

MEMORANDUM

Date: 7-13-04
To: City Council
From: Councilmember Dona Spring
Subject: ex parte

Please add the following language to the resolution on this agenda item.

"WHEREAS the facilitation of public discussion and perhaps the mediation of land use issues is sometimes an important and constructive element of a decision maker's responsibilities; and

WHEREAS opinions expressed by decision makers in the course of such discussion and mediation do not constitute "pre-judgment" because decision makers ultimately make decisions based on the entirety of the record before them and in the context of the accumulated details of particular cases, frequently in contradiction to their own prior comments or expressed general principles, and the free exploration of alternatives and tradeoffs is required for effective decision making; and