



DATE: September 8, 2015
TO: Citizen Advisory Committee (CAC)
FROM: Jeremy Dennis, Advance Planning Manager

Hillary Gitelman, Director Planning and Community Environment Department

ACTION: Amendment to Rules and Schedule

The attached revisions to the CAC rules incorporate new rules in the composition and selection of subcommittees and also address the use of co-chairs, instead of a Chair and Vice-Chair. A revised CAC schedule is also attached.

Staff recommends the adoption of the new rules and schedule

1. Subcommittees

At their August 17th meeting, the Palo Alto City Council requested that the CAC make more extensive use of subcommittees than envisioned in the current rules, thinking that subcommittees with help with “deeper dives” into the subject matter of each element of the Comprehensive Plan (Comp Plan).

The City Council requested that subcommittees be fully noticed and publicly available, but they are not required to be Brown Act-regulated bodies. Beyond this guidance, the City Council would like the CAC to decide the structure, duration, and scheduling needs related to the use of subcommittees.

Infrastructure Blue Ribbon Commission

During their discussion, the City Council referred to the use of subcommittees of the Infrastructure Blue Ribbon Commission as a success.

The Infrastructure Blue Ribbon Commission (IBRC) was a City Council-created body to provide guidance and recommendations on the backlog of serious infrastructure maintenance and replacement needs. It was made up of 18 appointed members, two picked by each member of the City Council. The IBRC was a Brown Act-regulated body, and was required to notice and provide agendas prior to each meeting.

The IBRC has the power to create committees and working groups to focus on particular topics that then presented their work to the Commission. Eight committees and working groups were formed by the IBRC and were made up of members of the Commission. No outside individuals served on any of the committees or working groups.

Committees and working groups of the IBRC were not Brown Act-regulated bodies; subsequently they did not notice their meetings and were not required to provide agendas, meeting notes or be open to the public. City staff were assigned to committees to support their work.

Each member of the IBRC served on two committees or working groups. Each committee or working group met 3-4 times over the life of the IBRC, and reported their findings and recommendations as needed to the Commission. Those reports were not attached to the agenda for any meeting, but any written or visual materials were later posted on the IBRC website. Committees and working groups could and did call on outside experts to inform their work.

The IBRC began meeting on November 18, 2010 and transmitted their final report to the City Council on December 11, 2011. They held 21 regular meetings and one study session. Committees met a total of 28 times between November 2010 and July 2011; there is no comprehensive list of the number of times working groups met.

2. Co-Chairs

At their August 17th meeting, the City Council requested that instead of a Chair and Vice Chair model, the CAC utilized a Co-Chair model. At that meeting, the present Chair and Vice-Chair accepted that request.

3. Schedule

Based on the City Council's recommendation that each CAC meeting be dedicated to one major discussion item only, staff revised the previously-adopted schedule. The new schedule accommodates the use of subcommittee if they can be utilized between the first brainstorming meeting on an element and review of the discussion draft.

**Palo Alto Comprehensive Plan Update
Citizens Advisory Committee (CAC)
Role & Ground Rules**

Role of the Citizens Advisory Committee

The City of Palo Alto Citizens' Advisory Committee (CAC) has been appointed by the City Manager and the City Council to represent a diversity of interests and will be responsible for reviewing sections of the City's existing Comprehensive Plan, updates developed by the Planning & Transportation Commission, supporting information, and public input received during and in advance of the meetings. Based on this review, the CAC will provide recommendations to staff regarding updates and changes to policies and programs in the current Comprehensive Plan. The CAC will primarily be engaged in reviewing and commenting on (rather than writing) policy and program language and will also assist staff with the evaluation of "open sourced" public input and with synthesizing all materials and inputs as they review plan language (policies/programs) and proposed revisions.

The City Council will provide direction to the CAC regarding the Comprehensive Plan structure, including its vision statements and goals, as well as critical issues and desired additions/revisions. The CAC will incorporate this direction into their work, and will meet periodically with the City Council to discuss issues and questions.

Ground Rules For CAC Conduct and Decision Making:

The following ground rules provide the basis for collaborative communication among CAC members, other stakeholders, staff, and decision-makers. They are also intended to serve as boundaries for fair and civil behavior and group decision making.

