



CITY COUNCIL ACTION MINUTES

Special Meeting
May 17, 2021

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

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

Absent:

Special Orders of the Day

1. Presentation by La Comida.

NO ACTION TAKEN

Study Session

2. Presentation by Polco/NRC of the City of Palo Alto Community Survey Report Results.

NO ACTION TAKEN

Agenda Changes, Additions and Deletions

Mayor DuBois announced Agenda Item Number 12, "Closed Session-Conference With Labor Negotiators..." has been removed from the agenda and will be heard at a later date.

Minutes Approval

3. Approval of Action Minutes for the April 26 and May 3, 2021 City Council Meetings.

MOTION: Council Member Kou moved, seconded by Vice Mayor Burt to approve the Action Minutes for the April 26 and May 3, 2021 City Council Meetings.

MOTION PASSED: 7-0

Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Number 5 and 8.

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

4. Approval of Amendment Number 4 to Contract Number C18172676 With Dixon Resources to Extend the Term to June 2022 With no Additional Costs for the Downtown Parking Study.
5. Approval of a Professional Services Agreement With CAD Masters, Inc. for Ongoing Support, Maintenance, Development, and Enhancement of the Geospatial Design and Asset Management System for the Utilities Department in an Amount of \$390,000 per Year, for a Total Not-to-Exceed Amount of \$1,950,000 for up to Five Years.
6. Resolution 9955 Entitled, "Resolution of the Council of the City of Palo Alto Making Required Findings in Support of the City's Grant Application for the State Transportation Development Act Article 3 Funds to Update the City's Bicycle and Pedestrian Transportation Plan."
7. Adoption of a: 1) Resolution 9956 Entitled, "Resolution of the Council of the City of Palo Alto Waiving the Business Registration Fee for Fiscal Year 2022, if Completed on Time, and Extending the due Date to July 15, 2021"; 2) Resolution 9957 Entitled, "Resolution of the Council of the City of Palo Alto Declaring an Intention to Temporarily Suspend the Levy of Assessment Against Businesses Within the Downtown Business Improvement District (BID) for Fiscal Year 2022, and Setting a Public Hearing on the Proposed Temporary Suspension for June 1, 2021"; and 3) Approval of the Reimbursement of any Business Registration Fees and BID Assessments Already Paid in 2021.
8. SECOND READING: Finance Committee Recommends City Council Approve Park, Community Center, and Library Development Impact Fee Justification Study; Adjustments to Park, Community Center, and Library Development Impact Fees; Ordinance 5521 Entitled, "Ordinance of the Council of the City of Palo Alto Updating Park Land In Lieu fee; and Direct Staff to Implement the Impact Fee Updates With the Fiscal Year 2022 Budget (Continued From March 8, 2021) (FIRST READING: April 12, 2021 PASSED: 6-1 Tanaka no)."

MOTION ITEMS 4, 6, 7 PASSED: 7-0

MOTION ITEMS 5 and 8 PASSED: 6-1 Tanaka no

Council took a break at 7:07 P.M. and returned at 7:22 P.M.

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Action Items

9. PUBLIC HEARING: Resolution 9958 Entitled, "Resolution of the Council of the City of Palo Alto Confirming the Weed Abatement Report and Ordering the Cost of Abatement to be a Special Assessment on the Respective Properties Described Therein."

Public Hearing opened at 7:33 P.M.

Public Hearing closed at 7:36 P.M.

MOTION: Mayor DuBois moved, seconded by Vice Mayor Burt to adopt the Resolution confirming the weed abatement report and ordering abatement costs to be a special assessment on the properties specified in the report.

MOTION PASSED: 7-0

10. Approval of a Construction Contract With C. Overaa & Co. in the Total Amount of \$15,123,900, and Three Amendments to Existing Agreements With: 1) Stanford University, 2) East Palo Alto Sanitary District, and 3) Mountain View and Los Altos, for the Primary Sedimentation Tanks Rehabilitation and Equipment Room Electrical Upgrade Project (WQ-14003) at the Regional Water Quality Control Plant; Resolution 9959 Entitled, "Resolution of the Council of the City of Palo Alto Revising and Superseding Resolution Number 9667, Establishing Pledged Sources of Revenue for Repayment of State Revolving Fund Loan"; and Resolution 9960 Entitled, "Resolution of the Council of the City of Palo Alto Authorizing an Installment Sale Agreement With the California State Water Resources Control Board for Financing the Design and Construction of the Primary Sedimentation Tanks Rehabilitation and Equipment Room Electrical Upgrade Project."

MOTION: Council Member Cormack moved, seconded by Mayor DuBois to:

- A. Approve and authorize the City Manager or his designee to execute the contract with C. Overaa & Co., in the amount of \$13,749,000 for the Primary Sedimentation Tanks Rehabilitation and Equipment Room Electrical Upgrade Project, funded in Wastewater Treatment Enterprise Fund Capital Improvement Program, Project WQ14003, at the Regional Water Quality Control Plant;
- B. Authorize the City Manager or his designee to execute one or more change orders to the contract with C. Overaa & Co. for related, additional but unforeseen work that may develop during the project,

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the total value of which shall not exceed \$1,374,900 or 10 percent of the contract amount, for a total not-to-exceed amount of \$15,123,900;

- C. Approve the adoption of a Resolution authorizing an Installment Sale Agreement with the California State Water Resource Control Board (SWRCB) in connection with the financing of the design and construction of the Primary Sedimentation Tanks Rehabilitation and Equipment Room Electrical Upgrade Project;
- D. Approve the adoption of a Resolution revising and superseding Resolution Number 9667 establishing pledged sources of revenue for repayment of funding pursuant to the federal Clean Water Act Amendments; and
- E. Approve Amendment Number 7 to the agreement between Palo Alto and Stanford University; the Second Amended and Restated Agreement between Palo Alto and the East Palo Alto Sanitary District; and Addendum Number 10 to the agreement between Palo Alto, Mountain View, and Los Altos.

