

Special Meeting
April 16, 2002

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ADJOURNMENT: Meeting adjourned at 8:47 p.m..... 9

Chairperson Kleinberg called the meeting to order at 7:10 p.m. in the Council Conference Room, 250 Hamilton Avenue, Palo Alto, California.

Present: Beecham, Freeman, Kleinberg, Mossar
Freeman via teleconferencing from Carlsbad, CA.

1. Oral Communications

Herb Borock, Post Office Box 632, spoke regarding his concern about scheduling two standing committee meetings at the same time. A special meeting could only be scheduled by a majority of committee members. He believed the Palo Alto Municipal Code (PAMC) prohibited holding two meetings at the same time.

MOTION: Council Member Beecham moved, seconded by Council Member Mossar, that the Finance Committee place Item No. 4 next on the agenda.

MOTION PASSED: 4-0.

Chairperson Kleinberg announced that Item No. 4 would be moved ahead of Item No. 2.

4. Study of Infrastructure Contract Processing Times

Assistant City Manager Emily Harrison introduced the Assistant Director of Administrative Services, Lalo Perez.

City Auditor Sharon Erickson said the item represented a study of the infrastructure processing times. The project was started by the City Manager who established a team to streamline the contract process for the City. The City Auditor was asked to assist by identifying bottlenecks, redundancies, and to ensure appropriate controls were still in place. The purpose of the study was informational in nature. Baseline information was provided to the team. The process by which the City Auditor's Office conducted the study involved three parts. The first part examined contract-processing times. The average contract processing time in other cities ranged from 43 to 120 days. The median time for the City was 137 days. A large, local high-tech company averaged 90 to 120 days; however, very few entities could tell exactly how many days it took to process a contract. Palo Alto was ahead of the process by being able to identify the length of time to process contracts.

The second piece of the process examined variations in processing times. A small sample of contracts was closely examined to determine how contracts moved through the process to find a bottleneck. She was unable to identify one

bottleneck; instead, bottlenecks were found throughout the process and delays were found at every step. Staff not only looked at the average times for some of the contracts, but the range of times. Instead of focusing on how long the longest contract took, staff realized that in every case, someone was able to do the work in a miniscule amount of time. Someone in the organization was able to get a contract through the process in one to five days. The only step that took a long time in most cases was the bid open time. The recommendation to the team was to identify the best practices to figure out who knew how to do it and have that person teach the rest of the organization. The other aspect was downtime and rework. When each project was examined closely, it was found that there were legitimate reasons for delays.

The third step in the process was to flow-chart the process. The team wanted to have a common language for how the process worked. People were doing the job in different ways. In order to do their own streamlining, certain people had learned how to by-pass certain steps, etc. The flow chart showed 23 to 39 steps necessary for the contract, assuming the work was done right the first time. The flow chart did not show the "looping" that happened when rework was necessary. Once the team saw the long process and how frustrating it was, it realized the necessity of doing the work right the first time. Figuring out how to come up with boilerplate contracts so contracts were not rewritten every time was one way. Determining what pieces of information the City Attorney's Office needed to move a contract forward was another way. Determining what pieces of information were needed for the insurance review was another. As the team worked through the process and City staff was trained, the speed of the process would increase.

In summary, the information was reviewed by the City Manager, executive staff, Cityworks Contract Streamlining (CCS) Team, and the City Manager's Infrastructure Team. Staff was determined to fix the process but required Council assistance to stay on track because the process was a long and cumbersome one to streamline. The City Manager's response was attached to the April 2002 Report from the City Auditor (01-R-12) (the Auditor's Report). The CCS Team would be forwarding recommendations to the Council, some of which would be handled in house. The City Manager outlined a number of improvements staff was already considering.

Assistant Director of Administrative Services Lalo Perez said staff was very excited about the streamlining process. His team would examine both hard and soft dollars. There was room for improvement. The Infrastructure Management (IM) Committee realized the need for a good foundational process in order for the City to be successful in having an acceptable time period in which to process contracts and begin work. The group was comprised of about

19 members from various departments. Over the next several months, some of the recommendations would be implemented, e.g., automation of processes and tracking. Since many employees were located at facilities other than City Hall, having some processes available via the Intranet was important. Another consideration was pre-qualification of some contractors, when it made sense. Staff would return with dollar authority recommendations both internally within staff authority and at the Council threshold level. One of the main benefits of the process involved accountability and expectations for staff, i.e., knowing how long it should take for a contract to go through the process. The budget could then be set using more realistic timeframes for the beginning of construction. The decision by the City Manager to have the teamwork with the City Auditor was wise because adjustments could be made at that level.

