



CITY OF PALO ALTO OFFICE OF THE CITY CLERK

January 13, 2020

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

Approval of Action Minutes for the December 9 and 16, 2019 and January 6, 2020 Council Meetings

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

ATTACHMENTS:

- Attachment A: 12-09-19 DRAFT Action Minutes (DOCX)
- Attachment B: 12-16-19 DRAFT Action Minutes (PDF)
- Attachment C: 01-06-20 DRAFT Action Minutes (PDF)

Department Head: Beth Minor, City Clerk



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
December 9, 2019

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:06 P.M.

Present: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Absent:

Special Orders of the Day

1. Proclamation Honoring Donatus "Dee" Okhomina.
2. Proclamation Honoring Project Safety Net's 10 Year Anniversary.

Rail Communications Update

3. Rail Grade Separation Updates: Report and Possible Direction on Communications and Community Engagement and Previously Proposed Rail Blue Ribbon Commission, and Verbal Update From the Expanded Community Advisory Panel (XCAP).

Council took a break at 5:58 P.M. and returned at 6:03 P.M.

AT THIS TIME COUNCIL TOOK UP AGENDA ITEM NUMBER 4.

Study Session

4. Study Session With Santa Clara County Supervisor Joe Simitian.

AT THIS TIME COUNCIL RESUMED DISCUSSION ON AGENDA ITEM NUMBER 3.

Rail Communications Update

3. Rail Grade Separation Updates: Report and Possible Direction on Communications and Community Engagement and Previously Proposed Rail Blue Ribbon Commission, and Verbal Update From the Expanded Community Advisory Panel (XCAP).

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MOTION: Vice Mayor Fine moved, seconded by Council Member Cormack to eliminate consideration of the Rail Blue Ribbon Commission (RBRC).

MOTION PASSED: 7-0

Council took a break at 7:40 P.M. and returned at 7:48 P.M.

Consent Calendar

Council Member Kniss advised she would not be participating in Agenda Item Number 8A due to owning an apartment property.

Council Member Tanaka registered a no vote on Agenda Item Number 6.

MOTION: Council Member DuBois moved, seconded by Council Member Kou to approve Agenda Item Numbers 4-8A.

5. Approval of a License Agreement With PTI US Towers II, LLC for Continued Operation of Telecommunications Facilities on a City-owned Property Located at 2675 Hanover Street.
6. Approval of Amendment Number 2 to Contract Number S16161854 With Tandem Creative Inc. for Graphic Design and Public Outreach Services to Extend the Contract Term With no Increase in Maximum Compensation.
7. Approval of Amendment Number 2 to the Agreement With Palo Alto Unified School District (PAUSD) for PAUSD Athletic Field Brokering and Maintenance Cost-sharing to Extend the Term to December 2021 With an Optional Mutual Extension for an Additional Two Years.
8. Approval of an Agreement With the Peninsula Corridor Joint Powers Board in the Amount of \$112,176 for the 2020 Caltrain Go Pass Program.
- 8A. Colleagues' Memo From Council Members DuBois and Kou Regarding Potential Adoption of an Urgency Ordinance to Provide Just Cause Eviction Protections to Tenants Until California State Assembly Bill 1482 Takes Effect on January 1, 2020 (Continued From December 2, 2019).

MOTION PASSED FOR AGENDA ITEM NUMBER 5, 7, and 8: 7-0

MOTION PASSED FOR AGENDA ITEM NUMBERS 6: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBER 8A: 6-0 Kniss recused

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Action Items

9. Council Direction on Scope of Review for Procedures and Protocols Related to Boards and Commissions.

MOTION: Council Member DuBois moved, seconded by Mayor Filseth to direct the ad-hoc committee to work with Staff on the issues listed in the Staff Report, including additional items raised by Council, for processes from recruitment through serving and working with Council.

