



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
December 16, 2019

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:01 P.M.

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

Absent:

Closed Session

1. CONFERENCE WITH CITY ATTORNEY-POTENTIAL LITIGATION
Subject: California Department of Labor Standards and Enforcement
Complaint Filed by Yuki Matsuura (DLSE Case No. RCI-CM-609984)
Authority: Potential Exposure to Litigation Under Government
Code Section 54956.9(d)(2) (One Potential Case, as Defendant).

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

MOTION PASSED: 7-0

Council went into Closed Session at 5:03 P.M.

Council returned from Closed Session at 6:27 P.M.

MOTION: Vice Mayor Fine moved, seconded by Council Member Cormack to continue Agenda Item Number 2, "Appointment of Three Candidates to the Historic Resources ..." to the next meeting.

MOTION PASSED: 5-0 Kniss, Kou absent

Special Orders of the Day

- ~~2. Appointment of Three Candidates to the Historic Resources Board and Four Candidates to the Parks and Recreation Commission for Three-year Terms Ending December 15, 2022; and one Candidate to the Planning and Transportation Commission for a Four-year Term Ending December 15, 2023.~~

AT THIS TIME COUNCIL WILL CONVENE TO A REGULAR MEETING

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MONDAY, DECEMBER 16, 2019

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:29 P.M.

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

Library Advisory Commission: Chang, Hagan, Moss, Vice Chair Murphy, Chair Wilson

Absent:

Special Orders of the Day

- A. Appointment of Three Candidates to the Historic Resources Board and Four Candidates to the Parks and Recreation Commission for Three-year Terms Ending December 15, 2022; and one Candidate to the Planning and Transportation Commission for a Four-year Term Ending December 15, 2023.

First Round of voting for three positions on the Historic Resources Board with terms ending December 15, 2022.

Voting For: David Bower Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Voting For: Valerie Driscoll Tanaka

Voting For: Christian Pease Cormack, DuBois, Filseth, Fine, Kniss, Kou,

Voting For: Deborah Shepherd Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Beth Minor, City Clerk announced that David Bower with 7 votes, Deborah Shephard with 7 votes, and Christian Pease with 6 votes were appointed to the Historic Resources Board.

First Round of voting for four positions on the Parks and Recreation Commission with terms ending December 15, 2022.

Voting For: Adrienne Chang

Voting For: Jeff LaMere Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

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Voting For: Ryan McCauley Cormack, Fine, Kniss, Tanaka

Voting For: Jackie Olsen Cormack, DuBois, Filseth, Fine, Kniss, Kou,

Voting For: Keith Reckdahl Cormack, DuBois, Filseth, Fine, Kniss, Kou,
Tanaka

Voting For: Mark Robinson

Voting For: Curtis Smolar Tanaka

Voting For: Brent Yamashita DuBois, Filseth, Kou

Beth Minor, City Clerk announced that Jeff LaMere with 7 votes, Keith Reckdahl with 7 votes, Jackie Olson with 6 votes, and Ryan McCauley with 4 votes were appointed to the Parks and Recreation Commission.

First Round of voting for one position on the Planning and Transportation Commission with a term ending December 15, 2023.

Voting For: Doug Burns

Voting For: Rebecca Eisenberg

Voting For: Angela Evans Kniss

Voting For: Barton Hechtman Cormack, Fine, Tanaka

Voting For: Karl Matzke

Voting For: Randolph Tsien

Voting For: Asher Waldfogel DuBois, Filseth, Kou

Voting For: Christopher Kan

Second Round of voting for one position on the Planning and Transportation Commission with a term ending December 15, 2023.

Voting For: Doug Burns

Voting For: Rebecca Eisenberg

Voting For: Angela Evans

Voting For: Barton Hechtman Cormack, Fine, Kniss, Tanaka

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Voting For: Karl Matzke

Voting For: Randolph Tsien

Voting For: Asher Waldfogel DuBois, Filseth, Tanaka

Voting For: Christopher Kan

Beth Minor, City Clerk announced that Barton Hechtman with 4 votes was appointed to the Planning and Transportation Commission.