Council Member Freeman asked for an explanation of the comment that the plan would be implemented over the next "several months."

Mr. Perez said the process was split into two phases. The first phase would conclude at the end of the fiscal year, June 30, 2002. Some of the changes, as mentioned by Ms. Erickson, could be implemented immediately because they were within the City Manager's authority, e.g., the web page and Intranet tracking of the contracts. The authority level of the Purchasing Manager might be changed to increase the dollar limit, i.e., increasing from \$25,000 to a higher number. Such changes could be accomplished within the next few months. Some of the processes needed to be compared with other cities, e.g., pre-qualifying contractors, etc. Staff wanted to learn from other cities' experiences, which might take a few months. Expanding the number of boilerplate contracts would also help speed the process.

Council Member Freeman asked whether staff would consider creating timelines with the milestones. She agreed with the idea of accountability and expectations for staff, as well as for the committee. She asked whether a timeline could be created to make it easier to see where an item was stalled, etc.

Mr. Perez asked whether Council Member Freeman wanted to know whether staff was to report the timeline to the Council.

Council Member Freeman said yes, but it was also important for the staff to know.

Ms. Harrison asked whether Council Member Freeman wanted a timeline for the current project or for the capital projects to which the contract related.

Council Member Freeman clarified she would like to see the entire infrastructure contract processing streamline project.

Mr. Perez understood the staff needed to have a timeline. Phase 1 was to be completed before the end of the fiscal year. Some of the tasks would have to be evaluated during Phase 2, at which point staff could set up a timeline.

Council Member Freeman asked whether the information would be shared with the Council or the P&S Committee.

Mr. Perez said staff could report back when it returned with the Infrastructure Annual Update, at which time staff could give the P&S Committee an idea about where it was in the process and the expected timeline.

Ms. Harrison said the program was a milestone under the Cityworks Infrastructure, so staff would naturally update the Council on its progress.

Council Member Freeman said the Council had so much going on, that it was difficult to keep up on everything. She suggested the information be made available, even on the web, for Council access.

Council Member Freeman asked about Ms. Erickson's comment about needing the Council's support.

Ms. Erickson said no specific recommendations had been made for the Council; however, the greatest need was broad moral support for the effort. Once staff came forward with suggestions, the Council would then decide whether the specific recommendations should be implemented. The job to streamline the process was large and required a lot of work. The team was actually working on a volunteer basis on top of normal jobs. The team represented people who were actually processing contracts and felt strongly about streamlining the process.

Council Member Beecham asked whether staff had an objective for a typical number of days for processing a contract.

Mr. Perez said staff had not established an actual number, but will provide a goal.

Council Member Beecham realized that part of the time involved advertising and bidding the contract, but wondered how many staff hours were required to actually handle a typical proposal.

Ms. Erickson said staff had started with the question, "How long is the ball in the air?" However, staff was sidetracked by trying to figure out how long the entire ballgame would last and was never able to find the answer. Staff also realized that the time varied greatly between contracts because of the amount of re-work. Each contract was handled differently. It was impossible to come up with an estimate because, for example, checking insurance went through a different path with every contract. She agreed that probably a lot of time was "down" time.

Council Member Beecham said the process could easily be compared with a baseball game, i.e., most of the time, nothing was happening. In truth, of the 100 days it took to process a contract, about five true days of real work occurred. Most of the time the contract was going through the process, real work was not going on. If staff could get the process down so there was no "queue" time then the next person's task could be reduced. The looping and re-work was also an issue, which was because there were non-meaningful requirements in the process. A person might turn something in that was not exactly in the right format and it would be kicked out, although that was not important to getting the job done. In many cases, requirements were simply not meaningful. Many of the steps required issues that were not important to getting the objective accomplished.

Ms. Erickson said one issue was the number of signatures required on a contract, i.e., seven signatures were required of people who had already reviewed the document in previous forms. If staff could figure out a way in the tracking system to make sure the draft had been reviewed at the appropriate stage, their signature might not be needed on the contract.