MOTION PASSED: 5-2 Kniss, Tanaka no

10. Colleagues' Memo From Council Members Cormack, Fine, and Tanaka Regarding Anti-vaping Measures.

MOTION: Council Member Tanaka moved, seconded by Council Member Cormack to direct Staff to return to Council with the following:

- A. An ordinance prohibiting the sale and distribution of all electronic cigarettes, in alignment with the County of Santa Clara's recent approach, with as few exemptions as possible;
- B. Avenues identified to support legislation making it harder for minors to successfully order electronic cigarette products online (e.g. needing a signature of a 21-year-old at delivery);
- C. An update on the County's recent enforcement activities of the existing Tobacco Retail Permit Ordinance; and
- D. Suggested funding as needed after the Community Meeting in January 2020.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion a new Part E to state, "investigate possible disincentives and/or fines for vaping in public".

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to change Motion Part C to state, "provide a yearly update on the enforcement activities of the existing Tobacco Retail Permit Ordinance".

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to change the language in the Motion Part A to state, "electronic cigarettes and flavored tobacco products...".

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion a new Part F to state, "work with PAUSD through the City/School Liaison Committee to reduce youth vaping".

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion a new Part G to state, "recommend appropriate disposal methods and education for electronic cigarettes".

MOTION AS AMENDED RESTATED: Council Member Tanaka moved, seconded by Council Member Cormack to direct Staff return to Council with the following:

- A. An ordinance prohibiting the sale and distribution of all electronic cigarettes and flavored tobacco products, in alignment with the County of Santa Clara's recent approach, with as few exemptions as possible;
- B. Avenues identified to support legislation making it harder for minors to successfully order electronic cigarette products online (e.g. needing a signature of a 21-year-old at delivery);
- C. A yearly update on the enforcement activities of the existing Tobacco Retail Permit Ordinance;
- D. Suggested funding as needed after a Community Meeting in January 2020;
- E. Investigative results of disincentives and/or fines for vaping in public;
- F. Work done with PAUSD through the City/School Liaison Committee to reduce youth vaping; and
- G. Recommendation of appropriate disposal methods and education for electronic cigarettes.

MOTION AS AMENDED PASSED: 7-0

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Closed Session

11. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Authority: Government Code Section 54956.8

Properties: (1) 2416-2460 Park Boulevard (APN 124-29-002); and
(2) 249-251 California Avenue (APN 124-29-007);

Negotiating Parties: City of Palo Alto; and (1) Marthe Raymann,
as Successor Trustee of The Alois and Marthe Raymann Trust
Dated July 17,1991; and (2) Duca and Hanley Properties, Inc.,
a Corporation;

City Negotiators: Ed Shikada, Monique le Conge Ziesenhenné,
Brad Eggleston, Kiely Nose, and Sunny Tong

Subject of Potential Negotiations: Price and Terms of Payment for
Subsurface Easements Related to Construction of the Public Safety
Building at 250 Sherman Avenue.

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

MOTION PASSED: 6-0 Kou absent

Council went into Closed Session at 10:49 P.M.

Council returned from Closed Session at 11:00 P.M.

Mayor Filseth announced no reportable action.

Adjournment: The meeting was adjourned at 11:01 P.M.



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
December 16, 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, Filseth, Fine, Kniss, Kou, Tanaka

Absent:

Closed Session

1. CONFERENCE WITH CITY ATTORNEY-POTENTIAL LITIGATION
Subject: California Department of Labor Standards and Enforcement
Complaint Filed by Yuki Matsuura (DLSE Case No. RCI-CM-609984)
Authority: Potential Exposure to Litigation Under Government
Code Section 54956.9(d)(2) (One Potential Case, as Defendant).

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

MOTION PASSED: 7-0

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

Council returned from Closed Session at 6:27 P.M.

MOTION: Vice Mayor Fine moved, seconded by Council Member Cormack to continue Agenda Item Number 2, "Appointment of Three Candidates to the Historic Resources ..." to the next meeting.

