



City of Palo Alto

City Council Staff Report

(ID # 10901)

Report Type: Action Items

Meeting Date: 12/9/2019

Summary Title: Scope of Review for Boards and Commissions

Title: Council Direction on Scope of Review for Procedures and Protocols Related to Boards and Commissions

From: City Manager

Lead Department: City Manager

Recommendation

Staff recommends the City Council confirm the range of issues to be addressed and process for a review of Procedures and Protocols related to Boards and Commissions.

Background

The Policy and Services Committee is currently reviewing various elements of the City Council Procedures and Protocols Handbook. Among the topics that has been suggested for review is the guidance provided on the organization and operation of City boards and commissions.

The Procedures and Protocols Handbook currently provides relatively little guidance related to boards and commissions. The only reference is provided in City Council Protocols Section 2 – Council Conduct, and largely focuses on the interaction between individual councilmembers and commissions. Guidance related to boards and commissions is also provided through the Municipal Code. Chapter 2.16 of the Municipal Code provides definitions on Boards and Commissions generally, including procedures for handling vacancies and other administrative matters. Subsequent chapters of the Municipal Code address the roles and procedures related to specific boards and commissions.

Discussion

City Councilmembers have identified a variety of topics that could be included within the scope of an update to procedures and protocols related to boards and commissions. This includes, for example:

1. Role of Council Liaisons – Should expectations of council liaison attendance and participation in board/commission meetings be further defined?

2. Relationship between board/commission and Council roles – Currently, the primary means of coordination between boards/commissions and the City Council is through periodic (annual) joint study sessions where accomplishments are reviewed and topics of interest discussed. The City Council may also, in the course of its business, refer a topic to a board/commission. Beyond this, there are no procedures in place to enable the City Council to guide board/commission interest in pursuing a particular topic. This can result in a board/commission expending significant effort and developing recommendations, potentially seeking staff support, on topics that may not align with City Council priorities. Should a procedure be established that enables the Council to affirm interest in having a board/commission engage on a topic prior to development of recommendations?
3. Commissioner conduct and terms – Should expectations of board/commission members be clarified, with definitions to elements such as qualifications, term limits, recusals and disclosures, attendance, conduct, and a process for removal?
4. Administrative processes – Are there additional issues for which clarification is needed, such as staff support levels, processes for agenda setting, communication with staff, and applicable rules of order?

Staff is seeking an initial confirmation of the issues to be included: all of the above, a subset of these issues, and/or additional issues. Staff will then research the issues to facilitate further Council discussion and development of recommendations. The Council may also specify a process through which the issues selected will be addressed, such as through an ad hoc committee that would draft recommendations to be considered.

Timeline, Resource Impact, Policy Implications (If Applicable)

Based on direction from the City Council, staff will examine options for addressing the issues identified. The timeline and resource impact will depend on the range and complexity involved.

Stakeholder Engagement

Based on City Council direction on the topics to be included, staff will develop a plan for engaging boards and commissions. It is likely that current commissioners will have their own perspectives to be considered, and staff will facilitate board/commission input and review of Council changes to Procedures and Protocols.

Environmental Review

This is not a project as defined by the California Environmental Quality Act and therefore not subject to environmental review.

Attachments:

- City Council Protocols Excerpt Regarding Boards and Commissions

ATTACHMENT A

Excerpt from Palo Alto City Council Procedures and Protocols Handbook

City Council Protocols Section 2 – Council Conduct

2.4 - Conduct with Palo Alto Boards and Commissions

The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect. Council Members serve as liaisons to Boards and Commissions, according to appointments made by the Mayor, and in this role are expected to represent the full Council in providing guidance on Council processes or actions to the Board or Commission. Refrain from speaking for the full Council on matters for which the full council has not yet taken a policy position. In other instances, Council Members may attend Board or Commission meetings as individuals, and should follow these protocols:

A. If Attending a Board or Commission Meeting, Identify Your Comments as Personal Views or Opinions.

Council Members may attend any Board or Commission meeting, which are always open to any member of the public. Any public comments by a Council Member at a Board or Commission meeting, when that Council Member is not the liaison to the Board or Commission should make a point to clearly state it is an individual opinion and not a representation of the feelings of the entire City Council.

B. Refrain from Lobbying Board and Commission Members.

It is inappropriate for a Council Member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer, or to advocate a particular policy perspective. It is acceptable for Council Members to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

C. Remember that Boards and Commissions are Advisory to the Council as a Whole, not as Individual Council Members.

The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. Council Members should not feel they have the power or right to unduly influence Board and Commission members. A Board and Commission appointment should not be used as a political reward.

D. Concerns about an Individual Board or Commission Member Should be Pursued with Tact.

If a Council Member has concerns with a particular Board or Commission member fulfilling his or her roles and responsibilities and is comfortable in talking with that individual privately, the Council Member should do so. Alternatively, or if the problem is not resolved, the Council

Member should consult with the Mayor, who may address the issue to the Council as appropriate.

E. Be Respectful of Diverse Opinions.

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Commissions, but must be fair to and respectful of all citizens serving on Boards and Commissions.

F. Keep Political Support Away from Public Forums.

Board and Commission members may offer political support to a Council Member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Council Member.

G. Maintain an Active Liaison Relationship.

Appointed Council liaisons or alternates are encouraged to attend all regularly scheduled meetings of their assigned Board or Commission.