



CITY COUNCIL ACTION MINUTES

Regular Meeting
February 26, 2024

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 5:30 P.M.

Present In Person: Burt, Kou, Lauing, Lythcott-Haims, Stone, Tanaka, Veenker

Present Remotely:

Absent:

Closed Session

1. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION Subject: Reinert v. City of Palo Alto Santa Clara County Superior Court Case No. 21-CV-391286 (One Case, as Defendant)
Authority: Government Code Section 54956.9(d)(1)

MOTION: Vice Mayor Lauing moved, seconded by Council Member Lythcott-Haims to go into Closed Session.

MOTION PASSED: 7-0

Council went into Closed Session at 5:35 P.M.

Council returned from Closed Session at 6:35 P.M.

Mayor Stone announced no reportable action.

Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Number 5, 6, 7, 9.

Council Member Kou registered a no vote on Agenda Item Number 9.

Council Member Kou and Council Member Tanaka requested to pull Agenda Item Number 9.

MOTION: Council Member Veenker moved, seconded by Council Member Lythcott-Haims to approve Agenda Item Numbers 2-10, 12.

MOTION PASSED ITEMS 2-4, 8, 10, 12: 7-0

ACTION MINUTES

MOTION PASSED ITEMS 5, 6, 7: 6-1, Tanaka no

MOTION PASSED ITEM 9: 5-2, Kou, Tanaka no

2. Approval of Minutes from February 5, 2024 and February 12, 2024 meetings.
3. Appointment of 2024 Emergency Standby Council
4. City Councilmember Appointment to the Santa Clara County Housing and Community Development Advisory Committee (HCDAC)
5. Adopt a Resolution Authorizing the City Manager or Their Designee to Execute a Third Phase Agreement with Northern California Power Agency for the Purchase of up to 2,800 Megawatt-Hours per Year of Biogas Energy from Zero Waste Energy Development Company, LLC over a Term of up to 10 Years for a Total Not to Exceed Amount of \$5.7 Million; CEQA Status: Not a Project under CEQA Guidelines Section 15378(b)(5)
6. Approval of Amendment No. 6 to Contract No. C16163034A with Nova Partners, Inc. to Add \$766,919, Increasing the Not to Exceed Amount to \$9,647,825, for Additional Construction Management Services for the New Public Safety Building Capital Improvement Program Project (PE- 15001) and Extend the Contract Term; and Approval of Amendment No. 2 to Contract No. S20177452 with Schaaf & Wheeler Consulting Civil Engineers to Add \$9,600, Increasing the Not to Exceed Amount to \$20,200, for Additional Professional Services and Extend the Contract Term for the New Public Safety Building Capital Improvement Program project (PE- 15001); CEQA: Environmental Impact Report for the New Public Safety Building and New California Avenue Area Parking Garage (Resolution No. 9772)
7. Approval of Amendment No. 1 to Professional Services Agreement S21180224 with Matrix Consulting Group for a Planning and Development Services Fee Study in the Amount of \$56,500 for a total Not to Exceed of \$138,000 and Extension of the Contract Term through January 31, 2026. Environmental Assessment: Exempt in Accordance with CEQA Guidelines Section 15061(3)(b).
8. Approve and Authorize the City Manager to Execute a Funding Agreement with the Valley Transportation Authority (VTA) to Accept a \$250,000 Grant as part of the 2010 Measure B Vehicle Registration Fee (VRF) Countywide Program Cycle Four; CEQA status – Statutorily Exempt.
9. Approve Two Contracts for Consultant Services for the Downtown Housing Plan: Contract Number C24187236 with Wallace Roberts & Todd, LLC (WRT) for a Not-to Exceed Amount of \$1,508,254 to Provide Planning and Consulting Services to Develop the City's Downtown Housing Plan for a Term of Two-years with an Optional One-year Extension;

ACTION MINUTES

and Contract Number C24187237 with Good City Company (Good City) for a Not-to-Exceed Amount of \$375,522 to Provide Project Management and Consulting Services for the City's Downtown Housing Plan for a Term of Two-years with an Optional One-year Extension. CEQA Action: Agreements are not subject to CEQA

10. Approval of Professional Services Contract with Ecology Action for a Not-to-Exceed Amount of \$139,968 for City of Palo Alto Safe Routes to School Spring/Fall Programming; CEQA status – categorically exempt (educational program).
- ~~11. SECOND READING: Ordinance of the Council of the City of Palo Alto Amending Chapter 8.04 (Street, Trees, Shrubs, and Plants) and Chapter 8.10 (Tree Preservation and Management Regulations) (FIRST READING: January 16, 2024 PASSED 5-2, Lythcott-Haims, Tanaka no) **Removed from Consent**~~
12. Approval of the Appointment of Lauren Lai as the Administrative Services Director/ Chief Financial Officer

Action Items

13. PUBLIC HEARING: Objections to Weed Abatement at Affected Properties and Approval of Affected Property List for Commencing Weed Abatement in 2024; CEQA status – exempt

MOTION: Council Member Burt moved, seconded by Vice Mayor Lauing to:

- a. Adopt a determination that weed abatement activities in 2024, as described in Resolution 10135 (Attachment A) adopted by Council on December 4, 2023, are exempt under Class 8 (CEQA Guidelines section 15308);
- b. Hold a Public Hearing to hear and consider any objections to the proposed destruction and removal of weeds in 2024 at the properties listed in Attachment B; and
- c. Approve the final list of affected properties for weed abatement in 2024 (Attachment B) following the public hearing, and direct weed abatement activities to commence at those properties in accordance with Resolution 10135; and
- d. Refer the two objections located at 415 Fernando Ave and 354 El Verano Ave to the County enforcement office for review and with no enforcement action pending that review.

