

Regular Meeting
June 15, 2009

SPECIAL ORDERS OF THE DAY	465
1. Appointment of Five Members for the Citizen Oversight Committee for Expenditures of Library Bond Funds for Four-Year Terms Ending on May 30, 2013	465
CITY MANAGER COMMENTS	465
ORAL COMMUNICATIONS	466
APPROVAL OF MINUTES	466
CONSENT CALENDAR.....	466
2. Approval of Agreement Between PAHC Housing Services, LLC and the City of Palo Alto for Administration and Consulting Services for the Below Market Rate (BMR) Housing Program in the Amount of \$155,000 for Fiscal Year 2009–10 and \$160,000 for Fiscal Year 2010-11.	467
3. Resolution 8941 entitled “Resolution of the Council of the City of Palo Alto Determining the Proposed Calculation of the Appropriations Limit for Fiscal Year 2010.	467
4. Approval of Amendment No. One to the Agreement Between the City of Palo Alto and the Purissima Hills Water District for a Limited Emergency Water Supply Intertie.....	467
5. Annual Adoption of the City’s Investment Policy	467
6. Finance Committee Recommendation to Approve Changes to Guidelines for the Electric, Gas, Water and Wastewater Collection Emergency Plant Replacement Reserves and the Electric Distribution, Gas Distribution, Gas Supply, Water, and Wastewater Collection Rate Stabilization Reserves.....	467
7. Finance Committee Recommendation to Approve Proposed Changes to the Electric Fund’s Calaveras Reserve Guidelines.	467

8.	Finance Committee Recommendation to Approve the Funding of Certain Projects from the Calaveras Reserve in an Amount Not to Exceed \$270,000 in Fiscal Year 2010 and \$200,000 in Fiscal Year 2011.....	467
9.	Adoption of Ordinance Amending the Budget for Fiscal Year 2008-09 to Provide an Additional Appropriation of \$215,000 for the Extension of Contract No. C06116197 with Advanced Data Processing West, Incorporated (ADPI) for Ambulance Billing Services	467
	AGENDA CHANGES, ADDITIONS, AND DELETIONS.....	467
9a.	(Former No. 9) Ordinance 5041 entitled "Ordinance of the Council of the City of Palo Alto Amending the Budget for Fiscal Year 2008-09 to Provide an Additional Appropriation of \$215,000 for the Extension of Contract No. C06116197 with Advanced Data Processing West, Incorporated (ADPI) for Ambulance Billing Services."	467
	PUBLIC HEARINGS	468
10.	Consider Changes to the 2009-2010 Water, Wastewater and Refuse Rates and Changes Pertaining to the Water Rate Component of the Residential Rate Assistance Program.....	468
11.	Consider Changes to the 2009-2010 Electric, Gas, and Fiber Optic Rates, and Rates Pertaining to Utility Service Calls, Unmetered Electric Service and Water Service from Fire Hydrants.....	471
12.	Adoption of the 2010 Budget, and In-Concept Budget for Fiscal Year 2011 and Adoption of a Budget Amendment Ordinance 5042, Including 1) Exhibit A – City Manager’s Fiscal Years 2010 and 2011 Proposed Budget; 2) Exhibit B – Amendments to the City Manager’s Fiscal Years 2010 and 2011 Proposed Budget; 3) Exhibit C – Fiscal Year Proposed Municipal Fee Schedule; 4) Exhibit D – Revised Pages in the Fiscal Years 2010 and 2011 Table of Organization; 5) Exhibit E – Amendments to the Fiscal Year 2010 Proposed Municipal Fee Schedule; 6) Equity Transfer Methodology Change; and 7) Changes to Compensation Plans	473
	COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES	478
	ADJOURNMENT: The meeting adjourned at 10:37 p.m.	479

The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:15 p.m.

Present: Barton, Burt, Drekmeier, Espinosa, Kishimoto, Klein, Morton, Schmid, Yeh

Absent:

SPECIAL ORDERS OF THE DAY

1. Appointment of Five Members for the Citizen Oversight Committee for Expenditures of Library Bond Funds for Four-Year Terms Ending on May 30, 2013.

