



MEETING DATE: 9/5/06
ITEM NO: 1

COUNCIL AGENDA REPORT

DATE: August 31, 2006
TO: MAYOR AND TOWN COUNCIL
FROM: DEBRA J. FIGONE, TOWN MANAGER
SUBJECT: APPROVE COUNCIL/PLANNING COMMISSION BEST PRACTICES FOR EXCELLENT PERFORMANCE

RECOMMENDATION:

Approve the Best Practices for Excellent Performance which were developed by the Town Council and the Planning Commission with the assistance of staff through the course of this year's Council/Commission retreat.

BACKGROUND:

The Town Council and the Planning Commission held a retreat on May 24, 2006 to discuss issues relevant to creating a culture of excellence in the way the Town performs its function and conducts the public's business.

DISCUSSION:

Attached is a copy of the Draft Best Practices for Excellent Performance that was reviewed at the recent Planning Commission/Town Council retreat (Attachment 1). The document has been updated based upon the retreat discussion.

The Planning Commission reviewed the document on July 12, 2006 and forwarded it to the Council without comments. Commissioner Bourgeois independently suggested some constructive changes which have been incorporated. The Best Practice about "Comments that force the Mayor/Chair to cut you off" has been moved out of the professional section and was expanded. This issue is now addressed at the end of the last paragraph of the first page of the document (last three sentences). Staff also made a few clarifications to Sections 3 and 4 of the document based on a question from Councilmember Spector.

PREPARED BY:  BUD N. LORTZ,
Director of Community Development

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Reviewed by: Assistant Town Manager Town Attorney
 Clerk Administrator Finance Community Development

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MAYOR AND TOWN COUNCIL
SUBJECT: DRAFT BEST PRACTICES FOR EXCELLENT PERFORMANCE
August 31, 2006

Staff requests that the Council adopt the Draft Best Practices for Excellent Performance or provide any comments on the document. Staff envisions this as a "living document" that can be updated based on input at the annual retreat between the Commission and Council.

ENVIRONMENTAL ASSESSMENT: None

FISCAL IMPACT: None

Attachments:

1. Draft, Version-6 Best Practices for Excellent Performance as a Town Council/Planning Commission Member (8 pages)

Distribution:

Planning Commissioners

DRAFT, VERSION-6
Best Practices for Excellent Performance
as a Town Council/Planning Commission Member

The attached list of Best Practices was developed as part of the ongoing and overarching goal of creating a culture of excellence in the way the Town performs its functions and conduct the public's business. The list was discussed and agreed to by the Council and Planning Commission at a joint retreat held on May 24, 2006.

The team responsible for designing the retreat agenda, Mayor Diane McNutt, Planning Commission Chair Phil Micciche, Bud Lortz, Debra Figone, and consultant Shawn Spano, first generated a preliminary list of best practices derived from statements and policies set forth in the Council Code of Conduct and the Planning Commissioner's Handbook. These practices are organized into six categories:

1. Professional
2. Customer service oriented
3. Good judgment
4. Objective/fair
5. Efficient
6. Persuasive

In order to prepare for the retreat, Planning Commissioners and Council members individually reviewed the draft list in advance, and then shared their thoughts, opinions, and perspectives with each other at the retreat. The list was then revised and submitted again to Council members and Planning Commissioners for individual review and comment to staff. The attached document represents the results of the retreat discussion and subsequent review, incorporating the changes, additions, and modifications that were suggested. While this document is certainly open to further refinement, it is important to note that there was consensus among Commission and Council that the list does indeed reflect a set of Best Practices for their performance.

The retreat planning team envisions this document serving as a reference guide for present and future Planning Commissioners and Council members as they evolve in their respective roles. In this regard, the document is intended to help foster awareness and understanding of what constitutes "good practice" in the Town of Los Gatos. At the same time, the document can help Council members and Planning Commissioners gauge and improve their own individual performances. For example, the Chair/Mayor can use the document to help manage public meetings by establishing guidelines for judging the effectiveness and appropriateness of particular comments and behaviors. The question of whether to intervene and curtail comments is often difficult to determine. This document can help all Council members and Commissioners make distinctions between what is effective/appropriate and ineffective/inappropriate.

