



CITY OF PALO ALTO CITY COUNCIL FINAL MINUTES

Special Meeting
October 19, 2020

The City Council of the City of Palo Alto met on this date in Virtual Teleconference at 5:04 P.M.

Participating Remotely: Cormack, DuBois, Filseth; Fine arrived at 5:22 P.M., Kniss, Kou, Tanaka

Absent:

Closed Session

1. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION
Subject: Julio Arevalo v. City of Palo Alto, et al.
United States District Court, Northern District of California,
Case No. 5:20-cv-04157-CRB
Authority: Government Code Section 54956.9(d)(1).
- 1A. CONFERENCE WITH CITY ATTORNEY-EXISTING LITIGATION
Subject: Gasque v. City of Palo Alto,
Santa Clara County Superior Court, Case No. 20CV370681.

Vice Mayor DuBois called for public comments on the Closed Session.

Rebecca Eisenberg urged the City Council (Council) to settle the Julio Arevalo v. City of Palo Alto matter quickly.

MOTION: Council Member Kniss moved, seconded by Council Member Cormack to go into Closed Session for Agenda Item Number 1.

MOTION PASSED: 6-0 Fine absent

Vice Mayor DuBois moved to Agenda Item 1A.

Molly Stump, City Attorney updated the name of the case and the new Case Number.

David Moss proclaimed that Foothills Park must be protected but not by zip code.

Jeff Greenfield announced that he is the Chair of the Parks and Recreation Commission (PARC) but is speaking on his own behalf. He was in favor of

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opening access to Foothills Park but also wished to see a balance between fundamental and environmental preservation, stewardship responsibilities, and Staff infrastructure concerns. He advised the City Council (Council) to direct Staff to evaluate current park capacity limits and separately assess the appropriate park capacity limit during the Coronavirus Pandemic (COVID-19).

Rebecca Eisenberg declared that the lawsuit was valid, and it stated viable causes of action under the State and Federal Constitution. The park was able to be protected by limiting the number of people. She wanted to see the item moved to an open session and urged the Council not to fight the lawsuit.

Aram James suggested that Council settle the Julio Arevalo v. City of Palo Alto matter and suggested that a good faith settlement of \$10 million was a good start. He stated that the Governor of California passed Assembly Bill (AB)3121 that formed a Task Force to study and develop reparation proposals. For that reason, he urged the Council to open access to Foothills Park.

MOTION: Council Member Kniss moved, seconded by Council Member Cormack to go into Closed Session for Agenda Item Number 1A.

MOTION PASSED: 6-0 Fine absent

Council went into Closed Session at 5:12 P.M.

Mayor Fine left the meeting at 7:45 P.M.

Council returned from Closed Session at 7:49 P.M.

Vice Mayor DuBois announced no reportable action.

Agenda Changes, Additions and Deletions

None

Oral Communications

John Kelly inquired if the new Accessory Dwelling Unit (ADU) Ordinance was going to be made retroactive regarding people who started building ADUs or received permits in the first part of the year 2020. He urged the City Council (Council) to find a way to make the ADU Ordinance retroactive, as of January 1, 2020.

Rob Levitsky believed that the Palo Alto (City) Planning Department and Castilleja School have misinterpreted Code Section 18.10.50 (b) to justify the removal of three large Oaks Trees in the Castilleja School Arborist Report.

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The three trees were not listed in the Biological Resources Section of the Castilleja School Environmental Impact Report (EIR).

Rebecca Eisenberg seconded Mr. Levitsky's statement regarding the Tree Ordinance and Castilleja School. She explained quasi-judicial hearings in regard to who can speak about a project and the length of time they can speak.

Randy Popp emphasized Mr. Kelly's comments regarding ADUs and that any inappropriate or inconsistent language that was enforced in the Urgency Ordinance needed to be removed.

Aram James shared that after speaking with the Human Relations Commission (HRC) a while back, the Commissioner who invited him to speak was chided by colleagues for inviting him to the meeting. That type of behavior was not appropriate.

Mark Weiss shared that the City was in the National Press recently regarding a jazz concert that took place in 1968 that brought people together who had various backgrounds. A video recording of that concert is available on the internet.

