



CITY COUNCIL ACTION MINUTES

Special Meeting
May 9, 2022

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 5:00 P.M.

Present: Burt, Cormack, DuBois, Filseth, Kou, Stone, Tanaka

Absent: None

Closed Session

1. CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION
Subject: Julio Arevalo v. City of Palo Alto U.S. District Court,
Northern District, Case # 3:20-cv-04157-CRB Authority:
Government Code Section 54956.9(d)(1)

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

MOTION PASSED: 7-0

Council went into Closed Session at 5:05 P.M.

Council returned from Closed Session at 5:45 P.M.

There were no announcements for the Public.

Special Orders of the Day

2. Affordable Housing Month Proclamation 2022

NO ACTION TAKEN

Agenda Changes, Additions and Deletions

None

Public Comment

Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Number 8.

ACTION MINUTES

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

MOTION: Council Member DuBois moved, seconded by Council Member Cormack to approve Agenda Item Numbers 3-10.

3. Approve Minutes from the April 18, 2022 and City Council Meeting, April 25, 2022 City Council Meeting
4. Adoption of a **Resolution 10034** Designating Redwood Tree at 1019 Forest Court as a New Heritage Tree #5 and Removing Previously Designated Silver Maple at 1872 Edgewood Drive From the List of Heritage Trees
5. **Resolution 10035** of the Council of the City of Palo Alto Approving the Execution of Two Assignment Agreements to Assign Palo Alto's Base Resource Percentage Received Under the 2025-2054 Contract With the Western Area Power Administration to the Northern California Power Agency
6. Approval of Construction Contract Number C22182558 with Enterprise Roofing Service, Inc. in an Amount Not-to-Exceed \$497,233 to Replace the Existing H Wing Roof at Cubberley Community Center, Capital Improvement Program Project CB-16002; and Authorization of Contract Contingency in an Amount Not-to-Exceed \$49,723 for Related, Additional but Unforeseen Work Which May Develop During the Project.
7. Approval of Contract Amendment No. 1 to Contract Number C21179340 with Baker Tilly US, LLP. to Increase the Not-to-Exceed Compensation by \$2,126,250 and Extend the Term for Three Additional Years for Continued Audit Services
8. Approval of \$900,000 Budget Amendment in the Refuse Fund for Fiscal Year 2022 for Collection, Hauling, and Disposal of Refuse for an Administrative Correction
9. Second Reading of an **Ordinance 5548** Clarifying Ambiguities in Height Transitions, Adding RMD to the list of Residential Districts and Amending the Setback for the RM-40 Zone District

MOTION SPLIT FOR THE PURPOSE OF VOTING:

MOTION PASSED FOR ITEMS 3-7: 7-0

ACTION MINUTES

MOTION PASSED FOR ITEM 8 PASSED: 6-1, Tanaka no

MOTION PASSED FOR ITEM 9 PASSED: 6-1, Kou no

City Manager Comments

Action Items

10. Review and provide feedback on the proposed permanent parklet standards and program policies; and Adopt an interim ordinance and **Resolution 10036** to continue the pilot parklet program until December 31, 2022

MOTION: Council Member DuBois moved, seconded by Vice Mayor Kou to direct staff to:

- A. Adopt the interim ordinance and resolution;
- B. Update the guidelines for new temporary parklets and incorporate into the permanent ordinance the following:
 - I. Prohibit use of vinyl, tents or canopies;
 - II. Prohibit parklets from blocking handicapped or curb ramps
 - III. State a preference for plants as barriers;
 - IV. Shift to a maximum of 36" in enclosure height;
- C. Consider pre-approved designs as part of the permanent ordinance;
- D. Until adoption of a permanent ordinance, property owners do not have the right to determine the use of the public space in front of their properties; and
- E. Research and return with more information on electric heating options for the permanent ordinance

MOTION PASSED: 7-0

11. Approve and Authorize City Manager to Execute Non-Binding Letter of Intent with First Tee Silicon Valley Towards Establishing a Public Private Partnership for Practice Facility Infrastructure Improvements at the Baylands Golf Links and Long-Term Facility Use Access for the First Tee Silicon Valley's Youth Development Teaching Program

ACTION MINUTES

MOTION: Council Member Stone moved, seconded by Mayor Burt to approve the letter of intent for establishing a partnership with First Tee Silicon Valley Youth Development Teaching Program.

MOTION PASSED: 7-0

12. Report on Palo Alto's Response to Hate Crimes and Hate Incidents, and Discussion of the Policy and Services Committee Recommendation that the City Council Consider the Idea of Developing a Misdemeanor Ordinance to Deter Hateful Speech and Support the Human Relations Commission (HRC) to Bring the FBI and Community Resources to Palo Alto to do Community Education on Hate Crimes

MOTION: Vice Mayor Kou moved, seconded by Council Member Stone to receive the report, support the Human Relations Commission to bring the FBI and/or other community resources to Palo Alto to further community education on hate crimes and support hate crimes legislation (Assembly Bill 1947).

MOTION PASSED: 7-0

Council Member Questions, Comments and Announcements

Adjournment: The meeting was adjourned at 11:14 P.M.

ATTEST:

DocuSigned by:
Lesley Milton
E56491CF3DB34FA...

City Clerk

APPROVED:

DocuSigned by:
Patrick Burt
ED9E9CFB89E64FF...

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

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Subject: Please DocuSign: 20220509amCCsm.docx

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Signatures: 2

Envelope Originator:

Certificate Pages: 2

Initials: 0

Mahealani Ah Yun

AutoNav: Enabled

250 Hamilton Ave

Envelopeld Stamping: Enabled

Palo Alto , CA 94301

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Mahealani.AhYun@CityofPaloAlto.org

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5/24/2022 8:33:21 AM

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Pool: City of Palo Alto

Location: DocuSign

Signer Events

Patrick Burt

pat@patburt.org

Mr

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:


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Signature Adoption: Pre-selected Style

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Electronic Record and Signature Disclosure:

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Lesley Milton

Lesley.Milton@CityofPaloAlto.org

City Clerk

Security Level: Email, Account Authentication
(None)

DocuSigned by:


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Signature Adoption: Pre-selected Style

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Lesley.Milton@CityofPaloAlto.org

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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	5/24/2022 8:34:40 AM
Certified Delivered	Security Checked	6/1/2022 8:52:41 AM
Signing Complete	Security Checked	6/1/2022 8:52:48 AM
Completed	Security Checked	6/1/2022 8:52:48 AM
Payment Events	Status	Timestamps