



CITY OF PALO ALTO CITY COUNCIL FINAL MINUTES

Special Meeting
June 24, 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:

Consent Calendar

Council Member Kou registered a no vote on Agenda Item Number 30.

Council Member Tanaka registered no votes on Agenda Item Numbers 5, 18, 30.

Council Member Cormack registered no votes on Agenda Item Numbers 28 and 30.

Mark Weiss, speaking regarding Agenda Item Number 18 requested an explanation for changing the number of art pieces from four to three.

Justin Gorman, speaking regarding Agenda Item Number 25 supported a 25-cent charge for reusable cups. The City needed to require businesses to promote incentives and discounts for reusable takeaway containers. The California Health Code allowed the use of reusable cups, and the language should be included in the Ordinance.

Gloria Garcia, speaking regarding Agenda Item Number 25 advocated for a 25-cent charge for disposable cups, a ban on chemicals used in disposable foodware and on the use of disposable foodware for onsite dining in the Ordinance.

Hillary Glann, speaking regarding Agenda Item Number 25 remarked that the Ordinance should require the use of reusable foodware because compostable foodware required more energy to produce than plastic.

Radhika Dhall, speaking regarding Agenda Item Number 25 urged the Council to include in the Ordinance no receipts except upon request, a 25-cent charge for reusable cups, and a ban on plastic bags.

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Roland LeBrun, speaking regarding Agenda Item Number 30 expressed concern regarding the misinformation AECOM was providing the Council, particularly regarding tunnel diameter and the distance between tunnel bores.

Karen Holman, speaking regarding Agenda Item Number 12 expressed concerns about lighting in the Baylands.

Doug Kreitz, speaking regarding Agenda Item Number 12 understood night lighting was necessary for safety and security; however, lighting in and around buildings in the Baylands was creating hot spots. Signage was brightly lit, and none of the lighting was diminished during late-night hours. He requested the consultant visit the Baylands at night to evaluate the full impacts of light on habitat, migration patterns, etc.

MOTION: Council Member Tanaka moved, seconded by Council Member Kou, third by Council Member XXXX to pull Agenda Item Number 30.

MOTION FAILED DUE TO THE LACK OF A THIRD

MOTION: Mayor Filseth moved, seconded by Vice Mayor Fine to approve Agenda Item Numbers 2-30A.

2. Policy and Services Committee Recommends the City Council Accept the Status Update of the Parking Funds Audit and Approve Consolidation of Residential Preferential Parking (RPP) Program Funds; and Approve Fiscal Year 2019 Budget Amendments in the Residential Parking Fund and the General Fund.
3. Approval of Construction Contract Number C19174628 With AIMS Companies in the Amount of \$1,732,250 for Phase 2 of the Cross Bore Verification, Inspection, and Assessment Program; and Authorization to Execute and Negotiate Related Change Orders in the Amount of \$173,225, for a Total Not-to-Exceed Amount of \$1,905,475.
4. Approval of Contract Number C19173720A With ARB, Inc. in the Amount of \$1,886,682 for Gas Service Replacement Project Fiscal Year 2019, Capital Improvement Program Project GS-18000, and Authorization for the City Manager to Negotiate and Execute Related Change Orders Not-to-Exceed \$94,334, for a Total Not-to-Exceed Amount of \$1,981,016; and Approval of a Gas Capital Improvement Fund Budget Amendment.
5. Approval of Contract Number C19171363 With Professional Account Management, LLC dba Duncan Solutions, in an Amount Not-to-Exceed

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\$627,000 Over a Five-year Term to Develop, Implement, Support and Maintain a Parking Permit and Citation Management System.

6. Approval of Professional Services Contract Number C19174525 With BKF Engineers in the Amount of \$158,560 for Land Surveying Services, Including \$14,400 for Additional Services, for a Total Not-to-Exceed Amount of \$172,960.
7. Approval of a new Memorandum of Agreement Between the City of Palo Alto and Utilities Management Professional Association of Palo Alto (UMPAPA).
8. Approval of Amendment Number 1 to Contract Number C17162020 With West Coast Arborists Inc. for Tree Pruning and Removal Services, to Extend the Term by two Years (Through June 30, 2021) and add \$2,657,084, for a new Total Not-to-Exceed Amount of \$7,359,534; and Approval of a Fiscal Year 2020 Budget Amendment in the General Fund.
9. Approval of Amendment Number 2 to Contract Number C16162262 With Biggs Cardosa Associates, Inc., in the Amount of \$466,569 to Provide Bidding and Construction Support Services for the Highway 101 Pedestrian/Bicycle Overpass Project (PE-11011), for a Total Not-to-Exceed Amount of \$2,417,759; and Adoption of a Resolution 9848 Entitled "Resolution of the Council of the City of Palo Alto to Approve Modification of the Freeway Agreement Between the State of California and the City of Palo Alto."
10. Approval of Contract Number C20175131 With O'Grady Paving, Inc. in the Amount of \$1,836,214 to Provide Synthetic Turf Replacement and Track Installation Services for the Cubberley Track and Field Replacement Project, Capital Improvement Program Project CB-19000.
11. Adoption of the Fiscal Year 2020 Investment Policy.
12. Approval of Contract Number C19173981 With MIG, Inc. in the Amount of \$89,860 for six Months for Environmental Analysis of the Baylands Comprehensive Conservation Plan.
13. Approval of Amendment Number 3 to Contract Number C14150694 With Mark Thomas & Company in the Amount of \$100,058 for the Charleston-Arastradero Corridor Project, Capital Improvement Program Project (CIP) PE-13011.

