



CITY OF PALO ALTO OFFICE OF THE CITY CLERK

December 14, 2020

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

Approval of Action Minutes for the November 30 and December 07, 2020 City Council Meetings

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

ATTACHMENTS:

- Attachment A: 11-30-20 DRAFT Action Minutes (DOCX)
- Attachment B: 12-07-20 DRAFT Action Minutes (PDF)

Department Head: Beth Minor, City Clerk



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
November 30, 2020

The City Council of the City of Palo Alto met on this date in Virtual Teleconference at 6:01 P.M.

Participating Remotely: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Absent:

Study Session

1. Study Session on Community and Economic Recovery.

Council took a break at 8:15 P.M. and returned at 8:25 P.M.

NO ACTION TAKEN

Special Orders of the Day

2. Selection of Applicants to Interview for the Historic Resources Board and the Planning and Transportation Commission.

MOTION: Council Member Kou moved, seconded by Council Member Filseth to direct Staff to schedule interviews for the Planning and Transportation Commission (PTC) and Historic Resources Board (HRB) for a date in January 2021; and extend the application period for the HRB.

SUBSTITUTE MOTION: Mayor Fine moved, seconded by Council Member Kniss to interview all current applicants for the HRB and PTC and extend the recruitment for the Historic Resources Board.

SUBSTITUTE MOTION PASSED: 4-3 DuBois, Filseth, Kou no

Agenda Changes, Additions and Deletions

None.

DRAFT ACTION MINUTES

Minutes Approval

3. Approval of Action Minutes for the November 09, 2020 City Council Meeting.

MOTION: Council Member Kniss moved, seconded by Vice Mayor DuBois to approve the Action Minutes for the November 09, 2020 City Council Meeting.

MOTION PASSED: 7-0

Consent Calendar

MOTION: Vice Mayor Fine moved, seconded by Council Member DuBois, third by Council Member Kniss to pull Agenda Item 9A "...Letter Expressing Concerns and Objection to the Valley Transportation Authority (VTA)..." to hear it at the end of tonight's meeting, to become Agenda Item Number 11A. the Regular Agenda as new Agenda Item Number 11A.

Council Member Kou and Vice Mayor DuBois registered no votes on Agenda Item Number 5.

MOTION: Mayor Fine moved, seconded by Vice Mayor DuBois, third by Council Member Kniss to pull Agenda Item Number 4, "Approval of a Three-year Contract With Downtown Streets, Inc..." to a date uncertain.

MOTION: Mayor Fine moved, seconded by Council Member Cormack to approve Agenda Item Numbers 5-9.

~~4. Approval of a Three year Contract With Downtown Streets, Inc. for a Total Amount Not to Exceed \$323,244 for Maintenance Services for the City's Five Downtown Parking Garages, Downtown Sidewalks and Alleys; and Provide Outreach Case Management Services to the Downtown Core With the Intent of Linking Homeless Individuals to Community and Housing Services.~~

5. Approval of a Funding Agreement With the Palo Alto Transportation Management Association (TMA) to Provide \$350,000 in Fiscal Year (FY) 2021; and Authorize the City Manager to Execute Amendments to Determine Funding Subject to Council Appropriation in FY 2022 and FY 2023 to Reduce Single-occupancy Vehicle Trips to Palo Alto.

6. Adoption of the Amended Community Development Block Grant (CDBG) Citizen Participation Plan.

7. Adoption of a Pension Funding Policy.

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8. Adoption of a Resolution 9927 Entitled "Resolution of the Council of the City of Palo Alto Vacating a Public Utility Easement at 1201 Parkinson Avenue."
9. Approval of the Tri-cities Consortium Records Management System Software Agreement With Sun Ridge Systems Inc. for \$621,248, and a Term Ending Five Years From the Date of Project Implementation to Establish a New Records Management System for the Police Departments of Palo Alto, Mountain View, and Los Altos.
- ~~9A. City Council Endorsement of the Letter Expressing Concerns and Objection to the Valley Transportation Authority (VTA) Measure B Funding Proposal.~~

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

MOTION PASSED FOR AGENDA ITEM NUMBERS 6-9: 7-0

Action Items

10. Consideration of Follow-up Recommendations by the City Council Ad Hoc Committee on Boards, Commissions and Committees (BCCs), Including Adopting a Handbook and BCC Applications.

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

- A. Adopt the City of Palo Alto Boards, Commissions, and Committees Handbook;
- B. Use the Architectural Review Board Application as a template for all Boards and Commission Applications;
- C. Direct Staff to take the steps necessary to implement these changes;
- D. Update Human Relations Commission (HRC) description to include HSRAP and Emerging Needs Study; and
- E. Modify term limits to three terms for positions on the Historic Resources Board and Architectural Review Board, and two terms for all other BCCs.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to keep the membership of the Human Relations Commission to seven members.

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to apply term limits to currently serving BCC members who would be eligible to apply for an additional term.

AMENDMENT: Council Member Kniss moved, seconded by Mayor Fine that the removal of a BCC member would require five votes by the City Council.

