



POLICY AND SERVICES COMMITTEE

Regular Meeting
May 10, 2011

ROLL CALL

Chairperson Price called the meeting to order at 7:02 p.m. in the Council Conference Room, 250 Hamilton Avenue, Palo Alto, California.

Present: Burt, Klein, Holman, Price (Chair)

Absent:

ORAL COMMUNICATIONS

None

AGENDA ITEMS

1. Review of Binding Interest Arbitration Provision in City Charter for Public Safety.

City Manager, James Keene stated Staff had brought the item forward to Policy and Services per Council direction for a discussion and review.

Acting Assistant Human Resources Director, Marcie Scott described the process of Binding Interest Arbitration and noted the Binding Arbitration decision was final and binding on all issues within the dispute. She noted there was a report released in May of 2010 from the Santa Clara County Civil Grand Jury which included negative reflections on the process. The City Council had asked Staff to return with additional information regarding the legal backgrounds, examples of approaches used in other agencies and possible options to alter the City's Charter on the matter. She stated if modification was to be considered there were several elements which needed to be reviewed: 1) the format; Staff presented three options for review, 2) the selection process of the neutral arbitrator, and 3) the factors to be considered in the arbitrator's decision. She discussed the costs and timeline for submitting the Binding Interest Arbitration Provision in the City Charter for Public Safety.

Mr. Keene stated there were nearly 500 Charter Cities within the State of California with Binding Interest Arbitration with three in the County of Santa Clara. He noted Binding Interest Arbitration existed in Palo Alto because of an Amendment to the City's Charter and therefore any changes would require a vote.

City Attorney, Molly Stump stated in the event there was a desire to move forward with the changes to the Charter for the November 2011 election there needed to be time allotted for the discussions with the arbitrator's as mentioned by the Human Resources Staff.

Council Member Klein stated the voter's would place an Initiative on the Ballot and Council did not have the authority to remove it, so he asked why the meet and confer with the arbitrator's would be necessary.

Ms. Stump stated there was a California case from Seal Beach which did not apply to citizen Initiatives although she felt this item may be a Council Initiative. When an Initiative was placed on the Ballot by Council the process needed to be followed on that subject matter.

Council Member Klein asked for an example of how a straight repeal of the 1978 Initiative would proceed if the Safety groups did not agree.

Ms. Stump stated a meet and confer did not require the parties to reach an agreement; although, it was a defined process that required the parties to sit down together and exchange information to make a good faith attempt to narrow the differences.

Council Member Klein asked the amount of time Staff estimated would be involved.

Ms. Stump stated the timing would be dependant upon the availability of the parties being able to achieve a compatible time.

Council Member Klein asked whether the City of San Jose followed the process described by Staff.

Ms. Stump stated she was uncertain of the process they followed. Staff would determine the process used and return with the requested information as well as clearer detail as to whether the City was in a meet and confer or a less formal consultation process with labor.

Mr. Keene stated an invitation was sent to all of the City's represented employee groups regarding this discussion.

Chair Price asked if the same process applied whether there was a request for language change or repeal.

Ms. Stump stated that was correct.

Chair Price stated the costs for an election being provided as information did not take into account the City providing any portion of the mailings.

Ms. Stump stated changes to the Charter required a vote of the electorate although at the time she was not prepared to elaborate on the available options the City may take to participate in the process.

Council Member Burt stated in terms of the timeline for the meet and confer, the time accessible to achieve that type of meeting may have an influence on the Council's decision.

Ms. Stump stated in her experience the gathering of the parties could be accomplished fairly quickly.

Council Member Burt asked for the parameters of what the Policy and Services Committee and or the Council were allowed to discuss in public without causing unfair labor practices.

Ms. Stump stated the City was currently in negotiations over a particular labor contract and that procedure was going through the appropriate steps where the process for arbitration had begun. That process should continue on its own terms. The discussions Council was having on the possibility of changes to the language or practice would be for future events.

Council Member Burt stated because Council and the labor group was at an impasse, if the Council were to place Binding Arbitration Reform or Repeal on the November ballot and the electorate were to reform or repeal the Binding Arbitration, it would not affect the ruling for the process already in motion.

Ms. Stump stated it was her understanding the process was underway and therefore this was a separate conversation regarding a policy change which would be perspective in nature.

Council Member Burt asked if a November election could have any bearing on current Binding Arbitration discussions.

Ms. Stump stated the Council needed to have the discussion perceptively on what they want the role to be and in terms of how that might interact with any other processes.

