



CITY OF PALO ALTO OFFICE OF THE CITY CLERK

September 9, 2019

**The Honorable City Council
Attention: Finance Committee
Palo Alto, California**

Approval of Action Minutes for the August 12 and August 19, 2019 Council Meetings

Staff is requesting Council review and approve the attached Action Minutes.

ATTACHMENTS:

- Attachment A: 08-12-19 DRAFT Action Minutes (PDF)
- Attachment B: 08-19-19 DRAFT Action Minutes (PDF)

Department Head: Beth Minor, City Clerk



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
August 12, 2019

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

Present: Cormack; DuBois arrived at 5:04 P.M., Filseth, Fine, Kniss, Kou, Tanaka

Absent:

Agenda Changes, Additions and Deletions

None

Consent Calendar

Council Member Kou registered a no vote on Agenda Item Number 7.

Council Member Tanaka registered a no vote on Agenda Item Numbers 4 and 7.

MOTION: Council Member DuBois moved, seconded by Council Member Kniss to approve Agenda Item Numbers 1-7.

1. Approval of Contract Number C20175087A With VSS International, Inc. in the Amount of \$1,543,000 for the Fiscal Year (FY) 2020 Streets Preventive Maintenance Project, Capital Improvement Program Projects PE-86070 and PO-11001.
2. Approval and Authorization for the City Manager or his Designee to Execute the Following Energy and Water Platform Contracts in a Combined Not-to-Exceed Amount of \$2,602,763 Over a Five-year Term: A) WaterSmart Software, Inc., Number C19174648 in an Amount Not-to-Exceed \$537,763; and B) Simple Energy, Inc., Number C20174646 in an Amount Not-to-Exceed \$1,925,000.
3. Resolution 9854 Entitled, "Resolution of the Council of the City of Palo Alto Establishing Fiscal Year (FY) 2020 Secured and Unsecured Property Tax Levy for the City of Palo Alto's General Obligation Bond Indebtedness (Measure N)."

DRAFT ACTION MINUTES

4. Approval and Authorization for the City Manager or his Designee to Execute the Utility Program Services Contract With DirectApps, Inc. dba Direct Technology, Contract Number C20174817 With Total Compensation of \$730,000 and a Maximum Term of Seven Years.
5. Policy and Services Committee Recommends the City Council Accept the Auditor's Office Quarterly Reports as of December 31, 2018 and March 31, 2019.
6. Approval of Amendment Number 1 to Contract Number C17165394 With Genuine Parts Company, dba Napa Auto Parts, to Increase the Contract by \$747,094 to an Amount Not-to-Exceed \$2,996,074, and Extend the Term Through July 21, 2020.
7. Resolution 9855 Entitled, "Resolution of the Council of the City of Palo Alto Updating Objective Standards for Wireless Communications Facilities in the Public Rights of Way to Clarify Language and Address a Conflict With Other City Standards Related to Replacement Pole Height."

MOTION PASSED FOR AGENDA ITEM NUMBERS 1-3, 5-6: 7-0

MOTION PASSED FOR AGENDA ITEM NUMBER 4: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBER 7: 5-2 Kou, Tanaka no

Closed Session

8. CONFERENCE WITH CITY ATTORNEY-EXISTING LITIGATION
California Court of Appeal, Sixth Appellate District, Case No. H046597
Subject: City of Palo Alto, et al., Appellants v. Tze, et al., Respondents
Authority: Government Code Section 54956.9(d)(1).
9. CONFERENCE WITH CITY ATTORNEY-EXISTING LITIGATION
United States District Court, Northern District of California,
Case No. 3:18-cv-01256-JST
Subject: Mahmoud Elsayed, et al. v. City of Palo Alto, et al.
Authority: Government Code Section 54956.9(d)(1).
10. CAO PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager, City Attorney, City Clerk
Authority: Government Code Section 54957 (b).

MOTION: Council Member Kniss moved, seconded by Vice Mayor Fine to go into Closed Session.

