



CITY OF PALO ALTO OFFICE OF THE CITY CLERK

June 1, 2020

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

Approval of Action Minutes for the May 4 and May 18, 2020 City Council Meetings

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

ATTACHMENTS:

- Attachment A: 05-04-20 DRAFT Action Minutes (PDF)
- Attachment B: 05-18-20 DRAFT Action Minutes (PDF)

Department Head: Beth Minor, City Clerk



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
May 4, 2020

The City Council of the City of Palo Alto met on this date via virtual teleconference at 5:05 P.M.

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

Absent:

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 Ziesenhenn, Nick Raisch, Kiely Nose, Gina Roccanova)

Employee Organizations: Utilities Management and Professional Association of Palo Alto (UMPAPA); Service Employees International Union, (SEIU) Local 521; Service Employees International Union, (SEIU) Local 521, Hourly Unit; Palo Alto Police Officers Association (PAPOA); Palo Alto Fire Chiefs' Association (FCA) and Employee Organization: International Association of Fire Fighters (IAFF), Local 1319; Palo Alto Police Manager's Association (PAPMA)

Authority: Government Code Section 54957.6(a).

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

MOTION PASSED: 7-0

Council went into Closed Session at 5:07 P.M.

Council returned from Closed Session at 7:38 P.M.

Mayor Fine announced no reportable action.

Mayor Fine announced that Agenda Item Number 5 was moving to the May 18, 2020 City Council meeting.

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Action Item

2. Update and Discussion of the COVID-19 Health Emergency and the City's Response.

MOTION: Council Member Kniss moved, seconded by Council Member Tanaka to direct Staff to bring the following items for discussion at the next City Council meeting:

- A. Require face coverings;
- B. Testing in north Santa Clara County, particularly Palo Alto; and
- C. Contact tracing.

MOTION PASSED: 7-0

Study Session

- ~~3. Update to the City's Transportation Analysis Methodology to Comply With Senate Bill 743, Including use of Vehicle Miles Traveled (VMT) for California Environmental Quality Act (CEQA) Review and Level of Service (LOS) Standard for Local Transportation Analysis **(THIS ITEM HAS BEEN MOVED TO LATER IN TONIGHT'S AGENDA)**~~

Minutes Approval

4. Approval of Action Minutes for the April 13 and 20, 2020 Council Meetings.

MOTION: Council Member Cormack moved, seconded by Mayor Fine to approve the Action Minutes for the April 13 and 20, 2020 Council Meetings.

MOTION PASSED: 7-0

Consent Calendar

MOTION: Vice Mayor DuBois moved, seconded by Council Member Kniss to approve Agenda Item Numbers 6-8A.

- ~~5. Adoption of Amendments to the City of Palo Alto Tobacco Retail Ordinance (Municipal Code Chapter 4.64) to Further Restrict Electronic Cigarette Products and Flavored Tobacco Products; Direct Staff to Discuss Amending the Tobacco Retail Permit (TRP) Agreement With the County; and Updates to Council's Previous Questions on Reducing Youth Tobacco use.~~

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6. Approval of the Acceptance and Appropriation of the State of California Citizens Options for Public Safety (COPS) Funds, and Approval of a Budget Amendment (Requires 2/3 Approval) in the Supplemental Law Enforcement Services Fund.
7. Resolution 9884 Entitled, "Resolution of the Council of the City of Palo Alto Authorizing Staff to Submit a Cal OES COVID-19 Financial Assistance Application."
8. Ordinance 5496 Entitled, "Ordinance of the Council of the City of Palo Alto Temporarily Suspending the Expiration of and Automatically Extending all Planning Entitlements, Building Permits, and Building Permit Applications Valid as of March 16, 2020"; the Ordinance Also Suspends and Extends Municipal Code Application Processing Timelines. This Action is Exempt From the California Environmental Quality Act (CEQA) in Accordance With CEQA Guidelines Section 15061(b)(3) (FIRST READING: April 20, 2020 PASSED 7-0).
- 8A. Review and Approval of the City Auditor Request for Proposals Evaluation Process.