1. **Meeting Procedure:** CAC meetings are subject to the Brown Act, which set standards for public notice as to meeting time, date and location as well as items to be discussed. Substantive issues will have higher priority than matters of procedural detail. The Co-Chairs or the Facilitator has have discretion in guiding discussion of items among Committee members while allowing for appropriate public input. Staff may address the Committee at any time.
2. **Meeting Preparation:** CAC members will receive meeting agendas and the materials that will be discussed in advance of each meeting. Members are responsible for reviewing these materials prior to the meeting, and for coming prepared for substantive discussions.
3. **Meeting dates, time, and location:** CAC meetings will be held on the second Tuesday of the month from 5:30 to 98:00 pm at the Mitchell Park Library Rinconada Library, 213 Newell Rd 3700 Middlefield Road.
4. **Problem Solving Approach:** Disagreements between participants will be regarded as problems to be solved rather than arguments to be won. At the discretion of the Co-Chairs or the Facilitator, disagreements may be tabled for discussion and resolution at a later meeting.
5. **Decision-Making:** Decisions will be made by consensus. When consensus cannot be reached, decisions will be made by a majority of the voting members of the CAC who are present. A quorum for this process will be nine-eleven (911) members. No business can be conducted if fewer members than a quorum are present. A brief summary of CAC meetings will be posted to the project website (www.paloaltocompplan.org) for any interested party to examine.

6. **Clear and Timely Communication:** Every participant is responsible for communicating his or her position on issues under consideration. Each participant is also encouraged to clearly state their intentions and concerns at the earliest possible time in the course of the discussions. To move an agenda item forward, the ~~Co-Chairs or the Facilitator~~ may limit the time each member is allowed to speak or limit the discussion to high-level “deal breaker” issues. The Committee’s focus should be on ideas/concepts and not on wordsmithing.
7. **Information Sharing:** Relevant information plays an important role in the development of informed consent. At the same time, too much information or information of limited relevance can cause confusion and slow down the process. Where individual members wish to share written or printed information with the group as a whole, such information should be provided to City Staff at least 72 hours prior to any scheduled meeting to allow for duplication and/or distribution prior to the meeting.
8. **E-mail Communication:** Electronic communications shall be guided by the same general protocols for communication, problem solving and negotiation that are followed when the group is in general face-to-face sessions. All email correspondence shall be directed through the City Staff at least 24 hours in advance of meetings if possible. CAC members may not communicate in person, over the phone, or via email with a majority of CAC members. Doing so is a violation of the Brown Act requirements for open and transparent meetings. Compliance with the Brown Act also requires that members of the group refrain from commenting about the group’s activities on social media that may be viewed by a majority of CAC members.
9. **Participation and Observation by Members of the Public:** All CAC meetings are open to the public and all observers are welcome. Members of the public will have an opportunity to address the CAC during each meeting for a period of time established by the CAC ~~Co-Chairs~~**Chair** ~~or Facilitator~~. Separate workshops are geared to soliciting a broader public dialogue where public input is encouraged. Members of the public are encouraged to submit written materials in advance of the meetings via the City Staff.
10. **Absence when Decisions are made:** When members cannot attend a meeting of the CAC, they should communicate their views to the ~~Co-Chairs~~**Chair** prior to that meeting; however members must be present to vote on decisions. Failure to attend meetings on a regular basis will constitute resignation from the Committee and members will be replaced if they do not attend at least 75% of the regularly scheduled meetings.
11. **Timely adjournment of evening meetings:** To encourage public participation, evening meetings of CACs will be organized, agendaed, and run so as to finish at a reasonable hour. If the CAC finds its evening meetings habitually running past 8:30PM, staff and the ~~Co-Chairs~~**Chair** will work together to shorten the agendas and, if necessary, to expedite committee discussion and action on items.
12. **Conflicts of Interest:** CAC members are not considered to be “public officials” as defined in §82048 of the California Government Code, and therefore are not subject to the State Political Reform Act and its disclosure provisions (Government Code §§ 81000 et seq.). Nevertheless, CAC members shall remove themselves from all discussions and votes on matters in which they have any direct personal financial interest, or where the member’s professional allegiance and/or personal bias cannot be set aside to allow the member’s fair consideration of the issue(s) at hand.
 - a In gauging such extra-legal conflicts of interest and/or duty, each member shall exercise careful judgment and introspection in giving priority to the interests of fairness and

objectivity; if there is any reasonable doubt that the member has a conflict, the member shall refrain from participation in the committee's deliberations and vote(s).