She did not feel comfortable providing legal advice based on a hypothetical set of timing. She felt the policy discussion at hand needed to be focused on the actions Council wished to take and the type of ruling would be appropriate for Palo Alto into the future.

Council Member Burt stated his understanding was Staff was requesting Council hold the discussion outside of any discussion regarding its impacts on current negotiations.

Ms. Stump stated that was correct.

Council Member Burt asked if Council was to place the Initiative on the Ballot, there would be a political campaign. He asked Staff to speak to the constraints on the Council discussing at this time, any possible campaign element.

Mr. Keene stated there would be more latitude for discussions prior to having an the item on the ballot.

Ms. Stump stated that was correct.

Council Member Klein asked whether it was appropriate for Council Members to voice their opinion on the Initiatives plausibility depending on the year in which it was placed on the Ballot.

Ms. Stump stated yes, the Council was having a wide ranging discussion on not only whether but when they wished to make a change to City policy.

Chair Price stated that type of discussion appeared to be more appropriate for the full Council although it was her understanding that the Policy and Services Committee could open the discussion on the overall evaluation of the items before them. She asked, if there was a discussion on the concept of introducing mediation as a required step prior to declaring an impasse or moving into Binding Arbitration, and if that have any relationship to the language in the Charter.

Ms. Stump stated Staff would need to hear more with reference to what it was Council wished to do. She asked Council to review the Charter procedures and then have a discussion on whether any change in the language would be needed. She noted there were various ways to attain mediation without a Charter Amendment.

Chair Price asked if there were other venues besides the Charter that could be used for these changes.

Ms. Stump stated Staff would need more clarity to review that specific issue and whether there would be other ways to make a change.

Council Member Klein asked whether the City Attorney's office participated in the preparation of the memorandum the Committee was reviewing.

Ms. Stump stated yes, a Staff member of the City Attorney's office participated.

Council Member Klein stated he did not see any reference to the fact.

Ms. Stump stated her Staff was not included as a participant in most Staff Reports if they were merely assisting.

Council Member Klein stated the information included in the memorandum appeared to cover more legal information than City Manager oversight.

Ms. Stump stated labor relations and negotiations were items where the City Manager and Staff worked closely with Council and duties could be shared.

Council Member Klein asked whether Staff had spoken to the City of San Jose or Eugene, Oregon regarding how the different processes of Binding Arbitration were working for their City's.

Ms. Scott stated Staff had not spoken to San Jose since their modifications in November of 2010.

Council Member Klein asked whether there had been discussions with labor relations experts from local law schools or out of state.

Ms. Scott stated there had not been discussions with Law School personnel; although, there had been research performed on other policies and a variety of other pieces of legislation. She stated Staff reviewed a research effort performed by Darrel Murray on outside State statutes. She clarified there were a number of States with mandatory Binding Arbitration provisions.

Ms. Stump stated States differed in their organic law in terms of what was permissible. Some of the implementations at the local level may be relevant where others might be less relevant in that they might require a change. She noted a wider survey could be provided if Staff were directed by Council.

Council Member Klein asked whether Staff had researched Law Review articles on the matter.

Ms. Stump stated no, Staff had not compiled research from that arena.

Council Member Holman asked how the various options were working with the other communities Staff had mentioned in their report.

Ms. Scott stated Staff had reviewed various statutes by other communities although did not converse directly with them. Staff could follow-up with them and request specific feedback if requested by Council.

Council Member Holman stated in Option B under the cons section, field arbitrators were required to ensure effectiveness of the process. She asked why Staff felt the item was a con.

Ms. Scott stated with that particular case, you get to arbitration with your issues of dispute and as the parties were working through the issues if, there was a skilled arbitrator they could sometimes facilitate agreement.

Council Member Holman asked why was that considered a con.

Ms. Stump stated not everyone who may be a labor arbitrator had the additional skill set required to mediate in all situations.

Chair Price stated in order for the Committee and Council to be balanced in their deliberation of the various options there needed to be examples of real experiences.

Mr. Keene stated in response to an earlier concern from Council Member Burt with respect to the outcome of the November Ballot Initiative affecting the current arbitration. He stated the vote would not partake in the outcome of the current events; although, the Referendum could be structured to include effective dates.

Council Member Burt stated his understanding was the Ballot Initiative could not be structured in a manner that would impact current arbitration. He stated he was uncertain how an arbitration ruling could be retroactively influenced once it had been completed.

