



CITY COUNCIL ACTION MINUTES

Special Meeting
June 7, 2021

The City Council of the City of Palo Alto met on this date in virtual teleconference at 5:02 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 May 24, 2021 City Council Meeting.

MOTION: Vice Mayor Burt moved, seconded by Mayor DuBois to approve the Action Minutes for the May 24, 2021 City Council Meeting.

MOTION PASSED: 7-0

Consent Calendar

Council Member Kou registered a no vote on Agenda Item Numbers 3, 9 and 10.

Council Member Tanaka registered a no vote on Agenda Item Number 3.

Mayor DuBois registered a no vote on Agenda Item Number 9.

MOTION: Mayor DuBois moved, seconded by Council Member Cormack to approve Agenda Item Numbers 2-10.

2. Approval of an Effluent Transfer Agreement Between the City of Palo Alto and the City of Los Altos.
3. Approval of Contract Number C21179800A With Pacific International Electric Company, Inc. in the Amount of \$943,639 for the Underground District 46 Completion Project; and Authorization to Execute and Negotiate Related Change Orders in the Amount of \$188,728 for a Total

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Not-to-Exceed Amount of \$1,132,367; and Approval of a Budget Amendment in the Electric Fund.

4. Recommendation to Authorize the City Manager or Designee to Execute a Five-year General Services Agreement With Western Machinery Electric Inc. for Repair and Maintenance of Electricity Generators at the Municipal Service Center in an Amount Not-to-Exceed \$592,248; and to Negotiate and Execute one or More Task Orders for Additional Services as Needed in an Amount Not-to-Exceed \$300,000, for a Total Not-to-Exceed Amount of \$892,248; and Approve a Budget Amendment in the Electric Fund.
5. Approval of a Design-build Contract With Johnson Controls Fire Protection, LP in the Amount of \$517,280, and Authorization for the City Manager to Negotiate and Execute Related Change Orders for a Not-to-Exceed Amount of \$51,728, for a Total Not-to-Exceed Amount of \$569,008 for the Civic Center Fire Life Safety Upgrades, Capital Improvement Program Project (PE-18016).
6. Approval of Amendment Number 1 to Contract Number S20176879 With Johnson Controls Fire Protection, LP to Increase the Contract Amount by \$86,847 for a Revised Three-year Contract in a Total Amount Not-to-Exceed \$265,584 for the Provision of Fire Sprinkler System Inspections and Repair Services.
7. Policy and Services Committee Recommends Approval of a Rent Forgiveness Program for Tenants in City Buildings and Approve a Budget Amendment in the General Fund.
8. Adoption of the Americans With Disabilities Act (ADA) Transition Plan Update for City Buildings, Parking Facilities, Parks, and Public Right-of-Way Sidewalks and Curb Ramps.
9. Adoption of an Ordinance and Resolution 9962 Temporarily Continuing: 1) Uses of Public and Private Property for Outdoor Dining, Retail, and Personal Services; and 2) the Pilot Parklet Program Past the end of the Local Emergency.
10. SECOND READING: Ordinance 5525 Entitled, "Ordinance of the Council of the City of Palo Alto Updating an Emergency Permit Extension Ordinance in Response to Changes to Santa Clara County Health Orders (FIRST READING: May 24, 2021 PASSED: 7-0)."

MOTION PASSED FOR AGENDA ITEM NUMBERS 2, 4-8: 7-0

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MOTION PASSED FOR AGENDA ITEM NUMBER 3: 5-2 Kou, Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBER 9: 5-2 DuBois, Kou no

MOTION PASSED FOR AGENDA ITEM NUMBER 10: 6-1 Kou no

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11. PUBLIC HEARING: Resolution 9963 Entitled, "Resolution of the Council of the City of Palo Alto to Suspend Assessments for Fiscal Year 2022 for the Downtown Business Improvement District (BID) (CONTINUED FROM JUNE 1, 2021)."

Public Hearing opened and closed without public comment at 5:45 P.M.

MOTION: Council Member Cormack moved, seconded by Mayor DuBois to adopt a Resolution temporarily suspending the levy of assessments in Fiscal Year 2022 in connection with the Downtown Palo Alto Business Improvement District (BID).

MOTION PASSED: 7-0

Council took a break at 5:50 P.M. and returned at 6:05 P.M.

12. 855 El Camino Real (20PLN-00252): Adoption of an Ordinance Amending Chapters 18.04 and 18.16 of the Municipal Code to Allow Some Ground Floor Medical Office ("Retail Health") Uses With a Commensurate Increase in the Overall Office use Allowed at the Site Subject to Limitations. Environmental Assessment: Exempt From the Provisions of the California Environmental Quality Act (CEQA) in Accordance With Guideline Section 15301 (Existing Facilities). Zoning District: CC (Community Commercial).

MOTION: Council Member Tanaka moved, seconded by Council Member Cormack to:

- A. Find the attached Ordinance exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15301 (existing facilities);
- B. Adopt the attached Ordinance creating a "retail health" definition allowing a limited amount of retail health uses on the ground floor at Town and Country Shopping Center; and
- C. Provide direction to Staff on whether to study expansion of retail health uses to other shopping centers or commercial districts.

