

DATE: 2/25/2025

TO: COUNCILMEMBERS

FROM: CITY MANAGER'S OFFICE

SUBJECT: COUNCIL Q&A FOR FEBRUARY 25, 2025 CITY COUNCIL REGULAR MEETING

Agenda Item 3 (Contract for Dog Park Design):

- To date, we've spent \$75K for conceptual designs for the Hillview dog park and community engagement, and this resolution authorizes an additional amount not-to-exceed \$157,911 for construction-ready design plans. In addition to these costs, what is the current estimate for the total costs to achieve a completed dog park?

Answer:

Budget expended to date is \$75,000

Expenditure requested for construction plan design \$158,000

Construction estimate is \$863,000

Total estimated cost of dog park is currently \$1,096,000

- Do we have an approved final design concept and who approved it?

Answer: At the July 9, 2024, City Council meeting, Staff presented the preferred conceptual design plan and received Council direction to complete the design and construction documents.

Agenda Item 4 (Amendment #2 for FOG Program):

- At the bottom of the first page there is a breakdown of funds to be used and then a statement that the "[t]otal budget requested is \$0." Does that mean that zero dollars are to be allocated from the general fund? If not, please explain how the total budget requested is zero dollars when the additional amount requested is \$155,865.

Answer: The FOG Program is funded through the Sewer Fund, not the General Fund. The amount for the FOG Program for FY 2024-25 is already included in the approved budget for FY 2024-25. Funding for FY 2025-26 and FY 2026-27 will be incorporated into the respective year's budget during the standard budgeting process.

- Resolution: The first WHEREAS says "the Professional Services Agreement was executed...." What Profession Services Agreement? Should it read "On December 7, 2022, the City of Los Altos entered into an agreement with EEC"?

Answer: The resolution was revised.

- Resolution: Also, in the first WHEREAS: "the project" is not defined."

Answer: The resolution was revised.

- Resolution: The second WHEREAS is not a complete sentence.

Answer: The resolution was revised.

- Resolution: Shouldn't the fourth WHEREAS say for what there are "sufficient funds available in the Sewer Fund?"

Answer: The resolution was revised.

- Resolution: In the NOW THEREFORE, BE IT RESOLVED paragraph, remove the text "(list action)" at the end of the second line of the paragraph

Answer: The resolution was revised.

- The background describes the FOG program as necessary to fulfill the requirements of the relevant boards. Hopefully, it's also having a practical positive impact on keeping grease out of the sewers. Are any metrics kept on the effectiveness of the program

Answer: There has been a notable decrease in blockages in the sewer mains, demonstrating the program's effectiveness in reducing grease-related issues.

Agenda Items 5 (Accountability Policy):

- Please provide a redlined version of the document.

Answer: Attached.

- In two places under "Disciplinary Action" the document refers to "a majority of the entire membership of the Council." Can this be shortened to "a majority off the members of the Council?"

Answer: Staff recommend not making this change. The proposed change could be interpreted as a majority of the members currently sitting on Council, meaning if there is a vacancy (or two), then only two Councilmembers would be required to act. As currently written, action would require at least three Councilmembers to approve, even if there is a vacancy.

- I am not clear what was changed from the previous version of the accountability policy since we only see a couple highlights (on page 1 of the policy) and no red-lined version.

Answer: The redlined version has been attached.

- On the top of page 2 it says, "The Council shall only admonish or censure a Councilmember pursuant to this policy if a Councilmember has violated "the a" (should be either 'the' or 'a') Law or Policy more than two times and ... ". I thought we gave direction that "more than two times" was excessive so it should be "more than one ... "?

Answer: Staff will remove the “a.” Council did discuss reducing the threshold but ultimately directed that the language remain as is with the inclusion that a supermajority could act after one violation. This language has been included in the proposed changes.

Agenda Item 6 (Underground Utilities):

- If a utility pole has a streetlight, small cell node, or other equipment as well as overhead wires to a new house, does the homeowner still have to remove the pole? If so, who is responsible for replacing the streetlight, small cell node, etc.?

Answer: Streetlights differ from utility poles, if the streetlight that exists today required an upgrade, the City would require the streetlight to be upgraded to the current City Standard Specification. For a Small Cell Node, the pole may have to remain if there is lease agreement language that would prevent it from being removed or replaced. The main objective with undergrounding of utilities is to underground wires for utilities which include electrical and telecom and the poles that are necessary for those to exist above ground.