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14. Approval of an Agreement With Santa Clara Valley Water District in the Not-to-Exceed Amount of \$258,450 for Concrete Channel Lining Repair Along Barron Creek.
15. Approval of Contract Number C19175329 With American Asphalt Repair and Resurfacing, Inc., in the Amount of \$362,724, Plus a Five Percent Contingency for Unforeseen Expenses for Tennis Court Improvements at Rinconada Park to be Completed by August 9, 2019 (CIP PG-06001).
16. Approval of Amendment Number 2 to Contract Number C17166591 With Artist Susan Zoccola, LLC to Extend the Term to November 30, 2021 for the Design Development, Fabrication, and Installation of Artwork Associated With the Charleston-Arastradero Corridor Project.
17. Approval of two Revenue Contracts With the City of Los Altos and the Town of Los Altos Hills for the City of Palo Alto to Provide Animal Control and Shelter Services for an Additional Five-year Term.
18. Approval of a Contract With Peter Wegner in the Amount of \$716,000 for a 3-year Term for Fabrication and Installation of Public Art at the new Public Safety Building.
19. Resolution 9849 Entitled "Resolution of the Council of the City of Palo Alto Setting the Appropriations Limit (GANN Limit) for Fiscal Year 2020."
20. Approval of Contract Number C20175327 With Saviano Company, Inc. in the Amount of \$471,768, Plus a 10 Percent Contingency for Unforeseen Expenses for Pickleball Court Additions and Tennis Court Improvements at Mitchell Park (Capital Improvement Project PG-06001).
21. Approval of a Cost Sharing Agreement With 2747-85 Park Boulevard, LLC, in the Amount of \$610,026 to Provide Reimbursement for Traffic Signal Design and Construction Costs.
22. Policy and Services Committee Recommends the City Council Accept the Enterprise Resource Planning (ERP): Data Standardization Audit.
23. Policy and Services Committee Recommends the City Council Accept the Enterprise Resource Planning (ERP): Separation of Duties Audit.
24. Ordinance 5472 Entitled "Ordinance of the Council of the City of Palo Alto Amending Title 5 of the Palo Alto Municipal Code to Repeal

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Chapter 5.24 (Construction and Demolition Debris Diversion Facilities), and add a new Chapter 5.24, Entitled Deconstruction and Construction Materials Management, to Establish Regulations Related to the Management of Deconstruction and Construction Debris and Materials (FIRST READING: June 10, 2019 PASSED: 6-0 DuBois absent)."

25. Ordinance 5473 Entitled "Ordinance of the Council of the City of Palo Alto Amending Title 5 of the Palo Alto Municipal Code to Establish Regulations Related to Disposable Foodware Items and Other Disposable Products at Food Service Establishments (Chapter 5.30), and to Require the use of Compostable Produce Bags at Retail Service Establishments and Farmers Markets (Chapter 5.35) (FIRST READING: June 10, 2019 PASSED: 6-0 DuBois Absent)."
26. Approval of Amendment Number 1 to Contract Number C19172119 With Daryl D. Jones, Inc. dba Telecommunications Engineering Associates (TEA) for \$60,000 to Provide Services to the Public Safety Building Architect and Additional Maintenance Costs for Fiscal Year 2019.
27. Approval of Amendment Number 3 to Contract Number C12142180 Between the City of Palo Alto (on Behalf of the Joint Powers Board) and Midpen Media Center for Public, Education and Government (PEG) Access Channel Support Services to Extend the Term to December 31, 2019.
28. Approval of Contract Number C19174653 With Interline Technologies LLC for Software Development Services, and Creation of the Commuter Wallet in Accordance With the Fair Value Commuting Project in Cooperation With the Federal Transit Administration for a Not-to-Exceed Amount of \$184,040.
29. Approval of Amendment Number 2 to Contract Number C14152828 With MV Transportation to Extend the Term for six Months for \$216,185 to Operate the Palo Alto Free Shuttle Service on the Existing Crosstown Shuttle Route Until December 2019.
30. Approval of Amendment Number 1 to Contract Number C18171057 With AECOM for Continued and Expanded Services for the Connecting Palo Alto Rail Grade Separation Effort and to Increase Compensation by \$1,206,126 for a Total Not-to-Exceed Amount of \$2,484,786.
- 30A. Adoption of a Revised Compensation Plan for Management and Professional Employees From July 1, 2019 Through June 30, 2020.

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**MOTION PASSED FOR AGENDA ITEM NUMBERS 2-4, 6-17, 19-27, 29
30A: 7-0**

MOTION PASSED FOR AGENDA ITEM NUMBER 5: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBER 18: 6-1 Tanaka no

MOTION PASSED FOR AGENDA ITEM NUMBER 28: 6-1 Cormack no

**MOTION PASSED FOR AGENDA ITEM NUMBER 30: 4-3 Cormack, Kou,
Tanaka no**

Council Member Kou understood the Council directed Staff to return to the Council for a discussion of the scope of the AECOM contract. She thought the Council may need to amend the contract.

Council Member Tanaka understood the committee would report to the Council, not the City Manager, in Agenda Item Number 30. With respect to Agenda Item Number 5, people told him Data Ticket was a preferred vendor, and its bid was less than Duncan's bid. The Council received probably a dozen emails from residents who opposed the amount of funds being proposed for artwork at the new Public Safety Building (PSB). Spending the proposed amount of funds for art in light of the Budget deficit was inappropriate.

Council Member Cormack did not believe the City was in the best position to create commuter wallet software as indicated in Agenda Item Number 28. There was no connection to the Transportation Management Association (TMA) and no mention of bicycling. She opposed Agenda Item Number 30 because of concerns about Task 4, community engagement.

Adjournment: The meeting was adjourned at 11:46 P.M.