Ms. Harrison said one of the key factors in the delay was not because steps were unnecessary but because staff was not trained to handle a contract. The process was learned by doing. When someone learned by doing and did not understand why a step needed to be done, the step was skipped, the contract passed on, someone else realized the step was important, and the contract had to be looped back. Certain departments handled contracts on a regular basis and could move contracts through in the short time frame. Other departments, with no training and very little support, bumbled their way through. The goal was to provide a good level of training for every staff member who handled contracts to avoid delays.

Mr. Perez said the process would be formalized with the Cubberley classroom environment. Four of the project managers and the IM Team were new to Palo Alto. A process and procedure could be established and posted on line that people could follow.

Council Member Beecham supported what staff was attempting to do. However, he wanted to emphasize the need to eliminate some of the unnecessary requirements.

Mr. Perez agreed, which was why the City Auditor and City Attorney were involved in the process to assess the risk and determine which steps were absolutely necessary and which were not.

Council Member Beecham also agreed with the suggestion to eliminate the number of signatures.

Ms. Harrison said the City Attorney would probably disagree with Council Member Beecham's statement.

Council Member Beecham was willing to accept some risk for getting something done more quickly. He would not advocate trying to make something foolproof. Too much time was wasted trying to guarantee there were no mistakes, which would never happen. Moving in the direction of making the process completely electronic was very good. The electronic process saved the time it took to walk contracts around and reduce the number of lost documents. However, going electronic would not eliminate the queue time for someone waiting on the computer.

Ms. Harrison said having the contracts move through electronically would assist staff in identifying the lags because once it arrived at someone's desk, staff would know where the delays were.

Council Member Beecham was pleased with staff's efforts. An article in a local newspaper failed to recognize that the City knew it had an issue and had already jumped into the process of fixing the problem. Virtually no other city knew how long it took to move a contract through, which showed that Palo Alto was being progressive.

Ms. Harrison had received calls from several cities asking how to measure the process in order to respond to the press inquiries.

Council Member Freeman thought Ms. Erickson had done an excellent job in bringing the facts to the surface. She was confident that Mr. Perez and the team would implement the suggestions so contracts could move through the process more quickly. It was very important; at least as an informational part of the packet, to make sure the Council understood the milestones and which milestones staff was achieving.

Chairperson Kleinberg agreed.

Council Member Mossar said of the many different audits she had seen, Ms. Erickson's audit was refreshing and wonderful. The spirit of cooperation between the City Auditor and the staff was exemplary and greatly appreciated. The process would help the City get its arms around the problem with contract processing. Support was expressed for what staff had been able to accomplish. When suggestions for changes were presented to the Council to help streamline the process further, she would be open-minded and consider the request in a positive fashion. Council Member Mossar noted that staff had been producing color-copy reports when it was not necessary. Color should only be used when necessary.

Chairperson Kleinberg explained to Council Member Freeman that the handout to the P&S Committee was navy blue and yellow.

Council Member Freeman said the price of ink for color printing was so low, that the differential was negligible.

Chairperson Kleinberg thanked staff and the City Auditor. The audit was one of the most readable she had seen in her two and one-half years with the City. All of the good suggestions made by her colleagues were echoed. The number of signatures, in the end, was not an issue if the contract went bad; i.e. the difference between one signature and 12 signatures was irrelevant if the job went bad. The City was going to be held accountable as well as the vendor who did the job. She strongly encouraged the City Attorney to try to reduce the number of signatures. Check lists were necessary and departments needed to sign off on various issues. However, there was something about the formality of the signatures that added to the delay. Changing from sequential to simultaneous processing was very good. She also encouraged the idea of team review, i.e., in one hour the team signed off on the project.

Council Member Freeman agreed.

Chairperson Kleinberg said there might be one type of contract that was more problematic than others, which would require a more in depth signature review. Others might be so simple and clear or the contractor used the vendor so many times that the process could be handled more quickly. Santa Clara County (the County) used the point system to determine who was awarded a contract. More points were given to contractors who had previously done a good job. The process for the County was much faster. Currently at the County level, a contract streamlining initiative was underway which the nonprofit community initiated. Therefore, staff could contact the County to find out about their

processes. Former Council Member Liz Kniss was involved in the process and could be contacted. The City should not accelerate for the sake of acceleration; the outcome should maintain quality and staff time should still be efficiently used.

