



# CITY COUNCIL ACTION MINUTES

Special Meeting  
December 13, 2021

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

Present: Burt, Cormack, DuBois, Filseth, Stone, Tanaka

Absent: Kou

## 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). This item has been continued to a date uncertain.~~

## Special Orders of the Day

2. Adoption of **Resolution 10007** for Karen McAdams Upon Her Retirement.

**MOTION:** Council Member Filseth moved, seconded by Council Member Stone to adopt the Resolution for Karen McAdams upon her retirement.

**MOTION PASSED:** 6-0, Kou absent

3. Appointment of Candidates for the Architectural Review Board, Historic Resources Board, Parks and Recreation Commission, and Planning and Transportation Commission.

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

- A. Vote tonight for two ARB positions;

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B. Direct the Clerk to open a new recruitment opening from now until the end of January for the open positions; and

C. Request the incumbent to serve the holdover position until recruited.

**MOTION PASSED:** 6-0, Kou absent

The City Council took a break at 5:17 P.M. and returned at 6:00 P.M.

First Round of voting for two positions on the Architectural Review Board with terms ending December 15, 2024.

Voting For:

**Peter Baltay (Incumbent):** Burt, Cormack, DuBois, Filseth, Valerie Driscoll: Stone

**David L. Hirsch (Incumbent):** Burt, Cormack, DuBois, Filseth, Yujin Jeon: Stone, Kathryn Jordan: Tanaka, Manix Patel:

Brigham Wilson:

Jim Xiao:

Bin Zhou:

**Peter Baltay with 5 votes, and David L. Hirsch with 5 votes were appointed to the Architectural Review Board.**

First Round of voting for one position on the Historic Resources Board with an unexpired term ending December 15, 2022.

Voting For:

Valerie Driscoll:

**Alisa Eagleston-Cieslewicz:** Burt, Cormack, DuBois, Filseth, Stone, Tanaka

**Alisa Eagleston-Cieslewicz with 6 votes was appointed to the unexpired term on the Historic Resources Board.**

First Round of voting for two positions on the Parks and Recreation Commission with terms ending December 15, 2024.

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Voting For:

Annie Carl:

Anne Warner Cribbs (Incumbent): Cormack, Filseth, Stone

Claire Elliott:

Nellis L. Freeman, Jr.: Burt

**Jeff Greenfield (Incumbent):** Burt, DuBois, Filseth, Stone

Eve Klein:

Shani Kleinhaus:

Joy Oche:

Rich Pearson: Cormack, Tanaka

Andie Reed: DuBois

Thomas Rota: Tanaka

Mark Bennett Weiss:

**Jeff Greenfield with 4 votes was appointed to the Parks and Recreation Commission. A second round of voting for the remaining term ending December 15, 2024 is required.**

First Round of voting for two positions on the Planning and Transportation Commission with terms ending December 15, 2025.

Voting For:

**Bryna Chang (Incumbent):** Burt, DuBois, Filseth, Stone, Tanaka

Leonard Ely:

Kathryn Jordan: Tanaka

Arthur Keller: Stone

Chunming Niu:

**Keith Reckdahl:** Burt, Cormack, DuBois, Filseth

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Nisar Shaikh:

Brigham Wilson: Cormack

**Bryna Chang with 5 votes, and Keith Reckdahl with 4 votes were appointed to the Planning and Transportation Commission.**

Second Round of voting for 1 position on the Parks and Recreation Commission with a term ending December 15, 2024.

Voting For:

Annie Carl:

Anne Warner Cribbs (Incumbent): Cormack, Filseth, Stone

Claire Elliott:

Nellis L. Freeman, Jr.:

Eve Klein: Burt

Shani Kleinhaus:

Joy Oche:

Rich Pearson: Tanaka

Andie Reed: DuBois

Thomas Rota:

Mark Bennett Weiss:

There was no majority vote for the applicants. A third round of voting was required.

Third Round of voting for 1 position on the Parks and Recreation Commission with a term ending December 15, 2024.