- Suppose one pole has overhead wires serving multiple homes. Is the property owner who is building a new house required to provide underground utilities to all the other houses? If not, how/when will that pole, and its overhead wiring ever be moved underground?

Answer: In this example, the property owner who is seeking to build a new house which is being served by overhead utilities would be required to underground the pole and wires which are being fed from the pole it is taking power from. This is the current practice of the City in the Subdivision Ordinance.

- Resolution: In SECTION 1, please change the word “are” to “is” (first word of the second line).

Answer: Noted.

- Sections 11.25.020.A.1. refers to “new and existing overhead utility lines.” Under this ordinance, how can there be “new” overhead utility lines?

Answer: This section is written to capture both existing lines, and new lines proposed in the future.

- Section 11.25.040 exempts “major electrical transmission lines.” What is the definition of a “major electrical transmission line?” Is there an objective test? Is it in the subjective opinion of the City engineer?

Answer: Major Electrical Transmission Lines (also referred to as, “high-voltage powerlines”) are currently defined by PG&E as 60kV-500kV. The majority of all utility lines within the City of Los Altos are Distribution Lines, which defer from Transmission Lines. There is not a subjective opinion in determining if a utility line is Major Electrical

Transmission, PG&E will confirm the voltage of the line, which will inform the City Engineer regarding the allowance of an exemption.

- Section 11.25.040: Why are ADUs and JADUs exempt?

Answer: ADUs and JADUs were intended to be exempt from the provisions of this chapter, for when standalone ADUs or JADUs are being built on a property; they would be allowed to install utilities which mirror what the primary dwelling has for utility purposes.

- What is the anticipated cost to homeowners to comply with this section? Will the costs make remodeling or building new structures cost prohibitive?

Answer: Conversion of Overhead Utility Lines to Underground Facilities can range from \$350 per foot to \$1150 per foot. This depends on the voltage of electrical, the number of lines (electrical and telecom), and the contractor associated with the project. Undergrounding Utilities in the City of Los Altos would not be cost prohibitive based on the applicability of this ordinance pursuant to 11.25.020. Additional information about cost can be found here:

<https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/infrastructure/electric-reliability/undergrounding-program-description#:~:text=IV.,-Undergrounding%20Costs%20in&text=According%20to%20PG&E%2C%20SCE%20and,the%20IOUs%20are%20shown%20below:>

- Please respond to the concerns raised by Les Poltrack in his email of Feb. 22.

Answer: Please see the following answer to the next bullet point.

- A resident has written raising practical concerns about the proposed undergrounding requirements. In particular, the rule requiring the removal of poles adjacent to a project might well impact neighboring properties also served by such a pole. If that understanding is correct, how would disruption to the neighboring properties be minimized? Who would bear the costs of all the changes to both the utility infrastructure and the service lines?

Answer:

- **The resident presents an interesting concept about “Underground Ready” which would mirror the requirement generally seen in new electric ready home construction. Although an interesting concept, this is not a practice, staff are familiar with and are unaware of any other city doing something similar to this. In general, requiring undergrounding is usually one or the other, meaning you require undergrounding or not. It has been the City’s practice for several years to require undergrounding of utilities whenever possible, and generally when new development is occurring.**
- **Another concept or concern posed in the public comment is that the new development on property A would require new Meter Panel Upgrades on other properties such as Property B, C, and D; that is incorrect. When moving from**

Above Ground Utilities to Underground it is only the Service Drop that is completed for properties B, C, and D. Additionally, undergrounding of “utilities” is intended to require more than just electrical undergrounding by virtue of the term utilities which is intentionally utilized to require electrical and telecom wires to be undergrounded when required by this code. The cost burden of undergrounding wires and a pole is not borne properties A, B, C, and D, rather only property A where the new development is occurring, which is necessitating the undergrounding of utilities.

- **Regarding the undergrounding of utilities in the public right-of-way; regardless of is the undergrounding work that would include other properties the property which is triggering the work to be necessitated has a right to complete the work within the right-of-way and does not require approval of neighbors. Additionally, there would be NO disruption of any sewer, or water facilities. Electric/communication lines are not gravity feed and can be easily installed below or above existing underground utilities to prevent conflict without disrupting services.**
- **Statements regarding underground vaults by PG&E are a part of the standard process for underground utilities and the City is reviewing and approving these types of improvements regularly throughout the community. Additionally, PG&E ultimately makes the final decision as the owner of the utilities with the design and specifications required to complete the undergrounding. Cities in general set the policy for undergrounding utilities or not and then allow future projects to accomplish this slowly overtime. Lastly, should the city not require the undergrounding of utilities and the associated poles that is directly related to development within the city, the cost burden to complete this will fall upon the city as a future Capital Improvement Project which would cost several millions of dollars with the amount of above ground utilities that still exist within the city.**
- **What overlaps are there with CPUC Rule 20 undergrounding programs?**