MOTION PASSED: 5-0 Kniss, Kou absent

Special Orders of the Day

- ~~2. Appointment of Three Candidates to the Historic Resources Board and Four Candidates to the Parks and Recreation Commission for Three-year Terms Ending December 15, 2022; and one Candidate to the Planning and Transportation Commission for a Four-year Term Ending December 15, 2023.~~

AT THIS TIME COUNCIL WILL CONVENE TO A REGULAR MEETING

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MONDAY, DECEMBER 16, 2019

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:29 P.M.

Present: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Library Advisory Commission: Chang, Hagan, Moss, Vice Chair Murphy, Chair Wilson

Absent:

Special Orders of the Day

- A. Appointment of Three Candidates to the Historic Resources Board and Four Candidates to the Parks and Recreation Commission for Three-year Terms Ending December 15, 2022; and one Candidate to the Planning and Transportation Commission for a Four-year Term Ending December 15, 2023.

First Round of voting for three positions on the Historic Resources Board with terms ending December 15, 2022.

Voting For: David Bower Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Voting For: Valerie Driscoll Tanaka

Voting For: Christian Pease Cormack, DuBois, Filseth, Fine, Kniss, Kou,

Voting For: Deborah Shepherd Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Beth Minor, City Clerk announced that David Bower with 7 votes, Deborah Shephard with 7 votes, and Christian Pease with 6 votes were appointed to the Historic Resources Board.

First Round of voting for four positions on the Parks and Recreation Commission with terms ending December 15, 2022.

Voting For: Adrienne Chang

Voting For: Jeff LaMere Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

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Voting For: Ryan McCauley Cormack, Fine, Kniss, Tanaka

Voting For: Jackie Olsen Cormack, DuBois, Filseth, Fine, Kniss, Kou,

Voting For: Keith Reckdahl Cormack, DuBois, Filseth, Fine, Kniss, Kou,
Tanaka

Voting For: Mark Robinson

Voting For: Curtis Smolar Tanaka

Voting For: Brent Yamashita DuBois, Filseth, Kou

Beth Minor, City Clerk announced that Jeff LaMere with 7 votes, Keith Reckdahl with 7 votes, Jackie Olson with 6 votes, and Ryan McCauley with 4 votes were appointed to the Parks and Recreation Commission.

First Round of voting for one position on the Planning and Transportation Commission with a term ending December 15, 2023.

Voting For: Doug Burns

Voting For: Rebecca Eisenberg

Voting For: Angela Evans Kniss

Voting For: Barton Hechtman Cormack, Fine, Tanaka

Voting For: Karl Matzke

Voting For: Randolph Tsien

Voting For: Asher Waldfogel DuBois, Filseth, Kou

Voting For: Christopher Kan

Second Round of voting for one position on the Planning and Transportation Commission with a term ending December 15, 2023.

Voting For: Doug Burns

Voting For: Rebecca Eisenberg

Voting For: Angela Evans

Voting For: Barton Hechtman Cormack, Fine, Kniss, Tanaka

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Voting For: Karl Matzke

Voting For: Randolph Tsien

Voting For: Asher Waldfogel DuBois, Filseth, Tanaka

Voting For: Christopher Kan

Beth Minor, City Clerk announced that Barton Hechtman with 4 votes was appointed to the Planning and Transportation Commission.

Study Session

3. Library Advisory Commission Study Session.

NO ACTION TAKEN

Agenda Changes, Additions and Deletions

Mayor Filseth announced City Manager Comments will be heard after the Consent Calendar.

Minutes Approval

4. Approval of Action Minutes for the December 2, 2019 Council Meeting.

MOTION: Mayor Filseth moved, seconded by Council Member Cormack to approve the Action Minutes for the December 2, 2019 Council Meeting.

MOTION PASSED: 7-0

Consent Calendar

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

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

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

5. Approval of Amendment Number 3 to Contract Number C17166284 With Forsys, Inc. for On-call SAP Project Support Services; and Amendment Number 2 to Contract Number C17166285 With Forsys, Inc. for On-call IT Project Support Services, Each to Extend the Term Through March 31, 2020 With an Optional Extension to June 30, 2020.

