



CITY COUNCIL ACTION MINUTES

Special Meeting
November 29, 2021

The City Council of the City of Palo Alto met on this date in virtual teleconference at 5:00 P.M.

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

Absent: None

Closed Session

1. CONFERENCE WITH LABOR NEGOTIATORS City Designated Representatives: City Manager and his Designees Pursuant to Merit System Rules and Regulations (Ed Shikada, Kiely Nose, Rumi Portillo, Sandra Blanch, Nicholas Raisch, Molly Stump, and Terence Howzell) Employee Organization: Service Employees International Union,(SEIU) Local 521, Utilities Management and Professional Association of Palo Alto (UMPAPA)Palo Alto Peace Officer's Association (PAPOA), Palo Alto Police Management Association (PMA), International Association of Fire Fighters (IAFF) local 1319, Palo Alto Fire Chiefs Association (FCA), ; Authority: Government Code Section 54957.6 (a).

MOTION: Council Member Cormack moved, seconded by Council Member Stone to go into Closed Session.

MOTION PASSED: 5-0, Tanaka, Filseth absent

Council went into Closed Session at 5:02 P.M.

Council returned from Closed Session at 6:20 P.M.

Mayor DuBois announced there were no reportable action.

Special Orders of the Day

2. YMCA.

NO ACTION TAKEN

Study Session

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3. Safe Routes to School Annual Report 2020-2021.

NO ACTION TAKEN

Agenda Changes, Additions and Deletions

None

Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Numbers 5 and 9.

MOTION: Council Member Cormack moved, seconded by Vice Mayor Burt to approve Agenda Item Numbers 4-9.

4. Approval of Minutes November 15, 2021 City Council Meeting.
5. Approval of Amended and Restated Purchase Order Number 4521000199 with Altec Industries, Inc., to Increase the Purchase Order Amount by \$33,202 to a New Not-to-Exceed Amount of \$667,068, for the Purchase of Two Peterbilt Crane Trucks through a Cooperative Contract, in the Scheduled Vehicle and Equipment Replacement -Fiscal Year 2020 Capital Improvement Project (VR-20000).
6. Approval of Amendment Number 2 to Contract Number C19173514 With SP Plus to Add Two Years to the Term for the Valet Parking Program for University Avenue and California Avenue Parking Facilities.
7. Approval of the Office of the City Auditor's IT Risk Management Assessment Report as Recommended by the Policy and Services Committee.
8. SECOND READING: Adoption of **Ordinance 5536** Amending Existing Palo Alto Municipal Code Chapter 5.20, Collection, Removal and Disposal of Refuse, and Adding Chapter 5.40, Edible Food Recovery, to Comply with Senate Bill 1383 (Short-Lived Climate Pollutants Reduction Strategy) (FIRST READING: November 1, 2021 PASSED: 7-0).
9. SECOND READING: Adopt **Ordinance 5537** to Amend the FY 2022 Municipal Fee Schedule Increasing Parking Permit Fees (FIRST READING: November 1, 2021 PASSED: 6-1, Tanaka no).

ITEMS 4, 6-8 OF MOTION PASSED: 7-0

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ITEM 5, 9 OF MOTION PASSED: 6-1, Tanaka no

Action Items

10. Review and Recommend Renter Protection Policies for Development and Implementation (Continued from the November 15, 2021 meeting).

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

- A. Clarify that the goal is to focus on low-income, rent burdened households;
- B. Bring back to Council an amendment to expand our relocation ordinance for rental units being demolished or significantly remodeled for 10 units or More per property for cost burdened households below an annual income threshold; (2)
- C. Bring back to Council an ordinance amendment on eviction reduction/just cause program to include properties built within the last 15 years and units occupied less than a year; (3)
- D. Bring back to P&S proposal and discussion on expanding anti-gouging measure to address loopholes; (4)
- E. Staff to go to P&S with updated language in ordinance for a renter survey and estimates on effort to enforce it for P&S discussion; (1)
- F. Direct staff to draft a Security Deposit Limit ordinance capping security deposit to 1.5x the rent per the PTC and HRC recommendations; (5)
- G. Support County efforts for the Right to Counsel; and (7)
- H. Fair chance ordinance to be reviewed by P&S for analysis on consequences/unintended consequences. (6)

AMENDMENT: Council Member Stone, seconded by Vice Mayor Burt to modify Item F to read:

- F. Direct Staff to draft a Security Deposit Limit ordinance capping security deposit to 1.5x the rent per the PTC and HRC recommendations on unfurnished units; (5)

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AMENDMENT PASSED: 6-1, Tanaka no

AMENDMENT: Council Member Stone, seconded by Council Member Filseth to modify item E to read:

- E. Direct Staff to bring back to Council updated language in ordinance for a renter survey and estimates on effort to enforce it for discussion; (1)

AMENDMENT FAILED: 3-4 Burt, DuBois, Cormack, Tanaka no

AMENDMENT: Council Member Tanaka, seconded by Council Member Cormack to add Item I:

- I. Allow Staff adequate time for outreach to landlords and tenants, such as informational mailings, survey or public meetings for discussion, to apply to items B, C and E.