First Round of Voting for Five Members for the Citizen Oversight Committee for Expenditures of Library Bond Funds for Four-Year Terms ending on May 30, 2013:

Voting For Sandra Hirsh: Barton, Burt, Drekmeier, Espinosa, Klein, Morton, Schmid, Yeh

Voting For John Melton: Barton, Burt, Drekmeier, Espinosa, Kishimoto, Klein, Morton, Schmid, Yeh

Voting For Dena Mossar : Barton, Drekmeier, Espinosa, Kishimoto, Klein, Morton, Schmid, Yeh

Voting For Jatin Parekh: Burt, Kishimoto, Schmid

Voting For James Schmidt: Barton, Burt, Drekmeier, Espinosa, Kishimoto, Klein, Morton, Schmid, Yeh

Voting For Alice Smith: Barton, Burt, Drekmeier, Espinosa, Kishimoto, Klein, Morton, Yeh

City Clerk, Donna Grider announced that Sandra Hirsh with 8 votes, John Melton with 9 votes, Dena Mossar with 8 votes, James Schmidt with 9 votes, and Alice Smith with 8 votes were each appointed to the Citizen Oversight Committee for Expenditures of Library Bond Funds for Four-Year Terms ending on May 30, 2013.

CITY MANAGER COMMENTS

City Manager, James Keene reported the citywide yard sale held during the weekend of June 06, 2009 was a success with over twenty-three

participating sites. He reminded the community on July 01, 2009 the new contract with GreenWaste hauling went into effect.

ORAL COMMUNICATIONS

Karen Purvis, 4270 Terman Drive, #101, spoke regarding her concern with Terman Park Apartments.

Susie Thom, 753 Maplewood Road, spoke regarding the library upgrade progress.

Betsy Allen, Palo Alto, spoke regarding the Friends of the Libraries.

John Abraham, 736 Ellsworth Place, spoke regarding the Police Department demographics.

George Browning, 4005 Sutherland Drive, spoke regarding the Police Department accomplishments.

Candice Gonzalez, Palo Alto Housing Corporation (PAHC), spoke regarding the update to the current development project "The Treehouse".

Andrew Jentzsch spoke regarding the Fire Department budget.

Aram James spoke regarding the public records request process.

APPROVAL OF MINUTES

MOTION: Council Member Barton moved, seconded by Council Member Espinosa to approve the minutes of May 18, 2009 as amended.

MOTION PASSED: 9-0

CONSENT CALENDAR

Andrew Jentzsch spoke regarding ambulance service rates and the BLS ambulance program being removed from the City.

Robert Moss, 4010 Orme, spoke regarding the performance of Advanced Data Processing West, Incorporated (ADPI) for Ambulance Billing Services.

MOTION: Council Member Kishimoto moved, seconded by Council Member Yeh to pull Agenda Item No. 9 to become Agenda Item No. 9a.

MOTION: Council Member Barton moved, seconded by Vice Mayor Morton to approve Agenda Item Nos. 2-8.

2. Approval of Agreement Between PAHC Housing Services, LLC and the City of Palo Alto for Administration and Consulting Services for the Below Market Rate (BMR) Housing Program in the Amount of \$155,000 for Fiscal Year 2009–10 and \$160,000 for Fiscal Year 2010-11.
3. Resolution 8941 entitled "Resolution of the Council of the City of Palo Alto Determining the Proposed Calculation of the Appropriations Limit for Fiscal Year 2010.
4. Approval of Amendment No. One to the Agreement Between the City of Palo Alto and the Purissima Hills Water District for a Limited Emergency Water Supply Intertie.
5. Annual Adoption of the City's Investment Policy.
6. Finance Committee Recommendation to Approve Changes to Guidelines for the Electric, Gas, Water and Wastewater Collection Emergency Plant Replacement Reserves and the Electric Distribution, Gas Distribution, Gas Supply, Water, and Wastewater Collection Rate Stabilization Reserves.
7. Finance Committee Recommendation to Approve Proposed Changes to the Electric Fund's Calaveras Reserve Guidelines.
8. Finance Committee Recommendation to Approve the Funding of Certain Projects from the Calaveras Reserve in an Amount Not to Exceed \$270,000 in Fiscal Year 2010 and \$200,000 in Fiscal Year 2011.
- ~~9. Adoption of Ordinance Amending the Budget for Fiscal Year 2008-09 to Provide an Additional Appropriation of \$215,000 for the Extension of Contract No. C06116197 with Advanced Data Processing West, Incorporated (ADPI) for Ambulance Billing Services.~~

MOTION PASSED for Agenda Item Nos. 2-8: 9-0

AGENDA CHANGES, ADDITIONS, AND DELETIONS

- 9a. (Former No. 9) Ordinance 5041 entitled "Ordinance of the Council of the City of Palo Alto Amending the Budget for Fiscal Year 2008-09 to Provide an Additional Appropriation of \$215,000 for the Extension of Contract No. C06116197 with Advanced Data Processing West, Incorporated (ADPI) for Ambulance Billing Services."