Answer: The City is responsible for Rule 20A money. Rule 20A has a requirement for General Public Interest. The use of Rule 20A money for the undergrounding of utilities which benefit a limited number of of properties or parcels is general not what jurisdictions utilize those dollars for, this is why communities have undergrounding requirements or programs which aim to underground the various utilities in neighborhoods.

Agenda Item 7 (Parking Restrictions Around LAHS):

- **How many more requests for a parking permit does LAHS receive compared to the number of on-campus student parking spaces available?**

Answer: According to LAHS, the school received 270 parking permit applications for 120 student parking stalls. Based on the 2x2 meeting attended by two members of the School Board and the City Council on 2/21/25, Eric Volta (MVLA Superintendent) reiterated that they deny approximately 50% of the parking permit applications

- **What criteria does LAHS use to determine who is entitled to receive a parking permit? Is it first come, first serve? Or are other criteria taken into consideration?**

Answer: According to LAHS, the parking permit is a lottery, although preference is given to freestyle students, seniors and those living outside beyond a certain boundary. A freestyle students take part in a special program that is over at the district office next to MVHS. They have classes at LAHS as well as at the district office. Some students drive between the two (2) programs while others are shuttled between the programs. Another factor that is utilized to determine the issuance of a parking permit would be the resident location. If a student lives beyond Springer on the eastern edge, south to Cuesta, west to Foothill Expressway, northwest to Los Altos Ave, north to Portola, east to San Antonio, north to El Camino, then southeast to El Monte (which becomes Springer), then the student is eligible for priority parking permit.

The City does not have any jurisdiction over the school or the school district. Based on the 2x2 meeting, it appears the school has changed their student permit policy and placed distance from the school as a priority for parking permits then seniors and lastly, juniors.

- Please describe in detail the enforcement costs of a neighborhood parking permit program as opposed to the status quo.

Answer: It is difficult to estimate the annual enforcement costs of a neighborhood parking permit program without having specific information regarding the program in place, including number of participants in the program, permitted vehicles, and additional considerations like guest or overnight parking passes or exemptions or alternative enforcement for certain types of service vehicles.

Based on all available information, the cost to provide daily parking enforcement in this geographic area for a year will be approximately \$200,000. The current practice of the City is for programs such as this to be cost neutral. This means that the cost to implement the parking permit program must be paid by the residents.

Currently, there are a total of 135 homes north of Jardin Drive (Jardin Ave to Alvarado along Panchita Way, Los Ninos Way, Distel Drive, Casita and Alicia Way), and an additional 132 homes to the south, east, and west, for a total 267.

Assuming the annual cost of the program is \$200,000 and the City provided the opportunity for 2 vehicle permits per home, the annual cost per property would be \$750 (\$375/vehicle).

Based on comments received from the public it is safe to assume that not 100% of properties would participate, or if they did, they would not require two parking permits. Additionally, a neighborhood parking permit program would have to take into account some type of guest parking or overnight parking. Changing any of these factors would increase or decrease the cost per property based on the updated assumptions. It is also important to note that residents south of Almond have had parking restrictions in place for several years and are not requesting a neighborhood parking program. It may not be practical to assume this neighborhood would participate at high levels.

In order for a parking permit program to be cost effective for residents it would likely require a larger geographic area, limited/reduced enforcement, or an annual subsidy from the City.

Based on research, the cost for a residential parking permit is as follows. For the City of Mountain View, the residential parking permit is limited to the downtown area only. All other cities have various numbers of residential parking permit zones/districts.

City	Cost	Duration	# permits	Guest Permit
Cupertino	Cost varies	1 year	Each vehicle is registered to an address	1 permit, 24 hr max
Sunnyvale	\$25 per permit	1 year	3 permit limits	1 permit, 24 hr max
Mountain View	\$413 per permit	1 year	Each vehicle is registered to an address	Day permit
Palo Alto	\$51 per permit	1 year	Each vehicle is registered to an address	Day permit
Santa Clara County	\$31.83 per permit	1 year	Each vehicle is registered to an address	No guest parking permit
San Jose	Fee varies from free to \$29 per vehicle	1 year	Varies from 1 to unlimited based on Zone/District	2 max depending on the Zone/District
San Mateo	Free	2 years	1 permit for each licensed driver	1 permit good for 2 years

- How many parking stalls along the east on-campus drive aisle were taken out of use during construction? How were these assigned for staff or students? Is the intention to return all of these to use at the end of construction?