Voting For:

**Anne Warner Cribbs (Incumbent):** DuBois, Cormack, Filseth, Stone

Eve Klein: Burt

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Rich Pearson:

Tanaka

Andie Reed:

**Anne Warner Cribbs with 4 votes was appointed to the Parks and Recreation Commission.**

First Round of voting for one position on the Parks and Recreation Commission with an unexpired term ending December 15, 2022.

Voting For:

Annie Carl:

Claire Elliott:

Nellis L. Freeman, Jr.: Burt, DuBois, Filseth

Eve Klein:

Shani Kleinhaus: Stone

Joy Oche:

Rich Pearson: Cormack, Tanaka

Andie Reed:

Thomas Rota:

Mark Bennett Weiss:

There was no majority vote. A second round of voting was required.

First Round of voting for one position on the Parks and Recreation Commission with a term ending December 15, 2025.

Voting For:

Annie Carl:

Claire Elliott:

Nellis L. Freeman, Jr.: Burt, Cormack, DuBois,

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Eve Klein: Filseth, Stone

Shani Kleinhaus:

Joy Oche:

Rich Pearson:

Andie Reed: Tanaka

Thomas Rota:

Mark Bennett Weiss:

**Nellis L. Freeman, Jr with 5 votes was appointed to the term on the Parks and Recreation Commission.**

First Round of voting for one position on the Parks and Recreation Commission with an unexpired term ending December 15, 2022.

Voting For:

Annie Carl:

Claire Elliott:

Eve Klein: Burt

Shani Kleinhaus: Stone

Joy Oche:

Rich Pearson: Cormack, Tanaka

Andie Reed: DuBois, Filseth

Thomas Rota:

Mark Bennett Weiss:

There was no majority vote. A second round of voting was required.

Second Round of voting for one position on the Parks and Recreation Commission with an unexpired term ending December 15, 2022.

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Voting For:

Annie Carl:

Claire Elliott:

Eve Klein:

Shani Kleinhaus: Burt, Stone

Joy Oche:

Rich Pearson: Cormack, Filseth, Tanaka

Andie Reed: DuBois

Thomas Rota:

Mark Bennett Weiss:

There was no majority vote. A third round of voting was required.

Third Round of voting for one position on the Parks and Recreation Commission with an unexpired term ending December 15, 2022.

Voting For:

Annie Carl:

Claire Elliott:

Eve Klein:

Shani Kleinhaus: Burt, Stone, DuBois

Joy Oche:

Rich Pearson: Cormack, Tanaka

Andie Reed: Filseth

Thomas Rota:

Mark Bennett Weiss:

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There was no majority vote. A fourth round of voting was required.

Fourth Round of voting for one position on the Parks and Recreation Commission with an unexpired term ending December 15, 2022.

Voting For:

Annie Carl:

Claire Elliott:

Eve Klein:

**Shani Kleinhaus:** Burt, DuBois, Filseth,  
Stone

Joy Oche:

Rich Pearson:

Cormack, Tanaka

Andie Reed:

Thomas Rota:

Mark Bennett Weiss:

**Shani Kleinhaus with 4 votes was appointed to the unexpired term on the Parks and Recreation Commission.**

## Agenda Changes, Additions and Deletions

Mayor DuBois announced that Item 20A and 20B will be heard together as one item.

## Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Number 10, 13, 14.

**MOTION:** Vice Mayor Burt moved, seconded by Council Member Cormack to approve Agenda Item Numbers 4-18.

4. Approval of Minutes November 29, 2021 City Council Meeting.
5. Approval of Amendment Number 1 to Contract Number C21179861 with Downtown Streets, Inc., for Downtown Cleaning Services, in



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Order to Extend the Term by Two Years (through January 11th, 2024), Increase the Total Not to Exceed Amount to \$323,244, and Correct a Clerical Error in the Contractor's Name.