Ms. Stump stated that was correct. She could not see how a completed arbitration ruling could be affected by a Ballot Initiative after the fact.

Council Member Burt stated the Staff Report noted 3 of 15 cities in the County of Santa Clara had Binding Arbitration but it did not state whether any of those had Binding Arbitration that covered Staffing levels.

Ms. Scott stated she did not recall whether there were exclusions within the language. Gilroy's arbitration language was similar to Palo Alto's and therefore would not exclude any particular issue. If there was a dispute on the Staffing component of the contract it

would go to arbitration.

Council Member Burt stated if Staffing was not a part of their contract then there could be no dispute.

Ms. Scott agreed although did not recall whether Staffing was part of their contract.

Council Member Burt asked how common it was that Binding Arbitration would cover levels of Staffing beyond Santa Clara County.

Mr. Keene stated Staff could retrieve the data requested by the Committee shortly after the meeting. He clarified the request was to cross-tab cities that had Binding Interest Arbitration and the cities which had Binding Interest Arbitration who also had contract language related to Staffing and in particular those that had a subset with language related to unit wide minimum Staffing.

Council Member Burt stated the San Jose City Charter section of the Staff Report and the elements that were changed on their last voter approved Initiative included a control of Staffing decisions.

Ms. Scott stated on page 2 of Attachment B at the bottom of the Issue Column it stated: right to make operational decisions.

Council Member Burt asked if that meant to encompass all Staff related issues.

Ms. Scott stated that was correct.

Council Member Burt stated given the number of items needing to return to the Policy and Services Committee prior to the full Council he noted there was no mention of when the items were returning.

Mr. Keene stated Staff was prepared to take direction on the desired schedule.

Council Member Burt asked for clarification on the election costs. The Staff Report listed November 2011 as \$50,000; he assumed that was the incremental cost above the Measure and not the shared cost. He suggested listing the incremental costs and the view of the shared costs. He asked why the cost was so high for the November 2012 election, which was a General Election.

Ms. Scott stated there were Ad space figures not included in the \$50,000 and the November 2012 costs were estimated from the Santa Clara County Election Office where Staff utilized the higher end numbers.

Council Member Burt stated he was concerned about a single ballot item costing so much.

Council Member Klein wondered whether the County Election Office was aware that the Palo Alto General Municipal Election would be on the Ballot in 2012.

Council Member Burt stated if those were the estimated figures presented by the County Election Office, he suggested Staff request more accurate ones.

Chair Price asked for clarification on Attachment A, Option C in terms of its historic success and how long had it been in practice.

Chief Negotiator, Darrell Murray stated the reason for packaging final offers, whether it was two or four packages in the offer, was a maximum risk was created for both sides which in turn would induce a negotiated settlement opposed to an arbitrated settlement. He clarified dual-final offers was a hybrid approach.

Chair Price clarified there was not an option to pull items from a package once it had been placed on the table.

Mr. Murray stated the Arbitrator was to take one of the four packages. The advantage of the four packages, from the employer's standpoint, was it gave the ability to have a more conservative package and a more aggressive one in terms of achievement. The same concept is on the Union side of the table, and that information gave the arbitrator a little bit more time to respond to evidence in the record.

Chair Price asked if Mr. Murray was aware of examples where mediation had been a requirement prior to impasse or Binding Arbitration.

Mr. Murray stated yes, he was aware of those situations.

Chair Price asked how common that situation was.

Mr. Murray stated mediation was heavily used prior to any form of formal self-help with varying degrees of effectiveness.

Frank Ingle spoke regarding Binding Arbitration being sent to the voters.

Bob Moss spoke regarding repealing Binding Arbitration.

Alan Davis spoke regarding the initiation of Binding Arbitration for Palo Alto in 1978.

Council Member Burt stated he was unclear as to whether Mr. Davis was in support of

the notion that in the absence of Binding Arbitration law enforcement officers should have the collective prerogative of disobeying the law and having an illegal strike.

Mr. Davis stated the courts had decided that it was not in the public's interest to hold a strike. He clarified his opinion was he was opposed to fire fighters and law enforcement proposing strikes.

Council Member Burt asked Mr. Davis when he advocated the present Charter Measure, if he imagined Palo Alto and other cities evolving toward pensions and medical obligations escalating and accumulating to the degree they had.

Mr. Davis stated he had not; although, the issue of pensions should not be blamed on employees, rather on Wall Street for the poor investing and by Public Employees Retirement System (PERS).

