



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting  
February 10, 2020

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:03 P.M.

Present: Cormack, DuBois; Filseth arrived at 6:05 P.M., Fine, Kniss, Kou, Tanaka

Absent:

## Special Orders of the Day

1. Proclamation Honoring the 100th Anniversary of the League of Women Voters of Palo Alto.

## **NO ACTION TAKEN.**

- ~~2. Recognition of the Firefighters who Responded to the Sonoma County and Ventura County Fires in 2019.~~

## Closed Session

3. CONFERENCE WITH CITY ATTORNEY-EXISTING LITIGATION  
Subject: ABG-PACT Owner v. City of Palo Alto et al.  
Santa Clara County Superior Court, Case No. 19cv352355  
Authority: Government Code Section 54956.9 (d)(1).
4. CONFERENCE WITH CITY ATTORNEY-EXISTING LITIGATION  
Subject: Written Liability Claim Against the City of Palo Alto  
By Julio Arevalo (Claim No. C19-0112)  
Authority: Government Code Section 54956.9 (e)(3).

**MOTION:** Council Member Kniss moved, seconded by Council Member Filseth to go into Closed Session.

**MOTION PASSED:** 7-0

Council went into Closed Session at 6:29 P.M.

Council returned from Closed Session at 7:58 P.M.

Mayor Fine announced no reportable action.

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## Agenda Changes, Additions and Deletions

Agenda Item Number 2 was removed from the Agenda.

## Minutes Approval

5. Approval of Action Minutes for the January 27, 2020 Council Meeting.

**MOTION:** Council Member Cormack moved, seconded by Mayor Fine to approve the Action Minutes for the January 27, 2020 Council Meeting.

**MOTION PASSED:** 7-0

## Consent Calendar

**MOTION:** Council Member Cormack moved, seconded by Vice Mayor DuBois to approve Agenda Item Numbers 6-9.

6. Approval of two Professional Services Agreements for On-call Construction Inspection Services for Water, Gas, Wastewater Collection, and Electric Utility Capital Improvement Projects With: 1) 4Leaf, Inc. (C20176888A) for a Not-to-Exceed Amount of \$2,000,000; and 2) Park Engineering, Inc. (C20176888B) for a Not-to-Exceed Amount of \$1,000,000, for a Total Not-to-Exceed Amount of \$3,000,000 for up to Five Years.
7. Approval of Amendment Number 2 to Contract Number S16163447 With Brad Horak Consulting for Public Safety Network and Wireless Consulting Services to Increase the Amount by \$40,000 for a new Not-to-Exceed Amount of \$140,000.
8. Adoption of an Ordinance Dedicating 0.64 Acres of Land Adjacent to 3350 Birch Street to Become Part of Boulware Park.
9. Resolution 9879 Entitled, "Resolution of the Council of the City of Palo Alto Amending the Administrative Penalty Schedule to add Penalties Related to Planned Community (PC) Ordinance Number 5069/Title 18 (Zoning)."

**MOTION PASSED:** 7-0

## Action Items

10. TEFRA HEARING, Regarding Conduit Financing for Palo Alto Housing Corporation, on Behalf of the Wilton ECR, L.P. Project Located at 3703-3709 El Camino Real, Palo Alto; and Resolution 9880 Entitled,

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“Resolution of the Council of the City of Palo Alto Approving the Issuance of Revenue Bonds by the California Municipal Finance Authority for the Purpose of Financing the Acquisition, Development, Construction and Equipping of a 59-unit Multifamily Rental Housing Facility for Low-income Households and Other Matters Relating Thereto.”

TEFRA Hearing opened at 8:23 P.M.

TEFRA Hearing closed at 8:25 P.M.

**MOTION:** Vice Mayor DuBois moved, seconded by Council Member Cormack to adopt the Resolution approving the issuance of the bonds by the California Municipal Finance Authority for the benefit of Wilton ECR, L.P.

**MOTION PASSED:** 7-0

11. Council Appointed Officers’ Committee Recommendation That Council Discuss and Accept the Report “Internal Auditing Practices: City of Palo Alto Relative to Industry Practices” and Provide Direction on Next Steps (Continued From January 21, 2020).

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

- A. Accept the report; and
- B. Direct the Mayor to appoint an Ad Hoc Committee to fill the City Auditor function which would allow consideration of firms.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to amend Motion Part B to state, “...to assign the CAO Committee to develop a specification for...”.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to amend Motion Part B to state, “... City Auditor Function which would focus on consideration of firms”.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part B, “to be completed within 90 days”.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part B, “...to develop and issue a specification...”.

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**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to Motion Part B, "...and return to Council with responses".

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "With an understanding that the scope of work will include a city-wide risk assessment". (New Part C)

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "The CAO Committee will discuss the exact array and focus of auditing services". (New Part D)

**MOTION AS AMENDED RESTATED:** Council Member Filseth moved, seconded by Council Member Kniss to:

- A. Accept the report; and
- B. Direct the Mayor to assign the CAO Committee to develop and issue a specification for the City Auditor function which would focus on consideration of firms, to be completed within 90 days and return to council with responses; and
- C. With an understanding that the scope of work will include a city-wide risk assessment; and
- D. The CAO Committee will discuss the exact array and focus of auditing services.

**MOTION AS AMENDED PASSED:** 7-0

Council took a break from 9:38 P.M. and returned at 9:45 P.M.

- 12. Review the Preferred Alternative Concept Plan for San Antonio Road and East Charleston Road Intersection and Direct Staff to Initiate and Complete Final Design Plans, Environmental Analysis, Specifications and Estimates for Construction.

**MOTION:** Vice Mayor DuBois moved, seconded by Council Member Cormack to approve Concept Plan D as the preferred alternative for San Antonio Road and East Charleston Road intersection and direct Staff to initiate and complete final design plans, environmental analysis, specifications and estimates for construction.

**MOTION PASSED:** 7-0

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13. Resolution 9881 Entitled, "Resolution of the Council of the City of Palo Alto Scheduling the City Council Summer Break and Winter Closure for 2020."

**MOTION:** Mayor Fine moved, seconded by Vice Mayor DuBois to adopt the Resolution scheduling the City Council 2020 Summer Break and Winter Closure.

**MOTION PASSED:** 7-0

Adjournment: The meeting was adjourned at 10:30 P.M.