Council Member Freeman strongly agreed with Chairperson Kleinberg's suggestion regarding team review. A great deal more could be accomplished in one sitting because everyone was present and the motivation was higher.

Council Member Beecham said the people would be obligated to attend the meeting prepared for action.

Chairperson Kleinberg said team meetings bred more cross-sector feelings.

Ms. Harrison said the team meeting process was essential to meet deadlines for the library projects.

NO ACTION TAKEN

2. Council Protocols

Chairperson Kleinberg asked whether Council Member Freeman was sent copies of the materials.

Council Member Freeman replied no.

Ms. Harrison said staff had waited to send the information until all responses were received; the materials obviously had not been sent.

Chairperson Kleinberg said the current meeting represented just one of many and the P&S Committee would communicate each item to Council Member Freeman as it was discussed.

City Clerk Donna Rogers said copies would be forwarded to the Council the following day.

Council Member Mossar questioned the goal of the meeting.

Chairperson Kleinberg said the Council asked the P&S Committee to review ways the Council could ensure good, fair, open government and be efficient and productive. No protocols, values, norms, or common practices had been agreed upon by the Council to ensure a common body of knowledge within which everyone was free to act as individually elected Council Members. There were

ways of acting together, ways of acting toward staff, ways of acting toward the public, etc.

Council Member Mossar said since the current meeting represented the first in a series of conversations, she asked that a time limit be placed on each item.

Chairperson Kleinberg agreed. She suggested 30 minutes be spent on the protocols and then move to the next item involving interface with City staff. Out of the establishment of certain values and guiding principals the actual practices would emanate, e.g., guiding rules about interfacing with staff. The issue of interfacing with staff was just one of many matters that should emanate from such a review.

Council Member Freeman said that the need to establish new policies was generally the result of having something go wrong somewhere.

Chairperson Kleinberg said the Council had not done anything wrong but the subject was referred to P&S because of a colleague memorandum.

Council Member Freeman requested clarification from the colleague memorandum regarding the purpose of the discussion.

Council Member Beecham said the issue was not so much the generic protocols but there had been issues recently with Mr. Ambra in Mountain View. Certain Mountain View Council Members believed they were doing the right thing or had the right to do something that was wrong.

Council Member Freeman thought there were laws to prohibit such behavior.

Council Member Beecham said the laws were unclear. It was difficult to clarify what Mr. Ambra did wrong. To date, Mr. Ambra did not believe he had done anything wrong. Members of his staff and the jury ultimately felt he had done something wrong. The difficulty was to clarify which rule had been violated.

Chairperson Kleinberg said Palo Alto was one of a handful of cities without an approved set of guiding principles and practices. The best time to adopt principles was when there was no local crisis rather than when a misunderstanding or accusation of trouble existed. Because of what had gone on in neighboring communities, the City was more aware of the need to take care of the situation.

Council Member Freeman stated she had two very good sessions with the City Attorney when she first came on the Council about legal issues. Whatever the P&S Committee came up with should fit into the legal guidelines.

Chairperson Kleinberg said laws would not be passed for which a civil or criminal penalty would be applicable. Instead, the P&S Committee was discussing whether principles and norms should be adopted by which all Council Members would abide. A one-page document of protocols was provided to the new Council Members when they were sworn in. The Council acknowledged that, just as the situations in neighboring communities showed, the lack of a handbook of guidelines led to misunderstandings. As for the legal implications, the Council could not pass anything that was illegal. The laws took precedence over anything the Council would agree to do.

Ms. Harrison suggested when the P&S Committee felt it had come up with guidelines, it should let staff know. During the second meeting on the issue, staff could provide the P&S Committee with information from many other cities in the State to operationalize the more concrete guidelines.

Herb Borock, Post Office Box 632, spoke on Council Protocol ideas. Previous Council Members had done something to guide them in the way they behaved based upon experience. One such practice involved the requirement when putting something on the agenda to have the approval of at least two Council Members so the idea would have a motion and second.

Ms. Harrison said the Council's extensive rules of procedure regarding the parliamentary process were not part of the issue; rather, the issue was one of a code of conduct.