Study Session

3. Library Advisory Commission Study Session.

NO ACTION TAKEN

Agenda Changes, Additions and Deletions

Mayor Filseth announced City Manager Comments will be heard after the Consent Calendar.

Minutes Approval

4. Approval of Action Minutes for the December 2, 2019 Council Meeting.

MOTION: Mayor Filseth moved, seconded by Council Member Cormack to approve the Action Minutes for the December 2, 2019 Council Meeting.

MOTION PASSED: 7-0

Consent Calendar

Council Member Kou registered a no vote on Agenda Item Number 13A.

Council Member Tanaka registered a no vote on Agenda Item Numbers 5 and 9.

MOTION: Council Member Cormack moved, seconded by Mayor Filseth to approve Agenda Item Numbers 5-13A.

5. Approval of Amendment Number 3 to Contract Number C17166284 With Forsys, Inc. for On-call SAP Project Support Services; and Amendment Number 2 to Contract Number C17166285 With Forsys, Inc. for On-call IT Project Support Services, Each to Extend the Term Through March 31, 2020 With an Optional Extension to June 30, 2020.

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6. Approval of Amendment Number 1 to Contract Number S19174467 With Buildingeye to add \$179,250 for a Not-to-Exceed Amount of \$229,250 and Extend the Contract for Three-years to Provide Visualization of Data for Building Permits, Planning Entitlements, and Code Enforcement Activities; and Approval of an Exemption From Solicitation.
7. Approval of a Three-year Contract With North American Youth Athletics, LLC in the Amount of \$285,000 for Soccer Classes and Camps.
8. Approval of Contract Number C20174897 With Transmetro for the Operation of the Existing Palo Alto Crosstown Shuttle Service With Total Compensation Not-to-Exceed \$1,139,347.50 Over a Three-year Term.
9. Approval of the Following Contract Amendments for the City's Fair Value Commuting Project in Cooperation With the Federal Transit Administration: 1) Amendment Number 2 to Contract Number C19173096 With Prospect Silicon Valley to Extend the Term Through April 30, 2020 and Increase the Contract Limit by \$26,000 to an Amount Not-to-Exceed \$251,000; 2) Amendment Number 3 to Contract Number S17166237 With Hillary M. Rupert to Extend the Term Through May 31, 2020 and Increase the Contract Limit by \$55,000 to an Amount Not-to-Exceed \$327,200; and 3) Amendment Number 1 to Contract Number C19173099 With RideAmigos to Extend the Term Through March 31, 2020 and Increase the Contract Limit by \$10,500 to an Amount Not-to-Exceed \$160,850.
10. Approval of Amendment Number 4 to Contract Number C12142180 Between the City of Palo Alto (on Behalf of the Joint Powers Board) and Midpeninsula Community Media Center, Inc. for Public, Education, and Government (PEG) Access Channel Support Services to Extend the Term to June 30, 2020.
11. Resolution 9872 Entitled, "Resolution of the Council of the City of Palo Alto to Update the Municipal Penalty Schedule to Reflect the Re-numbered Fire Code."
12. Approval of the City/School Liaison Committee Purpose Statement.
13. Approval of Amendment Number 2 to Contract Number C16161182 With Freytag & Associates to Extend the Term of the Agreement to October 31, 2020 With no Additional Cost to the City for Professional Services Related to Airplane Noise Assessment and Mitigation.
- 13A. Approval of the Letter to Senator Hill and Assemblymember Berman Regarding the FASTER Program Proposal.

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MOTION PASSED FOR AGENDA ITEM NUMBERS 5, 9: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBERS 6-8, 10-13: 7-0

MOTION PASSED FOR AGENDA ITEM NUMBER 13A: 6-1 Kou no

Council took a break at 8:02 P.M. and returned at 8:11 P.M.