Answer: Based on google earth from 2011 to 2019, reviewing historical aerial photos, it appears that the school had approximately 70 parking stalls (46 diagonal parking stalls and 24 parallel parking stalls). Staff were unable to determine exactly how those parking stalls were utilized by the school or who were permitted to utilize these parking stalls. According to LAHS, the parking stall will be returned at the conclusion of construction. The utilization and who will be parking in this area will be determined by LAHS.

- Would the proposed changes also bring uniformity with the parking restrictions south of LAHS (i.e. the Almond side)? It seems unnecessarily complicated to have a system with five different types of restrictions: no parking, no parking 8-4, no parking 8-2, no parking 8-12, two-hour parking 8-12.

Answer: The request from staff is to apply the same parking restrictions in all neighborhoods that are similarly situated, including those around Los Altos High School. This would mean all parking restrictions south of Almond Avenue will be changed to 2-hour parking between 8 a.m.-12 p.m. Monday through Friday. This will be uniform with the proposed parking restriction north of Jardin Drive.

- Many public comments have been received about the parking restrictions, with different cases of concern raised (e.g. insufficient resident parking on property, social visitors, caregiver visitors, regular services like housecleaning and gardening, exceptional services like construction, LAHS volunteers, etc.). Has a comprehensive list of these received concerns been compiled? Such a list could be useful as a check for proposed modifications, as otherwise ideas can devolve into “Whack-a-mole.”

Answer: Based on my field observation, 80% of the residential driveways are long enough to accommodate four (4) vehicles. The remaining 20% of the properties do not have the adequate setback necessary to allow more than two (2) vehicles to be parked in the driveway.

Based on all the emails received from the residents, the staff can identify only one resident who has an in-home care provider for her mother. Two (2) residents currently have active construction on their property. These residents have expressed their frustration because their contractor has received numerous parking tickets. Staff have received feedback from the residents regarding their gardener or house cleaner, but they did not leave their name or address. The 2-hour parking restriction between 8-12 is a way to address this concern. If someone is visiting for more than 2 hours, the guest would need to move their vehicle at least 15 feet to avoid a parking ticket.

- Has the city or school district ever raised the possibility of overflow parking with private entities? For example, places of worship often have parking usage patterns complementary to school schedules. While such arrangements would of course be voluntary, and might involve complicated issues, are there any fundamental issues (e.g. legal) blocking such arrangements?

Answer: This arrangement would be between an individual property owner and the school/school district. The City would not be involved in this matter since it would be a private negotiation. Any legal matter that may arise out of this negotiation would be between the school and the individual property owner only. The city has no authority on this matter.

- Please explain the rationale for why the restrictions north of Jardin are NOT the same as elsewhere around the high school as described:

1. “All existing parking restrictions around Los Altos High School will be modified to 2-hour parking from 8:00 am to 12:00 pm, Monday through Friday. Almond Avenue is to remain as no parking at all times.”

Answer: The parking restriction has been implemented over the years as issues were brought up by the residents, south of Almond Avenue. Based on available information, it appears the parking restriction was based on the request from the residents at the time. Because the hours of parking restriction vary, staff would like to provide uniformity on all parking restrictions around Los Altos High School.

2. The existing no-parking restriction from 8:00 am to 12:00 pm will remain north of Jardin Drive to 500 feet north of Jardin Drive along Panchita Way, Los Ninos Way, Distel Drive, Casita Way and Alicia Way.”

Answer: Prior to the installation of the parking restriction, most of the students were parking within the first 500 feet (approx. 6 homes) north of Jardin Drive. The residents beyond this limit experienced limited impact of the student parking on the street. Based on resident feedback, the residents within the first 500 feet from Jardin Drive would like to maintain the new parking restriction with no modifications. The residents have expressed concerns and opposed the parking restriction beyond 500 feet from Jardin Drive. By placing a 2-hour parking restriction from 8-12, the City will be able to address the issue of any social gathering, need for gardener, house cleaner or in-home care giver to park on the street without receiving a parking ticket. Most gardeners or house cleaners can complete their task within 2 hours. If any home service provider needs to stay longer than 2 hours, they would need to move their vehicle 15 feet to avoid a parking ticket.