Council Member Holman stated the decisions made had no bearing on the unions or the union members themselves. It was the obligation of the City Council to be fiscally responsible to the public. She stated her uncertainty whether the changes made would be of benefit for the future without knowing what may change.

Council Member Klein stated in 1978 when the initial Binding Arbitration was on the Ballot he voted against it. He reiterated the elected officials of the City were ultimately the responsible parties if the City was unable to provide services to the community. He stated the alterations to Binding Arbitration made in 2011 or 2012 may very well be in effect for another 30 years therefore the decisions made need to be thoroughly weighted.

Council Member Burt stated his agreement with the need to understand the substantive comparison of what a significant reform would look like versus a repeal. He requested Staff present the San Jose City Charter reform for comparison. He stated although Binding Arbitration did not determine outcome with respect to pensions and medical benefits it did provide a constrained environment.

Chair Price stated Staff provided a number of models to be reviewed and she felt each should be taken into account. She stated the goal was to create an environment where the City treated the various bargaining units more equitably. She stated there had been six incidents of Binding Arbitration used over the past 33 years. She asked how many times the bargaining units had gone to the table in total. She noted she would not support absolute repeal of Binding Arbitration.

Council Member Holman stated there were factors which led her to support the elimination of Binding Arbitration and she noted there were other regulating factors which prevented the City from being abusive of bargaining units without Binding

Arbitration.

Council Member Burt stated the number of times the City went to Binding Arbitration did not adequately indicate the number of times the City was dissatisfied with the result of a negotiation. He stated if the Council chose to not place Binding Arbitration on the November 2011 Ballot he wanted it to not be for lack of adequate information.

Council Member Klein requested Staff did not research the 33 year history of Arbitration.

Chair Price clarified her request was not as much for Staff to review the history as it was for them to retrieve the decisions made by both sides of the negotiation table and determine the number of times there was a negotiation in total, with and without Binding Arbitration.

Council Member Klein stated the request regarding who runs the election should not be a part of the Staff research. The City had regular elections and the County of Santa Clara handled all of the general and special elections.

Chair Price stated her question was on the procedural aspects of the election. She asked whether there were other options available that were not as costly.

Ms. Stump stated her understanding of the question by Chair Price was whether there were any modifications to the election process such as a mediation step which could be inserted into the Charter without an amendment.

Chair Price stated that was correct; although her second question was whether there was another mechanism related to revising the language in the Charter that could be performed outside of the standard County Ballot Measure.

Ms. Stump stated Charters needed to be amended through a vote of the electorate.

Chair Price stated with that knowledge, were there other mechanisms available other than the standard manner in which the City was familiar with that would satisfy the purpose and save money.

Mr. Keene stated Staff would research the options with the City Clerk as the election official for the City. He noted his reluctance to recommend options that may be out of the normal function with this particular issue.

Council Member Klein asked when Staff would return with the responses to the Committee questions.

Council Member Burt asked whether the questions needed to be narrowed for a more expedited turn around.

Mr. Keene stated a specific direction would be of assistance and he noted a sense of hierarchy would be appreciated. He asked whether there was a preference for items returned in pieces or as a full packet.

Council Member Klein stated for Staff to return on the May 31, 2011 meeting with as much detailed information as they were able to attain.

Council Member Burt stated Staff should leave the present meeting with a focused prioritized listing of requested information.

Council Member Holman felt the prioritization should be based on information that a Council Member or Committee Member could base their decision on.

Council Member Burt stated he wanted to understand better the options of reform versus repeal and he felt the City of San Jose was a good example of what might be considered as reform. The item would also include reviewing the scope of issues that could be covered under future Arbitration in addition to the items brought up during the meeting.

Chair Price stated in reviewing Staffs alternative factors she requested to have more options than just the City of San Jose. She requested two to three examples which illustrated refined Binding Arbitration language with the different elements and processes to be considered.

Mr. Keene stated the main goal was to understand the difference between reform versus repeal. Repeal was self explanatory whereas reform seemed to have three major considerations: 1) format and approach in arbitration, 2) who is the arbitrator, and 3) factors that would be explicitly identified for considerations that either influenced or restricted the arbitrator's decision.

Council Member Burt stated there should be a fourth consideration which would be the scope. The scope was explicit categories of items that could go to arbitration.

Council Member Holman asked whether there was a limit to or what the discretion was for the scope.

