



CITY COUNCIL SUMMARY MINUTES

Regular Meeting
May 20, 2024

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 5:30 P.M.

Present In Person: Burt, Kou, Lauing, Lythcott-Haims, Stone, Tanaka, Veenker

Present Remotely:

Absent:

Call to Order

Mayor Stone called the session to order.

City Clerk Mahealani Ah Yun called roll and declared six were present.

Special Orders of the Day (Items heard out of order)

3. Greeting Yanpu, Shanghai, China Sister City Officials and Delegation

NO ACTION

Neighbors Abroad President Sarah Burgess recognized and welcomed the delegation of Palo Alto's youngest Sister City, Yanpu, Shanghai, China.

Neighbors Abroad Vice President Bing Wei introduced the delegation, which was led by Party Secretary Xue Kan.

Party Secretary of Yangpu District Xue Kan was honored to be present. The delegation wanted to deepen their cooperation, relationship, and friendship with Palo Alto. He invited Palo Alto's delegation to visit Yangpu.

Mayor Stone welcomed the delegation to the dais and a photo was taken.

1. Santa Clara County Department of Family and Children's Services in Honor of May being National Foster Care Awareness Month

NO ACTION

Council Member Veenker read the Foster Care Awareness Month proclamation.

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Santa Clara County Department of Family and Children's Services Social Worker Erika Helms stated she was honored to present the proclamation to the foster parent family. She requested those interested in being foster parents to call 299-KIDS.

Resource parent Kaloma Smith thought it a privilege to be part of the story of their two children, Henry and Avery.

Resource parent Larin Smith echoed Mr. Kaloma Smith's comments, and she thanked the Council for the recognition.

Mayor Stone invited Social Worker Helms and the Smith family to the dais for a photo.

2. Proclamation Recognizing National Public Works Week

NO ACTION

Council Member Burt read the National Public Works Week proclamation.

Public Works Director Brad Eggleston pointed out that Assistant Director of Public Services Division Mike Wong, Assistant Director of Environmental Services Karin North, Assistant Director of Engineering Services Holly Boyd, and Airport Manager Andy Swanson were present in the audience. He spoke of Public Works providing a wide breadth of services to the community, and staff did this with a sense of pride and commitment to service. He thanked the Public Works Department staff for their work and City Council for their support.

Mayor Stone invited Public Works folks to the dais for a photo.

Agenda Changes, Additions and Deletions

City Manager Ed Shikada noted that an amended agenda had been issued. A previously planned study session had been deferred to a date to be determined.

City Clerk Mahealani Ah Yun added that the agenda had been amended (and moving forward) to reflect that general public comments for items not in the agenda would be accepted in person for up to three minutes or an amount of time determined by the Chair. General public comment would be heard for 30 minutes and additional comments, if any, would be heard at the end of the agenda. Public comment for agenda items would be accepted in person and via Zoom for up to three minutes or an amount of time determined by the Chair.

Closed Session

AA1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Authority: Government Code Section 54956.8 Property: 4000 Middlefield Road, Palo Alto (Informally known as the Cubberley Site) Negotiating Party: Palo Alto Unified School District City Negotiators: (Ed Shikada, Chantal Cotton Gaines, Kristen O'Kane, Sunny Tong) Subject of Negotiations: Purchase, Exchange, and/or Lease Price and Terms of Payment

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Public Comment

Ken H. shared some pictures of the Belle Haven Community Campus in Menlo Park, which he voiced was a possible community center site. He provided some brochures.

MOTION: Council Member Lythcott-Haims moved, seconded by Council Member Veenker to go into Closed Session.

MOTION PASSED: 7-0

Council went into Closed Session at 5:55 P.M.

Council returned from Closed Session at 7:18 P.M.

Mayor Stone announced no reportable action.

Mayor Stone reminded the public of new policies related to public comments. He furnished the ground rules for speaking.

Public Comment

Uzma, speaking on behalf of (6) Syed, Michelle, Fariha, Mona, Yazan, discussed the differences in peaceful and harmful protests. She addressed dehumanization and requested that human lives not be reduced to numbers.

Azadeh M. asked how many more needed to die in Palestine before calling for a ceasefire.

Aram J. discussed Zionism and his opposition to it.

Alice S. requested that communications on the City's website be reviewed as she had difficulty trying to find certain information.