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6. Approval of Amendment Number 1 to Contract Number S19174467 With Buildingeye to add \$179,250 for a Not-to-Exceed Amount of \$229,250 and Extend the Contract for Three-years to Provide Visualization of Data for Building Permits, Planning Entitlements, and Code Enforcement Activities; and Approval of an Exemption From Solicitation.
7. Approval of a Three-year Contract With North American Youth Athletics, LLC in the Amount of \$285,000 for Soccer Classes and Camps.
8. Approval of Contract Number C20174897 With Transmetro for the Operation of the Existing Palo Alto Crosstown Shuttle Service With Total Compensation Not-to-Exceed \$1,139,347.50 Over a Three-year Term.
9. Approval of the Following Contract Amendments for the City's Fair Value Commuting Project in Cooperation With the Federal Transit Administration: 1) Amendment Number 2 to Contract Number C19173096 With Prospect Silicon Valley to Extend the Term Through April 30, 2020 and Increase the Contract Limit by \$26,000 to an Amount Not-to-Exceed \$251,000; 2) Amendment Number 3 to Contract Number S17166237 With Hillary M. Rupert to Extend the Term Through May 31, 2020 and Increase the Contract Limit by \$55,000 to an Amount Not-to-Exceed \$327,200; and 3) Amendment Number 1 to Contract Number C19173099 With RideAmigos to Extend the Term Through March 31, 2020 and Increase the Contract Limit by \$10,500 to an Amount Not-to-Exceed \$160,850.
10. Approval of Amendment Number 4 to Contract Number C12142180 Between the City of Palo Alto (on Behalf of the Joint Powers Board) and Midpeninsula Community Media Center, Inc. for Public, Education, and Government (PEG) Access Channel Support Services to Extend the Term to June 30, 2020.
11. Resolution 9872 Entitled, "Resolution of the Council of the City of Palo Alto to Update the Municipal Penalty Schedule to Reflect the Re-numbered Fire Code."
12. Approval of the City/School Liaison Committee Purpose Statement.
13. Approval of Amendment Number 2 to Contract Number C16161182 With Freytag & Associates to Extend the Term of the Agreement to October 31, 2020 With no Additional Cost to the City for Professional Services Related to Airplane Noise Assessment and Mitigation.
- 13A. Approval of the Letter to Senator Hill and Assemblymember Berman Regarding the FASTER Program Proposal.

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MOTION PASSED FOR AGENDA ITEM NUMBERS 5, 9: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBERS 6-8, 10-13: 7-0

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

Council took a break at 8:02 P.M. and returned at 8:11 P.M.

Action Items

14. PUBLIC HEARING: Adoption of a Resolution 9873 Entitled, "Resolution of the Council of the City of Palo Alto Amending Objective Standards for Wireless Communication Facilities (WCF) in the Public Rights of Way to Clarify Existing Standards and add new Standards Regarding the Prioritization, Placement, Location, and Design Criteria."

Public Hearing opened at 8:24 P.M.

Public Hearing closed at 9:06 P.M.

MOTION: Council Member Kniss moved, seconded by Council Member DuBois to adopt a Resolution amending the objective standards for Wireless Communication Facilities (WCF) attached to streetlight poles and wood utility poles in the public rights of way.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion "direct Staff to consider noise as a potential addition to future revisions of the Ordinance."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion "direct Staff to study the option for underground design to be mandated in residential districts with exceptions, and return to Council with findings."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion "direct Staff to obtain information regarding the State of Oregon's SB 283 and return to Council for further discussion."

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

- A. Adopt a Resolution amending the objective standards for Wireless Communication Facilities (WCF) attached to streetlight poles and wood utility poles in the public rights of way;

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- B. Direct Staff to consider noise as a potential addition to future revisions of the Ordinance;
- C. Direct Staff to study the option for underground design to be mandated in residential districts with exceptions, and return to Council with findings; and
- D. Direct Staff to obtain information regarding the State of Oregon's SB 283 and return to Council for further discussion.