The closest building to Jardin Drive at LAHS is approximately 500 feet away. By allowing 2-hour parking 500 feet north of Jardin Avenue, assuming a student parks in this area, it will take on average 4 minutes to get from the nearest classroom to their vehicle. Assuming parking space is available close by, it will take approximately 2 to 3 minutes to move their vehicle and another 4 minutes to get back into class. Based on this analysis, it is safe to assume a student will need approximately 10 minutes between classes to comply with the 2-hour restriction. Based on LAHS bell schedule, a student is only allowed a 7-minute passing period between classes or 8 minutes for the brunch break. Even with an open campus, the allowed passing period would be less than what the student will need to comply with the 2-hour restriction. In the future, if the school decides to extend the passing period or brunch, the 2-hour parking restriction will need to be re-examined.

Agenda Item 8 (Council Goals):

- Goal 3: Would the acquisition or extension of open space be considered part of pursuing this goal?

Answer: Goal 3 seems to be written to focus on the Climate Action and Adaptation Plan. The acquisition or extension of open space would seem to fall under Goal 4 as currently written.

- Goal 5: Would the assessment of condition of the police station include the emergency response center? In other words, not just the building itself, but also the computer and communications systems that would be the platform for real-time emergency and disaster response?

Answer: The condition assessment that was conducted last year focused on the physical structures of the police station and two fire stations. It did not focus on computer or communication systems, nor did it include information on the Emergency Operations Center.

However, any plans for a new police station would incorporate current and future needs around emergency response, continuity of operations, and disaster response.

RESOLUTION NO. 2025-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2 TO THE
PROFESSIONAL SERVICES AGREEMENT FOR INSPECTION, EDUCATION, AND
ENFORCEMENT SERVICES FOR THE FATS, OILS AND GREASE (FOG) PROGRAM
WITH ENVIRONMENTAL ENGINEERING & CONTRACTING, INC. (EEC) IN THE
AMOUNT NOT-TO-EXCEED \$155,865**

WHEREAS, On December 7, 2022, the Professional Services Agreement was executed with EEC, the consultant that provides professional services for the Fats, Oils and Grease (FOG) Program, Project WW-01006;; and

WHEREAS, Project WW-01006 consists of inspection, education, and enforcement services for the FOG Program for FY 2024-25 through FY 2026-27; and

WHEREAS, the project is categorically exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15308 (Actions by Regulatory Agencies for Protection of the Environment); and

WHEREAS, there are sufficient funds in the Sewer Fund for the FOG Program, Project WW-01006.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos does hereby:

1. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Agreement Between the City of Los Altos and EEC for inspection, education, and enforcement services for the Fats, Oils and Grease (FOG) Program, Project WW-01006 in the amount of \$155,865 for FY 2024-25 through FY 2026-27.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 25th day of February, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Pete Dailey
Mayor

ATTEST:

Melissa Thurman, MMC
City Clerk



ACCOUNTABILITY POLICY OF THE LOS ALTOS CITY COUNCIL

Adopted October 12, 2021

PURPOSE

The Los Altos City Council adopts this policy for members of the City Council to assure public confidence in the integrity of local governance, to hold itself accountable to each other and the public, and to foster trust from the public.

This policy applies only to the City of Los Altos Mayor, Vice Mayor, and City Councilmembers serv~~ing~~-elect~~ed~~ or appoint~~ed~~ to serve on the Los Altos City Council (“Council”) for improper conduct that could result in admonition or censure.

This policy shall be effective on the date of adoption by the Council (“Effective Date”) and shall not be applied retroactively to any conduct occurring before the Effective Date.

Any disciplinary action taken by the Council under this policy shall be a final action and is not subject to an appeal or reconsideration.

POLICY

It is the policy of the Council that all its members shall abide by federal and state law, City ordinances, and City policies, including the Council Norms and Procedures (hereinafter referred to as Law or Policy). Violations of such Law or Policy tend to undermine the effectiveness of the Council as a whole and foster distrust from the public.

Depending on the circumstances of alleged violations of Law or Policy, the Council may initiate an investigation of the allegations prior to the filing of a request for any of the actions described in this policy. An investigation is not required, but any Councilmember may request and may be granted an investigation of the alleged violation in consultation with the City Manager and City Attorney or upon approval by the Council. A request for an investigation may not be used to delay action by the City Council. The City Council may elect to issue an admonition or censure prior to finalization of an investigation.