6. Approval of Contract Number C20182200 With Cratus, Inc. in the Amount of \$3,444,302 for Sanitary Sewer Replacement Project 30 (WC-17001) in the Ventura, Charleston Meadows, Fairmeadow, and Palo Verde Neighborhoods; Authorization for the City Manager to Negotiate and Execute Related Change Orders Not-to-Exceed\$344,430, for a Total Not-to-Exceed Amount of \$3,788,732; and Approval of Budget Amendments in the Wastewater Collection Fund.
7. Approval and Authorization for the City Manager or Their Designee to Execute the Following Three Utilities Public Benefits Program Contract Amendments: 1) Amendment Number 3 to Eagle Systems International, Inc. DBA Synergy Companies C15159126, Extending the Term for One Additional Year With no Increase in Compensation; 2) Amendment Number 4 to Eagle Systems International, Inc. DBA Synergy Companies C15159125, extending the Term for One Additional Year With no Increase in Compensation; 3) Amendment Number 3 to CLEAResult Consulting, Inc. C15159135 extending the Term for One Additional Year With no Increase in Compensation.
8. Approval of a Professional Services Agreement With CLEAResult for Efficiency and Electrification Program Services for Small to Medium Business and Commercial Customers for a Total Not-to-Exceed Amount\$2,571,714 for a Three-Year Term Through December 31, 2024.
9. Approval of **Resolution 10008** amending the City of Palo Alto's Employee Flexible Benefits Plan as a provision of the Consolidated Appropriations Act of 2021 and the American Rescue Plan Act of 2021 (ARPA) as they relate to Employee Health Care and Dependent Care Flexible Spending Accounts.
10. Approval of Amendment No. 3 to Contract C17166591 with Susan Zoccola, LLC to increase the contract amount by \$35,000 for a total not to exceed amount of \$135,000 and to extend the term through December 2023 to complete the artwork associated with the Charleston-Arastradero Corridor Project.
11. Approval of Contract S20178749 Amendment No. 2 with LCT SOFTWARE, LLC in the Amount of \$70,800 for a New Not to Exceed Amount of \$174,330 for Electronic Document Review Software related

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to the city's Land Use and Permitting System Through December 31, 2022.

12. Adoption of **Resolution 10009** Approving an Application and Making Required Findings for Proposition 68 Per Capita Grant Funds for Boulware Park Improvement Project in the Amount of \$218,000.
13. Request for Authorization to Amend the Existing Legal Service Agreement With the Law Firm of Colantuono, Highsmith & Whatley, PC (Contract S17167696) to Increase the Contract Amount by an Additional \$70,000 for a new Not-to-Exceed Amount of \$455,000 and to Extend the Term to October 1, 2024.
14. Adoption of Revisions to Management and Professional Employees Compensation Plan.
15. Approval of a Memorandum of Understanding Between the City of Palo Alto Police Department and the City of Campbell for the Santa Clara County Specialized Enforcement Team (SCCSET) for a Period of Ten Years at a Cost of \$10,000 or \$5,000 Annually Depending on PAPD Participation.
16. Adoption of an Ordinance Restating Procedures For Expedited Permitting Processing For Electric Vehicle Charging Systems.
17. Approval of a License Agreement With New Cingular Wireless PCS, LLC, to Continue Operating the Communications Site on the City Owned Property Located at 1082 Colorado Avenue.
18. Adoption of **Resolution 10010** Authorizing the City Manager to Execute Participation Agreements on behalf of Palo Alto to Enter Into the Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agree to the Terms of the MOU Allocating Settlement Proceeds, and Authorize Entry Into the MOU with the California Attorney General.

**ITEMS 10, 13, 14 OF MOTION PASSED:** 5-1, Tanaka no, Kou absent

**ITEMS 4-9, 11-12, 15-18 OF MOTION PASSED:** 6-0, Kou absent

## Action Items

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19. Progress Report on the Sustainability and Climate Action Plan Update and S/CAP Ad Hoc Committee Work, and Acceptance of the S/CAP Three-Year Work Plan.

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

- A. Accept the current draft S/CAP 3-Year Work Plan that incorporates the Council directives from April 2021 (Attachment A);
- B. Direct Staff to propose necessary staffing in the Electric Fund and the General Fund during the mid-year budget update, in order to implement the near-term activities in the draft S/CAP 3-Year Work Plan; and
- C. Direct Staff to bring forward a proposal on including an S/CAP impact statement as part of future relevant staff reports on City Council items at the 2022 City Council Retreat.