Council Member Kishimoto asked the year the audit was performed.

City Auditor, Lynda Brouchoud stated the audit report was issued in February 2009.

Council Member Kishimoto asked for clarification of the audit referring to the current contract with ADPI.

Ms. Brouchoud stated the scope of the audit was to review the services provided with regard to the ambulance billing and revenue collection portion.

City Manager, James Keene stated the Finance Committee was scheduled to review the RFP process for billing services on July 07, 2009.

MOTION: Council Member Kishimoto moved, seconded by Vice Mayor Morton to adopt the Budget Amendment Ordinance to appropriate an additional amount of \$215,000 for the contract with ADPI for ambulance billing services.

MOTION PASSED: 8-0 Espinosa absent

PUBLIC HEARINGS

City Manager, James Keene stated Staff would make a brief presentation on each Item Number prior to its discussion in an effort to maintain clarity for the individual item.

Budget Manager, Sharon Bozman gave a brief presentation on the 2009-2010 Water, Wastewater and Refuse Rates and Changes Pertaining to the Water Rate Component of the Residential Rate Assistance Program.

Deputy City Attorney, Amy Bartell gave a brief background of the Proposition 218 rules the local government must follow prior to the increase of property related fees. She stated the hearing followed a majority protest procedure.

Mr. Keene stated the Council adoption of the rate changes and the adoption of the Budget applied to Fiscal Year 2010.

10. Consider Changes to the 2009-2010 Water, Wastewater and Refuse Rates and Changes Pertaining to the Water Rate Component of the Residential Rate Assistance Program.

Public hearing opened at 8:04 p.m.

Peter Rosenthal, 585 E. Crescent Drive, stated there had been utility rate increases annually for a number of years and as he researched other city's utility rates he found Palo Alto appeared forty percent higher.

Jay C. Smith, 62 Primrose Way, stated the utility profits needed to be

returned to the cost of product and departmental overhead. He stated the infrastructure needed to be maintained and requested the utility bills identify what portion was taxable.

Joy Ogawa spoke against the increase of sewer fees. She stated the proposed fee increase failed to promote water conservation.

Public hearing closed at 8:13 p.m.

Council Member Klein asked whether the City Attorney's office had comments regarding the community concerns.

Deputy City Attorney, Amy Bartell requested the Utilities Department respond to the concerns of the public.

Council Member Klein stated the community concern was of a Constitutional nature.

Ms. Bartell stated the way rates were calculated and structured would be better explained by the Director of Utilities.

Director of Utilities, Valerie Fong stated the wastewater rate was based on the cost of providing service to the customer. She stated wastewater was not metered and there was no accurate way to determine the amount of wastewater returned to the system. She stated the industry practice was to rely on the estimates based on the type of land use the property served. She stated the wastewater rates were proportional based on the differences between commercial buildings, restaurants, residential and large dischargers. She stated the wastewater rate structure was to be studied in 2010.

Ms. Bartell stated there were multiple ways to calculate proportionality under Proposition 218. She stated our method was legally defensible.

Council Member Burt asked for clarification that the current method of rate base charges were not a precise measurement of wastewater return.

Ms. Fong stated that was correct.

Council Member Burt stated there were alternatives to the current way of charging which did not measure precise wastewater return and therefore those methods could not be considered wrong.

Ms. Fong stated that was correct. There were alternate methods of configuring rates, none of them could measure precise return, and none of them would be wrong in their method.

Council Member Burt stated the question was not which method was the most accurate in measurement of wastewater return, but rather which one provided the better method.

Vice Mayor Morton strongly believed the City's utilities rates were below the neighboring cities.

Council Member Kishimoto asked what accounted for the increase in the Full Time Employees (FTE).