Ms. Stump stated it was a good question and she requested to review the matter closer before responding to what the discretion would be to limit the scope of issues. Staff proposed adding all of the models presented to the chart. She noted there was a remarkable sameness to most of the provisions with a few that were different.

Council Member Klein requested Staff's research start with the Lexus/Nexus.

Mr. Keene stated Staff would be unavailable on the 31st of May and he requested the meeting date be moved to June 7, 2011 with a 6:00 PM start time.

MOTION: Council Member Klein moved, seconded by Council Member Holman that the Policy and Services Committee request Staff bring back information regarding Binding Arbitration from other City's outside of Santa Clara County, outside of California, and continue the Binding Arbitration Item to June 7, 2011 meeting with a 6:00 PM start time.

MOTION PASSED 4-0

2. Recommendation to approve increase in the number of "flex" positions in the Fiscal Year 2012 Proposed Budget and adopt ordinance amending Chapter 2.28 of the Palo Alto Municipal Code to give the City Manager the authority to transfer funds between departments in the General Fund.

City Manager, James Keene stated Staff was going to be presenting a specific recommendation in a chain of items which Staff was beginning to identify regarding how things were accomplished in the organization.

Acting Human Resources Director, Sandra Blanch stated under the City Charter and the Municipal Code the City Manager had the authority to assign and re-assign employees to departments as he deemed appropriate. The challenges being referred to were under the current budgetary requirements where he was restricted from being able to actually make changes do to the Municipal Code requirement that Staffing comply with the budgeted positions within the Table of Organization. The list could be located toward the end of the budget book. It identified which positions were in each department and whether there was a Full Time Employee (FTE) allocated to that department. She noted the Council must approve in advance any transfer of funds between departments. The City Manager had the ability to hire an hourly employee with a limit of 1,000 hours with the provision there was a vacancy or a salary savings available, the Council had previously approved a secondary process where he could hire an At-Will provisional employee for up to two-years which was also limited to a department with a vacancy. Staff was asking to create additional flex positions to accommodate Staffing needs which currently existed in the Table of Organization; although, only for seven positions. Staff was recommending to increase the flex position numbers available to twenty.

Mr. Keene clarified if all of the flex positions were filled Staff had the ability to hire, essentially on a temporary basis.

Council Member Klein stated there remained an inability to increase the budget while increasing the number of flex positions.

Mr. Keene stated that was correct. He stated the issue at hand was the City appropriated by the department level rather than by the Fund. There was more flexibility to move items between departments when the appropriations were Fund based.

Ms. Blanch gave an example from the Human Resources department: under the Table of Organization there was a Manager of Employee Relations position which was a position the department had filled in 2009 with an FTE, since that time it had been zero. In anticipation of the current Council priorities, if it was determined there was additional support needed, the dilemma in return would be there was no funding available to Staff the position although it was an assigned position on the Table of Organization.

Chair Price asked whether the flex opportunity would apply to the positions outside of the Management Compensation group.

Ms. Blanch stated there was a potential for the availability of outside positions although there would need to be a meeting with the bargaining units to discuss that approach if the need arose.

Mr. Keene stated previously the Table of Organization would only house filled position, so if a position was vacant the job title was removed from the Table of Organization. If that position was needed during the year Staff would need to request the position be reinstated from Council. He had altered the process to maintain the positions on the list whether they were currently vacant or filled so the Table of Organization remained fully in tact.

Chair Price asked whether the Staffing for the High Speed Rail project came from the flex process.

Mr. Keene stated yes, the project was Staffed with 1,000 hour employees.

Ms. Blanch clarified the process to retrieve a position once it had fallen from the Table of Organization was approximately 60 days.

MOTION: Council Member Klein moved, seconded by Council Member Burt, that the Policy and Services Committee recommend to the full Council approval of the Staff recommendation to increase in the number of "flex" positions in the Fiscal Year 2012 Proposed Budget and adopt an Ordinance amending Chapter 2.28 of the Palo Alto

Municipal Code to give the City Manager the authority to transfer funds between departments in the General Fund.

Council Member Burt stated the recommendation was a reasonable balance and gave the City Manager some latitude to respond to issues mid-year although did not change the year-to-year Council parameters on priorities or budgeting and it also facilitated a better real-time reporting accountability.

Council Member Holman asked for the timeframe to allocate Staffing changes through the Council. She also asked if the repair to one department was to shift funds from another would then create an issue for that department.