Jenny K., the lead handler for the Barron Park Donkeys, speaking on behalf of (5) Michael, Hshua-tzu, Jeralyn, Zehua, supported funds being allocated to the Donkey Project. She provided a brief overview of the project. She invited Council to attend Donkey Perry's 30th birthday celebration on June 9 in Bol Park.

Noel S. requested a ceasefire resolution.

Sarit spoke of numerous conflicts on the continent of Africa. She asked Council to focus on unity in the local community rather than on foreign affairs. However, if there was to be focus on Israel and Gaza, she requested that equal attention be given to conflicts in Africa, China, Russia, etc.

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Miriam discussed Christians being kidnapped in Nigeria. She asked that Council focus on local issues but to address what was happening all over the world if global conflicts were to be a focus.

Estee thanked Council for issuing the unity statement. She wanted Palo Alto to focus on unity in the Palo Alto community, but if Palo Alto was to weigh in on foreign tragedy, she asked that equal attention be given to all.

Giora spoke of genocide in Darfur, Sudan. He requested Council address local issues, but if distant wars were to be a focus, he asked that Council address the issues in Darfur.

Lori M. thanked Council for changing public comment policy to address Zoom bombings. She spoke in opposition of the slogan "From the River to the Sea."

Mark S. discussed there being a gap in the bike trails infrastructure. He hoped Palo Alto could adopt similar plans as that of Sunnyvale and Mountain View for the El Camino.

B. Linder, Board Member of J Street, spoke on behalf of himself and denounced Hamas' October 7 attack but requested Council call for an immediate ceasefire, a diplomatic solution, and a return of all hostages.

Subhash G. asked Council to help stop rising Anti-Semitism in the USA and to stop interfering in global problems.

Council Member Questions, Comments and Announcements

Vice Mayor Lauing reported that the Housing Element had been submitted to HCD.

Mayor Stone announced that in consultation with Vice Mayor Lauing they wanted to award up to \$10K from the Council Contingency to be given to the donkey handlers at Bol Park as a matching grant for Donkey Perry's 30th birthday. He provided some history of the Barron Park Donkeys. The funds in the Council Contingency would expire on July 1 and would not roll over.

Council Member Lythcott-Haims reported that the Ad Hoc Committee on Cubberley would be engaging in a conversation with PAUSD on May 28.

Council Member Tanaka voiced why he objected to giving \$10K for Donkey Perry's 30th birthday.

Consent Calendar

5. Approval of Minutes from May 6, 2024 Meeting
6. Adoption of a Resolution for Senate Bill 1, the Road Repair and Accountability Act, for Fiscal Year 2025, Providing the Project List for the Street Maintenance Capital Improvement Program project PE-86070; CEQA Status – Not a Project

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7. Approval of Purchase Order 4524000375 with Meiden American Switchgear for the Purchase of Seven (7) 60KV Circuit Breakers for the Colorado Substation in an Amount Not to Exceed \$713,023 for FY 2024; CEQA Status: Exempt Under CEQA Guidelines Section 15302 (Replacement of Existing Structures)
8. Adoption of Resolution Suspending the Levy of Assessments on the Downtown Palo Alto Business Improvement District (BID) Assessment for Fiscal Year 2025; CEQA status – not a project.
9. Approval of a Budget Amendment in the General Fund for the Planning and Development Services Department's Deposit Based Fee Program for Private Development Studies in the Amount of the Net Zero \$300,000: CEQA – Not a Project
10. Adoption of Revised Management and Professional Salary Schedule to Adjust the Salary of One Classification; Adoption of Administrative Revisions to the Management and Professional Compensation Plan; and Adoption of a Side Letter and Revised International Association of Fire Fighters, Local 1319 Salary Schedule for One New Classification; CEQA Status - Not a project

Public Comment

Herb B. (Item 10) opined there should be two salary schedules, one for being in person and one for telecommuting, and that a second job be allowed but only for those who attended their job in person. He requested the management compensation plan be amended for that reason.

MOTION: Council Member Lythcott-Haims moved, seconded by Mayor Stone to approve Agenda Item Numbers 5-10.

Council Member Tanaka registered a no vote on Agenda Item Number 10.

MOTION PASSED ITEMS 5-9: 7-0

MOTION PASSED ITEM 10: 6-1, Tanaka no

Council Member Tanaka voiced that he did not support Item 10 because he thought the salary should be lower for those telecommuting and that the 28% salary increase and the severance package were too large.

