The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:05 P.M.

Present: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Absent: DuBois

Closed Session

1. CONFERENCE WITH CITY ATTORNEY-POTENTIAL LITIGATION
Subject: Noise and Other Impacts Arising From Management of Aircraft in the Northern California Airspace, Including the STAR PIRAT TWO Procedure
Authority: Government Code Section 54956.9(d)(4)
(One Potential Case, as Plaintiff).

MOTION: Council Member Cormack moved, seconded by Mayor Filseth to go into Closed Session.

MOTION PASSED: 6-0 DuBois absent

Council went into Closed Session at 5:31 P.M.

Council returned from Closed Session at 7:35 P.M.

Mayor Filseth announced that the City Council decided not to initiate litigation against the Federal Aviation Administration.

Agenda Changes, Additions and Deletions

Ed Shikada, City Manager, removed the proposed Ordinance on Refuse Collection from Agenda Item Number 10.

Consent Calendar

MOTION: Council Member Kou moved, seconded by Council Member Tanaka, third by Council Member XXX pull Agenda Item Number 6, “Approval of an Agreement With Rincon Consultants...”.

MOTION FAILED DUE TO THE LACK OF A THIRD
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Council Member Kou registered a no vote on Agenda Item Number 6.

Council Member Tanaka registered a no vote on Agenda Item Number 6

MOTION: Council Member Kniss moved, seconded by Council Member Cormack to approve Agenda Item Numbers 2-9.

2. Approval of a One-year Contract Renewal With Oracle America, Inc., Contract Number C19174703 for Software Program Technical Support Services in the Amount of $119,570; and Approval and Authorization of the City Manager or his Designee to Approve up to a 10 Percent Contingency Amount Not-to-Exceed $11,957.


4. Approval of Amendment Number 5 to Agreement Number S0114750 With Peninsula Corridor Joint Powers Board for Shuttle Service Administration to Extend the Term of the Agreement for One-year for $132,400 for the Embarcadero Shuttle Route From July 2019 Until June 2020.

5. Approval of Three Contract Amendments for On-call Inspection and Plan Review Services With: (1) 4Leaf, Inc.; (2) SAFEbuilt; and (3) Shums Coda Associates to Increase the Combined Amount by $2,500,000 for a new Combined Amount Not-to-Exceed $10,200,000, and to Extend the Term Through June 30, 2020.

6. Approval of an Agreement With Rincon Consultants in the Amount of $143,452 for a Term of Seven Months for Environmental Analysis of the Cubberley Master Plan.

7. Policy and Services Committee Recommends the City Council Accept the Code Enforcement Audit.

8. Finance Committee Recommends the City Council Accept the Macias Gini & O'Connell's Audit of the City of Palo Alto's Financial Statements as of June 30, 2018 and Management Letter.

9. Ordinance 5468 Entitled “Ordinance of the Council of the City of Palo Alto to Amend the Contract Between the Board of Administration of the California Public Employees’ Retirement System (CalPERS) and the
ACTION MINUTES

City of Palo Alto to Implement the Share of Employer Contribution in Accordance With Section 20516 of the California Government Code and the Memorandum of Agreement Between the City of Palo Alto and Utilities Management and Professional Association of Palo Alto (UMPAPA) (FIRST READING: MAY 20, 2019 PASSED: 7-0).”

MOTION PASSED FOR AGENDA ITEM NUMBERS 2-5, 7-9:  6-0 DuBois absent

MOTION PASSED FOR AGENDA ITEM NUMBER 6:  4-2 Kou, Tanaka no, DuBois absent

Action Items

10. PUBLIC HEARING: Adoption of Three Ordinances Amending Title 5 (Health and Sanitation) of the Palo Alto Municipal Code to: 1) Establish new Disposable Foodware Requirements, Including Restrictions on the use of Plastic Straws, Cutlery, Stirrers, and Related Items, and Provision of Printed Receipts at Food Service Establishments; 2) Establish Regulations Related to Produce Bags at Retail Service Establishments; and 3) Require Deconstruction and Source Separation of Construction and Demolition Related Materials to Maximize Salvage and Reuse of Building Materials, and Increase Recycling and Diversion from Landfills; Adoption of a Resolution 9836 Entitled “Resolution of the Council of the City of Palo Alto to adopt a Negative Declaration for new Deconstruction Program Activities; and Finding the Disposable Foodware and Refuse Collection Ordinance to be Exempt Under California Environmental Quality Act (CEQA).

Public Hearing opened at 8:39 P.M.

Public Hearing closed at 9:13 P.M.