Minutes Approval

2. Approval of Action Minutes for the September 28 and October 5, 2020 City Council Meetings.

MOTION: Council Member Cormack moved, seconded by Vice Mayor DuBois to approve the Action Minutes for the September 28 and October 5, 2020 City Council Meetings.

MOTION PASSED: 6-0 Fine absent

Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Number 4.

MOTION: Council Member Cormack moved, seconded by Council Member Kniss to approve Agenda Item Numbers 3-7.

3. Approve and Authorize the City Manager or Designee to Execute Professional Services Agreement, Contract Number C21179544, With Kinectrics AES, Inc. in an Amount Not-to-Exceed \$310,000 for the Electric Substation Grounding Design Capital Improvement Project EL-89044; and Authorization to Negotiate and Execute Related Change

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Orders in the Amount of \$31,000 for a Total Not-to-Exceed Amount of \$341,000.

4. Approval of Professional Services Contract Number C21179272 With BKF Engineers in the Amount of \$289,786 for Land Surveying Services Including \$14,750 for Additional Services, for a Total Not-to-Exceed Amount of \$304,536.
5. Approval of two Recommended Modifications to the Small Business Grant Program: 1) New Grant Amounts of \$5,000, and 2) Limiting Eligibility to Currently Operating Businesses; and a Budget Amendment in the General Fund.
6. Approval and Authorization for the City Manager to Execute Amendment Number 1 to the Electric Enterprise Fund Contract Number C20177717 With Wire Wrangler, LLC, dba TW Power Line Construction, for the Caltrain Facility Relocation Project (EL-17007) and Wood Pole Replacement Project (EL-19004), to Increase the Authorization to Negotiate and Execute Related Change Orders by \$110,000 to Cover COVID-19 Expenditures, for a Total Not-to-Exceed Amount of \$2,207,049.
7. Approval of the Acceptance and Appropriation of the Institute of Museum and Library Services (IMLS) CARES Act Grant and Approval of a Budget Amendment (Requires 2/3 Approval) for General Fund Operating Budget in the Community Services Department and the Library Services Department.

MOTION PASSED AGENDA ITEM NUMBERS 3, 5-7: 6-0 Fine absent

MOTION PASSED FOR AGENDA ITEM NUMBER 4: 5-1 Tanaka no, Fine absent

Council Member Tanaka reported that spending resources on pipes instead of spending it on community services did not make sense.

City Manager Comments

Ed Shikada, City Manager remarked that Palo Alto (City) has been in the Coronavirus (COVID-19) Orange Tier for two weeks. Stricter Orange Tier guidelines included outdoor gatherings restricted to 200 people, indoor gatherings restricted to 25 percent of capacity or 100 people, and indoor dining restricted to 25 percent of capacity or 100 people. Neighborhood playgrounds were now open and included signage that displayed COVID-19 rules. The City continued to work with the Magical Bridge Foundation on a

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plan to open the Magical Bridge Playground. The City established a new website, www.upliftlocal.org, to provide specific opportunities for community members to seek promotions and information regarding businesses that were open within the City. The City was seeking feedback from residents regarding Uplift Local. Santa Clara County's guidelines regarding Halloween was to celebrate at home with small groups and one-way trick-or-treating. The City was holding several online activities including the Jack-O-Jaunt, a Public Art Scavenger Hunt, a Scarecrow Art Kit, and a social media contest. In terms of local schools, brick and mortar instruction was being phased in with the youngest grades coming back first and crossing guards, as well as police enforcement, has been increased. COVID-19 testing continues with upcoming dates on October 23, 2020, November 6 and 20, 2020 as well as several dates in December 2020. The City did not receive enough candidates for the City's existing Boards and Commissions, so he encouraged more residents to apply.

Action Items

8. Preliminary Q1 FY 2021 Financial Status Discussion and Potential Direction to Staff on Budget Revisions, Staffing Revisions, and Next Steps in Monitoring, Modeling, and Addressing Recovery Planning.

Ed Shikada, City Manager acknowledged that the budget cuts the City Council (Council) made helped Palo Alto (City) remain sustainable through the Coronavirus (COVID-19) Pandemic. Staff continued to develop a Community and Economic Recovery Strategy.