City Manager Comments

City Manager Ed Shikada informed the public that there were three information reports in the package which would not be discussed by Council. He noted there would be a Rail Committee meeting on May 23, and Council was scheduled to have further discussion on alternatives on June 10. He displayed slides and highlighted a few upcoming summer community events, which could be found at cityofpaloalto.org/twilightconcertseries and on the City calendar. The next City Council meeting would be June 3 and would include the One Margin Reach Code,

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University Avenue Streetscape Update, and future use of 445 Bryant Street. On June 10, the Quarry Road Bus Connector, Parkland Undedication, and Rail Grade Separation would be addressed. Scheduled for June 17 was the FY 2024-2025 budget adoption and hydroelectricity contract extension. A special meeting was scheduled for June 18 for the Buena Vista Streamlined Review, NVCAP adoption, and recommended regulatory changes to support retail.

Action Items

11. Ad Hoc Committee recommendation to the City Council on a Potential Charter Amendment on the Direct Election of the Mayor

City Attorney Molly Stump furnished slides and outlined the proposed ballot measure, which included roles and responsibilities, election, and term limits of the mayor. Council would discuss policy at this meeting. If Council should vote to proceed with a ballot measure this fall (2024), staff would return to Council with a full ballot package, which would include a resolution calling the election, the formal ballot question that would appear on the ballot, and the final text of the charter amendment. Staff would likely bring that back to Council on the Consent Calendar for June 10 or 17. She turned the floor over to the Ad Hoc for comments and policy discussion.

Mayor Stone declared that at this meeting Council would discuss moving toward a directly elected mayor. He elaborated on why moving toward such made sense to him, which included enhanced democratic participation, increased accountability and transparency, and provided continuity and stability. He urged Council to approve the ballot initiative.

Council Member Veenker believed that moving to a directly elected mayor would benefit the City and give the selection power back to the residents. The Ad Hoc recommended a two-year term, a two-term limit, and two years of service as a prerequisite, which she called the 2-2-2 proposal. She supplied slides outlining how some California cities elected their mayors, their mayors' terms, and their city budgets and populations. She detailed why the Ad Hoc recommended a two-year term, which could be adjusted to a four-year term at a later date. She addressed why there should be a prerequisite of two years of service. The 2-2-2 system required the least adjustment from current practice.

Public Comment

Jeff H. inquired how the mayor would be paid and if an elector could run for mayor and council member at the same time.

Alice S. queried if the mayor's term limit should be changed from two to four years who would amend the power to change it. She felt it costs more to directly elect mayors, which she opined could give the mayor more control over staff and the process. She requested Council firmly reject this recommendation.

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Herb B. urged Council to vote against this. He discussed the percentage of votes for candidates and queried how runoffs would work. He addressed the Ad Hoc Committee not having met in public.

Hamilton H. expressed why he did not support extending the mayor's term beyond one year or making it a directly elected position. He explained why he supported the current system. If this should be on the ballot, he requested it be a two-year maximum term with no ability to change it to a four-year term, not allow consecutive terms, and that there be a total maximum of two terms.

Aram J. (Zoom) spoke of participatory democracy being critical, and he liked the idea of an elected mayor. He suggested the mayor and each Council member be full-time positions paid a living wage and that each have a full staff instead of there being a City manager. He did not agree with the prior service requirement or the term limit possibly being changed without the vote of the public. He thought there should be public debate on this and study sessions with cities who have experience with an elected mayor.

Winter D. (Zoom) believed the City had bigger priorities to address than voting for mayor. She voiced why she was opposed to this recommendation and why she did not believe it would empower voters. She suggested continuing the current process.

Jennifer (Zoom) agreed with the criticisms raised about the proposal. She thought voters were being asked to make a decision with little information about accountability, transparency of government, and how this proposal would improve the City's issues.

Council Member Lythcott-Haims questioned why the possible four-year term would be something Council could determine by ordinance versus the residents voting on it. She thought a four-year term could enhance the benefits. She discussed the proposal stating there could be only 12 years of service within any 16 years, and currently 14 years of service was allowed within any 16 years. She asked if Council members would still be able to run for two consecutive four-year terms with a two-year hiatus in the middle and then run for another four-year term. She inquired if a person running for Council member and mayor at the same time had been considered, which she explained one running for mayor only could be the loss of a great Council member. She questioned if the top vote-getter for Council member in a particular election could become the mayor as opposed to one having to choose to run for either Council member or mayor.