AMENDMENT FAILED: 3-4 Fine, Kniss, Tanaka yes

AMENDMENT: Council Member Kou moved, seconded by Council Member Tanaka to require staff reports be provided to the BCCs seven days in advance of each meeting.

AMENDMENT PASSED: 4-3 Cormack, Filseth, Fine no

MOTION AS AMENDED: Vice Mayor moved, seconded by Council Member Cormack to:

- A. Adopt the City of Palo Alto Boards, Commissions, and Committees Handbook; and
- B. Use the Architectural Review Board Application as a template for all Boards and Commission Applications;
- C. Direct Staff to take the steps necessary to implement these changes;
- D. Update Human Relations Commission (HRC) description to include HSRAP and Emerging Needs Study;
- E. Modify term limits to three terms for positions on the Historic Resources Board and Architectural Review Board, and two terms for all other BCCs;
- F. Keep members;
- G. Apply term limits to currently serving BCC members who would be eligible to apply for an additional term;
- H. To require staff reports be provided to the BCCs seven days in advance of each meeting.

MOTION SPLIT FOR THE PURPOSE OF VOTING

MOTION FOR PARTS A-E, G, and H PASSED: 7-0

MOTION FOR PART F FAILED 3-4: Kniss, Kou, Tanaka yes

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Council took a break at 10:16 P.M. and returned at 10:22 P.M.

11. PUBLIC HEARING: Appeal of a Director's Interpretation Made Pursuant to Palo Alto Municipal Code Section 18.01.025 and Related to Seismic Rehabilitation. The Project is Exempt From the California Environmental Quality Act (CEQA) in Accordance With CEQA Guidelines 15061(b)(3).

Public Hearing opened at 10:33 P.M.

Public Hearing closed at 10:55 P.M.

MOTION: Vice Mayor DuBois moved, seconded by Council Member Filseth to allow the current interpretation for up to one year; and direct Staff to return to Council with a text amendment to clarify that the Floor Area Ratio (FAR) bonus is for rehabilitation and, in the case of a Category 1 building, it would include demolition assuming all other requirements to qualify are met.

SUBSTITUTE MOTION: Mayor Fine moved, seconded by Council Member Tanaka to deny the appeal upholding the director's interpretation related to seismic retrofitting.

SUBSTITUTE MOTION FAILED: 3-4 Fine, Kniss, Tanaka yes

MOTION PASSED: 6-1 Kniss no

Vice Mayor DuBois left the meeting at 11:35 P.M.

- 11A. (Former Agenda Item Number 9A) City Council Endorsement of the Letter Expressing Concerns and Resolution 9928 Entitled "Resolution of the Council of the City of Palo Alto [in] Objection to the Valley Transportation Authority (VTA) Measure B Funding Proposal (Previously Agenda Item Number 9A)."

MOTION: Mayor Fine moved, seconded by Council Member Kniss to endorse the letter submitted by Mayor Fine expressing concern and opposition to the Valley Transportation Authority's (VTA's) proposed cash flow limiting the availability of Measure B transportation funds; and to adopt the Resolution opposing the Valley Transportation Authority's 2016 Measure B 10-year outlook base scenario.

MOTION PASSED: 6-0 DuBois absent

Adjournment: The meeting was adjourned at 11:49 P.M.



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
December 07, 2020

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

Participating Remotely: DuBois, Filseth, Fine; Kniss arrived at 5:15 P.M.,
Kou, Tanaka

Absent: Cormack

Closed Session

1. CONFERENCE WITH LABOR NEGOTIATORS
City Designated Representatives: City Manager and his Designees Pursuant to Merit System Rules and Regulations (Ed Shikada, Rumi Portillo, Molly Stump, Monique LeConge Ziesenhenné, Nick Raisch, Kiely Nose, Dean Batchelor)
Employee Organizations: Utilities Management and Professional Association of Palo Alto (UMPAPA)
Authority: Government Code Section 54957.6(a).
2. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION
Subject: ABG-PACT Owner v. City of Palo Alto et al., Santa Clara County Superior Court, Case No. 19cv352355, and Local Administrative Appeal on Citation Nos. BA021320, BA022020, BA022720, BA030520, and BA031220 College Terrace Centre Grocery – Code Enforcement Matters
Authority: Government Code Section 54956.9 (d)(1).

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

MOTION PASSED: 5-0 Cormack, Kniss absent

Council went into Closed Session at 5:08 P.M.

Council returned from Closed Session at 6:44 P.M.

Mayor Fine announced no reportable action.

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Study Session

3. Study Session on Community and Economic Recovery Strategies and Engagement (Continued From November 30, 2020).

NO ACTION TAKEN

Minutes Approval

4. Approval of Action Minutes for the November 16, 2020 City Council Meeting.

MOTION: Mayor Fine moved, seconded by Vice Mayor DuBois to approve the Action Minutes for the November 16, 2020 City Council Meeting.

MOTION PASSED: 6-0 Cormack absent

Consent Calendar

Council Member Kou registered a no vote on Agenda Item Numbers 10 and 12.