In the future, staff might consider consulting with Council and Planning Commission on identifying a small set of Best Practices that transcend the six categories. Two potential practices emerged from the May 24 retreat. One is the practice of being consistent and fair in applying standards, codes, and policies. This practice is viewed as contributing to professionalism, customer service orientation, good judgment, etc. A second practice might focus on the role of active and open listening, also construed as a demonstration of professionalism, customer service orientation, good judgment, etc. As these comments indicate, there is some overlap between practices.

1. PROFESSIONAL

<i>In practice, this means...</i>	<i>And avoiding...</i>
<ul style="list-style-type: none"> • Understanding the roles of standards, guidelines and the General Plan in decision-making • Being prepared • Offering comments with respect* • Respecting the role of the Mayor/Chair in running the meeting • Respecting the contributions of individual Commissioners and Council members. • Respecting staff and the Town's consultant's recommendation and comments • Being careful of your comments since they can be taken out of context, misinterpreted and lead to litigation <p style="margin-top: 20px;">* The term "respect" is used here and elsewhere to indicate positive regard, consideration, and appreciation for others. Respect does not imply agreement. It does imply mutuality: Those who receive respect also show respect and vice-versa.</p>	<ul style="list-style-type: none"> • Sarcastic or condescending remarks • Comments that discredit the Town or its consultants/staff (e.g. damage the reputation; disgrace, distrust) • Comments that are inappropriate or that can be taken out of context • Rambling, pontificating, and speechmaking • Lecturing a colleague • Disrespectful mannerisms, tone of voice, and gestures

2. CUSTOMER SERVICE ORIENTED

<i>In practice, this means...</i>	<i>And avoiding...</i>
<ul style="list-style-type: none">• Respecting the rights of residents, businesses and property owners to pursue their goals and dreams• Asking questions of applicants during the presentation and rebuttal• Recognizing that the words and decisions used by the PC and TC have tremendous emotional impact on the applicants and their quality of life• Being solution oriented within the framework of the Town's policies and procedures as a way to help the applicant• Recognizing that there are multiple customers	<ul style="list-style-type: none">• Raising objections or questions after public hearing is closed• Redesigning from the dais• Trying to convince or persuade the applicant that your point of view is correct• Lecturing an applicant

3. USE GOOD JUDGMENT

<i>In practice, this means...</i>	<i>And avoiding...</i>
<ul style="list-style-type: none">• Making decisions by reading the General Plan in context• Granting an exception when the regulation allows for it and if the situation warrants it• Taking issues that are not addressed by regulations “off-line” from the project being considered (e.g. requesting that an issue be agendaized for discussion by TC or PC)	<ul style="list-style-type: none">• Focusing on one policy in the General Plan to oppose a project without considering other policies that support the project.• Being overly literal when interpreting policy• Looking for a way to deny a project because it is challenging• Being arbitrary• Continuing a project when a condition of approval will suffice• Holding up a project for an issue that is not specifically addressed by policies and standards

4. OBJECTIVE/FAIR

<i>In practice, this means...</i>	<i>And avoiding...</i>
<ul style="list-style-type: none">• Performing your duties and serving in a quasi-judicial manner• Demonstrating fairness• Listening to all evidence and considering all information• Setting aside personal bias• Using existing policies and regulations to evaluate a project.	<ul style="list-style-type: none">• Personalizing your decision (i.e., I have a small house...)• Micromanaging an applicant's project• Evaluating a project based on personal experience or expertise.

5. EFFICIENT

<i>In practice, this means...</i>	<i>And avoiding...</i>
<ul style="list-style-type: none">• Asking questions of staff prior to the meeting• Identifying ahead of time primary issues or concerns and stay focused on them• Outlining evidence supporting findings as the hearing progresses• Identifying and prioritizing your primary concerns	<ul style="list-style-type: none">• Waiting to ask questions at the meeting• Delving into minutia• Waiting to create findings after the close of the hearing• Having so many concerns that you start to dominate the meeting• Duplicating comments already made• Allowing time constraints to trump excellence in planning• Orally listing reasons for opposing a project after the vote (better to state the reasons in writing if there is a personal desire to ensure that they are included in the record)

6. PERSUASIVE

In practice, this means...

And avoiding...

- Respecting the views of your fellow Council/Commission members
- Using logic and specific examples to make your case and convince your colleagues

- Dismissing other points of view, making personal attacks, or arguing with your fellow Council/Commission members
- Appealing to emotions and feelings
- Terms like "I feel" rather than citing codes and policies