MOTION PASSED: 7-0

DRAFT ACTION MINUTES

Council went into Closed Session at 5:16 P.M.

Council returned from Closed Session at 10:20 P.M.

Mayor Filseth announced no reportable action.

Adjournment: The meeting was adjourned at 10:20 P.M.



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
August 19, 2019

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:02 P.M.

Present: Cormack, DuBois; Filseth arrived at 5:20 P.M., Fine, Kniss, Kou, Tanaka

Absent:

Closed Session

1. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION
Santa Clara County Superior Court, Case No. 18CV328638
(One Case, as Defendant) –Yvonne Wellhausen v.
City of Palo Alto, et al.
Authority: Government Code Section 54956.9(d)(1).
2. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION
Santa Clara County Superior Court, Case No. 18CV328469
(One Case, as Defendant) –Jay Greer v. City of Palo Alto
Authority: Government Code Section 54956.9(d)(1).

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

MOTION PASSED: 6-0 Filseth absent

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

Council returned from Closed Session at 6:25 P.M.

Mayor Filseth announced no reportable action.

Special Orders of the Day

3. Presentation of Mayor's Green Business Leader Awards.

NO ACTION TAKEN

DRAFT ACTION MINUTES

Agenda Changes, Additions and Deletions

None

Minutes Approval

4. Approval of Action Minutes for the August 5, 2019 Council Meeting.

MOTION: Mayor Filseth moved, seconded by Vice Mayor Fine to approve the Action Minutes for the August 5, 2019 Council Meeting.

MOTION PASSED: 7-0

Consent Calendar

Council Member DuBois registered a no vote on Agenda Item Number 13.

MOTION: Mayor Filseth moved, seconded by Council Member Cormack to approve Agenda Item Numbers 5-13.

5. Approval of an Exemption From Competitive Solicitation and Approval of Contract Number C20175537 With Kennedy/Jenks Consultants in the Total Amount Not-to-Exceed \$279,660 to Provide Extended Design Services to Complete the new Primary Outfall Line at the Regional Water Quality Control Plant, Wastewater Treatment Fund Capital Improvement Program Project, WQ-19002.
6. Approval of Contract Number C20175276 With Ranger Pipelines, Inc. in the Amount of \$4,146,435 for Water Main Replacement Project 27 (WS-13001) and the Water Distribution System Improvement (WS-11003) Capital Projects in the Oak Creek and Leland Manor/Garland Neighborhoods; and Authorization for the City Manager to Negotiate and Execute Related Change Orders Not-to-Exceed \$414,644, for a Total Not-to-Exceed Amount of \$4,561,079.
7. Authorize the City Manager to Finalize the Purchase of 27,829 Square Feet of Vacant Land Adjacent to 3350 Birch Street and Approve Budget Amendments in the Parks Development Impact Fee Fund and the Capital Improvement Fund.
8. Approval of Contract Number C191173677 With CivicRec in the Amount of \$389,875 for the Purchase and Implementation of a Recreation Management Software for a 3.5 Year Term; and Approval of a Budget Amendment in the General Fund.

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9. Resolution 9856, Entitled "Resolution of the Council of the City of Palo Alto Concluding the CustomerConnect Pilot Program; and Repealing Electric Rate Schedule E-1 TOU (Residential Time-of-Use Rate Adjustment) and Resolution Number 9737."
10. Resolution 9857, Entitled "Resolution of the Council of the City of Palo Alto Approving and Attesting to the Veracity of the 2018 Annual Power Source Disclosure Report."
11. Approval of the Changes to the Human Services Emerging Needs Fund Policy.
12. Policy and Services Committee Recommends the City Council Accept the Status Updates of the Audits of the Citywide Cash Handling and Travel Expense; Cable Franchise and Public, Education and Government (PEG) Fees; Continuous Monitoring: Payments Audit; Utility Meters; and Inventory Management.
13. Approval of Amendment Number 2 to Contract Number S19174828 for the Professional Services Agreement With Management Partners for Auditor Services to add \$50,000 for a Total Not-to-Exceed Amount of \$135,000 for an Additional Two-month Term Through November 14, 2019.