Council Member Veenker answered, regarding the four-year term, that the Ad Hoc tried to make the change small to see how the City adjusted. Related to the number of service years, she discussed the Ad Hoc's concern with having 12 service years in a row. Regarding a person running for Council member and mayor at the same time, she commented that with two-year terms nobody on the dais would be excluded from running. She had not investigated one person running for both Council member and mayor in one election. The proposal indicated that one would run for mayor or Council, not both.

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Mayor Stone added that the two- and four-year term matter would be included in the ballot language to inform the voters of the flexibility. The Ad Hoc thought the 12-year period was a good parallel to the state legislature's 12-year cap, which would provide consistency. A person running for Council member and mayor at the same time was beyond the scope of the Ad Hoc.

Vice Mayor Lauing queried if, for example, three Council members ran for mayor if the two who lost would no longer be in office. As for the two- versus four-year term limit, he asked if the limit could be changed back and forth from two to four/four to two by any new Council. He was concerned that Council being able to change the limit could be considered nontransparent to the voters. He queried if former mayors' time would count toward the term limit or if it would start afresh with the new system.

Council Member Veenker replied if three Council members ran for mayor the two who lost would no longer be in office but could run for Council member again two years later. She thought a Council would be unwise to switch it from two to four/four to two a lot, and it would surprise her if that was done. The Ad Hoc wanted Council to have the flexibility to change it, but Council could set the term limit to two or four. Concerning former mayors' time counting as being mayor, Council would start afresh unless Council wanted to do something else.

Mayor Stone added that a term limit change would not be immediate as the term had to expire before it could be changed. He thought general principles of good governance would prevent it from being changed back and forth from two to four/four to two.

Assistant City Attorney Mark Vanni stated that anyone who served two years on Council could run for mayor.

City Attorney Stump added, regarding former mayors' time counting as being mayor, that it would not matter whether the 12 years within 16 years was prior service as a council member or as a mayor.

Council Member Burt commented that there were many important issues facing the City that required a great deal of attention and this recommendation was not one of them. He had spoken to many who voiced this was not a good idea. He did not see this as furthering the goals on Packet Page 257, which are empowering voters, continuity and impact, and public recognition and accountability. He spoke of his fear of this increasing politicization of elections. He stated Palo Alto was basically a legislature, and he noted that legislatures selected their own leadership. He was concerned about this being the first of two steps in going to a four-year mayor term, which would effectively modify Palo Alto's term limits. He thought this was a bad idea.

Council Member Kou asked why do this in 2026 instead of a presidential election year. She was concerned about a Council member receiving the most votes becoming mayor as the vice mayor was usually set up for succession to become mayor. She spoke of her observations of elected mayors of some other cities becoming arrogant and egotistical, which concerned her. She discussed why she felt an elected mayor may not fully represent the City. She did not like

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the ordinance to possibly change term limits. She did not believe the community received enough information on this and that there needed to be more discussion with them.

Mayor Stone remarked that the Ad Hoc thought 2026 made the most sense to begin this, but it was another discussion point for Council. There seemed to be a greater preference for two-year terms and dropping the option of the four-year term.

Council Member Tanaka stated the main reason he supported this was to give control to the voters. He thought two or four-year terms would give continuity to the City. He did not think Council should be able to change term limits from two to four/four to two but that it should be one or the other and that the voters should decide.

Council Member Veenker remarked that if this passed at this meeting there would be a second reading and a third time in public and then there would be conversations with voters. The Ad Hoc tried to make it as similar to current practice as possible. She had spoken with several former mayors who supported this and mayors who had had good experiences in other cities, but she wanted to be clear that there were mixed views. She was concerned about constant campaigning, which was an argument for a four-year term limit. There were pros and cons to whatever may be done. Others were doing this, which included legislative bodies. She presented slides and spoke of diversity and thought it needed to be addressed. Palo Alto had used current practices for many years, but she thought there was a lot to argue for moving forward with a different model.

Mayor Stone expressed that Palo Alto was a city of innovation, and he thought the process could be improved. He was comfortable choosing either a two- or four-year term limit at this meeting. Concerning transparency, he stated the idea of this had gone through P&S most of last year, came back to Council during a procedures and protocol discussion, which advanced into this year, and Council discussed it again and gave the authority to form the Ad Hoc Committee to return to Council again. He stated this was the beginning and, if passed, the public would be made aware of the changes.

