



CITY COUNCIL ACTION MINUTES

Special Meeting
June 14, 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 June 1, 2021 City Council Meeting.

MOTION: Council Member Kou moved, seconded by Vice Mayor Burt to approve the Action Minutes for the June 1, 2021 City Council Meeting.

MOTION PASSED: 7-0

Consent Calendar

MOTION: Council Member Cormack moved, seconded by Council Member Filseth to approve Agenda Item Numbers 2-6.

2. Approval of: 1) Construction Contract With Azulworks, Inc., in the Amount of \$2,667,054 for the Palo Alto Fiscal Year 2021 Street Resurfacing Project (Capital Improvement Program Projects PE-86070, PE-09003, PE-21004, PO-12001, PO-89003, PL-04010, PL-05030, and OS-09001); 2) Authorization for the City Manager or his Designee to Negotiate and Execute Related Change Orders to the Contract With Azulworks, Inc. for Additional but Unforeseen Work That may Develop During the Project, Not-to-Exceed \$266,706; and 3) Budget Amendments in the Capital Improvement Fund.
3. Approval of Contract Amendments to Extend Three Public-private Partnership Agreements Between the City of Palo Alto and TheatreWorks, Palo Alto Players, and West Bay Opera for the use of the Lucie Stern Community Theatre for an Additional Year.

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4. Resolution 9966 Entitled, "Resolution of the Council of the City of Palo Alto to Enter Into a Cooperative Implementation Agreement With the California Department of Transportation for the Embarcadero Trash Capture Device Project."
5. Approval of Amendment Number 1 to Contract Number C19173445 With Charles Sowers Studios, LLC to Extend the Term of the Contract Through December 31, 2021 for the Fabrication and Installation of Artwork at the Junior Museum and Zoo.
6. Accept the Fiscal Year (FY) 2021 Third Quarter Financial Status Report and Approve the FY 2021 Budget Amendment in the General Fund.

MOTION PASSED: 7-0

Council took a break at 5:24 P.M. and returned at 5:36 P.M.

Action Items

7. Approval of Amendment Number One to Contract Number S20178065 With the OIR Group for Independent Police Auditing Services to Expand the Scope of Services and Increase the Contract Amount by \$32,500 for a Total Not-to-Exceed Amount of \$107,500.

MOTION: Mayor DuBois moved, seconded by Council Member Kou to approve and authorize the Clerk to execute Amendment Number One to the contract with the Office of Independent Review (OIR Group) for independent police auditing (IPA) services to expand the Scope of Services and increase the contract amount by \$32,500 for a total not-to-exceed amount of \$107,500; including the following changes to the Scope of Services:

- A. Add to Section 2 - Taser Deployment and Other Reviews: "The Department will promptly notify the CONSULTANT of all administrative use of force reports where a baton, chemical agent, TASER, less-lethal projectile, canine, or firearm is used. In addition, The Department will promptly notify the CONSULTANT of all other cases where a subject's injuries require treatment beyond minor medical care in the field;"
- B. Add "point a gun," in addition to using a gun, to an action that is reported to the Auditor; and
- C. Add to Section 3 that published reports will note items that are pulled from the report for further work and provide a short description of the item(s).

MOTION PASSED: 7-0

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8. Request for City Council Interpretation Pursuant to Palo Alto Municipal Code Section 18.01.025 Related to Nonconforming Uses at the 340 Portage/3200 Park Site. Environmental Analysis: City Council Direction Regarding Interpretation of the Existing Code is not a Project, as Defined in Public Resources Code 21065.

MOTION: Vice Mayor Burt moved, seconded by Council Member Kou to extend by 1 year from now the period of non-occupancy of retail without a violation of the terms of the balance of the commercial use agreement for the greater Fry's site area.

Council took a break at 7:58 P.M. and returned at 8:19 P.M.

MOTION WITHDRAWN BY THE MAKER

MOTION: Vice Mayor Burt moved, seconded by Council Member Cormack to end this Public Hearing, take no action, and direct Staff to bring back a new item in August.

MOTION PASSED: 6-1 Kou no

9. PUBLIC HEARING: Recommendation on the Preferred Plan Alternative for the North Ventura Coordinated Area Plan (NVCAP). The Planning and Transportation Commission and Staff Recommend the City Council Review the NVCAP Alternatives and Select Alternative Number 3B as the Preferred Alternative.

Public Hearing opened at 8:56 P.M.

Public Hearing closed at 9:45 P.M.

MOTION: Mayor DuBois moved, seconded by Vice Mayor Burt to end this Agenda Item, take no action, and direct Staff to bring back a new item in early Fall based on the input and discussion with Council this evening.

MOTION PASSED: 7-0

Adjournment: The meeting was adjourned at 11:27 P.M. in honor of Penny Nelson.

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ATTEST:

DocuSigned by:
Lesley Milton
E56491CF3DB34FA...

City Clerk

APPROVED:

DocuSigned by:
J. D. Rubin
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.