



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting  
August 3, 2020

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

Participating Remotely: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Absent:

## Closed Session

1. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION  
Santa Clara County Superior Court, Case No. 16CV300760  
(One Case, as Defendant) –Miriam Green v. City of Palo Alto  
Authority: Government Code Section 54956.9(d)(1).

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

**MOTION PASSED:** 7-0

Council went into Closed Session at 5:04 P.M.

Council returned from Closed Session at 5:36 P.M.

Mayor Fine announced no reportable action.

## Study Session

2. City Council Discussion of Procedures for Virtual Council Meetings.

**NO ACTION TAKEN**

## Minutes Approval

3. Approval of Action Minutes for the May 26, June 15, 16, 17, 22 and 23, 2020 City Council Meetings.

**MOTION:** Council Member Kniss moved, seconded by Mayor Fine to approve the Action Minutes for the May 26, June 15, 16, 17, 22 and 23, 2020 City Council Meetings.

# ACTION MINUTES

**MOTION PASSED:** 7-0

## Consent Calendar

**MOTION:** Council Member Cormack moved, seconded by Mayor Fine, third by Council Member Kou to pull Agenda Item Number 9 to be heard on August 10, 2020 Action Calendar.

Council Member Kniss registered a no vote on Agenda Item Number 7.

Vice Mayor DuBois registered a no vote on Agenda Item Number 7.

Mayor Fine registered a no vote on Agenda Item Number 7.

Council Member Kou registered a no vote on Agenda Item Number 8.

Council Member Tanaka registered a no vote on Agenda Item Number 8.

**MOTION:** Mayor Fine moved, seconded by Council Member Cormack to approve Agenda Item Numbers 4, 6-8.

4. Approve and Authorize the City Manager or Designee to Execute Contract Number C20176772 With Burns & McDonnell in an Amount Not-to-Exceed \$690,000 for the 60kV Breaker Replacement Design/Build Implementation, Capital Improvement Project EL-17002; and Authorization to Negotiate and Execute Related Change Orders in the Amount of \$103,500, for a Total Not-to-Exceed Amount of \$793,500.
5. ~~Approve and Authorize the City Manager or Designee to Execute the Following Utilities Communication, Graphic Design and Marketing Services Contracts in a Combined Not-to-Exceed Amount of \$200,000 Annually and a Combined Not-to-Exceed Amount of \$1,000,000 Over a Five-year Term: A) Eric Goldsberry Art Direction, C20176172A; B) Marketing for Change, C20176172B; and C) Underground Advertising, C20176172C; Finding of California Environmental Quality Act (CEQA) Exemption~~ **THIS ITEM REMOVED FROM AGENDA.**
6. QUASI-JUDICIAL. 3000 Alexis Drive [19PLN-00304]: Approval of the Record of Land Use Action (RLUA) Approving the Proposed Project, and Site and Design Review Application for the Palo Alto Hills Golf and Country Club to Renovate the 18-hole Golf Course. Environmental Assessment: Exempt From CEQA Pursuant to Guidelines Section 15304 (Minor Alterations to Land) Zoning District: OS (Open Space).

# ACTION MINUTES

7. Adoption of Amendments to the City of Palo Alto Tobacco Retailer Permit Ordinance 5502 Entitled, "Ordinance of the Council of the City of Palo Alto (PAMC Chapter 4.64) to Further Restrict Electronic Cigarette Products and Flavored Tobacco Products (FIRST READING: June 16, 2020 PASSED: 4-3 DuBois, Fine, Kniss no)."
8. Ordinance 5503 Entitled, "Ordinance of the Council of the City of Palo Alto to Reduce the Number of Human Relations Commission and Public Art Commission Members From Seven to Five (FIRST READING: June 22, 2020 PASSED: 5-2 Kou, Tanaka no)."
9. Selection of Applicants to Interview for one Position on the Human Relations Commission and two Positions on the Public Art Commission.

**MOTION FOR AGENDA ITEM NUMBER 4 PASSED: 7-0**

**MOTION FOR AGENDA ITEM NUMBER 6 PASSED: 7-0**

**MOTION FOR AGENDA ITEM NUMBER 7 PASSED: 4-3 DuBois, Fine, Kniss no**

**MOTION FOR AGENDA ITEM NUMBER 8 PASSED: 5-2 Kou, Tanaka no**

Council took a break at 6:59 P.M. and returned at 7:12 P.M.

## Action Items

10. Discussion of the Parks and Recreation Commission's Pilot Program to Increase Access to Foothills Park for Non-residents and Provide Direction to Staff (Continued From June 23, 2020).

Council took a break at 9:09 P.M. and returned at 9:16 P.M.

**MOTION:** Council Member Cormack moved, seconded by Mayor Fine to direct Staff to return with an Ordinance to amend the Municipal Code to allow non-residents to access Foothills Park under a pilot plan and a Resolution to define the pilot plan itself.

**SUBSTITUTE MOTION:** Council Member Kou moved, seconded by Council Member Tanaka to:

- A. Direct Staff to bring this item to the Council in 2022 for a possible ballot measure;
- B. Rename Foothills Park to Foothills Nature Preserve; and

# ACTION MINUTES

C. Change the fine from a misdemeanor to an infraction.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Substitute Motion, “move forward with the pilot program for the following year, assess measurable points such as cost, and use that data for a possible ballot measure in 2022” (New Part D) and “ensure the pilot program remains revenue neutral.” (New Part E)

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to change Substitute Motion, Part D to read, “...starting in the Fall of 2020 or Winter of 2021...”

**SUBSTITUTE MOTION AS AMENDED:** Council Member Kou moved, seconded by Council Member Tanaka to:

- A. Direct Staff to bring this item to the Council in 2022 for a possible ballot measure;
- B. Rename Foothills Park to Foothills Nature Preserve;
- C. Change the fine from a misdemeanor to an infraction;
- D. Move forward with the pilot program starting in the Fall of 2020 or Winter of 2021, assess measurable points such as cost, and use that data for a possible ballot measure in 2022; and
- E. Ensure the pilot program remains revenue neutral.

**SUBSTITUTE MOTION AS AMENDED PASSED:** 5-2 Cormack, Fine no

- 11. Update and Discussion on Plan Bay Area 2050 Draft Blueprint and the Regional Housing Needs Allocation Process; and Direction to Staff to Prepare Comment Letters on These Regional Efforts.

**MOTION:** Mayor Fine moved, seconded by Vice Mayor DuBois to:

- A. Authorize the Mayor to sign a letter reflecting City Council comments on the Plan Bay Area 2050 Draft Blueprint; and
- B. Schedule a discussion to submit a comment letter to ABAG/MTC’s Housing Methodology Committee reflecting City Council initial comments regarding the Regional Housing Needs Allocation (RHNA) methodology options that are under consideration.

**MOTION PASSED:** 7-0

# ACTION MINUTES

12. Discussion and Direction Regarding Potential Placement of a CalTrain 1/8-cent Sales Tax Measure on the November 3, 2020 Ballot.

**MOTION:** Council Member Kniss moved, seconded by Mayor Fine to send a letter requesting that the Santa Clara County Board of Supervisors support placing a Caltrain 1/8-cent sales tax measure on the November 2020 ballot, and to support future efforts to work with other jurisdictions on the governance issue.

**MOTION PASSED:** 7-0

Adjournment: The meeting was adjourned at 12:41 A.M. in memory of former Council Member Grant Spaeth and in honor of civil-rights champion and U.S. Representative John Lewis.