Director of Administrative Services, Lalo Perez stated he would return with a response shortly.

Council Member Yeh asked how the results of the budget decisions had affected the Enterprise Funds.

City Manager, James Keene stated the \$3 million dollar savings targeted in the General Fund was being matched in the Enterprise Funds by applying the salary and benefit strategies across the organizations.

Mayor Drekmeier asked whether there were cost sharing efforts being made with Menlo Park on the Emergency Water Supply Project.

Ms. Fong stated she was unsure whether Menlo Park was working on an Emergency Water Supply Project. She stated currently Palo Alto's Emergency Water Supply Project was working with Stanford on an easement arrangement.

Mayor Drekmeier asked whether there was a response to the previously asked FTE question.

Ms. Fong stated Staff was researching for a complete response. She noted generally the department aggregated the water, gas and wastewater personnel.

Mr. Perez stated in the proposed 2010 budget the wastewater collection staffing was at 24.68 full time FTE positions.

Council Member Klein stated if City water rates were higher than neighboring cities due to the Emergency Water Supply Project and Palo Alto was an older City with more infrastructure needs.

Council Member Kishimoto stated the water consumption was down and the City cost for water was up, why the increase was much higher than the cost.

Ms. Fong stated some of the capital expenditures expected were not reflected in the Capital Improvement Budget. She stated the reserves had

been collected in anticipation for the upcoming year's projects. She stated the water transmission staffing had been bolstered to adequately run the system.

Council Member Yeh stated over the upcoming seven years the rates were anticipated to increase 250 percent. He noted there would be significant and ongoing discussions anticipated.

City Clerk, Donna Grider stated there were 109 written water rate increase protests.

Mayor Drekmeier stated the number of written protests required was 9,659 therefore the water rate increase protest vote did not limit the Council from moving forward. He stated the Motion to adopt the water rate changes would be made as a part of the Ordinance adopting the Budget for Fiscal Year 2010.

Ms. Grider stated there were 68 written wastewater rate increase protests.

Mayor Drekmeier stated the number of written protests required was 10,735 therefore the wastewater rate increase protest vote did not limit the Council from moving forward. He stated the Motion to adopt the wastewater rate changes would be made as a part of the Ordinance adopting the Budget for Fiscal Year 2010.

Ms. Grider stated there were 74 written refuse rate increase protests.

Mayor Drekmeier stated the number of written protests required was 11,831 therefore the refuse rate increase protest vote did not limit the Council from moving forward. He stated the Motion to adopt the refuse rate changes would be made as a part of the Ordinance adopting the Budget for Fiscal Year 2010.

Council Member Burt noted the Finance Committee had seven meetings to discuss the Budget and Council had three meetings. He wanted the community to know during these difficult times there had been a great deal of effort made to make the upcoming struggle as smooth as possible.

Council Member Burt left the meeting at 8:45 p.m.

11. Consider Changes to the 2009-2010 Electric, Gas, and Fiber Optic Rates, and Rates Pertaining to Utility Service Calls, Unmetered Electric Service and Water Service from Fire Hydrants.

Budget Manager, Sharon Bozman gave a brief presentation on changes to the 2009-2010 electric, gas, and fiber optic rates, and rates pertaining to

utility service calls, unmetered electric service and water service from fire hydrants.

Public hearing opened and closed without public comment at 8:51 p.m.

Council Member Barton asked whether there had been a shift of employees from the General Fund into the Utilities Fund doing General Fund work in an effort to disguise the actual labor costs.

Director of Administrative Services, Lalo Perez stated no, although there had been a reassessment of the positions and allocations of those positions to the Enterprise Funds.

Council Member Barton stated for clarification the work was being charged to the Utilities Fund was accurate.

Mr. Perez stated yes.

City Manager, James Keene stated there were a large amount of administrative staff in the General Fund and there is the ability to allocate small portions of their time to provide services for other Funds. He noted there may come a point where it was more efficient to have an employee allocated full time to a Fund where their services had become dedicated.

Mr. Perez stated there were multiple formulas used to determine the appropriate Funds which should be charged for services provided.

Council Member Barton stated the Enterprise Fund was established over 100 years ago to provide services to the community.

Council Member Schmid asked with natural gas prices decreasing why the City was requesting a ten percent increase. He asked whether there was a deficit and asked whether the decision should be made after the Auditor's audit.

