City Council

Monday, January 27, 2020
Special Meeting
Council Chambers
6:00 PM

Agenda posted according to PAMC Section 2.04.070. Supporting materials are available in the Council Chambers on the Thursday 11 days preceding the meeting.

PUBLIC COMMENT
Members of the public may speak to agendized items; up to three minutes per speaker, to be determined by the presiding officer. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located on the table at the entrance to the Council Chambers, and deliver it to the City Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Council, but it is very helpful. Public comment may be addressed to the full City Council via email at City.Council@cityofpaloalto.org.

TIME ESTIMATES
Time estimates are provided as part of the Council’s effort to manage its time at Council meetings. Listed times are estimates only and are subject to change at any time, including while the meeting is in progress. The Council reserves the right to use more or less time on any item, to change the order of items and/or to continue items to another meeting. Particular items may be heard before or after the time estimated on the agenda. This may occur in order to best manage the time at a meeting or to adapt to the participation of the public. To ensure participation in a particular item, we suggest arriving at the beginning of the meeting and remaining until the item is called.

HEARINGS REQUIRED BY LAW
Applicants and/or appellants may have up to ten minutes at the outset of the public discussion to make their remarks and up to three minutes for concluding remarks after other members of the public have spoken.

Call to Order

Closed Session 6:00-7:00 PM
Public Comments: Members of the public may speak to the Closed Session item(s); three minutes per speaker.

1. CONFERENCE WITH CITY ATTORNEY-POTENTIAL LITIGATION
   Subject: Implementation of California Assembly Bill 5 Effective January 1, 2020, Regarding Worker Classification
   Authority: Potential Exposure to Litigation Under Government Code Section 54956.9(d)(2) (Multiple Potential Cases, as Defendant)

Agenda Changes, Additions and Deletions

Oral Communications 7:00-7:15 PM
Members of the public may speak to any item NOT on the agenda. Council reserves the right to limit the duration of Oral Communications period to 30 minutes.

Minutes Approval 7:15-7:20 PM

2. Approval of Action Minutes for the January 13, 2020 Council Meeting
Consent Calendar

7:20-7:25 PM

Items will be voted on in one motion unless removed from the calendar by three Council Members.

3. QUASI-JUDICIAL: Deny Appeal by Crown Castle and Uphold the Director's Decisions to Deny Wireless Communication Facilities on Wood Utility Poles in the Public Right of Way (For Lease to Verizon, Known as Crown Castle Cluster 3) in six Locations Within the Downtown North Neighborhood [File 17PLN-00450], Zoned Public Facilities. Locations are Adjacent to These Zones/Addresses: RM-30 (205 Everett/251 Emerson, 243 Hawthorne, and 258 Waverley); RM-D (NP) (482 Everett and 301 Bryant); RM-15 (201 High). The Project is Exempt From the Provisions of the California Environmental Quality Act (CEQA) in Accordance With Public Resources Code Section 21080

4. Review and Acceptance of the Annual Status Report on Development Impact Fees for Fiscal Year 2019

5. Finance Committee Recommends the City Council: 1) Approve the Fiscal Year (FY) 2019 Comprehensive Annual Financial Report (CAFR); 2) Approve Amendments to the FY 2019 Budget in Various Funds; 3) Approve Recommended use of Excess General Fund Budget Stabilization Reserve Funds; and 4) Accept Macias Gini and O'Connell's Audit of the City of Palo Alto's Financial Statements as of June 30, 2019, and Management Letter

6. Adoption of a Resolution for the City of Palo Alto to Participate With the City of Sunnyvale in the Planning and Development of Cost Estimates for Potential Future use of the Sunnyvale Materials Recovery and Transfer Station (SMaRT Station) for Processing Solid Waste

7. Policy and Services Committee and Staff Recommend the City Council Accept the Status Updates of the Audits of: 1) Citywide Cash Handling and Travel Expense; 2) Cable Franchise and Public Education and Government (PEG) Access Fees; 3) Continuous Monitoring: Overtime; and 4) Continuous Monitoring: Payments

8. Authorization to Amend the Existing Legal Service Agreement With the Law Firm of Colantuono, Highsmith & Whatley, PC (Contract S17167696) to Increase the Contract Amount by an Additional $125,000, Bringing the new Not-to-Exceed Amount of the Contract to $295,000, and Increase the Term by one Year; and to Approve a Budget Amendment in the General Fund

9. Authorization to Increase the Existing Legal Services Agreement (Contract S18170470) With Meyers Nave, a Professional Law

Q&A
10. Authorization to Amend the Existing Agreement for Litigation Defense Services With the Law Firm of Jarvis, Fay & Gibson (Contract S15159508) to Increase the Contract Amount by an Additional $125,000 for a Total Not-to-Exceed Amount of $820,000; and Approve a Budget Amendment in the General Fund

City Manager Comments

11. City Manager’s Year in Review

Action Items

12. Staff Update and Council Consideration Regarding Polling Results, Analysis, and Public Outreach and Potential Direction Regarding a Possible Local Tax Ballot Measure for the 2020 Election

13. Approval of: 1) Agreement Between the City of Palo Alto Representing the Cable Joint Powers and Midpeninsula Community Media Center, Inc. for Public, Education, and Government Access (PEG) Channel Support Services; 2) Memorandum of Understanding (MOU) Between the Cable Joint Powers Covering the use of PEG Fees; 3) Contribution Agreement With Midpeninsula Community Media Center, Inc. in the Amount of $511,536, Equivalent to PEG Fees Used for Council Chambers Upgrade Project; and 4) Amendment to the Fiscal Year 2020 Budget Appropriation in the Technology Fund

Council Member Questions, Comments and Announcements
Members of the public may not speak to the item(s)

Adjournment

AMERICANS WITH DISABILITY ACT (ADA)
Persons with disabilities who require auxiliary aids or services in using City facilities, services or programs or who would like information on the City’s compliance with the Americans with Disabilities Act (ADA) of 1990, may contact (650) 329-2550 (Voice) 24 hours in advance.
Additional Information

Schedule of Meetings

Tentative Agenda

Informational Report

Report on Surplus Property Donated to Nonprofit Organizations

Public Letters to Council

Set 1