd want to try to stay away from that, and just have the discussions either at Policy and Services, Finance or the City Council. That kind of, I think, addresses "1A." Number 2, I think the Council needs to have a conversation about that.

Chair Burt: I see it. I'm sorry, I missed it.

Mr. Alae: Yeah, it's right there. That's discussion of the core values. That's on there, so when that item comes before the Council, you could have it.

Chair Burt: No, I had missed that. That's great.

Mr. Alae: Then Staff relations is the same thing. It's on there (inaudible).

Chair Burt: I'll just toss out a couple of other items, so that my colleagues can maybe be thinking about them in advance of the meeting. Two things that I don't think we've gone over is—we have a section in protocols or policies and procedures where we describe the procedure if Council Members have questions on agenda items. Everything is about if we have questions. I recall from the history of Councils there were past times where there were substantive discussions, and that wording was in there to try to limit what went on and prescribe how it is. What we now are having is periodically Council Member comments and advocacy of position in the pre-Council statements to Staff coupled with a question. My understanding is that that's a clear difference from the intent of what those were. I went back to our wording, and all our wording was about how to contend with exactly limiting how the question should be dealt with. The implication was it's not permitted to make statements.

Council Member Berman: That's not (crosstalk).

Chair Burt: It was never clearly stated there. I think when a new Council Member comes in, they say, "It doesn't say I can't make statements." They're right, but it wasn't the intent, is my understanding. I do have concern about potential—it's Brown Act violations and basically conducting advocacy to the full Council outside of a public meeting. I want to bring that

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topic up. I just wanted to frame it that way, not go into full discussion tonight. I just want to explain why I have that concern. Is there a section in policies and procedures, I thought, about attendance? I looked and I couldn't find it. Expectations about Council Member attendance.

Molly Stump, City Attorney: I think it might be in the Code. Let me do a quick search.

Chair Burt: I'll just say that I'd like to include that discussion on what do we frame about expectations of Council Members on attendance. Finally, I looked for whether there was guidance—there's guidance about Council Member conduct and relationships and how we deal with Commissions. I couldn't find anything about clarifying outside of what's in the Municipal Code of the expectations of Commissions in advising the Council and how they should be responding to Council direction. It may be somewhere—in the Municipal Code there's actually language that we now realize may be ambiguous about the intent. We have this recent occasion with the Planning Commission and the fact around the office cap where some of the Commissioners thought that their direction was more narrow. They got a response from Staff that they interpreted as saying no, it's not so narrow. There is ambiguity. I went back and read the Municipal Code and said, "I have to agree that there is some ambiguity there." That's at least a topic I would like us to consider, because frankly it's a real issue right now. It's affecting how effectively the Council and the Planning Commission are contributing to the governance of the City.

Ms. Stump: Chair Burt, if I could just add one additional note to that. I had a follow-up discussion with my Staff, who are more expert in the planning area than I am, about that concern that you had raised with me. They pointed out that there is a little bit of an additional consideration. On a regular Zoning Amendment Ordinance, not an Urgency Ordinance, State law procedure says that there should be a full public hearing on the whole ordinance. That's typically done at the Planning Commission. That was an aspect of that communication and may be related to the Code. We could do that differently. We could hold those public hearings before the Council, but we currently check that box.

Chair Burt: We can still have the full hearing, but they could have—there can be Council guidance on what the expectation is if the Council has made a policy direction and we're asking the Commission to advise within certain segments of the policy direction. I think it's pretty clear that the Council is not intending for them to say, "We take a political and policy position opposing what you sent to us unanimously, and that's our feedback." I think to have the Planning Commission start drifting into being a political and

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policy opponent of the Council is dysfunctional. I think we need to address it.

Council Member Wolbach: I was just going to chime in real quick on that. It almost risks moving in the direction of like the Supreme Court, which can interpret within the boundaries of legislation, but can also reject legislation. I agree that that's not the direction we've intended to go with our PTC.

Council Member DuBois: Do we need to change that September 8th date?