Vice Mayor Lauing addressed empowering voters and noted he had never had any communication with the public about voting for mayor. Of the emails received and the public speakers to date, it was 8 to 2 against the proposal. He spoke of the advantages of Council members electing the mayor. He thought the current process allowed for flexibility in correcting any mistakes. He did not see continuity being a high value, as under the current process, a mayor could serve for two years. He did not share the thought that it was crucial for effective partners in the region, as there was currently effective partnerships. Most important to him was that the job would not change. He thought the current system addressed diversity better than what was proposed. He was concerned about all the work to be done to get not much more. He summarized a letter from former Mayor Lanie Wheeler who said the process should have started with community meetings (and there had been none) and that changing the charter for the same job was unnecessary, and she concluded in an email that she trusted Council to know colleague skills and make a call. He did not think a change was needed.

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Council Member Lythcott-Haims spoke of the importance of continuity and developing relationships. She was interested in Palo Alto getting what it needed and deserved and that it have the influence it should have given how much Palo Alto could offer the region, state, and world. She wanted Palo Alto's leadership to be the best it could be. She was concerned that the will of the voters was not being carried out in the way the mayor was currently selected. She worried about the two-year cycle being a constant fundraise and run-for-reelection scheme. She detailed why having to run for either Council or mayor concerned her. She addressed a public comment letter received from Mr. John Kelley, and she liked his alternative, which she outlined.

Council Member Burt echoed a lot of the comments made by Vice Mayor Lauing, and the option from Mr. John Kelley intrigued him, which he thought may be better than what was being proposed. Regarding a top vote-getter becoming mayor, that was not what the voters had been asked to vote on. Going forward that could be a question to the voters, but he did not think the retrospective argument was valid. He was concerned that going in this direction would be perceived as being politically motivated, which a lot of people had brought up to him in the last week.

~~**MOTION:** Council Member Burt moved, seconded by Council Member Kou to table the item on the Direct Election of the Mayor.~~

Council Member Kou thought the item needed to be communicated further with the community. She did not see the rush in passing it at this meeting.

~~**MOTION PASSED/FAILED: X-X**~~

SUBSTITUTE MOTION: Mayor Stone moved, seconded by Council Member Veenker to accept the Ad Hoc Committee recommendation that the proposed Charter Amendment on the ballot provide:

1. The City's mayor will be directly elected by residents for a term of four years;
2. Candidates for mayor must have at least two years of experience on Council by the time they would assume office; and
3. Service as mayor is limited to two successive terms, as is already the case for service as council member, and no person would be able to serve as council member or mayor for a combined total of more than 12 years in a 16-year period; and
4. Place such a Charter Amendment on the ballot for the November 5, 2024 election and direct staff to return to Council for approval of ballot materials on Consent.

Council Member Veenker noted that some public speakers supported this last time, and she had been working with several who were excited about it. She stated this was to provide power to the voters. As for being politically motivated, the theme was asking residents if they wanted

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it, and it could be voted against. She did not see how the current system helped diversity. She expressed why she felt the role of mayor should be for more than a year. She stated there was appeal to Mr. John Kelley's suggestion, but she stated that there were possible problems with that. She thought there would be tradeoffs no matter what might be done. She believed the benefits of a directly elected mayor outweighed some of the concerns raised.

Vice Mayor Lauing did not support the four-year term because there had not been discussion about it being preferred. He explained that the diversity issue was a matter of numbers, and with this recommendation there would be only two to four mayors in eight years.

Mayor Stone would be happy to amend four years to two years, although there had been concern of mayors continuously running for election.

Council Member Kou asked if the ordinance allowing a change from two to four/four to two years was part of the motion.

Mayor Stone answered that was not part of the motion.

SUBSTITUTE MOTION FAILED: 3-4, Lauing, Kou, Burt, Lythcott-Haims no

Mayor Stone returned to the main motion and asked if there was further discussion.

Council Member Burt withdrew his motion.

Council Member Lythcott-Haims wanted to resurrect the motion or some version of it. She was not against the concept, but she did not think a set of well-vetted variables had been arrived at to put to the voters.