Wayne Martin, 3687 Bryant, spoke about Army protocol that allowed an officer to object to an order, which might potentially be illegal called "memo of record." Officers were supposed to follow all orders but if the order was illegal, the officer could be tried for violation of the crime he or she was ordered to follow. The issue that occurred in Mountain View clearly could have been avoided if the City Manager had been able to fill out a memo of record that initiated some action the first or second time he felt he was being improperly influenced by a council member. A City staff member should be able to fill out a document that stated a Council Member was improperly influencing the staff member, which would be reviewed by the City Attorney. The person being improperly influenced needed a way to approach the City Attorney with the issue and request help.

Betsy Allyn, 4186 Willman Drive, questioned the impetus for six pages of proposed Council protocol. She had attended numerous Council meetings, all of which were courteous and receptive, during which ideas were exchanged. Although anger and disagreement might be expressed, she was uncomfortable when people started writing down rules. If the rule was broken or misunderstood, problems arose between people.

Chairperson Kleinberg thought Ms. Allen's question would be answered during the P&S Committee's discussion.

Council Member Mossar experienced some of the same issues as expressed by Ms. Allen. For all of the best of reasons, input was provided. She considered the list as a "brainstorming session" and was not as a draft document. After going through the list, she had difficulty imagining coming up with some succinct code of conduct or protocol that was important. Every council should review its procedures and code of conduct periodically. The issues in surrounding communities was a good signal for the City to think about the issue again and have an open and public conversation to make sure all Council Members agree on what was most important. The final document would not be long and complicated because procedures were already codified.

Council Member Beecham said although the list was six pages, there were many duplications. Also, some of the suggestions were very broad, e.g., "obey all laws."

Chairperson Kleinberg said the Council already took an oath to obey all of the laws.

Council Member Beecham agreed that in terms of the protocols, most were just being nice and respectful to one another, which was not his concern in the initial memo. His concern was having something simple and clear that provided the Council with a line over which it should not cross. It was not a matter of being nice, polite or respectful, but about violating the way the Council needed to work to accomplish tasks for the citizens of the City.

Council Member Freeman had asked whether there was some example or issue that initiated the concern and Council Member Beecham said it was the situations in East Palo Alto and Mountain View. One incident occurred in Palo Alto that showed up in some of the comments. He wanted to make sure the Council did not influence what the City Manager and his staff recommended to the Council. Something was reported in the newspaper, which he had not researched to find out whether it was accurate, that a Council Member was unhappy with a staff member who had not gone to that Council Member before

writing a report. Such action was clearly inappropriate. Staff was responsible to provide the Council with its opinion, not to tell the Council the Council's opinion. The line clearly needs to be respected. Whatever staff brought to the Council needed to be staff's opinion. The Council could advise the staff to provide options, which should be done in public and at Council meetings by majority vote. He wanted to make sure all Council Members understood the need for a clear line.

Chairperson Kleinberg said the P&S Committee was not trying to force its colleagues or itself to abide by rules unless universally agreed upon in terms of responsibilities and respect for one another and staff. The outcome was good government. The theme was to respect the professionalism of staff and let staff do its job. Sunnyvale's protocol list was 15 pages and Mountain View's list was like a book. The City of Claremont's was eight pages and very abbreviated. Palo Alto's Council was not doing something that was unheard of or meant to embarrass anyone. The best time to compile protocol was when there were no problems. The problems being experienced by neighboring communities placed Palo Alto on notice. The template from Sunnyvale was wonderful and Mountain View's was also good.

Ms. Harrison suggested starting with the Council interface with City staff, since the P&S Committee appeared to be expressing the most concern and because information from the retreat was not available yet.

Chairperson Kleinberg wanted to read through what people had spent a long time thinking about to gauge reactions and to see whether the list represented values that the P&S Committee could organize at another meeting.

Council Member Freeman was willing to participate in the process as long as a clear line was drawn that the P&S Committee would not discuss personal styles of Council Members or staff.

Council Member Beecham agreed.

Chairperson Kleinberg agreed. Under Council General Values/Guiding Principles, the first was to "obey all laws."

Council Member Beecham continued to read the remainder of the list.

Council Member Mossar disagreed with the comment that change was a guiding principle or value. Many times change was unnecessary and should not be considered a guiding principle. Item 8 was questioned, "Make all decisions based on what is best for the people of the City of Palo Alto, weighing the

resident's input in very heavily. Decisions should not be based on personal motivation, including but not limited to future political aspirations." The Council was a representative of government and the politics was designed to represent the people.