MOTION PASSED: 7-0

Action Items

9. Resolution 9885 Entitled, "Resolution of the Council of the City of Palo Alto Waiving the Business Registration Fee Including Late Fees for Calendar Year 2020;" Adoption of a Resolution 9888 Entitled, "Resolution of the Council of the City of Palo Alto Rescinding the Levy of Assessments for the Downtown Business Improvement District (BID) for Fiscal Year (FY) 2020; and Approval of the Reimbursement of Business Registration Fees and BID Assessments Due in 2020."

MOTION: Vice Mayor DuBois moved, seconded by Council Member Tanaka to:

- A. Adopt a Resolution waiving the business registration fee (Palo Alto Municipal Code Chapter 4.60) due and payable in calendar year 2020 and waiving all late fees for the 2020 collection cycle;
- B. Adopt a Resolution rescinding the approval of the levy of assessments for the Downtown Business Improvement District (BID) for Fiscal Year 2020; and

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- C. Approve the reimbursement of business registration fees and BID assessments due in 2020 that have been paid by businesses.

MOTION PASSED: 7-0

Council took a break at 8:57 P.M. and returned at 9:07 P.M.

10. Review of the Potential Financial Scenarios due to the Current COVID-19 Emergency and Direction to Staff on the Continued Development of the Fiscal Year (FY) 2021 Budget.

MOTION: Council Member Tanaka moved, seconded by Council Member Filseth to select financial Scenario C, to be used for planning and issuance of the Fiscal Year 2021 revised operating and capital budgets to be considered by the City Council during their budget deliberations beginning May 11, 2020.

MOTION PASSED: 7-0

11. Staff Update and Request for Direction on the Details of a Small Business Grant Program Including Grant Amounts, Eligibility and Selection Criteria, Donor Involvement, and Allocation of City Funds in the amount of \$500,000 (CMO).

MOTION: Council Member Tanaka moved, seconded by Mayor Fine to:

- A. Select the following criteria for businesses to qualify:
- i. 1 - 50 employees;
 - ii. Storefront businesses only;
 - iii. For-profit businesses only;
 - iv. Registered as a Palo Alto business;
 - v. Established for at least twelve months;
 - vi. Loss of ≥ 25 percent revenue due to Coronavirus public health emergency;
- B. Lottery selection method from among qualified businesses;
- C. Grant amount $\leq \$10,000$; to cover two months of costs. Allow business discretion in how funds are spent;

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- D. Authorize City Manager to choose a grant administrator and donation partner; and
- E. Amend the budget to allocate \$500,000.

MOTION PASSED: 5-2 Cormack, Filseth no

Study Session

- ~~3. Update to the City's Transportation Analysis Methodology to Comply With Senate Bill 743, Including use of Vehicle Miles Traveled (VMT) for California Environmental Quality Act (CEQA) Review and Level of Service (LOS) Standard for Local Transportation Analysis.~~

THIS ITEM WAS MOVED TO MAY 18, 2020 COUNCIL MEETING.

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



CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
May 18, 2020

The City Council of the City of Palo Alto met on this date via virtual teleconference at 5:03 P.M.

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

Absent:

Closed Session

- A. 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, Gina Roccanova)
Employee Organizations: Utilities Management and Professional Association of Palo Alto (UMPAPA); Service Employees International Union, (SEIU) Local 521; Service Employees International Union, (SEIU) Local 521, Hourly Unit; Palo Alto Police Officers Association (PAPOA); Palo Alto Fire Chiefs' Association (FCA) and Employee Organization: International Association of Fire Fighters (IAFF), Local 1319; Palo Alto Police Manager's Association (PAPMA)
Authority: Government Code Section 54957.6(a)

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

MOTION PASSED: 7-0

Council went into Closed Session at 5:07 P.M.

Council returned from Closed Session at 7:32 P.M.

Mayor Fine announced no reportable action.

Study Session

1. Update to the City's Transportation Analysis Methodology to Comply With Senate Bill 743, Including use of Vehicle Miles Traveled (VMT) for California Environmental Quality Act (CEQA) Review and Level of Service

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(LOS) Standard for Local Transportation Analysis (Continued From May 4, 2020).

NO ACTION TAKEN.

Consent Calendar

MOTION: Vice Mayor DuBois moved, seconded by Council Member Kou, third by Council Member Kniss to remove Agenda Item Number 5 to be heard after Council's summer recess.