- 13. Speaking for the CAC:** Only the ~~Co-Chairs~~**Chair, Vice-Chair**, or other duly authorized CAC member shall speak for the Committee at any applicable non-CAC public hearing, on social media, or in the press. When speaking in public, CAC members may identify themselves as members of the CAC, and may report on any formal actions (motions) adopted by the Committee. However CAC members may not speak for the CAC or characterize and report on discussions of the CAC unless explicitly authorized to do so by the group.

Participant Roles:

- 1. City of Palo Alto Role:** The City of Palo Alto convenes Comprehensive Plan Update process and is the agency with the responsibility of writing the Comprehensive Plan. In this regard, it will rely on the CAC to provide input and recommendation for the document that is responsive to neighborhood and community goals, conditions and aspirations.
- 2. Group Roles & Responsibilities:** The following points are offered as examples of behavior consistent with constructive dialogue, mutual respect and a commitment to collaboration:
 - a** Offer respect of different viewpoints and attention when others speak.
 - b** Share the responsibility of ensuring the success of the process and the quality of recommendations.
 - c** Make our best good faith effort to work towards reaching an agreement.
 - d** Represent the perspectives, concerns, and interests of agencies or constituencies whenever possible to ensure that agreements and recommendations developed by the group are acceptable to the organizations, agencies, or constituents being represented.
 - e** Ask questions of each other for clarification and mutual understanding.
 - f** Verify assumptions when necessary and avoid characterizing the motives of others.
 - g** Acknowledge and try to understand others' perspectives.
 - h** Stay focused on the task at hand and share airtime with others.
 - i** Refrain from distracting others through side conversations; silence all cell phones during meetings.
 - j** Concentrate on the content of discussions and allow the ~~Co-Chairs~~**Chair or the Facilitator** to focus on how to promote productive discussion.
- 3. Subcommittees:** ~~Subcommittees shall be created by action of the Committee, and shall be made up of fewer numbers than a quorum of the full Committee. Subcommittees can elect to invite outside experts to their meetings to inform their particular discussions. Subcommittees shall agendaize their meetings and invite members of the public to watch and participate. All subcommittee work shall be submitted to the Committee for review prior to their meeting, and shall be part of the agenda for said meeting. If the~~The ~~Chair or Facilitator~~**Co-Chairs** ~~determines that a specific topic or agenda item requires a higher level of analysis and focus than allowed for during its meetings, he/she may~~ **shall** ~~appoint an~~ **the membership of ad hoc** ~~subcommittees based on interest and input from the Committee. to address specific information needs, refine options or resolve differences of opinion outside of its regular meetings.~~ Subcommittees are not empowered to make decisions in place of the group as a whole, but rather to frame and

refine issues and information needs for resolution by the CAC. ~~They must number fewer members than a quorum of the full CAC.~~ Subcommittees are limited duration groups in that they exist only as long as it is necessary for them to accomplish their task.

4. **City Attorney:** Specific legal issues are to be directed through City Staff for a response from the City Attorney.
5. **The ~~Co-Chairs~~Chair/~~Vice Chair or Facilitator~~:** The ~~Co-Chairs~~Chair, ~~Vice Chair~~, or ~~Facilitator~~ shall work with City Staff to plan meeting agendas and conduct efficient meetings.

