

Date: September 14, 2021

To: The Honorable Members of the Los Altos City Council, City Manager, and City Attorney

From: Jeanine Valadez

Subject: PUBLIC COMMENT –AGENDA ITEM #9 – 9/14/2021 (CORRECTED)

Council Members et al,

I hope you choose to remove Item #9 City Council Norms and Procedures from the Consent Calendar and continue to refine the document to:

- 1) Strengthen the clauses related to the use of electronic devices during meetings, and
- 2) Add paragraphs that address violation of norms and/or procedures in the spirit of Accountability.

Electronic Devices:

The policy really needs to become more explicit in disallowing the use of any electronic devices for communications with any person(s) during the meeting without the explicit permission of the Mayor and/or the City Attorney, or other explicitly designated person charged with such duties in any given Brown-acted meeting.

Accountability:

There has been some correspondence submitted tonight with rationale that disputes the appropriateness and suitability for policies reflecting accountability for adhering to norms, procedures, policies, and ethics. They have gone so far as to describe such standards as divisive and indicative of dysfunctional government. Nothing could be farther from the truth. While the voting public is the ultimate “jury” to decide the suitability of elected officials, many if not most governing bodies in California and other states have policies about accountability because civic bodies are always authorized to set policy that increases the public trust. Holding public officials accountable is a vital means of gaining public trust and codifying the civic body’s values. Whether such standards are called policies/procedure of Censure and Admonition, or Reproval, or Accountability, or other title, their purpose and necessity are clear. In fact, California’s Institute for Local Government prescribes strata of increasing levels of accountability standards that agencies can implement, including “Reproval or Censure.” Moreover, the Markkula Center for Applied Ethics at Santa Clara University is very clear about the appropriateness of such policies. At the end of the day, many cities, civic agencies and entities have codified Accountability policies. It is time that the City of Los Altos rise to a higher standard in this regard.

Thanks for reading,

Jeanine Valadez

(Disclosure: I am a PARC commissioner but am submitting this Public Comment as a private resident of Los Altos.)

From: [REDACTED]
To: [Public Comment](#)
Subject: PUBLIC COMMENT AGENDA ITEM 9 - 09/14/21
Date: Tuesday, September 14, 2021 12:06:55 PM

Hello,

I am writing in support of adding a section on censure into our Norms and Procedures. Norms & Procedures are a set of rules to be followed, but without any clause for censure and/or admonishment, there is no accountability if someone breaks those rules. Censure and admonishment procedures are a regular part of City Council procedures for many of our neighboring cities, and provide much needed accountability to those who hold our public offices. I am strongly in favor of adding them in.

Thank you,

Renee Rashid
Los Altos Resident

From: [REDACTED]
To: [Public Comment](#); [City Council](#); [Jolie Houston](#)
Subject: PUBLIC COMMENT AGENDA ITEM 9 - SEPTEMBER 13, 2021 - City Council Norms and Procedures
Date: Monday, September 13, 2021 4:57:00 PM

Dear Mayor Fligor, Vice Mayor Enander, Councilmember Lee Eng, Councilmember Meadows, Councilmember Weinberg and Ms. Houston,

I am writing to you today regarding the draft City Council Norms and Procedures. I think you collectively have improved the document in recent months. There are two areas where I think the document falls short:

1) Regarding section 6.8, public records requests have shown definitively that some councilmembers repeatedly disregard Section 6.8 and send/receive electronic messages, and that's just the messaging that has been provided. I am absolutely convinced that if compelled by a subpoena, we would see much more evidence of electronic communication via messaging during Council meetings.

I strongly urge you to prohibit all messaging during any city meeting, as it's clearly a violation of the Brown Act.

I realize there is support for emergency communications, so I'd suggest in the spirit of full disclosure, all emergency communications occur via phone. I do agree that if a councilmember is aware of a pending urgent family matter, they should inform the Mayor in advance, and if any emergency calls do occur during a meeting, a short recess is called and the councilmember in question shares the name of the caller and the general topic (specifics are not necessary) after the recess.

If you do not prohibit all messaging, I expect we will continue to see councilmembers communicating with others during the meetings as they know they can get away with it. Respect for all would be adherence to the Council Norms and Procedures and not repeatedly violating them.

2) Further, it appears that in section 14, there is still no provision for censure. I understand that all councilmembers are elected officials, so removal is not possible. But with no provision for censure, any councilmember is free to ignore the Norms and Procedures without consequence. It should certainly be a high bar, but the Council should have the ability to censure a member for ignoring Norms and Procedures or something far worse like a felony conviction.

If I am not understanding something correctly, I welcome your clarification and feedback. Thank you for your consideration of my email.

Sincerely yours,

Joe Beninato
Los Altos, CA