MOTION: Council Member Lythcott-Haims moved, seconded by Council Member Veenker to table the item on the Direct Election of the Mayor and request the Ad Hoc further discussions and take into account the feedback received on May 20, 2024, additional community input, and come back to Council for further direction.

Council Member Veenker appreciated the feedback and thought it was an important issue to continue discussing.

Mayor Stone voiced that the discussion and community feedback was beneficial, and he had a better understanding of what Council and the community might want to see.

Council Member Burt did not support the motion, but he advocated that it be referred to P&S Committee or the Ad Hoc be expanded to add another member to allow for a variety of biases.

Council Member Veenker supported expanding the Ad Hoc.

Mayor Stone declared he would add an additional member to the Ad Hoc.

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City Attorney Stump mentioned this new assignment would put the City off the schedule of the 2024 ballot.

MOTION PASSED: 4-3, Burt, Kou, Lauing no

[Council took a nine-minute break]

12. Discussion and Direction Regarding the City Council Procedures and Protocols Handbook - Annual Discussion as Recommended by the Policy & Services Committee (Item Continued from May 13, 2024 City Council Meeting)

Mayor Stone declared that public testimony was closed as it had been received last week.

Council Member Burt thought the annual CAO schedule performance evaluations needed to be added to the procedures, which should include recommending a consultant facilitator to Council, recommending to Council the process to be used for CAO evaluations, and for Council to schedule CAO performance evaluations. This should be included as part of the CAO Committee's responsibilities. The CAO Committee should make annual consultant recommendations to Council and outline the process.

MOTION: Council Member Burt moved, seconded by Mayor Stone to add to the Council Appointed Officers (CAO) Committee responsibilities (Procedures Sec. 1.2(d) to make recommendations to the Council annually:

1. The process of the CAO evaluations; and
2. Schedule CAO performance evaluations; and
3. The selection of the consultant to serve as the facilitator for the CAO evaluations for the year.

MOTION PASSED: 7-0

Council Member Burt noted that he had sent the clerk draft language related to personal opinions on international affairs not representing Palo Alto's citizenry. Any possible controversial statements should be brought to Council for a vote.

MOTION: Council Member Burt moved, seconded by Mayor Stone to incorporate the following language into the City Council Procedures and Protocols Handbook:

Special Orders of the Day: Resolutions, Proclamations, and Statements on behalf of the Mayor or Council

The Council shall refrain from taking positions on matters related to foreign governments, or concerning the foreign policy of the United States, or its relationship to

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other countries. Additionally, the Council shall not adopt resolutions, issue proclamations or official statements, or otherwise engage in advocacy on issues that are outside the scope of local governance.

The Council may support proclamations, resolutions, and matters directly related to Palo Alto's Sister Cities, provided they focus on cultural, educational, commercial or other collaborations consistent with the objectives of these partnerships."

The Council may adopt positions on domestic acts of the state or federal government which affect the resources of the City, or the health, safety and welfare of the residents or workers of the City consistent with our legislative guidelines.

Statements representing the position of the City Council on issues that are controversial, shall be voted upon by the Council.

Vice Mayor Stone added that Council was elected to address local issues, not foreign matters or geopolitical affairs, and Council's actions should be limited to impacts on Palo Alto.

Council Member Veenker inquired how this would interface with strategic weighing in on issues of interest to the City (which was adopted policy on June 22, 2021) and the 2023 legislative guidelines foundational principles for federal and state. She discussed the caste bill and the impact in Palo Alto and if a position should have been taken. She questioned if there should be cross reference to affirming positions and principles already stated in the strategic weighing in on issues.

Council Member Burt did not see a conflict. He recalled that the policy focused on how positions would be taken on state and federal legislation affecting Palo Alto. Related to the caste bill, he explained that some gray area remained in some circumstances, and he thought a position could have been taken under these and existing guidelines. He did not think there was a need to cross reference affirming positions and principles already stated in the strategic weighing in on issues, but a reference could be made to legislative guidelines.

Council Member Kou questioned, regarding the caste bill as an example, if Council would be precluded from making an opinion.

Council Member Veenker replied that Council would decide if it impacted to the City, and if it did, a position could be taken.

MOTION PASSED: 7-0

Deputy City Manager Chantal Cotton Gains voiced that staff recommended establishing a procedure of how proclamations would be brought to Council and how they would be approved. She suggested language for such. If Council had interest in it, staff could draft the full language, which could then be brought back to Council.