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SUBSTITUTE MOTION: Council Member Kou moved, seconded by Council Member Filseth to deny the application.

SUBSTITUTE MOTION PASSED: 5-2 Cormack, Tanaka no

13. PUBLIC HEARING: Resolution 9964 and Resolution 9965 Adopting the 2020 Urban Water Management Plan and Water Shortage Contingency Plan.

Public Hearing opened at 7:44 P.M.

Public Hearing closed at 7:51 P.M.

MOTION: Mayor DuBois moved, seconded by Council Member Cormack to adopt a Resolution adopting the 2020 Urban Water Management Plan and a Resolution adopting the Water Shortage Contingency Plan.

AMENDMENT: Vice Mayor Burt moved, seconded by Council Member Stone to direct the City to send a letter to the San Francisco Public Utilities Commission (SFPUC) that includes an appendix in the plan that would analyze the impact of the SFPUC reducing the design drought by one year.

INCORPORATED INTO THE AMENDMENT WITH THE CONSENT OF THE MAKER AND SECONDER to change the Amendment to read, "to request Staff provide a letter for the Mayor's approval to the San Francisco Public Utilities Commission..."

AMENDMENT AS AMENDED: Vice Mayor Burt moved, seconded by Council Member Stone to request Staff provide a letter for the Mayor's approval to the San Francisco Public Utilities Commission (SFPUC) that includes an appendix in the plan that would analyze the impact of the SFPUC reducing the design drought by one year.

AMENDMENT AS AMENDED PASSED: 5-2 Cormack, Tanaka no

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

- A. Adopt a Resolution adopting the 2020 Urban Water Management Plan and a Resolution adopting the Water Shortage Contingency Plan; and
- B. Request Staff provide a letter for the Mayors approval to the San Francisco Public Utilities Commission (SFPUC) that includes an appendix in the plan that would analyze the impact of the SFPUC reducing the design drought by one year.

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MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION AS AMENDED PASSED FOR MOTION, PART A: 7-0

MOTION AS AMENDED PASSED FOR MOTION, PART B: 5-2 Cormack, Tanaka no

14. City Council Review of the Finance Committee's Recommended Fiscal Year (FY) 2022 Operating & Capital Budgets and Municipal Fee Schedule; Direction to Staff Regarding Preparation of the Final Budget for Council Adoption on June 21, 2021.

Council took a break at 9:06 P.M. and returned at 9:15 P.M.

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

- A. Direct Staff to return on June 21, 2021 for adoption of the Fiscal Year 2022 Proposed Operating and Capital Budgets and Municipal Fee Schedule in alignment with the work completed by the Committee and Council during the month of May 2021 and provide direction on any final adjustments in preparation for City Council Adoption;
- B. Review and accept final FY 2022-2025 Capital Improvement Plan as amended by the actions outlined in this report (as recommended by the Finance Committee and Council);
- C. Review and accept the alternative balancing strategy in the event the City does not reach agreement with labor groups on concessions in the General Fund, that the City Council utilize current unallocated funds of \$1.7 million in the General Fund to offset the additional expense or be placed in the Budget Stabilization Reserve if remain unallocated; and
- D. Recommend Option B.ii. for funding of the ROTH building rehabilitation project as outlined by the Finance Committee on May 25, 2021.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER "Direct Staff to return by the end of October 2021 with preliminary Q1 financial results so the Council can consider budget amendments." (New Part E).

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the beginning of Motion, Parts A, B and C, "Direct Staff to return on June 21, 2021...".

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

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- A. Direct Staff to return on June 21, 2021 for adoption of the Fiscal Year 2022 Proposed Operating and Capital Budgets and Municipal Fee Schedule in alignment with the work completed by the Committee and Council during the month of May 2021 and provide direction on any final adjustments in preparation for City Council Adoption;
- B. Direct Staff to return on June 21, 2021 to accept final FY 2022-2025 Capital Improvement Plan as amended by the actions outlined in this report (as recommended by the Finance Committee and Council);
- C. Direct Staff to return on June 21, 2021 to accept the alternative balancing strategy in the event the City does not reach agreement with labor groups on concessions in the General Fund, that the City Council utilize current unallocated funds of \$1.7 million in the General Fund to offset the additional expense or be placed in the Budget Stabilization Reserve if remain unallocated;
- D. Recommend Option B.ii. for funding of the ROTH building rehabilitation project as outlined by the Finance Committee on May 25, 2021; and
- E. Direct Staff to return by the end of October 2021 with preliminary Q1 financial results so that the Council can consider budget amendments.

MOTION AS AMENDED PASSED: 4-3 Cormack, Filseth, Tanaka no

Adjournment: The meeting was adjourned at 11:14 P.M.

ATTEST:

DocuSigned by:
Lesley Milton
E96491CF30B34FA...

City Clerk

APPROVED:

DocuSigned by:
J. DeBrie
DD53585CA6CB4E9...

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.