MOTION FAILED: 2-5 DuBois, Kou, Stone, Filseth, Burt no

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

- A. Clarify that the goal is to focus on households who are low-income and rent burdened;
- B. Bring back to Council an amendment to expand our relocation ordinance to buildings of 10 units or more per property (high priority); (2)
- C. Bring back to Council an ordinance amendment on eviction reduction/just cause program to include properties built within the last 15 years and does not include units occupied less than a year or single family homes not owned by a corporation or renters who live in a duplex when one unit is owner occupied (priority); (3)
- D. Bring back to P&S proposal and discussion on expanding anti-gouging measure to address loopholes; (4)
- E. Refer to P&S the design and implementation of a rental survey including proposed fees, resources and a timeline (high priority); (1)
- F. Direct Staff to draft a Security Deposit Limit ordinance capping security deposit to 1.5x the rent per the PTC and HRC recommendations for unfurnished units only; (5)

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- G. Support County efforts for the Right to Counsel; (7)
- H. Fair chance ordinance to be reviewed by P&S for analysis on consequences/unintended consequences; and (6)
- I. Refer to HRC to make recommendations to the Council to improve implementation of current City renter protections.

MOTION SPLIT FOR THE PURPOSE OF VOTING

PARTS A, B, E-I OF MOTION PASSED: 6-1 Tanaka no

PARTS C, D OF MOTION PASSED: 4-3 Cormack, Tanaka, Filseth no

- 11. Review Three Grade Separation Design Alternatives for Churchill Avenue and Confirm Which Alternative(s) Continue Towards Selection of Preferred Alternative, and Direction to City Staff for Conducting Additional Studies for Consideration of Final/Preferred Alternative; and Authorize Staff to Negotiate with AECOM for Additional Scope of Work for Amendment to the Contract (Continued from November 15, 2021).

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

- A. Eliminate the viaduct as a design alternative;
- B. Place the highest priority of addressing the Charleston/East Meadow crossing;
- C. Refer to the Rail Committee in early calendar year 2022:
 - i. Review of the guiding principles and criteria;
 - ii. Pursue with CalTrain the reduction in areas in Palo Alto being considered for four tracks;
 - iii. Facilitate and engagement with Palo Alto Unified School District (PAUSD) and Stanford on all grade crossings;
 - iv. Engage with CalTrain through the Local Policy Makers Group (LPMG) and staff to design alternatives and construction methods preferable to Palo Alto;
- D. Ensure that the Bicycle and Pedestrian Transportation Plan includes:
 - v. Consideration of the merits of Seale vs Kellogg;
 - vi. Consideration of bike improvements on the north side of Embarcadero; and

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- vii. Evaluation of South Palo Alto bike/ped crossing in the vicinity in Adobe Creek consistent with the 2013 Rail Plan.

AMENDMENT: Mayor DuBois moved, seconded by Council Member Cormack to modify Item A to read:

- A. Eliminate the viaduct design alternative and make the partial underpass as the preferred with closure with mitigations as a back up

AMENDMENT PASSED: 6-1 Filseth, No

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

- A. Eliminate the viaduct design alternative and make the partial underpass as the preferred with closure with mitigations as a backup;
- B. Place the highest priority of addressing the Charleston/East Meadow crossing;
- C. Refer to the Rail Committee in early calendar year 2022:
 - i. Review of the guiding principles and criteria;
 - ii. Pursue with CalTrain the reduction in areas in Palo Alto being considered for four tracks;
 - iii. Facilitate and engagement with Palo Alto Unified School District (PAUSD) and Stanford on all grade crossings;
 - iv. Engage with CalTrain through the Local Policy Makers Group (LPMG) and staff to design alternatives and construction methods preferable to Palo Alto;
- D. Ensure that the Bicycle and Pedestrian Transportation Plan includes:
 - i. Consideration of the merits of Seale vs Kellogg;
 - ii. Consideration of bike improvements on the north side of Embarcadero; and
 - iii. Evaluation of South Palo Alto bike/ped crossing in the vicinity in Adobe Creek consistent with the 2013 Rail Plan.

MOTION PASSED: 7-0

Adjournment: The meeting was adjourned at 11:00 P.M.

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ATTEST:

DocuSigned by:
Lesley Milton
E56491CF3DB34FA...

City Clerk

APPROVED:

DocuSigned by:
Pat Burt
ED9E9CFB89E64FF...

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.

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Pat Burt

pat@patburt.org

Mr

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Lesley Milton

Lesley.Milton@CityofPaloAlto.org

City Clerk

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