



# CITY COUNCIL ACTION MINUTES

Special Meeting  
April 4, 2022

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

Present: 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: Employee Organization: Service Employees International Union, (SEIU) Local 521, Utilities Management and Professional Association of Palo Alto (UMPAPA) Palo Alto Peace Officers' Association (PAPOA), Palo Alto Police Management Association (PMA), International Association of Fire Fighters (IAFF) local 1319, Palo Alto Fire Chiefs Association (FCA), Management and Professional Employees (MGMT) ; Authority: Government Code Section 54957.6 (a); Authority: Government Code Section 54957.6 (a).

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

**MOTION PASSED:** 6-0, Tanaka Absent

Council went into Closed Session at 5:03 P.M.

Council Member Tanaka arrived late during Closed Session.

Council returned from Closed Session at 6:15 P.M.

Mayor Burt made no announcements for the public.

## Special Orders of the Day

2. Adoption of Resolution for Gabriel Mora Upon His Retirement.

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**MOTION:** Vice Mayor Kou moved, seconded by Council Member Cormack to adopt the Resolution.

**MOTION PASSED:** 7-0

3. Proclamation Honoring National Public Safety Telecommunicator's Week - April 10-16, 2022.

## **NO ACTION TAKEN**

### Agenda Changes, Additions and Deletions

None.

### Public Comment

### Consent Calendar

Council Member DuBois registered a no vote on Agenda Item Number 8.

Council Member Kou registered a no vote on Agenda Item Number 5.

Council Member Tanaka registered a no vote on Agenda Items 5, 6, 10

**MOTION:** Council Member Cormack moved, seconded by Council Member Filseth to approve Agenda Item Numbers 4-14.

## **MOTION SPLIT FOR THE PURPOSE OF VOTING**

**MOTION TO APPROVE ITEM 4, 7, 9, 11-14: PASSED** 7-0

**MOTION TO APPROVE ITEM 5 PASSED:** 5-2, Kou, Tanaka No

**MOTION TO APPROVE ITEM 6, 10 PASSED:** 6-1, Tanaka No

4. Approve Minutes from the March 11, 2022 City Council Meeting, March 14, 2022 City Council Meeting, and the March 21, 2022 City Council Meeting.
5. Utilities Advisory Commission and Staff Recommend the City Council Approve Two Resolutions: 1) **Resolution 10024** Approving an Amendment to the Amended and Restated Water Supply Agreement Between the City and County of San Francisco and Wholesale

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Customers in Alameda County, San Mateo County, and Santa Clara County and Authorizing the City Manager to Execute the Amended Agreement; and 2) **Resolution 10025** Approving a Minimum Purchase Transfer from the City of Mountain View to the City of East Palo Alto.

6. Approve Finance Committee Recommendation for FY 2023 to (a) Return to the Customary Pre-Pandemic Business Registry Certificate Requirement and Fee, and (b) Pause for One Year the Downtown Business Improvement District Assessment Program.
7. Approve, as Recommended by Policy and Services Committee, the FY2022/2023 Risk Assessment & Audit Plan Reports.
8. Adoption of **Resolution 10026** Authorizing Use of Teleconferencing for Council Meetings During Covid-19 State of Emergency.
9. Approval of Amendment Number 2 to the Power Purchase Agreement for Landfill Gas-Generated Electricity With Ameresco Keller Canyon LLC., Reducing the Facility's Output in Exchange for an Annual \$250,000 Administrative Payment to the City.
10. Approval of Contract Amendment Number 1 to Contract Number S22183587 with Fairbanks, Maslin, Maullin, Metz, and Associates (FM3) in the Amount of \$28,500 for One Additional Poll (Three Polls, Total) for the Potential November 2022 Ballot Measure(s) for a Total Not to Exceed Amount of \$113,500 and Approve a Budget Amendment in the General Fund.
11. Adoption of **Resolution 10027** Authorizing the Submittal of a Financial Assistance Application to the United States Bureau of Reclamation for the WaterSMART: Title XVI Water Reclamation and Reuse Project.
12. Approval of Pets in Need's Amended Termination Notice to Extend Termination Date Six Months for Continued Animal Shelter Operations.
13. Adoption of **Resolution 10020** Amending Public Hearing: Objections to Weed Abatement and Adoption of Resolution Ordering Weed Nuisance Abated to Correct an Administrative Error.
14. Approval of Construction Contract Number C22181213 with Stronger Building Services in the Amount of \$179,500 for wq2az9i37the Mitchell Park Library Roof and Gutter Repair Project; Authorize the City Manager or their Designee to Negotiate and Execute one or more

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Change Orders for Related Additional but Unforeseen Work Not to Exceed \$17,950; and Approval of a Budget Amendment for the Roofing Replacement Capital Project (PF-00006) in the Capital Improvement Fund.