**MOTION PASSED:** 6-0, Kou absent

The City Council went on a break at 8:54 P.M. and returned at 9:06 P.M.

- 20A. Approval of Employee Appreciation Leave of Three Days (Not to Exceed 36 Hours) On A One-time Basis for City of Palo Alto Employees to be Used Between December 19, 2021 through January 8, 2022, and Authorize the City Manager or Their Designee to Execute Agreements With Designated Employee Representative Groups.
- 20B. Approval of Amendments to the Employment Agreements Between the City of Palo Alto and Council Appointed Officers, Specifically the City Attorney and the City Manager.

Items 20A and 20B were heard together as one Item.

**MOTION:** Vice Mayor Burt moved, seconded by Council Member Cormack to:

- A. Approve Employee Appreciation Leave of three days (not to exceed 36 hours) on a one-time basis for all City of Palo Alto employees to be used between December 19, 2021 through January 8, 2022;
- B. Authorize the City Manager or their designee to execute agreements with designated employee representative groups as needed for implementation;

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- C. Approve and authorize the Mayor to execute the following contract amendments for Council Approved Officers:
- i. Amendment No. 9 to Employment Agreement between the City of Palo Alto and Molly S. Stump; and
  - ii. Amendment No. 3 to Employment Agreement between the City of Palo Alto and Ed Shikada.

**MOTION PASSED:** 5-1, Tanaka no, Kou absent

21. Discussion and Possible Direction Regarding In-Person, Remote, or Hybrid City Council and Board and Commission Meetings.

**MOTION:** Council Member Cormack moved, seconded by Council Member Tanaka to defer resumption of in-person hybrid meetings for Standing Committees, and BCC (Board, Committee, and Commission) meetings to March.

**MOTION PASSED:** 6-0, Kou absent

## Council Member Questions, Comments and Announcements

None

Adjournment: The meeting was adjourned at 10:21 P.M.

### 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.

**Certificate Of Completion**

Envelope Id: CFFF7CF1B4C346A2A5E9AD64502658EF	Status: Completed
Subject: Please DocuSign: 20211129amCCs.docx, 20211206amCCs.docx, 20211213amCCs.docx, 20220103amCCr For ...	
Source Envelope:	
Document Pages: 26	Signatures: 8
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Danielle Kang
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	250 Hamilton Ave
	Palo Alto , CA 94301
	Danielle.Kang@cityofpaloalto.org
	IP Address: 199.33.32.254

**Record Tracking**

Status: Original	Holder: Danielle Kang	Location: DocuSign
1/12/2022 8:52:02 AM	Danielle.Kang@cityofpaloalto.org	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: City of Palo Alto	Location: DocuSign

**Signer Events**

Pat Burt  
pat@patburt.org  
Mr  
Security Level: Email, Account Authentication (None)

**Signature**


DocuSigned by:  
  
ED9E9CFB889E64FF...  
Signature Adoption: Pre-selected Style  
Using IP Address: 98.35.19.155

**Timestamp**

Sent: 1/12/2022 9:10:31 AM  
Viewed: 1/12/2022 1:00:02 PM  
Signed: 1/12/2022 1:07:30 PM

**Electronic Record and Signature Disclosure:**  
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Lesley Milton  
Lesley.Milton@CityofPaloAlto.org  
City Clerk  
Security Level: Email, Account Authentication (None)

DocuSigned by:  
  
E56491CF3DB34FA...  
Signature Adoption: Pre-selected Style  
Using IP Address: 73.223.74.76

Sent: 1/12/2022 1:07:34 PM  
Viewed: 1/12/2022 1:18:36 PM  
Signed: 1/12/2022 1:19:01 PM

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	1/12/2022 9:10:31 AM

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Certified Delivered	Security Checked	1/12/2022 1:18:36 PM
Signing Complete	Security Checked	1/12/2022 1:19:01 PM
Completed	Security Checked	1/12/2022 1:19:01 PM

<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
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