Kiely Nose, Administrative Department Director and Chief Financial Officer disclosed that the presentation was a summary of financial data and that the numbers continued to change on a day by day basis. Four key components that Staff updated the Council on included the status of attrition ramps for the Police and Fire Department, rental relief for City non-profit and for-profit tenants, identifying priorities for the use of the \$744,000 COVID-19 Council Reserve, and to accept the Report and provide direction on next steps. The risk of the COVID-19 virus to re-peak was likely and that caused uncertainties when it came to financial impacts to the City as well as how fast the City was able to recover from that wave. In summary, the City was awarded \$855,000 through the Coronavirus Aid, Relief and Economic Security (CARES) Act from the State and the City spent roughly \$3 million in response to COVID-19. In terms of the General Fund (GF) for Quarter 1 (Q1), roughly \$26.4 million was collected, roughly 13.5 percent of the Budget, and \$46.9 million expended or 23 percent of the Budget. The Budget Stabilization Reserve (BSR) was projected to be at \$35 million which was just shy of the 18.5 percent target level by \$575,000. For the quarter the GF was in the positive by roughly \$3 million than what was estimated in June 2020. In terms of Public Safety

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attrition, three Fire Department positions continued to be at risk for separation from the City by December 2020 with the Police Department complete as of October 31, 2020. Roughly over \$500,000 was owed to the City in terms of deferred or delinquent rent by tenants who rent City-owned properties. Worker's compensations costs continued to rise, general liability claims were trending down, there were increased delinquent accounts in utilities, revenues were significantly down in terms of the Parking Fund but there were enough funds to cover the differences. There were mixed impacts in the Capital bid market and the General Capital Improvement Fund was going to require rebalancing due to revised Transit Occupancy Tax (TOT) outlooks. Property Tax was running as was estimated in the Fiscal Year (FY) 2021 Adopted Budget and Sales Tax was trending above the FY 2021 Budget. If revenues continue at the current monthly pace the City was not to meet the TOT revenue estimate by over \$10 million but there was potential for it to recover as the year continued. City services such as open space, maintenance to the customer call center and library sidewalks, Public Safety Services, Planning and Development permits, and Capital investments continued. Staff did not recommend any adjustments to the FY 2021 Budget.

Mr. Shikada summarized ongoing Staff work that was happening in terms of the Community and Economic Recovery Strategies. Staff continued to comply and review sources for the macro trends as well as sector-specific economic distributions. The development of financial and analytical tools for modeling and scenario planning continued. He advised the Council to hold a Study Session on macro trends. Staff planned to present to the Council in November or December of 2020 four discussion elements of the Community and Economic Recovery Strategy. He requested Council's input on the process in terms of community engagement, academic and thought leadership engagement, and where Staff needed to focus resources. In December 2020 and early January 2021 Staff planned on bringing forward several ongoing fiscal related reports and actions to the Council as well as strategies and options that were able to inform Council's action for the upcoming Budget.

Ms. Nose summarized that Staff was seeking specific adjustments, preferences or Guiding Principles that the Council may have to help the continued work that Staff was doing.

Sassan Golafshan, the Founder and CEO of Form Fitness explained that his business suffered greatly during the COVID-19 pandemic. He requested that the Council work with tenants as well as forgive the rent that was past due.

Pat Burt stated that this was the time for the Council to move forward with a more strategic and proactive set of actions. He added that the rate of Capital Projects was predicted to slow down in order to conserve resources for service.

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He encouraged the Council to review the Santa Clara County's plan regarding safety and health concerns for inside buildings as well as the Palo Alto Unified School Districts (PAUSD) plan for inside their facilities.

Rebecca Eisenberg restated that the Council's vote to remove the Business Tax off the November 2020 Ballot put the Council in a bind. She pleaded Council to stop cutting City Services.

Aram James articulated that a person cannot allow compliments for specific City Officials if they were not allowing criticism for City Officials.

Council Member Cormack emphasized that the Council's past collective efforts moved the City in the right direction. She asked how and when the City was going to adjust the Capital Infrastructure Plan for the lower TOT levels.

Ms. Nose answered that for the FY 2021 Budget, Staff wanted to rebalance the plan mid-year when 6 months of data was available regarding the trend of the TOT.

Mr. Shikada reported that the Public Safety Building Project was out for bids with the expectation that the decisions were to be brought to the Council by the end of December 2020.

Council Member Cormack summarized that a big decision was needed to be made before the whole Capital Infrastructure Plan was brought forward.

