



CITY COUNCIL ACTION MINUTES

Special Meeting
January 11, 2021

The City Council of the City of Palo Alto met on this date in virtual teleconference at 5:04 P.M.

Participating Remotely: Burt, Cormack, DuBois, Filseth, Kou, Stone, Tanaka

Absent:

Agenda Changes, Additions and Deletions

None.

Minutes Approval

1. Approval of Action Minutes for the November 30, December 14, and December 23, 2020 City Council Meetings.

MOTION: Council Member Cormack moved, seconded by Council Member Kou to approve the Action Minutes for the November 30, December 14, and December 23, 2020 City Council Meetings.

MOTION PASSED: 7-0

Consent Calendar

MOTION: Council Member Stone moved, seconded by Council Member Kou, third by Vice Mayor Burt, fourth by Mayor DuBois to pull Agenda Item Number 5 to be heard on a date uncertain.

Council Member Tanaka registered a no vote on Agenda Item Numbers 2 and 4.

MOTION: Mayor DuBois moved, seconded by Vice Mayor Burt to approve Agenda Item Numbers 2-4.

2. Approval of a Purchase Order With Altec Industries in an Amount Not-to-Exceed \$633,866 for the Purchase of two 2022 DH50 Hydraulic Digger Derrick Rear Mount Crane Trucks, Utilizing a Cooperative Purchasing Agreement and Funded Under Capital Improvement Project VR-20000.

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3. Resolution 9937 Entitled, "Resolution of the Council of the City of Palo Alto Amending the Conflict of Interest Code for Designated City Officers and Employees as Required by the Political Reform Act and Regulations of the Fair Political Practices Commission, and Repealing Resolution Number 9800".
4. Ordinance 5513 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Section 18.52.070 (Parking Regulations for CD Assessment District) to Temporarily Extend Ineligibility of Certain Uses to Participate in the University Avenue In-lieu Parking Program for 18 Months". (FIRST READING: December 7, 2020 PASSED: 4-2 Fine, Tanaka no, Cormack absent).
5. ~~SECOND READING: Adoption of a Temporary Ordinance Amending Title 18 (Zoning) of the Palo Alto Municipal Code to Broaden Permissible Uses and Raise Thresholds for Conditional Use Permits for Some Land Uses Throughout the City. Environmental Review: California Environmental Quality Act (CEQA) Exemption 15061(b)(3) (FIRST READING: December 14, 2020 PASSED: 7-0).~~

MOTION PASSED FOR AGENDA ITEM NUMBERS 2 AND 4: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBER 3: 7-0

Action Items

6. PUBLIC HEARING: Objections to Weed Abatement and Adoption of Resolution 9938 Entitled, "Resolution of the Council of the City of Palo Alto Ordering Weed Nuisance Abated".

Public Hearing opened at 6:15 P.M.

Public Hearing closed at 6:27 P.M.

MOTION: Vice Mayor Burt moved, seconded by Council Member Cormack to adopt the Resolution ordering the abatement of weed nuisances in the City of Palo Alto, with the exclusion of the properties owned by Dancia Bostrom (419 Wilton), Sherry Wei (2660 Bryant), and Litai Weng and David Liu (2349 Greer).

MOTION PASSED: 6-1 Tanaka no

7. Approval of the Macias Gini & O'Connell's Audit of the City of Palo Alto's Financial Statements as of June 30, 2020 and the Management

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Letter; Fiscal Year (FY) 2020 Comprehensive Annual Financial Report (CAFR); and FY 2020 Budget Amendments in Various Funds.

Council took a break at 6:58 P.M. and returned at 7:10 P.M.

MOTION: Council Member Cormack moved, seconded by Council Member Filseth to approve:

- A. The City of Palo Alto's audited financial statements for the fiscal year ended June 30, 2020, and the accompanying reports provided by Macias Gini & O'Connell ("MGO") LLP (Office of the City Auditor Report) Reports include:
 - i. Report to the City Council (the "Management Letter");
 - ii. Cable TV Franchise, Independent Auditor's Report and Statements of Franchise Revenues and Expenses for the years ended December 31, 2019 and 2018;
 - iii. Palo Alto Public Improvement Corporation (a component unit of the City of Palo Alto) Annual Financial Report for the year ended June 30, 2020;
 - iv. Regional Water Quality Control Plant, Independent Auditor's Report and Financial Statements for the year ended June 30, 2020;
 - v. Independent Accountant's Report on Applying Agreed-Upon Procedures related to the Article XIII-B Appropriations (GANN) Limit for the year ended June 30, 2020;
- B. The Fiscal Year (FY) 2020 Comprehensive Annual Financial Report (CAFR), included in CMR #11741 with corrected section Attachment II and III respectively; and
- C. Amendments to the Fiscal Year 2020 Budget Appropriation Ordinance for various funds as identified in CMR #11741.

MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION PASSED FOR PARTS A AND B: 7-0

MOTION PASSED FOR PART C: 6-1 Tanaka no

8. Update and Discussion on the Plan Bay Area 2050 Final Blueprint and the Regional Housing Needs Allocation (RHNA) Processes; and

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Direction to Staff Regarding the City's Response, Including Preparation of Formal Comment Letters.

MOTION: Council Member Filseth moved, seconded by Council Member Kou to:

- A. Direct Staff to submit a comment letter to the Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC) on the Plan Bay Area 2050 Final Blueprint;
- B. Direct Staff to submit a comment letter to the ABAG Regional Planning Committee and ABAG Executive Board on the proposed 6th Cycle Draft RHNA Methodology, along with the following:
 - i. Ask ABAG and MTC to press HCD to resolve the challenges to their projections and revise targets as appropriate;
 - ii. Expand discussion of Palo Alto's Office Development Caps with actual numbers, if appropriate; and
 - iii. Include consideration of long-term remote work impacts.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct the City Attorney to reach out to William Curley with Harper and Burns, LLP to discuss their appeals and preparations with other cities for potential litigations. (New Part E)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to also include in the letters an introductory paragraph which covers the city's policies to improve our social and economic balance, as well as emphasizing what we have done on restraining office growth, and our focus on low to moderate income housing. (New Part C)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part B. i. "...such as, but not only included in, the Embarcadero Institute and Freddie Mac reports..."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to provide final drafts of the letters to Mayor DuBois and Council Member Filseth for review prior to submittal. (New Part D)

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MOTION AS AMENDED: Council Member Filseth moved, seconded by Council Member Kou to:

- A. Direct Staff to submit a comment letter to the Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC) on the Plan Bay Area 2050 Final Blueprint;
- B. Direct Staff to submit a comment letter to the ABAG Regional Planning Committee and ABAG Executive Board on the proposed 6th Cycle Draft RHNA Methodology, along with the following:
 - i. Ask ABAG and MTC to press HCD to resolve the challenges to their projections such as, but not only included in, the Embarcadero Institute and Freddie Mac reports, and revise their targets as appropriate;
 - ii. Expand the discussion of Palo Alto's office development caps with actual numbers, if appropriate;
 - iii. Include consideration of long-term remote work impacts;
- C. Direct Staff to also include in the letters an introductory paragraph which covers the city's policies to improve our social and economic balance, as well as emphasizing what we have done on restraining office growth, and our focus on low to moderate income housing;
- D. Direct Staff to provide final drafts of the letters to Mayor DuBois and Council Member Filseth for review prior to submittal; and
- E. Direct the City Attorney to reach out to William Curley with Harper and Burns, LLP to discuss their appeals and preparations with other cities for potential litigations.

MOTION PASSED: 6-1 Tanaka no

Council took a break at 9:50 P.M. and returned at 9:56 P.M.

9. Approval of the Nomination of Vice Mayor Pat Burt and Council Member Alison Cormack to be Considered for the Santa Clara Valley Transportation Authority (VTA) Board.

MOTION: Council Member Tanaka moved, seconded by Council Member Cormack to nominate Council Member Alison Cormack to be considered for the Santa Clara Valley Transportation Authority (VTA) Board.

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SUBSTITUTE MOTION: Council Member Kou moved, seconded by Mayor DuBois to nominate Vice Mayor Burt to be considered for the Santa Clara Valley Transportation Authority (VTA) Board.

SUBSTITUTE MOTION PASSED: 5-2 Cormack, Tanaka no

Adjournment: The meeting was adjourned in memory of Lenore Cymes at 10:41 P.M.

ATTEST:

DocuSigned by:
Beth Minor

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City Clerk

APPROVED:

DocuSigned by:
T DuBois

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Mayor

NOTE: Action minutes are prepared in accordance with Palo Alto Municipal Code (PAMC) 2.04.160(a) and (b). Summary minutes (sense) are prepared in accordance with PAMC Section 2.04.160(c). Beginning in January 2018, in accordance with [Ordinance No. 5423](#), the City Council found action minutes and the video/audio recordings of Council proceedings to be the official records of both Council and committee proceedings. These recordings are available on the City's website.