SUBSTITUTE MOTION: Vice Mayor Fine moved, seconded by Council Member Cormack to adopt a Resolution amending the objective standards for Wireless Communication Facilities (WCF) attached to streetlight poles and wood utility poles in the public rights of way.

SUBSTITUTE MOTION FAILED: 2-5 Cormack, Fine yes

MOTION AS AMENDED PASSED: 6-1 Fine no

- 15. PUBLIC HEARING / QUASI-JUDICIAL: 4115 El Camino Real [18PLN-00238]: Approval of a one lot Tentative Map to Divide an Existing 0.36 Acre Parcel Into Seven Residential Condominiums, and two Commercial, and two Office Condominiums. Environmental Assessment: Mitigated Negative Declaration Adopted by the Director of Planning and Development Services on January 7, 2019. Zoning District: CN (Neighborhood Commercial).

Public Hearing opened and closed without public hearing at 10:10 P.M.

MOTION: Council Member Cormack moved, seconded by Council Member Kniss to approve the Tentative Map for nine condominium units and adopt the Record of Land Use Action.

MOTION PASSED: 7-0

- 16. Approval of a Contract With the OIR Group in the Amount of \$75,000 for Independent Police Auditing Services for a Three-year Period.

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

- A. Approve and authorize the City Clerk to execute a contract with the OIR Group in the amount of \$75,000 for independent police auditing services for a three-year period; and
- B. Direct the City Manager to work with Police Chief on supplemental reporting by February 2020 on personnel matters not reviewed by

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contractor and enhanced public awareness and clarity on how complaints can be made and are handled.

MOTION PASSED: 7-0

17. Approval of Annual Amendments to the Employment Agreements Between the City of Palo Alto and Council Appointed Officers and Authorization to Purchase Real Property in Accordance with City Manager Employment Agreement.

MOTION: Council Member DuBois moved, seconded by Council Member Kniss to approve and authorize the Mayor to execute the following contract amendments for Council Approved Officers:

- A. Amendment Number Seven to Employment Agreement between the City of Palo Alto and Molly S. Stump;
- B. Amendment Number Five to Employment Agreement between the City of Palo Alto and Beth D. Minor;
- C. Amendment Number One to Employment Agreement between the City of Palo Alto and Ed Shikada; and
- D. Authorize the Chief Financial Officer to take all action necessary to execute the purchase of property in accordance with Section 7 of the employment agreement with Ed Shikada.

MOTION PASSED: 6-1 Tanaka no

State/Federal Legislation Update/Action

None.

Adjournment: The meeting was adjourned at 11:41 P.M.



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting
January 6, 2020

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:10 P.M.

Present: Cormack, DuBois, Filseth, Fine, Kniss, Kou, Tanaka

Absent:

Special Orders of the Day

1. Election of the 2020 Mayor.

NOMINATION: Council Member Tanaka nominated Vice Mayor Fine for Mayor for 2020.

NOMINATION PASSED: 6-0-1 Kou abstain

2. Election of the 2020 Vice Mayor.

NOMINATION: Council Member Kniss nominated Council Member Alison Cormack for Vice Mayor for 2020.

NOMINATION: Council Member Filseth nominated Council Member Tom DuBois for Vice Mayor for 2020.

NOMINATION FOR COUNCIL MEMBER CORMACK FAILED: 3-3-1 DuBois, Filseth, Kou no, Tanaka abstain

NOMINATION FOR COUNCIL MEMBER DUBOIS PASSED: 4-2-1 Fine, Kniss no, Tanaka abstain

3. Adoption of a Resolution of the Council of the City of Palo Alto Expressing Appreciation for Outstanding Public Service to Eric Filseth as 2019 Mayor.

MOTION: Vice Mayor DuBois moved, seconded by Mayor Fine to adopt a Resolution expressing appreciation for outstanding public service to Eric Filseth as 2019 Mayor.

MOTION PASSED: 7-0

Adjournment: The meeting was adjourned at 7:19 P.M.