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Mayor Stone felt that item should be addressed.

Council Member Burt thought routine/noncontroversial proclamations should be approved by the mayor and vice mayor and controversial ones brought to Council for a vote and that the mayor and vice mayor should determine what was and was not controversial.

Deputy City Manager Cotton Gains added that staff had suggestions to bring with that language and asked if there could be a portion of the motion addressing other recommendations based off best practices.

Council Member Burt agreed with that addition to the motion as the final language would be voted on.

MOTION: Council Member Burt moved, seconded by Mayor Stone to establish a procedure for proclamations, including additional guidance, and any other staff recommendations based on best practice, specifically identifying guidelines for routine non-controversial proclamations to be approved by the Mayor and Vice Mayor and any controversial proclamations to be brought to the full Council for a vote for approval.

MOTION PASSED: 7-0

Council Member Burt wanted it to be clear that Council members were expected to be at the dais at all times except for necessary short breaks. He could not find that referenced in the handbook, but if redundant, it would not need to be added.

Deputy City Manager Cotton Gains would review the handbook to see if there was specific reference to that.

MOTION: Council Member Burt moved, seconded by Mayor Stone to add under Procedures Section 2.3a all Council Members are expected to be at the dais at all times except for necessary short breaks and other kinds of exceptions.

Mayor Stone thought a basic requirement was to be at the dais at all times when at a meeting except for reasonable breaks.

Council Member Tanaka believed this was unnecessary and a waste of time to address it.

Council Member Lythcott-Haims explained that she was concerned about what was considered reasonable and necessary.

Council Member Burt agreed to language capturing other exceptions for not being present at the dais. He remarked it was not a rule but a guidance. He hoped that by further clarifying expectations all would abide by them.

Council Member Veenker agreed with the spirit of it but struggled how to capture it in writing. She discussed censure.

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Assistant City Manager Cotton Gains stated that Section 2.3a did not address expectations for a meeting after a meeting had started. This would be interjected in Section 2.3a. She would check the censure section but she did not think it was horrible to state this as a norm because the censure built on a violation or norms.

Council Member Kou asked if Council or Committee meetings needed to be added to the language.

Assistant City Manager Cotton Gains replied that the existing section around attendance related to Council meetings and presumably Committee meetings as well.

Council Member Tanaka addressed his worries about OSHA rules and being censured. He did not think this was appropriate. He questioned who would judge short breaks and other kinds of exceptions.

Council Member Burt discussed Council members taking regular breaks at inappropriate times.

Council Member Lythcott-Haims voiced, as an example, that a 15-minute dinner break was not long enough for some. She questioned the adequacy of the meal break in the sometimes long meetings. She thought attendance was adequately addressed in the handbook, and she felt this was micromanaging personal behavior.

Council Member Veenker agreed with Council Member Lythcott-Haims. She suggested considering more adequate dinner breaks.

Council Member Burt would support including a 15-minute break as a routine.

Council Member Tanaka asked how necessary short breaks would be enforced and who would determine it and if there may be violations of HIPAA, etc. He thought this was inappropriate.

City Attorney Molly Stump remarked this was not a legal issue but a conversation about Council norms.

Council Member Burt noted this was only to give guidance. He supported adding to the language that Council meetings would routinely have a 15-minute break.

Mayor Stone commented that 15-minute breaks were already addressed in Section 2.3a.

MOTION PASSED: 4-3, Lythcott-Haims, Tanaka, Veenker no

Council Member Burt addressed simple referrals to staff to streamline the process, and requested there be language to determine when a Colleagues' Memo would be expected versus a simple, small referral that may be informational, etc., which would not require a Colleagues' Memo. He suggested it be referred to P&S to determine other agencies' processes.

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MOTION: Council Member Burt moved, seconded by Vice Mayor Lauing to refer to Policy and Services whether there should be a mechanism by which under Council Comments to be able to refer to staff a simpler request than would be required in a Colleague's Memo (with the boundaries defined).

Council Member Lauing appreciated that P&S would be processing this.

Mayor Stone thought P&S should determine if there were models that may work for Palo Alto.

Council Member Veenker inquired if staff or the City attorney had any views to share.