Mr. Keene stated the situation would occur where Department A was short staffed with no available funding and Department B had three vacancies which were not projected to be filled. The City Manager could shift the funding for one of those vacancies to Department A. He stated there was a minimum of a four-week lead time to go through the process of requesting Council review for the requested transfer.

Council Member Holman asked for clarification on the text of the Staff Report where it read "a provisional employee hired under this section could be any City Manager position filled on an At-Will basis for up to two-years." She asked how that statement related to the Ordinance which was not as specific as the Staff Report language.

Ms. Blanch stated the proposed Ordinance in the Staff Report spoke specifically to the transfer of funds between departments.

Mr. Keene stated the concept behind the provisional employment was not necessarily to permanently add to the workforce or to create an expectation or entitlement on the part of the person brought in under those conditions.

Council Member Holman asked at what point the two-year limit on the position became a permanent position.

Mr. Keene stated any person entering into a limited position would be hired under a contract with specified terms of employment. He clarified if the City determined prior to the end of the term the position was a necessary position the City Manager would go to the Council and request the position be reinstated as a permanent full time position. If the term ended and the position needed to be extended, the City Manager would go to Council for their approval of extending the term of the contract.

Council Member Holman asked whether this process was for outside hires.

Mr. Keene stated yes.

Council Member Holman asked whether the two-year provisional employee was salaried and benefited or At-Will.

Mr. Keene stated there would be wages and benefits for the employee. The City had the flexibility to decide the amount of benefits provided.

Council Member Holman stated she looked toward the Ordinance to provide guidance on how the future generations would proceed and the language was not specific.

Ms. Blanch stated the Ordinance spoke of the transfer of funds between departments, the Compensation Plan, and it described what a provisional employee was.

Mr. Keene stated once the Policy & Services Committee recommends approval to the full Council and the Council adopted the Ordinance there would be two items in place; 1) the Management Compensation Plan would be amended to include the language of the provisional employment, and 2) the Municipal Code would be amended in order to allow for the changes.

Senior Deputy City Attorney, Melissa Tronquet stated the Management Compensation Plan had already been altered.

Council Member Holman stated she recalled the change made to the Management Compensation Plan although she did not feel the language identified the specific components she was looking for.

Ms. Tronquet stated there was a paragraph in the Management Compensation Plan with reference to the specifics.

Ms. Blanch provided a copy of page 24 of the Management Compensation Plan for review of the paragraph in question.

Mr. Keene stated the minor change was the additional thirteen flex positions and at the present time the City Manager did not have the authority to move the funds between departments.

Council Member Holman stated a citizen submitted a correspondence that this action would violate the City Charter.

Ms. Tronquet stated the action in question did not violate the City Charter. The Charter required the City Council to set the salaries which they did within the Management Compensation Plan.

Council Member Holman stated the City Manager had mentioned Staff would be reporting to the Council bi-annually. She asked where that information was written.

Assistant Director of Administrative Services for the City Manager, Rob Braulik stated the City Manager was to report to the Council during Mid-Year and during the budget period.

Council Member Holman asked where that information was indicated.

Mr. Keene stated it could be directed within the Motion that the City Manager would report to the Council twice per year with specified time periods.

Council Member Holman stated she preferred the direction was included in the Ordinance language.

Chair Price asked whether the detail of the City Manager returning to Council was noted in other existing documents.

Ms. Blanch stated internally there was a record of all transfers.

Council Member Holman stated she wanted to see it documented that on two specific intervals the City Manager would report to the Council what actions had taken place with respect to the transfer of funds and employees.

Mr. Keene stated if Council directed Staff to return with specific information on designated timeframes that would be a directive Staff would follow.

Council Member Klein called the question seconded by Council Member Burt.

CALL THE QUESTION PASSED: 4-0

MOTION PASSED: 3-1, Holman no

Council Member Holman requested the redlined version of the Ordinance be provided when Staff returns to full Council.

Future Meetings and Agendas:

JUNE 7

- Smoking Ordinance (City Managers Office)
- Policy & Procedures (City Attorney Office)
- Binding Arbitration Models and Options (Human Resources Office)

JUNE 14

- Discussion and Recommendation Regarding IPAD's for Council and Approval of a Policy (City Clerk's Office)
- Economic Development Strategic Plan Update (City Manager Office)
- Emerging Technologies Pilot and Demonstration Partnerships (City Manager's Office)
- Percent for Art Policy and Procedure (Community Services Department)

ADJOURNMENT: Meeting adjourned at 9:54 p.m.