Mr. Shikada clarified that the big decision will be made in the context of where the different revenue sources were.

Council Member Cormack acknowledged that Council needed to discuss the way funding for specific items in the plan were tracked. She inquired about the complaints regarding the Residential Preferential Parking (RPP) Permit sales moving to online.

Ms. Nose believed the complaints were focused around the new permit system and Staff continued to learn from any issues that were raised.

Philip Kamhi, Chief Transportation Official emphasized that it was a behavioral change for many residents when the City moved to an online permitting system. The common issue was when residents registered for their accounts, they received their confirmation email but it was sent to their junk email box; Staff was continuing to educate residents on how to access that email.

Council Member Filseth wanted to know how the Stanford Shopping Center was doing.

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Ms. Nose reiterated that the available data was in a transitional period.

Thomas Adams, Consultant reported that Quarter 3 numbers provided a better idea of how the TOT was doing, but Staff did not have specific data regarding the Stanford Shopping Center.

Council Member Filseth asked what equipment leasing was.

Mr. Adams shared that leasing was mostly auto leasing for the City.

Council Member Filseth clarified that auto leasing was in leasing and it was not in auto sales.

Mr. Adams confirmed that was correct.

Council Member Kou inquired if the City lifted the hiring freeze.

Mr. Shikada responded there was a hiring freeze in place but there were exceptions to that freeze that were handled on a case-by-case basis.

Council Member Kou asked how Staff determined if a position was exempted from the freeze.

Rumi Portillo, Director of Human Resources reported that health and safety positions that maintain essential services were exempted.

Council Member Kou wanted to know how many positions were filled under the exempted criteria.

Ms. Nose disclosed she would have to research it and come back to the Council with the information.

Council Member Kou anticipated that there was going to be no more layoffs in the Police Department, but the Fire Department was laying off three people based on seniority.

Ms. Portillo remarked that is correct.

Council Member Kou indicated that she wanted to examine the Fire Prevention Bureau and see if those resources were available to fund the three positions in the Fire Department.

Ms. Nose noted that fire inspections that took place from the Development Center were cost recoverable.

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Council Member Kou restated that there was a mandate from Senate Bill 1205 which was to inspect older buildings and make them compliant. She asked if the revenue acquired from those services were able to be moved to the Fire Department instead of the Planning and Development Services Department.

Geo Blackshire, Fire Chief commented that the Fire Department was playing catch-up in terms of State-mandated inspections.

Ms. Nose clarified that the revenues paid for the Fire Department's salaries that were located with the Development Center. Revenues were not able to be moved to another department because that needed voter approval.

Council Member Kniss affirmed that the three fire positions should not be eliminated, and that Capital Improvement Projects should be halted to pay for services.

Ms. Nose explained that Staff was doing their best across the board to appropriately, effectively and efficiently allocate resources.

Council Member Kniss reiterated that Council needed to act to save the three fire positions.

Ms. Nose rephrased that if Council wanted to extend the attrition ramp to a potential date then Council had to give that direction to Staff.

Council Member Tanaka agreed that Capital Improvement Projects should be delayed. He wanted to understand how the City worked with tenants in terms of differed rents and possible rent forgiveness.

Mr. Shikada clarified that the City had not asked landlords to take a loss and the City continued to work with tenants regarding rent.

Council Member Tanaka asked for Staff's perspective on how to fund the gap between resource spending and revenues.

Ms. Nose claimed that if the imbalance was projected to stay to the end of FY 2021 then adjustments were needed. She emphasized that the numbers did not reflect a full quarter and that it was common to have a gap in any given month, which Staff handled accordingly when needed.

Council Member Tanaka wanted to know what the normal spending versus revenue gap looked like.

Ms. Nose explained that Staff did not have a prior year benchmark for this period, but that was available when the Q1 Report was available to the Council in December 2020.

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Council Member Tanaka asked where the extra \$2 million came from in terms of the \$3 million response expenses.

Ms. Nose commented that it comes from existing budgeted funds and reallocation of resources. Also, the shortfall was baked into the financial status.

Council Member Tanaka requested that a sampling of businesses provide their Sales Tax amounts to the City so that Council was able to get a better and faster understanding of the position that Sales Tax were in.

Ms. Nose stated that different businesses generated different Sales Tax revenues so a small sampling may not be effective.