Director of Utilities, Valerie Fong stated there had been significant changes to the commodities portfolio between 2004 and 2009. She stated in 2004 the City had a fixed cost contract, now the contract was subject to the hydro variability.

Energy Risk Manager, Karl Van Orsdol stated electricity was four to six times more volatile on the daily market than gas. He stated the risks were not additive although it was conservative to assume there may be a portfolio of risks that may occur at one time. He noted the Palo Alto Utility Department held the highest credit rating in the United States.

Ms. Fong stated the thresholds for the reserves had been lowered not the

electric supply. She explained the laddering purchasing strategy for gas purchased. She noted purchasing volumes of gas mitigated some risk and the need to hold extra reserves.

Vice Mayor Morton stated the reason reserves were maintained was to enable the City to make it through a stringent market time. He stated being sure the reserves were capable of balancing the rates to the clients created security.

Council Member Klein stated the City rates remain thirty percent below PG&E and with the one exception; Palo Alto rates were lower than all municipally owned utilities.

Council Member Yeh stated residents and the community needed to view the benefits they have by the City having its own utilities rather than focusing on the rate increases.

Council Member Espinosa requested there be a more clear and precise communication with the community during future budget years.

Mayor Drekmeier stated the equity transfer had occurred since 1909. He stated fossil fuel costs were expected to rise in the future and Palo Alto had programs to assist in energy efficiency and cost reduction.

12. Adoption of the 2010 Budget, and In-Concept Budget for Fiscal Year 2011 and Adoption of a Budget Amendment Ordinance 5042, Including 1) Exhibit A – City Manager’s Fiscal Years 2010 and 2011 Proposed Budget; 2) Exhibit B – Amendments to the City Manager’s Fiscal Years 2010 and 2011 Proposed Budget; 3) Exhibit C – Fiscal Year Proposed Municipal Fee Schedule; 4) Exhibit D – Revised Pages in the Fiscal Years 2010 and 2011 Table of Organization; 5) Exhibit E – Amendments to the Fiscal Year 2010 Proposed Municipal Fee Schedule; 6) Equity Transfer Methodology Change; and 7) Changes to Compensation Plans.

(a) The Finance Committee Recommends that the City Council Adopt Portions of Police and Fire Department Budgets as Modified Relating to Stanford and the Portions of the CIP Relating to Stanford for the Fiscal Year 2010 Budget and the Fiscal Year 2011 In-Concept Budget, and the Ordinance Portions Related Thereto.

(b) The Finance Committee Recommends that the City Council Adopt the Remaining Portions of the Fiscal Year 2010 Budget and Adopt In-Concept the Remaining Portions of the Fiscal Year 2011 Budget, Pertaining to the Police and Fire Department Budgets as Modified and the CIP and the Ordinance Portions Related Thereto.

(c) The Finance Committee Recommends the City Council Adopt the Human Services Resource Allocation Process (HSRAP) for the Fiscal Year 2010 Budget and the Fiscal Year 2011 In-Concept Budget and the Ordinance Portions Related Thereto.

(d) The Finance Committee Recommends the City Council Adopt the Remaining Items in the Fiscal Year 2010 Budget and Adopt In-Concept the Fiscal Year 2011 Budget, as Modified and the Ordinance Portions and Resolutions Related Thereto.

(e) The Finance Committee Recommends the City Council Adopt the Following Resolutions:

(i) Resolution 8942 Adopting an Electric Rate Increase and Amending Utility Rate Schedules E-1, E-1-G, E-2, E-2-G, E-4, E-4-G, E-4-TOU, E-7, E-7-G, E-7-TOU, E-14, E-18, and E-18-G.

(ii) Resolution 8943 Amending Utility Rate Schedules EDF-1 and EDF-2 of the City of Palo Alto Utilities Rates and Charges Pertaining to Fiber Optic Rates.

(iii) Resolution 8944 of the Council of the City of Palo Alto Amending Utility Rate Schedule C-4 of the City of Palo Alto Utilities Rates and Charges Pertaining to the Residential Rate Assistance Program.

(iv) Resolution 8945 Adopting a Wastewater Rate Increase and Amending Utility Rate Schedules S-1 and S-2.