**Comprehensive Plan Update Revised DRAFT Schedule
Showing Citizens Advisory Committee & City Council Meetings/Interaction**

Citizens Advisory Committee (CAC) Schedule of Meetings & Topics	Date*	City Council Schedule of Comp Plan Discussions
<ul style="list-style-type: none"> • Selection of Chair/Vice Chair (Action) • Adoption of meeting schedule and CAC ground rules (Action) 	July 14	
<ul style="list-style-type: none"> • Community Services & Facilities Element Policies & Programs (Discussion) 	Aug 11	
	Aug 17	<ul style="list-style-type: none"> • CAC membership, ground rules & schedule
	Aug 31	<ul style="list-style-type: none"> • Additional CAC appointments • Comp Plan Structure & Goals/Vision Statements Part I (Community Services & Facilities Element and the Transportation Element)
<ul style="list-style-type: none"> • Revision to Ground Rules RE: Co-Chairs (Action) • Discussion of City Council Direction Regarding Schedule and Subcommittees (Discussion) • Transportation Element Part I Policies & Programs (Discussion) 	Sep 8	
	Sep 21	<ul style="list-style-type: none"> • Adoption of Interim Ordinance Establishing an Office Annual Limit in Portions of the City • Ground Floor Retail Preservation Ordinance Regarding Cal Avenue Area
	Oct 5	<ul style="list-style-type: none"> • Comp Plan Structure & Goals/Vision Statements Part II (Land Use & Community Design Element incl. Growth Management Policies)
<ul style="list-style-type: none"> • Transportation Element Part II Policies & Programs (Discussion) 	Oct 20	
	Nov 2	<ul style="list-style-type: none"> • Comp Plan Structure & Goals/Vision Statements Part III (Safety and Noise, Natural Environment and Business & Economics Elements)
<ul style="list-style-type: none"> • Community Services & Facilities Draft Element Recommendations (Action) 	Nov 17	
<ul style="list-style-type: none"> • Land Use & Community Design Element Part I Policies & Programs (Discussion) 	Dec 15	
January 2016- JOINT MEETING – INTRO TO DRAFT FISCAL STUDY AND DRAFT EIR (Extended Public Comment Period Begins in Jan; Additional Mtgs of the CAC and City Council may be Scheduled)		
	Jan 11	<ul style="list-style-type: none"> • Review of CAC work on Community Services & Facilities Element
<ul style="list-style-type: none"> • Transportation Draft Element Recommendations (Action) 	Jan 19	
FEBRUARY 1 - JOINT MEETING – Housing Element Discussion (Are any changes desired?)		
<ul style="list-style-type: none"> • Land Use & Community Design Element Part II Policies & Programs (Discussion) 	Feb 16	
	Mar 7	<ul style="list-style-type: none"> • Review of CAC work on Transportation Element
<ul style="list-style-type: none"> • Land Use & Community Design Element Part III Policies & Programs (Discussion) 	Mar 15	

**Comprehensive Plan Update Revised DRAFT Schedule
Showing Citizens Advisory Committee & City Council Meetings/Interaction**

Citizens Advisory Committee (CAC) Schedule of Meetings & Topics	Date*	City Council Schedule of Comp Plan Discussions
• Natural Environment Element Policies and Programs (Discussion)	Apr 19	
• Land Use & Community Design Draft Element Recommendations (Action)	May 17	
	June 6	• Review of CAC work on Land Use Element
• Safety and Noise Element Policies & Programs (Discussion)	June 21	
• Natural Environment Draft Element Recommendations (Action)	July 19	
• Business & Economics Element Policies & Programs (Discussion)	Aug 6	
• Safety and Noise Draft Element Recommendations (Action)	Sept 20	
	Oct 3	• Review of CAC work on Natural Environment & Safety and Noise
• Business & Economics Element Policies & Programs (Action)	Oct 18	
• Implementation Plan (Discussion/Action)	Nov 15	
• Putting it all together/Final Thoughts and Recommendations (Discussion/Action)	TBD	
REVISED DRAFT COMP PLAN DISSEMINATED FOR PUBLIC REVIEW (Starting in November)		
	February 2017	• Final Review of Transportation Element
	March	• Final Review of Land Use Element
	March	• Final Review of Natural Environment and Safety and Noise Elements
	April	• Final Review of Business & Economics, Community Services & Facilities Elements
	April	• Review of Implementation Plan
	May	• Final Review of City Council's Changes & Errata
UPDATED COMP PLAN & FINAL EIR ADOPTED May 2017		