Mr. Shikada restated that Staff was working on analytical capabilities to help Council prepare "what if" reports.

Vice Mayor DuBois wanted to know what services the City was not able to provide due to a lack of resources and information regarding demands that were not being met.

Mr. Shikada declared that each department had their own unique list of those items.

Vice Mayor DuBois requested a summary report of Capital Project bids.

Brad Eggleston, Public Works Director commented that Staff was able to provide a Report with those figures.

Vice Mayor DuBois inquired if moving productivity to online platforms helped deliver services faster and cheaper.

Jonathan Lait, Planning and Community Environment Director reported that plan submittal was going to well on the online platform.

Vice Mayor DuBois asked if the café in City Hall, as well as the café at the Golf Course, was going to reopen.

Mr. Shikada specified that the City Hall café was having tenant improvements done.

Kristen O'Kane, Director Community Services mentioned that she had to provide the answer at a later time in terms of the Golf Course Café.

Council Member Kniss inquired how many firefighters were sent to help with wildfires.

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Mr. Blackshire answered 28 firefighters as well as one strike team leader.

Ms. Nose advised the Council to extend the Fire Department's attrition ramp to February 2021.

Council Member Cormack seconded but wanted to know how much money that was going to cost.

Ms. Nose predicted \$150,000 for 6 months.

Council Member Cormack inquired if the resources would be cost-neutral or if funds were needed to be moved from the COVID-19 Council Reserve to a Contingency Fund.

Ms. Nose requested more time to respond to that answer.

MOTION: Council Member Kniss moved, seconded by Council Member Cormack to authorize the extension of the attrition ramp for firefighter positions through the end of March 2021; and direct Staff to identify cost neutral options.

Council Member Kniss mentioned that the public wanted to know why the Public Safety Building project was moving forward in such dire times.

Mr. Shikada responded it would not be appropriate to halt the project while it was out for bids. Also, the primary financing source for the Public Safety Building was the increase in the TOT, which was essentially dedicated to capital needs. Staff included in the bid package a requirement of an extended bid period of 120 days so that Council had adequate time for consideration.

Council Member Filseth did not want to decide on the Public Safety Building as well as not make any adjustments to the Capital Plan. He acknowledged that TOT revenues were low and may or may not be compensated by Sales Tax. He advised the Council to review the Capital Plan within the timeframe that the Council had to decide on the Public Safety Building.

Council Member Cormack concurred with Council Member Filseth's comments and that Council needed scenarios in terms of the Capital Infrastructure Plan. She inquired what services Staff thought should be brought back in terms of community services.

Ms. O'Kane explained that the City did offer virtual programming and classes as well as outdoor classes. She requested that the Council circle back in a couple of months to see where programs were able to be added based on the health order.

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Council Member Cormack wanted to know if the shuttle service was needed now that schools were going back to in-person teaching.

Mr. Kamhi answered that the shuttle service contract was terminated but it was possible to reinstate that contract.

Council Member Cormack stated that the City should work with the school district and support them if the need arose. She asked if funds needed to be used for indoor air quality updates inside City facilities.

Mr. Shikada specified that the question was what buildings should be subject to those upgrades.

Mr. Eggleston added that Staff was doing work with facility groups to figure out what type of upgrades were needed for their facility's HVAC System. Retrofitting existing systems was very expensive so Staff was exploring temporary equipment costs to see if that was more feasible financially.

Council Member Cormack suggested that the libraries HVAC Systems should be updated before City Hall.

Council Member Tanaka questioned why Staff was not suggesting to take corrective action in terms of downward trending GF revenues.

Ms. Nose noted that Staff was taking a conservative approach and not wanting to react to incomplete data.

Council Member Tanaka acknowledged that the data was not complete but believed the City needed to start preparing for the worst-case scenario. He suggested that the extra COVID-19 Council Reserve money be used for rental relief and utility bill relief.

Council Member Kou inquired if there was a quick plan to implement indoor air quality updates and how expensive that was.

Mr. Eggleston specified that retrofitting an existing large building with High-Efficiency Particulate Air (HEPA) filters required the whole system to be rebuilt. Portable HEPA filtration units were not as expensive as retrofitting an existing system.

Council Member Kou proposed that Staff bring back costs and feasibility of installing portable units or retrofitting existing units as well as collaborate with Palo Alto Unified School District (PAUSD).