Council Member Tanaka registered a no vote on Agenda Item Number 2.

MOTION: Council Member Kniss moved, seconded by Council Member Filseth to approve Agenda Item Number 2.

2. Adoption of an Ordinance Amending Title 12 of the Palo Alto Municipal Code to set a 120-day Statute of Limitations for Challenges to the City's Water Service Rates, Wastewater Collection and Disposal Rates, Refuse Rates, Storm Water Management Fees, and Fiber Licensing Service Rates.
3. ~~Approval and Authorization for the City Manager or Designee to Execute a Professional Services Agreement With Magellan Advisors, LLC in a Not-to-Exceed Amount of \$214,236 for Phase 1 of the Fiber Network Expansion Plan (This item has been removed).~~
4. ~~Approval and Authorization for the City Manager or Designee to Execute the Following Marketing and Graphics Contracts in a Combined Not-to-Exceed Amount of \$290,000 Annually and a Combined Not-to-Exceed Amount of \$1,450,000 Over a Five-year Term: A) Eric Goldsberry Art Direction, Contract Number C20176172A; B) Marketing for Change, Contract Number C20176172B; and C) Underground Advertising, Contract Number C20176172C; Finding of California Environmental Quality Act (CEQA) Exemption (This item has been removed).~~
5. ~~QUASI-JUDICIAL. 2353 Webster Street [18PLN-00339]: Appeal of Director's Approval of an Individual Review Application to Demolish an Existing One-story 1,593 Square Foot Home and Construct a Two-story Home (Approximately 3,133 Square Feet) With a Basement and Attached Garage; Approved by the Director of Planning and Development Services on March 17, 2020. Zoning District: Single-family Residential (R-1).~~

MOTION PASSED: 6-1 Tanaka no

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6. Adoption of Amendments to the City of Palo Alto Tobacco Retail Ordinance (PAMC Chapter 4.64) to Further Restrict Electronic Cigarette Products and Flavored Tobacco Products, Direct Staff to Discuss Amending the Tobacco Retail Permit (TRP) Agreement With the County of Santa Clara, and Updates to Council's Previous Questions on Reducing Youth Tobacco use (Continued From May 18, 2020).

MOTION: Council Member Kou moved, seconded by Council Member Filseth to direct Staff to bring to the City Council a proposed tobacco Ordinance that mirrors the Santa Clara County Ordinance.

SUBSTITUTE MOTION: Mayor Fine moved, seconded by Council Member Kniss to adopt the proposed Ordinance and direct Staff to explore the following and return to Council at a later date:

- A. Investigate further restrictions for adult-only stores (e.g., card readers, purchase log, additional fees to support youth programs, etc.);
- B. Consider alternative exemption structure for retailers, e.g., exempt lounges where no product leaves the store; and
- C. Consider additional measures over time to reduce the number of adult-only stores.

SUBSTITUTE MOTION FAILED: 3-4 Cormack, Filseth, Kou, Tanaka no

SUBSTITUTE MOTION: Mayor Fine moved, seconded by Vice Mayor DuBois to direct Staff to modify the proposed Ordinance and return to Council at a future date, eliminating the current exemption for those adult stores where the subject products leave the store, introduce a future effective compliance date that would allow the other four impacted adult-only stores time to sell/remove their current inventory, and modify their business model to address the exemption elimination.

INCORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER to add a compliance date of September 1, 2020.

INCORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER to return to Council prior to the summer recess.

SUBSTITUTE MOTION RESTATED: Mayor Fine moved, seconded by Council Member DuBois to direct Staff to modify the proposed Ordinance and return to Council prior to the summer recess, eliminating the current exemption for those adult stores where the subject products leave the store, introduce a future effective compliance date of September 1, 2020 that would allow the

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other four impacted adult-only stores time to sell/remove their current inventory, and modify their business model to address the exemption elimination.

SUBSTITUTE MOTION FAILED: 3-4 Cormack, Kniss, Kou, Tanaka no

MOTION PASSED: 4-3 DuBois, Fine, Kniss no

Adjournment: The meeting was adjourned at 11:58 P.M.