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14. PUBLIC HEARING: Adoption of a Resolution 9873 Entitled, "Resolution of the Council of the City of Palo Alto Amending Objective Standards for Wireless Communication Facilities (WCF) in the Public Rights of Way to Clarify Existing Standards and add new Standards Regarding the Prioritization, Placement, Location, and Design Criteria."

Public Hearing opened at 8:24 P.M.

Public Hearing closed at 9:06 P.M.

MOTION: Council Member Kniss moved, seconded by Council Member DuBois to adopt a Resolution amending the objective standards for Wireless Communication Facilities (WCF) attached to streetlight poles and wood utility poles in the public rights of way.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion "direct Staff to consider noise as a potential addition to future revisions of the Ordinance."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion "direct Staff to study the option for underground design to be mandated in residential districts with exceptions, and return to Council with findings."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion "direct Staff to obtain information regarding the State of Oregon's SB 283 and return to Council for further discussion."

MOTION AS AMENDED: Council Member Kniss moved, seconded by Council Member DuBois to:

- A. Adopt a Resolution amending the objective standards for Wireless Communication Facilities (WCF) attached to streetlight poles and wood utility poles in the public rights of way;

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- B. Direct Staff to consider noise as a potential addition to future revisions of the Ordinance;
- C. Direct Staff to study the option for underground design to be mandated in residential districts with exceptions, and return to Council with findings; and
- D. Direct Staff to obtain information regarding the State of Oregon's SB 283 and return to Council for further discussion.

SUBSTITUTE MOTION: Vice Mayor Fine moved, seconded by Council Member Cormack to adopt a Resolution amending the objective standards for Wireless Communication Facilities (WCF) attached to streetlight poles and wood utility poles in the public rights of way.

SUBSTITUTE MOTION FAILED: 2-5 Cormack, Fine yes

MOTION AS AMENDED PASSED: 6-1 Fine no

- 15. PUBLIC HEARING / QUASI-JUDICIAL: 4115 El Camino Real [18PLN-00238]: Approval of a one lot Tentative Map to Divide an Existing 0.36 Acre Parcel Into Seven Residential Condominiums, and two Commercial, and two Office Condominiums. Environmental Assessment: Mitigated Negative Declaration Adopted by the Director of Planning and Development Services on January 7, 2019. Zoning District: CN (Neighborhood Commercial).

Public Hearing opened and closed without public hearing at 10:10 P.M.

MOTION: Council Member Cormack moved, seconded by Council Member Kniss to approve the Tentative Map for nine condominium units and adopt the Record of Land Use Action.

MOTION PASSED: 7-0

- 16. Approval of a Contract With the OIR Group in the Amount of \$75,000 for Independent Police Auditing Services for a Three-year Period.

MOTION: Vice Mayor Fine moved, seconded by Council Member Kniss to:

- A. Approve and authorize the City Clerk to execute a contract with the OIR Group in the amount of \$75,000 for independent police auditing services for a three-year period; and
- B. Direct the City Manager to work with Police Chief on supplemental reporting by February 2020 on personnel matters not reviewed by

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contractor and enhanced public awareness and clarity on how complaints can be made and are handled.

MOTION PASSED: 7-0

17. Approval of Annual Amendments to the Employment Agreements Between the City of Palo Alto and Council Appointed Officers and Authorization to Purchase Real Property in Accordance with City Manager Employment Agreement.

MOTION: Council Member DuBois moved, seconded by Council Member Kniss to approve and authorize the Mayor to execute the following contract amendments for Council Approved Officers:

- A. Amendment Number Seven to Employment Agreement between the City of Palo Alto and Molly S. Stump;
- B. Amendment Number Five to Employment Agreement between the City of Palo Alto and Beth D. Minor;
- C. Amendment Number One to Employment Agreement between the City of Palo Alto and Ed Shikada; and
- D. Authorize the Chief Financial Officer to take all action necessary to execute the purchase of property in accordance with Section 7 of the employment agreement with Ed Shikada.

MOTION PASSED: 6-1 Tanaka no

State/Federal Legislation Update/Action

None.

Adjournment: The meeting was adjourned at 11:41 P.M.