(v) Resolution 8946 Amending Utility Rate Schedules C-1, E-16, W-2 of the City of Palo Alto Utilities Rates and Charges Pertaining to Utility Service Calls, Unmetered Electric Service and Water Service from Fire Hydrants.

(vi) Resolution 8947 Adopting a Refuse Rate Increase and Amending Utility Rate Schedules R-1, R-2 and R-3.

(vii) Resolution 8948 Adopting a Water Rate Increase and Amending Utility Rate Schedules W-1, W-4, and W-7.

(viii) Resolution 8949 Adopting a Natural Gas Rate Decrease and Amending Utility Rate Schedules G-1, G-2, G-3, G-4, G-6, G-10, G-11 and G-12.

(ix) Resolution 8950 Amending the 2008-2009 Compensation Plan for Management and Professional Personnel Adopted by Resolution No. 8844 to Change the Title of One Classification.

(x) Resolution 8951 Amending the 2006-2009 Compensation Plan for Classified Personnel (SEIU) Adopted by Resolution No. 8658 To Add Five New Classifications and Change the Compensation for Two Existing SEIU Classifications.

Director of Administrative Services, Lalo Perez discussed an At-Place item pertaining to the 2010 and 2011 proposed budgets which included information on the revised General Fund summary and expenditures by category.

City Manager, James Keene stated in an effort to meet the \$3 million dollar deficit in the 2010 General Fund Budget the following actions were taken: there were 21.3 full time equivalent positions eliminated, the Finance Committee decreased the transfer to the Capital Fund, there were compensation adjustments being worked out. He stated the approach taken to balance the budget was an equal approach by balancing the burden across the organization. He noted there had been steps made in the transparency process and understood there were more needed to accomplish the end goal which was under development.

Council Member Klein asked the status of the Firefighter's Union's decision.

Mr. Keene stated a response was anticipated by the end of the week. He noted what was not received by the Firefighters Union would be burdened by the other employees.

Public hearing opened at 9:48 p.m.

Herb Borock, P.O. Box 632, stated in November of 2008 the Council directed Staff to forward quarterly reports on demographic data; yet no report had been released.

Robert Moss, 4010 Orme Street, stated it was inappropriate to fully benefit retirees based solely on their last year of employment. Retirement should be at sixty-five years if age or older.

Public hearing closed at 9:56 p.m.

City Attorney, Gary Baum stated the adoption of the budget could trigger conflict of interest regulations adopted by the Fair Political Practices Commission (FPPC). He noted the Fire Department Budget was 1/3 funded by the Stanford University thus the two Council Members with Stanford conflicts could not participate in the portion of the budget involving Stanford. He noted the communication portion of the Police Department Budget was sixteen percent funded by Stanford and fifty percent for special events costs therefore that portion of the budget would be separated out. He stated a Council Member provided accounting services for a non-profit which received

HSRAP funding and a second Council Member was on the Board of a HSRAP recipient consequently HSRAP will be voted upon separately with those Council Members not participating. He stated the Political Reform Act required the conflict of interest items be heard first.

Council Member Barton advised he would not be participating in Agenda Item No. 12(a) as he is on staff at Stanford University.

Council Member Klein advised he would not be participating in Agenda Item No. 12(a) as his wife is on staff at Stanford University.

MOTION for Agenda Item No. 12(a): Vice Mayor Morton moved, seconded by Council Member Espinosa to adopt portions of the Police and Fire Department Budgets as modified relating to Stanford and the Portions of the CIP relating to Stanford for the Fiscal year 2010 Budget and the Fiscal Year 2011 In-Concept Budget, and Ordinance portions related thereto.

MOTION PASSED: 6-0 Barton, Klein not participating, Burt absent

MOTION for Agenda Item No. 12(b): Vice Mayor Morton moved, seconded by Council Member Klein to adopt the remaining portions of the Police and Fire Department Budgets as modified and portions of the CIP for the Fiscal Year 2010 Budget and the Fiscal Year 2011 In-Concept Budget, and Ordinance portions related thereto.

Council Member Yeh asked since there are employee group negotiations still in process, what happens to the Budget if the outcomes do not result in the way it was planned.

Mr. Keene stated as the employee negotiations are concluded, portions of the \$3 million dollar solution would be shifted out of the non-employee portion of the budget and into the appropriate line item. Furthermore, if the negotiations do not produce adequate savings, then further reductions would be necessary.