Chairperson Kleinberg queried whether the P&S Committee should discuss representative government at a future date.
Council Member Mossar replied yes.

Council Member Beecham agreed with Council Member Mossar's comment. Most of the suggestions would not effectively guide the Council because they were too general.

Council Member Freeman agreed with Council Member Beecham. The list contained issues everyone already knew. Having Council Members who were all different was very positive. She asked that Item 8 be read again.

Chairperson Kleinberg read Item 8.

Council Member Freeman thought there could be philosophical differences between Council Members on the issue of whether a Council Member was elected to represent the people and, therefore, made the decisions or whether the Council Member weighed more heavily on public opinion to make decisions. The difference was philosophical but was not negative. The area was "gray" and the Council might not have the ability or the right to create protocol around the issue.

Chairperson Kleinberg admitted Item 8 was a problem and would need to be discussed at some future point. She was comfortable with the generality of the values because the point was not to adopt values that were in reaction to a problem. The point was to adopt general values or principles to which all people that were responsible for good government ought to agree. Having a value that stated, "obey all laws" was unnecessary, since the Council Members were required to take an oath to do so upon entering office. Generally speaking, open and effective government should be ensured, confidence inspired, by honesty, integrity, etc. The principles were merely good, general principles for elected representation.

Council Member Freeman asked for a definition of civility.

Council Member Beecham appreciated the need for definition, but if the P&S Committee attempted to define every word, the project would be hopeless.

Council Member Freeman said the process might be hopeless anyway. If everyone felt differently about what civility meant, she questioned whether anything could be accomplished.

Council Member Beecham said Council Member Freeman's struggle with the word civility raised concerns about defining for the future what was or was not a problem.

Council Member Freeman agreed.

Council Member Beecham would not support virtually any of the ten items under Council General Values/Guiding Principles in terms of an obligation or rule that the Council needed to follow.

Council Member Mossar said staff had examples of protocols from other cities, which the P&S Committee had not seen. She suggested making the samples available to the P&S Committee along with the brainstorm compendium and the notes from the retreat. She would feel more informed and have a better idea of what the work product might look like.

Chairperson Kleinberg agreed. The initial idea was for the P&S Committee to come up with something without being influenced by other communities. Something that fit another community might not "fit" Palo Alto. She wanted the P&S Committee to be creative and inspired first. She was distressed at the pessimism expressed by Council Members Beecham and Freeman because the P&S Committee was not being asked to do something unusual. The point was to examine basic, guiding principles, which were common in government circles and not difficult to agree to. The principles needed to be vague and simple. The actual practices came out of the principles. The simple set needed to be something upon which everyone could agree. There was a difference between democracy and anarchy. Democracy involved having laws so people could be free. Anarchy involved having no laws and no one was free. She encouraged her colleagues to have an optimistic spirit because principles and protocols actually freed people to do their jobs better. The principles and protocols would ensure individual styles because there was clarity within the context of what was agreed upon. She would prefer not taking up the Council Interface with City staff but rather to put the item over to a fuller discussion after the P&S Committee had had the opportunity to see what other cities had done. At the moment, the P&S Committee seemed reluctant to delve into the issue with the suspicion that it was being done because of some internal City problem. Once the P&S Committee saw what other cities had done and what colleagues thought, it would be more comfortable approaching the issue in the spirit of collaborative good government rather than asking what was wrong.

Council Member Mossar sensed there was some motivation of punishing behavior or addressing some individual problem, which, from her perspective, was far from the truth. She would find it helpful to see what other communities were doing. Over the years, City Council had grappled with new issues, examining examples from other cities with similar interests. She agreed that holding off the conversation on the staff interaction was appropriate until the P&S Committee had been given more information. She shared the optimism that the P&S Committee could move forward with the item.

Council Member Beecham appreciated Chairperson Kleinberg's efforts to gather together policies and procedures from other communities and looked forward to examining the samples before discussing the issue further.

Council Member Freeman agreed with the suggestion to examine what Chairperson Kleinberg and staff had gathered together in order to better understand the roles a little better. Chairperson Kleinberg and Council Member Mossar's opinion that perhaps the creation of the protocol was viewed as punishment or recognizing an internal problem was clearly a matter of perception. Her personal perception was that the principles were so basic that nothing was being added, which was why she wanted to see what other cities had done.