Chair Burt: Yes. What works for you? Like I said, there's a very good chance I will be away the final week of September, but I just don't know my travel dates yet.

Mr. Alae: Ideally, the week of the 21st would work for us, but I think we have a series of Council meetings for that week. Ideally the week of the 14th or 21st.

Council Member DuBois: The 22nd would be okay with me.

Council Member Berman: Because all of you have fancy new phones and I'm still working on a 2 1/2 year old model, my phone battery died. I don't have access to my calendar. I can ...

Mr. Alae: Can you email me tomorrow?

Council Member Berman: ... identify—what's that?

Mr. Alae: Can I email you the date tomorrow, see if that works for you?

Council Member Berman: Yeah, yeah.

Chair Burt: Is the question whether the 22nd works or were you talking about ...

Mr. Alae: I don't have a ...

Chair Burt: The 15th is a Council meeting somebody said.

Mr. Alae: Is there a conflicting meeting on the 22nd?

Council Member Wolbach: It says there's a special Finance Committee meeting.

Council Member Berman: I know Rosh Hashanah and Yom Kippur are coming up at some point.

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Council Member DuBois: That's the 14th, 15th.

Ed Shikada, Assistant City Manager: Yom Kippur, I believe, is on the 23rd.

Council Member Berman: The night of the 22nd would be (inaudible) which is a big deal.

Council Member DuBois: I thought that's why we moved the (crosstalk).

Mr. Shikada: That's Rosh Hashanah.

Mr. Alae: Does the 7th ...

Chair Burt: The 22nd may be a problem.

Council Member Berman: Yeah. If Yom Kippur is the 23rd, then the 22nd is a problem.

Mr. Alae: How about the 17th?

Council Member Wolbach: There's a City School Liaison Committee—that's morning.

Council Member DuBois: I can't do the 17th.

Chair Burt: The 17th is a City School? It may be, I just ...

Mr. Alae: No, it's actually the 16th; it got moved. It's in the morning anyway.

Council Member DuBois: I have to speak at a conference that night.

Chair Burt: There is a—actually there's a special ...

Council Member Berman: CAO?

Chair Burt: No. There's a special PAMF event on ...

Mr. Alae: The morning of the 17th.

Chair Burt: That's right; that's the morning. I have something down.

Mr. Alae: Would it be too much to do it the first week of October? We would end up having back to back P&S's that month.

Chair Burt: That'd be the 6th?

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Mr. Alae: Yeah.

Chair Burt: That's not a conflict on anything I have on the calendar. What do you guys think?

Council Member Wolbach: What was the date again?

Mr. Alae: Sixth, 10/6.

Council Member Wolbach: Of October.

Council Member DuBois: Are you going to be able to do two meetings back to back?

Mr. Alae: That would actually help me a lot. It would give me several weeks to finish the protocols and procedures.

Chair Burt: I'd be okay with that.

Mr. Alae: There is a Finance Committee meeting scheduled, but ...

Council Member Wolbach: What does that mean for Staff?

Mr. Alae: It's fine. I mean, we have different Staff staffing it.

Council Member Wolbach: Molly?

Ms. Stump: I don't know what's on the agenda.

Mr. Shikada: (inaudible) recording. Is that an issue?

Ms. Stump: Sometimes we have to run back and forth, so we just (inaudible) the order of items.

Mr. Alae: For this item, it would just be Ed and I coming here.

Ms. Stump: For policy and protocols?

Mr. Alae: Yeah.

Ms. Stump: I think you need me.

Mr. Alae: We need you, yes. Sorry. I was just assuming you were here.

Chair Burt: Are you assuming you need to be at Finance?

Ms. Stump: That would be unusual.

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Chair Burt: That's what I thought. Let's tentatively reschedule it for the 6th. Is that okay with everybody?

Council Member Berman: I'll take a look.

Mr. Alae: If you have to be at Finance, then we'll readjust.

Chair Burt: Good. On that note, we're adjourned.

ADJOURNMENT: Meeting adjourned at 9:43 P.M.