Mr. Shikada emphasized that City facilities were different than school facilities and Staff was focused on gathering spaces. Also, the Council needed to

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consider if in-person assembly functions were something that Staff needed to plan for.

Council Member Kou foresaw retrofitted buildings being used in multiple ways and that the updates were to benefit the City beyond COVID-19.

Mr. Shikada agreed.

Council Member Kou asked if overtime accumulated for the Fire and Police Department.

Ms. Nose was not able to classify over time as a cause of less staffing. She reported that overtime pay was up but was due to other circumstances.

Vice Mayor DuBois supported extending the fire attrition ramp and wanted to understand what cost-neutral looked like. He requested more charts that showed where the City currently was, what was forecasted now versus when the FY 2021 Budget was adopted and cash flow versus income projections. He supported the Staff recommendation as well as looking at proactive recovery changes to the FY 2021 Budget. He mentioned that Palo Alto Unified School District has found a way to retrofit existing HVAC Systems with MERV 13 filters and requested Staff collaborate with them. He supported using funds that helped private businesses learn to improve their air quality. He disclosed that his big concern was mega-fires and the resource spent deploying firefighters to help with those fires. He confirmed that the City needed to find a way to work with tenants that rented out spaces within City facilities with the mindset of the business moving out; this was worse than receiving partial rent or differed rent. He advised the Council to take public comment on Agenda Item 9 regarding Boards and Commissions and then continue this Item to a future meeting.

Mr. Shikada agreed with Vice Mayor DuBois' suggestion of continuing Agenda Item 9.

Council Member Filseth concurred the Council should take no action on City properties, but that Staff should work with tenants.

Ms. Nose circled back to Stanford Shopping Center Sales Tax and reported that Quarter 2 for FY 2020 was down 77 percent.

Council Member Filseth inquired about restaurants.

Ms. Nose stated restaurants were down each quarter roughly 53 percent.

Council Member Filseth predicted that the Stanford Shopping Center was going to be an indicator of how many visitors were returning to the City.

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Council Member Tanaka asked what direction Staff needed to move forward on rental relief for tenants in City facilities.

Mr. Shikada specified direction on how much money should be used for that specific purpose. Based on the feedback given in the meeting, Staff was going to come back with a Relief Package for Council to consider.

Council Member Tanaka recalled that the City was reimbursed by the State in terms of wildfire help.

Mr. Shikada confirmed that the Federal Emergency Management Agency (FEMA) reimbursed the City.

Mr. Blackshire clarified the funding covers overtime and backfill.

Council Member Tanaka shared that he was interested in understanding how to make the extension of the Fire Department attrition ramp cost neutral.

Ms. Nose suggested that the Council direct Staff to look to identifying cost neutral options first with the caveat that Council was going to use some of the COVID-19 Council Reserve if Staff was unsuccessful.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to amend the Motion to state "...and direct Staff to start by identifying cost neutral options and, in the event that is not sufficient, direct Staff to return to Council with a Budget Amendment to allocate the COVID-19 Council Reserve."

Council Member Tanaka stated that it was dangerous to treat the situation as a regular budget cycle and advised the Council to be more dynamic.

Mr. Shikada responded that Staff was able to return in the future with options that were able to help Council be more dynamic with the Budget.

Council Member Kniss noted the Council did not discuss what advantages there were to look at what surrounding Cities were doing to recover.

Council Member Cormack supported having a Relief Package for tenants but stated that it needed to be time-bounded. Staff needed to explore the Silicon Valley Recovery Plan Item 4, Reimagining the Neighborhood District, and Item 6, Expanding Digital Inclusion as well as sustainability as part of the redesign and recovery of the City.

Council Member Kou wanted Staff to explore and bring back information regarding the Fire Prevention Bureau and if that could be moved back to the Fire Department.

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Council Member Cormack did not feel that move would be helpful from a budgetary standpoint.

Vice Mayor DuBois stated that if that move made sense then Staff was going to consider it.

Mr. Blackshire reported that State-mandated inspections collected a fee, but he did not see how Staff was able to move the funds from the Planning and Development Services Department to the Fire Department Budget.

Council Member Kou reiterated that she wanted to return the Fire Prevention Bureau to the Fire Department.