Council Member Kishimoto asked whether the Analyst position, which was responsible for racial profiling data, was in the tier two reductions. She clarified that tier two reductions would not be part of the vote this evening.

Mr. Keene stated that was correct.

Technical Coordinator, Charles Cullen noted since the position had not been cut, the quarterly reports would continue to be posted to the website showing demographic data.

Council Member Kishimoto stated the Motion was to have at minimum an updated summary of data brought to Council.

Mr. Cullen stated that was correct and Staff would be providing the summary shortly.

MOTION PASSED: 8-0 Burt absent

Council Member Barton advised he would not be participating in Agenda Item No. 12(c) as his firm is negotiating a contract with Palo Alto Community Childcare.

Vice Mayor Morton advised he would not be participating in Agenda Item No. 12(c) as his firm provides accounting and audit services for Palo Alto Community Childcare and Adolescent Counseling Services.

MOTION for Agenda Item No. 12(c): Council Member Klein moved, seconded by Council Member Kishimoto to adopt section of the 2010 budgets and 2011 In-Concept Budget as modified, pertaining to HSRAP and the Ordinance portions related thereto.

MOTION PASSED: 6-0 Barton, Morton not participating, Burt absent

Mr. Perez requested to have the At-Place items regarding the CAO evaluator and the Library Department be included in the Motion.

Vice Mayor Morton stated there had been transparency throughout previous budget discussions. He noted the Finance Committee held eight to ten meetings annually regarding the budget which were always open to the public.

MOTION for Agenda Item Nos. 12(d-e): Vice Mayor Morton moved, seconded by Council Member Klein to adopt all of the remaining items in the 2010 Budget and 2011 In-Concept Budget as modified and the Ordinance portions and Resolutions related thereto including 1) Revised General Fund summaries, expenditures and reserves, 2) Revised City Council budget, 3) Revised Library Department budget, and 4) Letter from the Friends of the Palo Alto Library granting the City \$67,000 to be used for on collection enhancement.

Council Member Kishimoto asked for clarification on the reclassification of positions.

Ms. Bozman stated the reclassification was for a single position.

Council Member Kishimoto stated the listed reclassification was a Coordinator position at a rate of \$77,000 to a Business Analyst at a rate of \$102,000.

Ms. Bozman stated yes.

Mr. Perez stated the position move had been previously held up in discussion of location in bargaining units.

Council Member Kishimoto stated the content of the work performed had been of a Business Analyst nature and now the position title was being reclassified to adequately describe the job function.

Mr. Perez stated yes, the position had been paid out-of-class during the negotiations with the bargaining units.

Council Member Kishimoto stated it would benefit Council to have a joint hearing with the taxpayers and the unions to have all of the questions and concerns brought together. She asked for clarification that there would be annual employee evaluations citywide.

Mr. Perez stated yes, the Human Resources Director confirmed there would be annual evaluations.

Council Member Espinosa stated his support for the Motion.

Council Member Kishimoto requested the five-year rate table be included into future budgets.

Mr. Perez stated yes they would be included.

MOTION PASSED: 8-0 Burt absent

At 10:28 p.m. the City Council adjourned to a special meeting as the Palo Alto Redevelopment Agency.

At 10:30 p.m. the Palo Alto Redevelopment Agency meeting was adjourned and reconvened as the Council of the City of Palo Alto.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND REPORTS FROM CONFERENCES

Council Member Yeh asked Staff to follow up on the citizen complaint regarding the Terman Apartments. He also spoke about attending the Young Elected Officials National Convention in Atlanta, Georgia held June 12-14, 2009.

Council Member Klein spoke on attending the Santa Clara County Cities Association meeting last week, where the discussions were on the Green Building Collaborative and the efforts of the Cities of Sunnyvale and Mountain View with regards to an increase in gang activity.

Council Member Kishimoto also spoke on attending the Santa Clara County Cities Association meeting last week.

Vice Mayor Morton spoke about attending the retirement celebration for Patricia M. Briggs held this past weekend.

Council Member Barton congratulated Mayor Drekmeier and his wife Amy on the birth of their son on June 12, 2009.

ADJOURNMENT: The meeting adjourned at 10:37 p.m.

ATTEST:

APPROVED:

City Clerk

Mayor

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.