City Manager Ed Shikada would be happy to work with P&S on this. He thought staff responded to informational requests impromptu. He saw value in the Colleagues' Memo process in addressing issues that might be difficult to address at the dais. He noted those were turned around quickly once given to staff for completion of resource implication, and the question was scheduling an appropriate Council meeting.

Council Member Burt clarified this would not replace Colleagues' Memos but would be a step below the necessity for a Colleagues' Memo.

City Attorney Stump added that it was a balance and the Colleagues' Memo process did require a level of commitment and two or three Council members defining something, so a project was more well organized. She thought a Colleagues' Memo would better assess the work needed to pursue a topic and that an oral process may not be as thorough. She feared it could impact other priorities already set.

Council Member Veenker asked if the docket allowed time for this matter.

Deputy City Manager Cotton Gains explained that the docket would probably allow for it later this year or early next year.

City Manager Shikada added that staff would need to research options or mechanisms used by other agencies.

Council Member Burt did not see urgency, just a referral to P&S.

MOTION PASSED: 7-0

Council Member Veenker did not think there was a practice outlined for the mayor making appointments to regional bodies such as BAWSCA. She thought it should be recited in the P&P manual.

City Attorney Stump stated that language could be added easily. The exception was it being provided in some other way by statute.

City Manager Shikada thought BAWSCA required Council approval.

SUMMARY MINUTES

MOTION: Council Member Veenker moved, seconded by Mayor Stone to add to the current duties of the Mayor to make appointments of Council Members to Regional bodies that Palo Alto has a seat(s) on as applicable and or where not otherwise provided for by law.

MOTION PASSED: 7-0

Council Member Veenker added that she had previously addressed adding a land acknowledgement at the beginning of meetings, but she would not make a motion at this meeting because she expected to bring it as a Colleagues' Memo. She thought a lot of sensitive work needed to be done on it.

Deputy City Manager Cotton Gains mentioned that staff had suggested establishing a protocol related to gifts the City could receive from international partners, such as Sister Cities. The intention was to set a maximum amount a City representative could receive. She noted that offered hotel accommodations from Sister Cities could not be accepted, which she elaborated on. P&S discussed that it may be difficult to enforce if there was a gift of large value offered, but there seemed to be some interest in the hotel accommodations portion. The Committee had not voted on any of the items, so there was not a formal decision.

Council Member Veenker asked what the position was of Neighbors Abroad. She remembered a discussion related to having a policy to rely on that would allow them to decide what to decline, which would be helpful to them.

Deputy City Manager Cotton Gains confirmed that was correct. The President of Neighbors Abroad shared that if there were guidelines they could use them in conversation with international partners.

Mayor Stone questioned if it applied to Sister Cities.

Deputy City Manager Cotton Gains explained they had addressed only Sister Cities. Presumably this would apply to any international relations if written in such a way, so it could be Friendship Cities, Sister Cities, and Sibling Cities.

Mayor Stone inquired if there was an umbrella term for what would fall within Neighbors Abroad.

Council Member Burt expressed that it said international parties, such as Sister Cities.

Mayor Stone thought it made sense for Sister Cities since reciprocity was expected. He did not know about expanding it to international. He discussed foreign governments offering cultural exchanges to American electees and queried if such a conference should be turned down if there was not expectation for such to occur in Palo Alto. As for gifts, he was concerned about the awkwardness of turning down a gift and the difficulty in trying to determine the value of a gift. If Neighbors Abroad was confident they could relay that, he had no problem with it.

SUMMARY MINUTES

City Manager Shikada noted that staff had discussed gift limitations which would apply to FPPC, etc., and presumably it would be reportable but not subject to a limit.

Vice Mayor Lauing questioned if language should be added related to members exercising discretion.

MOTION: Mayor Stone moved, seconded by Vice Mayor Lauing to prohibit accepting hotel accommodations from our Sister Cities, Sibling Cities, and Friendship Cities, and to include the use of discretion and best judgment when accepting other gifts from those groups.

MOTION PASSED: 7-0

Council Member Veenker declared after her affirmative vote that she needed to recuse herself. She had not realized before the vote that Sibling Cities was included in the motion.

City Attorney Stump remarked that it was not an FPPC conflict because she was an unpaid board member, but Council Member Veenker should recuse herself if she felt she should not vote for appearance reasons.

Council Member Veenker changed her vote to an abstention.

MOTION PASSED: 6-0-1, Veenker abstain

Adjournment: The meeting was adjourned at 10:45 P.M.