Nothing in this policy shall preclude individual Councilmembers from making public statements regarding such alleged conduct. While the Council has broad discretion in deciding certain actions it may choose to take in response to violations of Law or Policy, which would not require the Council to adopt policy, including but not limited to voting to remove a Councilmember from a Committee or Board, or a vote of no confidence in a particular Councilmember, this policy provides definitions and procedures related to two types of actions: admonition and censure.

The Council shall only admonish or censure a Councilmember pursuant to this policy if a Councilmember has violated the same a Law or Policy more than two times and the Councilmember has been publicly warned about such violations by another Councilmember or the Councilmembers(s) at a City Council meeting and the Councilmember that received the warning continues to violate the Law or Policy. A supermajority of the City Council (4 of the 5 Councilmembers) may admonish or censure a Councilmember after one violation of Law or Policy should the Council deem the violation serious enough to warrant such action.

Admonition

An admonition may be informal or formal and is typically directed to a member or members of the Council. An admonition may be issued in response to a particular alleged action or actions in violation of a Law or Policy. An informal admonition may be issued by the Council prior to any findings of fact regarding allegations, and because it is a warning or reminder, it would not require an investigation or separate hearings to determine whether the allegation is true. A formal admonition would follow a public hearing, as further described below. The Council recognizes the right to criticize is protected by the First Amendment, and may be done by an individual Councilmember, or by a Council motion and vote. A Mayor may from time to time remind Councilmembers to comply with any Law or Policy in order to conduct an orderly meeting. Such reminders by the Mayor are not an admonition.

Censure

Censure is an official reprimand or condemnation made by Council in response to specified conduct by one of its own members. Censure is disciplinary in nature and requires the formal adoption of a resolution setting forth the Councilmember's alleged violations of Law or Policy. Although not required, censure could involve an investigation and it must protect the due process rights of the Councilmember being investigated. Censure carries no fine or suspension of the rights of the Councilmember as an elected official, but a censure is a punitive action for a Councilmember's violations of Law or Policy.

PROCEDURE

Informal Admonition

An individual Councilmember can make an informal admonition at any Council meeting during the Public Presentations or Reports of Councilmembers portion of the meeting. The Councilmember making the informal admonition must first ask the Mayor to make the informal admonition and state on the record the basis for the informal admonition, including the previous two or more times that the Councilmember, who would be subject to the informal admonition, had been warned. After doing so, the Mayor must allow the Councilmember to make the informal admonition. If the Mayor would like to make an informal admonition, the Mayor is also required to state on the record the basis for the informal admonition.

Formal Admonition or Censure Public Hearing

At a public City Council Meeting, three (3) Councilmembers may request a discussion of a formal censure and/or formal admonition action be placed on a future regular meeting Council agenda. At the future meeting that the discussion is heard, a vote by three (3) or more Councilmembers is required to agendaize a formal public hearing. The City Clerk shall provide a formal notice of the hearing to the Councilmember who is the subject of the action. The notice shall contain the specific allegations and/or charges on which the proposed action is based and the date and time that the matter will be heard. At the hearing, the Councilmembers who requested the hearing shall have a cumulative total time of no more than 10 minutes to state the reason(s) they are requesting the formal admonition or censure, and the Councilmember who is the subject of the action shall have up to 10 minutes to respond. Upon hearing the testimony, the Council may take action setting forth its findings and stating the terms of the disciplinary action.

Disciplinary Action.

If, at the close of the hearing, a majority of the entire membership of the Council finds that the subject member's conduct violates any Law or Policy, the Council may take one or more of the following measures:

(1) Formal Admonition. A Formal Admonition can be in the form of a motion and vote, or an adopted Resolution, and can take any or all of the following forms:

- (a) The admonition is directed to one or all members of the Council, reminding them that a particular type of behavior is in violation of law or City policy; and/or
- (b) Direction is given to the subject Councilmember to correct the result of the particular behavior that violated Law or Policy; and/or
- (c) A reprimand is directed to the subject member of the Council based on a particular action (or set of actions) that is determined to be in violation of Law or Policy but is considered by the Council to be not sufficiently serious to require formal censure.

(2) Resolution of Censure. The Council may adopt a resolution of censure that clearly sets forth the facts supporting the allegations of misconduct giving rise to the censure. A resolution of censure requires a majority vote of the entire membership of the Council. A resolution of censure may include the imposition of certain actions against the Councilmember such as removal from a committee or Board.