## City Manager Comments

Ed Shikada, City Manager

## Action Items

15. Review and Approval of Workplans Implementing 2022 City Council Priorities.

**MOTION:** Council member DuBois moved, seconded by Mayor Burt to accept the list of major projects associated with the 2022 City Council Priorities and have the Mayor and Vice Mayor to work with staff to refine the town hall meeting program details and enable all Council to attend as optional attendance.

**MOTION PASSED:** 7-0

16. Receive the Police Department's Annual Report and Discuss and Accept the Staff Update on Radio Encryption as a Follow-up from the Policy and Services Committee Recommendation on February 8, 2022.

**ORIGINAL MOTION:** Council Member Stone moved, seconded by Vice Mayor Kou to direct staff and PAPD to:

- A. Contact State Department of Justice regarding CLETS and inform them of:
  - i. Operational deficiencies in our current digital system; and
  - ii. Inquire into whether PAPD can revert back to encryption only after policies are implemented that will fully protect personal identifying information (PII)
- B. Direct staff and PAPD to develop policies in order to protect PII on unencrypted radio transmission;

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- C. Support Senator Becker's proposed SB-1000;
- D. Increase communications between PAPD senior staff and the media, as staffing permits; and
- E. Refer to Policy and Services Committee review and discussion of Use of Force (UOF) reports to evaluate current policies and effectiveness of the UOF reports and recommend modifications if necessary.

**PROPOSED AMENDMENT:** On motion by Mayor Burt seconded by Council Member Cormack to delete A and replace as B: Develop programs to pursue near real time streaming of Calls for Services and to narrow location of the calls. Registration will be required to access the platform. Staff shall confer with labor on implementation of this direction.

**MOTION TO APPROVE AMENDMENT PASSED:** 6-1, Stone No

**REVISED MOTION:** Council Member Stone moved, seconded by Vice Mayor Kou to direct staff and PAPD to:

- ~~A. Contact State Department of Justice regarding CLETS and inform them of:
  - ~~i. Operational deficiencies in our current digital system; and~~
  - ~~ii. Inquire into whether PAPD can revert back to encryption only after policies are implemented that will fully protect personal identifying information (PII)~~~~
- B. Develop programs to pursue near real time streaming of Calls for Services and to narrow location of the calls. Registration will be required to access the platform. Staff shall confer with labor on implementation of this direction;
- C. Support Senator Becker's proposed SB-1000;
- D. Increase communications between PAPD senior staff and the media, as staffing permits; and
- E. Refer to Policy and Services Committee review and discussion of Use of Force (UOF) reports to evaluate current policies and effectiveness of the UOF reports and recommend modifications if necessary.

**MOTION PASSED:** 7-0

# ACTION MINUTES

17. Clarification of In-Person Attendance Protocols for Council Committees and Boards and Commissions.

**NO ACTION TAKEN - This Item was continued to a future meeting.**

## Council Member Questions, Comments and Announcements

Adjournment: The meeting was adjourned at 12:40 P.M.

ATTEST:

DocuSigned by:

*Lesley Milton*

E56491CF3DB34FA...

City Clerk

APPROVED:

DocuSigned by:

*Patrick 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: 3294153879DB447794075BB1DDCB6924	Status: Completed
Subject: Please DocuSign: 20220404amCCs.docx	
Source Envelope:	
Document Pages: 6	Signatures: 2
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Mahealani Ah Yun
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	250 Hamilton Ave
	Palo Alto , CA 94301
	Mahealani.AhYun@CityofPaloAlto.org
	IP Address: 199.33.32.254

**Record Tracking**

Status: Original	Holder: Mahealani Ah Yun	Location: DocuSign
4/19/2022 8:21:22 AM	Mahealani.AhYun@CityofPaloAlto.org	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: City of Palo Alto	Location: DocuSign

**Signer Events**

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

**Signature**

DocuSigned by:  
  
 ED9E9CFB89E64FF...  
 Signature Adoption: Pre-selected Style  
 Signed by link sent to pat@patburt.org  
 Using IP Address: 98.35.231.69

**Timestamp**

Sent: 4/19/2022 8:33:52 AM  
 Viewed: 4/19/2022 2:09:27 PM  
 Signed: 4/19/2022 2:09:43 PM

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

Lesley Milton  
 Lesley.Milton@CityofPaloAlto.org  
 City Clerk  
 Security Level: Email, Account Authentication (None)

DocuSigned by:  
  
 E56491CF3DB34FA...  
 Signature Adoption: Pre-selected Style  
 Signed by link sent to  
 Lesley.Milton@CityofPaloAlto.org  
 Using IP Address: 199.33.32.254

Sent: 4/19/2022 2:09:44 PM  
 Viewed: 4/19/2022 3:06:42 PM  
 Signed: 4/19/2022 3:06:51 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

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Envelope Sent	Hashed/Encrypted	4/19/2022 8:33:52 AM
Certified Delivered	Security Checked	4/19/2022 3:06:42 PM
Signing Complete	Security Checked	4/19/2022 3:06:51 PM
Completed	Security Checked	4/19/2022 3:06:51 PM

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