Vice Mayor DuBois restated that Council needed an update on the Capital Infrastructure Plan with scenarios before the final decision for the Public Safety Building, including options for City rentals and retrofitting existing buildings.

Council Member Tanaka agreed that the fiber networks needed to be explored.

MOTION AS AMENDED: Council Member Kniss moved, seconded by Council Member Cormack to authorize the extension of the attrition ramp for firefighter positions through the end of March 2021; and direct Staff to start by identifying cost neutral options and, in the event that is not sufficient, direct Staff to return to Council with a budget amendment to allocate the COVID-19 Council Reserve.

MOTION PASSED: 6-0 Fine absent

Council took a break at 10:36 P.M. and returned at 10:41 P.M.

9. Consideration of Recommendations by the City Council Ad Hoc on Boards, Commissions and Committees (BCCs), Including Adopting a Handbook, Establishing Training, and Direction on Further Changes Including Term Limits and Reducing the Parks and Recreation Commission to Five Members. (In the Action Minutes, this whole item is stricken through and it says "**CONTINUED TO OCTOBER 26, 2020.**")

Vice Mayor DuBois restated that City Council (Council) will hear public comment and then the item will be continued to a date uncertain.

David Moss disclosed that he was a Parks and Recreation Commissioner and that the Parks and Recreation Commission (PARC) was currently discussing eight different policies and processes. Also, the PARC held 10 different liaison positions. He urged the Council not to downsize the PARC.

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Patti Regehr shared that she is a Commissioner on the Human Relations Commission (HRC) and was speaking on her own behalf. Since the downsizing of the HRC the workload was substantial. She did not agree with the process that Council was able to remove or downsize any Board or Commission at any time as well as Commissioners and Board Members having limited rights to speak to the press.

Larry Magid believed that Council was launching a direct attack on the First Amendment and the rights of citizen Commission Members. The role of Staff was to support Board and Commissioners and not tell them what they could not do.

Keith Rechdahl was a Commissioner on the PARC. He expressed that the Commission was not able to do the substantial community outreach they usually did if the Commission was reduced. A five Member Commission limited the Commission's Ad Hoc Committees work.

Valerie Stinger represented herself and not the HRC as a whole. The handbook contained a lot of strength as well as specificity and flexibility. She called out specific details that needed further review. The setting of priorities allowed for exploratory priorities and there were timing issues in regard to the Work Plan and Emerging Needs Cycle.

Randy Popp stated he is the Chair of the Architectural Review Board (ARB) and that some of the changes in the handbook were positive and improved the quality of the process. His concerns included the removal of a Board Member or Commissioner at any time and the restriction of Board Members and Commissioners expressing their opinions to the media.

Martin Bernstein, Historic Resources Board (HRB) was speaking solely for himself. He agreed with the adoption of a handbook for the Boards and Commissions and suggested that the Council consider flexibility in modifying term limits from time to time if no applicants apply.

Rohin Ghosh expressed strong disagreement with the changes that were being proposed.

Rebecca Eisenberg did not support this Item and believed it to be unlawful to remove a Board or Commissioner at any time as well as restrict them from talking to the press.

Mike Alcheck believed the formalizing standards across local Boards and Commissions was an allottable effort. Council needed to reconsider the language immediately regarding the removal of a Board Member or Commissioner by a majority Council vote without cause.

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Aram James stated that Palo Alto (City) was going to have another lawsuit if the handbook and its language was adopted. The item needed to be put on an Agenda when the new City Council Members were voted in.

Jeff Greenfield, Chair, PARC spoke on his own behalf. He appreciated the effort regarding the handbook and generally supported it. He urged the Council to keep the PARC to seven Commission Members. He requested more guidance regarding Work Plans and updating Work Plans. He wanted Board & Commission Members to have the ability to speak to the media.

Mark Weiss agreed that the adoption of the handbook would declare that the Council does not want public members to be engaged.

Kat Snyder did not agree that Board and Commission Members should be silenced and not allowed to speak to the media.

Council Member Questions, Comments and Announcements

Vice Mayor DuBois reported that the vote regarding looting and social media issues moved to the League of Cities Committee as an advisory Motion. He concluded that he opened the United Nations Association Film Festival and it was going to continue until October 25, 2020.

Adjournment: The meeting was adjourned at 11:17 P.M.