MOTION PASSED: 7-0

ACTION MINUTES

14. Adoption of a Resolution Suspending Enforcement of Municipal Code Sections 16.14.090, 16.14.110 and 16.14.300 Requiring All-electric Construction and Direction to Staff to Commence Work on Local Amendments to the California Energy Code Establishing a One Margin Standard. CEQA Status – Not a Project.

MOTION: Vice Mayor Lauing moved, seconded by Council Member Veenker to:

1. Adopt a Resolution (Attachment A) suspending enforcement of Municipal Code sections 16.14.090, 16.14.110 and 16.14.300, which require new residential and non-residential buildings to be all electric, in light of the decision of the U.S. Court of Appeals for the Ninth Circuit in California Restaurant Association v. City of Berkeley; and,
2. Direct staff to return to Council with amendments to the California Energy Code as codified in Title 16 of the Palo Alto Municipal Code Building Regulations establishing a “One Margin” standard, which would allow for installation of natural gas plumbing while imposing more stringent energy efficiency and all-electric readiness requirements to all new buildings, which incentivizes the additional efficiency and lower emissions of all electric equipment using clean electricity; and,
3. Return to Council in 2-weeks with resource analysis where existing projects may be delayed.

MOTION PASSED: 7-0

15. Policy and Services Committee Recommendations for Changes to the City Council Procedures and Protocols Handbook based on Prior City Council Referrals (Review of Censure Language). CEQA Status - Not a Project.

MOTION: Council Member Veenker moved, seconded by Council Member Lythcott-Haims to approve the Policy and Services recommendations on changes to Handbook Procedures Section 8: Enforcement with the language proposed in the draft City Council Procedures and Protocols Handbook.

MOTION PASSED: 6-1, Tanaka no

16. Discussion on the 2024 Boards and Commissions Recruitment. CEQA Status - Not a Project.

MOTION: Council Member Veenker moved, seconded by Mayor Stone to:

ACTION MINUTES

1. Allow Council Members a limited number of votes (number of vacancies plus 50%, round up) to select their preferred candidates to interview with a threshold of 2 votes for an interview.
2. Refer Board and Commission Handbook to the Policy & Services Committee to review the practices of onboarding for Board and Commissions.


MOTION PASSED: 7-0

Adjournment: The meeting was adjourned at 10:08 P.M.

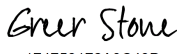
ACTION MINUTES

ATTEST:

APPROVED:

DocuSigned by:

8691CE5898F6400...

City Clerk

DocuSigned by:

174753172A9C49D...

Mayor

NOTE: Action minutes are prepared in accordance with Palo Alto Municipal Code (PAMC) 2.04.160(a) and (b). Summary minutes (sense) are prepared in accordance with PAMC Section 2.04.160(c). Beginning in January 2018, in accordance with [Ordinance No. 5423](#), the City Council found action minutes and the video/audio recordings of Council proceedings to be the official records of both Council and committee proceedings. These recordings are available on the City's website.


Certificate Of Completion

Envelope Id: B99EBDF472A3426794E524FFE64738F4	Status: Completed
Subject: DocuSign: Approved Council Minutes Feb 26	
Source Envelope:	
Document Pages: 6	Signatures: 2
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	
Envelope Stamping: Enabled	
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	Envelope Originator: Vinhloc Nguyen 250 Hamilton Ave Palo Alto , CA 94301 Vinhloc.Nguyen@CityofPaloAlto.org IP Address: 199.33.32.254


Record Tracking

Status: Original 3/13/2024 3:31:28 PM	Holder: Vinhloc Nguyen Vinhloc.Nguyen@CityofPaloAlto.org	Location: DocuSign
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: City of Palo Alto	Location: DocuSign

Signer Events

Signer Events	Signature	Timestamp
Greer Stone greer.stone@cityofpaloalto.org Vice Mayor Security Level: Email, Account Authentication (None)	<div>DocuSigned by:  174753172A9C49D...</div> <div>Signature Adoption: Pre-selected Style Using IP Address: 208.185.159.236</div>	Sent: 3/13/2024 3:32:51 PM Viewed: 3/20/2024 8:46:20 AM Signed: 3/20/2024 8:46:36 AM

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Mahealani Ah Yun Mahealani.AhYun@CityofPaloAlto.org City Clerk Security Level: Email, Account Authentication (None)	<div>DocuSigned by:  8691CE5898F6400...</div> <div>Signature Adoption: Pre-selected Style Using IP Address: 199.33.32.254</div>	Sent: 3/20/2024 8:46:37 AM Viewed: 3/26/2024 5:25:34 PM Signed: 4/2/2024 11:02:59 AM
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Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/13/2024 3:32:51 PM

Envelope Summary Events	Status	Timestamps
Certified Delivered	Security Checked	3/26/2024 5:25:34 PM
Signing Complete	Security Checked	4/2/2024 11:02:59 AM
Completed	Security Checked	4/2/2024 11:02:59 AM
Payment Events	Status	Timestamps