MOTION: Council Member Kniss moved, seconded by Mayor Filseth to:

A. With respect to a proposed Ordinance for Disposable Foodware and Produce Bags (Disposable Foodware Ordinance):
   i. Find the Ordinance is exempt from California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Sections 15061(b)(3), 15307 and 15308; and
   ii. Adopt an Ordinance amending Chapters 5.30 and 5.35 of Title 5 of the Palo Alto Municipal Code, to: (1) regulate the use of disposable foodware, including restricting the use of plastic
straws, cutlery, beverage plugs, stirrers and other accoutrements, and the provision of printed receipts at food service establishments; and (2) restrict the use of plastic produce and meat bags at retail service establishments including grocery stores and farmers markets

AMENDMENT: Council Member Cormack moved, seconded by Council Member XX to add to the Motion Part A. ii., “charge for non-reusable cups and containers and require reusable foodware for dine-in.”

AMENDMENT WITHDRAWN BY THE MAKER

AMENDMENT: Council Member Tanaka moved, seconded by Council Member XX to change the provision regarding receipts to, “Require businesses to offer whether or not a customer would like a receipt”.

AMENDMENT WITHDRAWN BY THE MAKER

MOTION PASSED: 6-0 DuBois absent

MOTION: Council Member Kniss moved, seconded by Council Member Cormack to:

A. With respect to a proposed Ordinance for Deconstruction and Construction Materials Management (Deconstruction Ordinance):

   i. Adopt a Resolution adopting the Negative Declaration for the Ordinance for Deconstruction and Construction Materials Management as adequate and complete under the CEQA; and

   ii. Adopt an Ordinance replacing Chapter 5.24 with a new Chapter 5.24 to Title 5 of the Palo Alto Municipal Code, to establish deconstruction and construction materials management requirements for demolition projects.

MOTION PASSED: 6-0 DuBois absent

Council took a break at 10:05 P.M. and returned at 10:11 P.M.

11. Colleagues’ Memo on Safe Parking at the Los Altos Water Treatment Plant Located on 1275 San Antonio Road.

MOTION: Council Member Kou moved, seconded by Mayor Filseth to refer this item to Policy and Services and/or create a sub-committee or task force to craft program details to bring back to Council. Such a program should include elements such as:
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A. Identify and determine interest in expanding vehicle dwelling management and transition services with local area nonprofits such as Project WeHope, Samaritan House, Life Moves, and Abode Services, who can partner with the city to manage a Vehicle Dweller program;

B. Identify large commercial lots that could be used for a managed overnight program such as on Bayshore and in the Research Park and a plan to reach out to property owners;

C. Seed the program using city-owned land located at 2000 Geng Road, and/or other potential sites. Explore bathroom construction and/or portable bathroom/shower services on identified Palo Alto city sites;

D. Engage the County of Santa Clara to explore funding assistance and for additional programs to support enabling individuals to find employment and housing; and

E. Direct Staff to propose additional steps to distinguish between high and low-income individuals and manage parking on streets once managed spots are available for low income individuals.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from the Motion, “…and/or create a sub-committee or task force…”

AMENDMENT: Council Member Cormack moved, seconded by Vice Mayor Fine to delete Part E from the Motion.

AMENDMENT PASSED: 4-2 Kou, Tanaka no, Dubois absent

AMENDMENT: Council Member Tanaka moved, seconded by Council Member XX to amend the Motion to state “…refer this item to the Human Relations Commission and Planning and Transportation Commission prior to the Policy and Services Committee…”

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

MOTION AS AMENDED: Council Member Kou moved, seconded by Mayor Filseth to refer this item to the Policy and Services Committee to craft program details to bring back to Council. Such a program should include elements such as:

A. Identify and determine interest in expanding vehicle dwelling management and transition services with local area nonprofits such as Project WeHope, Samaritan House, Life Moves, and Abode Services, who can partner with the city to manage a Vehicle Dweller program;
ACTION MINUTES

B. Identify large commercial lots that could be used for a managed overnight program such as on Bayshore and in the Research Park and a plan to reach out to property owners;

C. Seed the program using city-owned land located at 2000 Geng Road, and/or other potential sites. Explore bathroom construction and/or portable bathroom/shower services on identified Palo Alto city sites;

D. Engage the County of Santa Clara to explore funding assistance and for additional programs to support enabling individuals to find employment and housing.

MOTION AS AMENDED PASSED: 5-1 Tanaka no, DuBois absent

State/Federal Legislation Update/Action

None

Adjournment: The meeting was adjourned at 11:04 P.M.