Chairperson Kleinberg said the other disadvantage for Council Member Freeman being on the telephone was the inability to see the comments in the document, which were specific.

Council Member Freeman said no blame was being placed on anyone for her not having received a copy of the document. Everyone worked to accomplish the phone-in accessibility.

NO ACTION TAKEN

3. Appropriate Council Interaction with Staff

Herb Borock, Post Office Box 632, spoke regarding the City Charter and the relationship between the Council and City Manager. The colleague memorandum on the interaction between Council and staff seemed to address the relationship in just one direction. It was important to look at the relationship in both directions. The City Charter stated the City Manager worked for the Council collectively. The Charter would not prevent someone from trying to obtain votes from the Council in public session. The issue of obtaining information from staff in the past meant it was not always necessary to go to a department head. He suggested the reason protocol was being

raised was because of term limits. Institutional memory was lost. In the situation in Mountain View, the council-appointed officers (CAO) had a problem with the council because of having to sign off on a staff report for something they did not want to do. He understood that one of the CAOs tried to address the issue in a closed session from the point of view of something that could be discussed in closed session, which was that employee's employment relationship. The situation was unusual but was an attempt to get the message out in an abstract way, which was probably why it dragged on. The missing element was going back to the organic documents, starting with the basic issue that CAOs worked for the Council collectively.

Chairperson Kleinberg clarified the P&S Committee would obtain copies of what was produced and examples from other communities.

Ms. Harrison said the notes from the retreat would also be provided to the P&S Committee.

Chairperson Kleinberg said the P&S Committee also received an email from the City Manager on Council protocols on February 25, 2002, which also should be included.

NO ACTION TAKEN

5. Discussion for Future Meeting Schedules and Agendas

Chris Mogensen said the next P&S Committee meeting would be held on May 14, 2002. The agenda items currently agendaized included the Cubberley-Ventura discussion and the continued discussion on Council protocols.

Assistant City Manager Emily Harrison asked whether the P&S Committee thought the agenda was appropriate.

Chairperson Kleinberg thought the protocol issue could take an entire meeting, however, an agreement could be reached to take 45 minutes to address a discrete piece. The P&S Committee could have some discussion and reaction to what other communities had done and whether the P&S Committee thought it could optimistically move forward on it.

Council Member Mossar agreed.

Ms. Harrison said the agenda would be kept as it was.

Chairperson Kleinberg asked how long the Cubberley-Ventura item would take.

Ms. Harrison said the item was a Council referral. Staff had prepared some basic background material on the Comprehensive Plan direction for the City-school joint facilities use. Staff also had some background information on the condition of both facilities.

Chairperson Kleinberg suggested making documents available to the P&S Committee ahead of time.

Ms. Harrison said the history information was merely a basic package of information.

Chairperson Kleinberg suggested staff provide a small executive summary of the materials and pieces. If the P&S Committee thought there was something it needed, it could request it.

Council Member Freeman said one of the things she had not received was the colleague memorandum bringing the item forward.

Ms. Harrison would provide Council Member Freeman with the minutes from the meeting at which the item was referred to the P&S Committee.

Council Member Freeman was unsure how the item had gotten on the agenda.

Ms. Harrison said the P&S Committee had many issues that would be coming before the committee prior to the Council vacation.

Chairperson Kleinberg asked about staff's anticipated schedule.

Ms. Harrison said if the P&S Committee stayed with one meeting per month, it would remain very full through to the vacation. Some of the items in the future included timely staff reports, electronic packet, CEQA guidelines, and several items that had been referred but yet to be agendized.

Chairperson Kleinberg asked about the anti-discrimination issue.

Ms. Harrison said yes, as well as the issues discussed at the Human Relations Commission (HRC) and closure on City positions on ballot propositions.

Chairperson Kleinberg asked whether any of the items were time-sensitive.

Ms. Harrison said staff was very interested in dealing with timely staff reports and the electronic packet at the June meeting, since it wanted to begin making the changes over the Council vacation.

Chairperson Kleinberg suggested tentatively scheduling another meeting in case it was needed.

Ms. Harrison said staff could caucus the meeting if the protocol discussion went too long.

ADJOURNMENT: Meeting adjourned at 8:47 p.m.

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.