MOTION PASSED: 7-0

11. Continued Discussion of the Fiscal Year 2022 Budget.

Council took a break at 9:22 P.M. and returned at 9:28 P.M.

MOTION: Mayor DuBois moved, seconded by Council Member Kou to direct the Finance Committee and City Staff to adopt the seven items of consideration and the recommended revised balancing strategy with the following modifications:

- A. Adjust use of ARPA funds to 60 percent in Year 1 and 40 percent in Year 2;
- B. Add in the following:
 - i. \$260,000 for outreach and hotdog shows for Children’s Theatre;
 - ii. \$50,000 YCI matching County funds; and
 - iii. \$75,000 to Restore Council contingency Budget to \$100,00 total.
- C. Reduce the TMA budget to \$150,000;

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- D. Direct the Finance Committee to look into adjusting RPP Fees on Municipal Fee Schedule to be 10 percent higher than garage fees, and consider appropriate level of fees (2020 vs 2021);
- E. Return with long range CIP plan in the fall of 2021, for the CIP 2023 and beyond to adjust for changes in budget, including Phase 4 Charleston Arastradero; and
- F. Direct the Finance Committee to find a way to fund the Roth building through the combination of impact fees and SUMC funds.

AMENDMENT: Council Member Filseth moved, seconded by Council Member Cormack to adjust use of ARPA funds to 50 percent in Year 1 and 50 percent in Year 2.

AMENDMENT FAILED: 3-4 Burt, DuBois, Kou, Stone no

AMENDMENT: Council Member Filseth moved, seconded by Council Member Cormack to add to the Motion Part F "contingent on federal funding."

AMENDMENT FAILED: 3-4 Burt, DuBois, Kou, Stone no

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part B "\$150,000 for HSRAP Funding and \$30,000 for Twilight Concert Series.

AMENDMENT: Council Member Tanaka moved, seconded by Council Member XX to direct the Finance Committee to look at potential savings and ways to streamline the span of control for the City.

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

AMENDMENT: Council Member Stone moved, seconded by Vice Mayor Burt to remove, "...including Phase 4 Charleston Arastradero" from the Motion, Part E.; and add "move forward with Phase 4 of the Charleston/Arastradero Project using funding Option 1."

AMENDMENT PASSED: 5-2 Cormack, Kou no

MOTION AS AMENDED: Mayor DuBois moved, seconded by Council Member Kou to direct the Finance Committee and City Staff to adopt the seven items of consideration and the recommended revised balancing strategy with the following modifications:

- A. Adjust use of ARPA funds to 60 percent in Year 1 and 40 percent in Year 2;

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- B. Add in the following:
 - i. \$260,000 for outreach and hotdog shows for Children's Theatre;
 - ii. \$50,000 YCI matching County funds;
 - iii. \$75,000 to Restore Council contingency Budget to \$100,000 total;
 - iv. \$150,000 for HSRAP Funding; and
 - v. \$30,000 for Twilight Concert Series.
- C. Reduce the TMA budget to \$150,000;
- D. Direct the Finance Committee to look into adjusting RPP Fees on the Municipal Fee Schedule to be 10% higher than garage fees, and consider appropriate level of fees (2020 vs 2021);
- E. Return with long range CIP plan in the fall of 2021, for the CIP 2023 and beyond to adjust for changes in budget;
- F. Direct the Finance Committee to find a way to fund the Roth building through the combination of impact fees and SUMC funds; and
- G. Move forward with Phase 4 of the Charleston/Arastradero Project using funding Option 1.

MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION PARTS A, C-G PASSED: 4-3 Cormack, Filseth, Tanaka no

MOTION PART B PASSED: 5-2 Filseth, Tanaka no

Closed Session

~~12. CONFERENCE WITH LABOR NEGOTIATORS City Designated Representatives: City Manager and his designees Pursuant to Merit System Rules and Regulations (Ed Shikada, Rumi Portillo, Molly Stump, Kiely Nose, Bob Jonsen, Geo Blackshire, Dean Batchelor, Nick Raisch) Employee Organizations: Service Employees International Union, (SEIU) Local 521; Service Employees International Union, (SEIU) Local 521, Hourly Unit; Palo Alto Police Officers Association (PAPOA); Palo Alto Fire Chiefs' Association (FCA) and Employee Organization: International Association of Fire Fighters (IAFF), Local 1319; Palo Alto Police Manager's Association (PAPMA); Utilities~~

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~~Management and Professional Association of Palo Alto (UMPAPA);
Authority: Government Code Section 54957.6(a).~~

Adjournment: The meeting was adjourned at 11:44 P.M.

ATTEST:

DocuSigned by:

Beth Minor

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City Clerk

APPROVED:

DocuSigned by:

J. 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.