MOTION PASSED FOR AGENDA ITEM NUMBERS 5-12: 7-0

MOTION PASSED FOR AGENDA ITEM NUMBER 13: 6-1 DuBois no

Action Items

14. Staff Recommends the City Council Receive a Status Update on the North Ventura Coordinated Area Plan (NVCAP) and Endorse an Updated Approach and Schedule to Complete the Project; Direct Staff to Return With Consultant Contracts That are Responsive to the Identified Approach; and Explore Supportive Funding Opportunities From Owners With Significant Property Interests Within the Project Boundary. The Recommendation in This Report is not a Project as Defined in the California Environmental Quality Act (CEQA).

MOTION: Council Member Kniss moved, seconded by Council Member XX to:

- A. Direct Staff to return with a contract with Water Resource Associates Environmental Consultants (WRA) for the purpose of studying the feasibility of converting the channelized Matadero Creek into an open space corridor;

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- B. Direct Staff to return with an amended contract with Perkins+Will for additional services related to the North Ventura Coordinated Area Plan;
- C. Endorse the overall approach, project schedule, and specific direction regarding the Working Group's role in the North Ventura Coordinated Area Plan; and
- D. Direct Staff to explore additional funding opportunities with large property owners in the project study area to share plan development costs.

MOTION FAILED DUE TO THE LACK OF A SECOND

MOTION: Council Member Kniss moved, seconded by Council Member DuBois to direct Staff to return with a contract with Water Resource Associates Environmental Consultants (WRA) for the purpose of studying the feasibility of converting the channelized Matadero Creek into an open space corridor.

MOTION PASSED: 7-0

MOTION: Vice Mayor Fine moved, seconded by Council Member Kniss to:

- A. Direct Staff to return with an amended contract with Perkins+Will for additional services related to the North Ventura Coordinated Area Plan;
- B. Endorse the overall approach, project schedule, and specific direction regarding the Working Group's role in the North Ventura Coordinated Area Plan; and
- C. Direct Staff to explore additional funding opportunities with large property owners in the project study area to share plan development costs.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to return with language for a goal regarding historical and/or cultural designation of 340 Portage.

MOTION AS AMENDED RESTATED: Vice Mayor Fine moved, seconded by Council Member Kniss to:

- A. Direct Staff to return with an amended contract with Perkins+Will for additional services related to the North Ventura Coordinated Area Plan;
- B. Endorse the overall approach, project schedule, and specific direction regarding the Working Group's role in the North Ventura Coordinated Area Plan; and

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- C. Direct Staff to explore additional funding opportunities with large property owners in the project study area to share plan development costs; and
- D. Direct Staff to return with language for a goal regarding historical and/or cultural designation of 340 Portage.

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

Council took a break at 9:20 P.M. and returned at 9:34 P.M.

- 15. Approval of the Response to the 2018-2019 Civil Grand Jury of Santa Clara County Report Entitled, "Inquiry into Governance of the Valley Transportation Authority."

MOTION: Mayor Filseth moved, seconded by Vice Mayor Fine to approve the recommended response letter to the 2018- 2019 Civil Grand Jury of Santa Clara County Report, entitled, "Inquiry into Governance of the Valley Transportation Authority," including Staff's enhancements.

MOTION PASSED: 7-0

- 16. Recommendation for City Council Direction on Establishment of a Rail Blue Ribbon Committee to Advise the City Council on the Selection, Funding, and Support for Grade Separation Projects.

MOTION: Council Member DuBois moved, seconded by Council Member Kou to continue this item to a date in September 2019.

MOTION PASSED: 7-0

State/Federal Legislation Update/Action

None.

Adjournment: The meeting was adjourned at 10:29 P.M.