Mayor Fine registered a no vote on Agenda Item Number 11.

Council Member Tanaka registered a no vote on Agenda Item Number 11.

MOTION: Mayor Fine moved, seconded by Council Member Kniss to approve Agenda Item Numbers 5-12.

5. Approval of a Contract With Canopy for \$225,510 for a One-year Term to Support Palo Alto's Urban Forestry Programs; Assist With Implementation of Programs Within the Urban Forest Master Plan; Help Improve the Tree Canopy in South Palo Alto; and Educate the Public About Trees.
6. Approval of Amendment Number 1 to Contract Number C19171565 With Brown and Caldwell for Professional Design Services for the Secondary Treatment Process Upgrade Capital Improvement Project (WQ-19001) at the Regional Water Quality Control Plant; to add Services and Increase Compensation by \$1,500,745 for a new Maximum Compensation Not-to-Exceed \$4,424,101; and to Extend the Contract Term Through September 30, 2025.
7. Staff and the Utilities Advisory Commission (UAC) Recommend the Council Adopt a Resolution Amending the City's Carbon Neutral Gas Plan

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to Continue to Achieve Carbon Neutrality for the City's Natural Gas Supply Portfolio.

8. Approval of Contract Number C21175922A With Anderson Pacific Engineering Construction, Inc. in the Amount of \$5,545,000 for Corte Madera Reservoir Replacement Project (WS-09000); and Authorization for the City Manager to Negotiate and Execute Related Change Orders Not-to-Exceed \$554,500 for a Total Not-to-Exceed Amount of \$6,099,500.
9. Resolution 9929 Entitled, "Resolution of the Council of the City of Palo Alto Approving the Updated Renewable Portfolio Standard Procurement Plan and Enforcement Program."
10. Approval of Three Five-year Contracts for the Palo Alto Airport With: 1) Burns & McDonnell in the Amount of \$1,000,000 to Provide Design/Engineering and Grant Administration Services, 2) C&S Engineers, Inc. in the Amount of \$1,500,000 to Provide Planning and Construction Management Services, and 3) Centurion Planning in the Amount of \$1,000,000 to Provide Environmental Services; and Approval of a Fiscal Year 2021 Budget Amendment in the Airport Enterprise Fund.
11. PUBLIC HEARING: Adoption of an Ordinance Amending Section 18.52.070 (Parking Regulations for CD Assessment District) to Temporarily Extend Ineligibility of Certain Uses to Participate in the University Avenue In-lieu Parking Program for 18 Months.
12. Ordinance 5512 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code (PAMC) Title 18, Chapters 18.04, 18.16, 18.40, and 18.52 to: 1) Expand the Housing Incentive Program to San Antonio Road; and 2) Amend Definition of Gross Floor Area and Amend Retail Preservation for Housing." (FIRST READING: November 16, 2020 PASSED: 4-3 DuBois, Filseth, Kou no).

MOTION PASSED FOR AGENDA ITEM NUMBERS 5-9: 6-0 Cormack absent

MOTION PASSED FOR AGENDA ITEM NUMBERS 10 AND 12: 5-1 Kou no, Cormack absent

MOTION PASSED FOR AGENDA ITEM NUMBER 11: 4-2 Fine, Tanaka no, Cormack absent

Council took a break at 8:02 P.M. and returned at 8:12 P.M.

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Action Items

13. Approval of a Three-year Contract With Downtown Streets, Inc. for a Total Amount Not-to-Exceed \$323,244 for Maintenance Services for the City's Five Downtown Parking Garages, Downtown Sidewalks and Alleys; and Provide Outreach Case Management Services to the Downtown Core With the Intent of Linking Homeless Individuals to Community and Housing Services (Continued From November 30, 2020).

MOTION: Council Member Kniss moved, seconded by Vice Mayor DuBois to authorize the City Manager or his designee to execute Contract No. C21179861 with Downtown Streets Team, Inc., to provide cleaning services and homeless case management services in the Downtown Business District, for a term of one year and a total amount not to exceed \$107,748.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER, "to direct Staff to work with Downtown Streets Team, Inc. to supply the City with governance and nature of practice materials." (New Part B)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER, "to direct the City Attorney's Office to review and summarize legal documents relating to the ongoing wage and hour lawsuit with Downtown Streets Team, Inc." (New Part C)

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

- A. Authorize the City Manager or his designee to execute Contract No. C21179861 with Downtown Streets Team, Inc., to provide cleaning services and homeless case management services in the Downtown Business District, for a term of one year and a total amount not to exceed \$107,748;
- B. To direct Staff to work with Downtown Streets Team, Inc. to supply the City with governance and nature of practice materials; and
- C. To direct the City Attorney's Office to review and summarize legal documents relating to the ongoing wage and hour lawsuit with Downtown Streets Team, Inc.

MOTION AS AMENDED PASSED: 6-0 Cormack absent

14. Discussion and Possible Direction to Staff Regarding City Participation in Enforcement of State and County Health Orders and Seasonal Events.

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NO ACTION TAKEN

Adjournment: The meeting was adjourned at 10:24 P.M.