



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting  
August 24, 2020

The City Council of the City of Palo Alto met on this date in Virtual Teleconference at 5:04 P.M.

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

Absent:

## Minutes Approval

1. Approval of Action Minutes for the August 10, 2020 City Council Meeting.

**MOTION:** Council Member Cormack moved, seconded by Council Member Kniss to approve the Action Minutes for the August 10, 2020 City Council Meeting.

**MOTION PASSED:** 7-0

## Consent Calendar

**MOTION:** Council Member Kniss moved, seconded by Mayor Fine to approve Agenda Item Numbers 2 and 3.

2. Approval of Contract Number C21179389 With Teichert Construction in the Amount of \$1,904,325 for the Page Mill Road Safety Improvements Project (HSIPL-5100(029), Capital Improvement Program Street Maintenance Project (PE-86070).
3. Ordinance 5504 Entitled "Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code Chapters 18.52 and 18.54 Adjusting Parking Requirements to Facilitate EVSE Installation, Compliance With Accessibility Laws, Parking Substitutions, and Parking Lot Re-striping and Maintenance. Environmental Assessment: This Project is Exempt From the California Environmental Quality Act (CEQA) in Accordance With CEQA Guidelines Section 15301, 15302, 15303, and 15061(b)(3) (FIRST READING: August 10, 2020 PASSED: 7-0)."

**MOTION PASSED:** 7-0

# ACTION MINUTES

## Action Items

- 3A. Staff and Utilities Advisory Commission Recommend the City Council Adopt a Resolution 9913 Entitled "Resolution of the Council of the City of Palo Alto Amending the City's Electric Supply Portfolio Carbon Neutral Plan and Electric Utility Reserves Management Practices (Continued from August 17, 2020).

**MOTION:** Council Member Kniss moved, seconded by Council Member Filseth to:

- A. Adopt a Resolution amending the Carbon Neutral Plan to:
- i. Modify the definition of carbon neutrality to use an hourly carbon emissions accounting standard;
  - ii. Minimize electric supply portfolio costs by authorizing the exchange of bundled RECs from the City's long-term renewable resources (Bucket 1 RECs) for Renewable Portfolio Standard (RPS) eligible, unbundled RECs (Bucket 3 RECs), to the maximum extent possible, while maintaining compliance with the state's RPS regulations ("REC Exchanges");
  - iii. For calendar years 2020 through 2024, authorize the purchase of RPS-eligible, unbundled RECs (Bucket 3 RECs) as needed to neutralize any residual emissions resulting from the difference between emissions calculated under an annual accounting and hourly accounting methodology; and
- B. Direct Staff to return to Council in 2022 to review the authorization to minimize electric supply portfolio costs via REC Exchanges.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add a new Part C, "that for the first two years, two-thirds of proceeds go to electrical rate relief and one-third toward emission reduction programs".

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

- A. Adopt a Resolution amending the Carbon Neutral Plan to:
- i. Modify the definition of carbon neutrality to use an hourly carbon emissions accounting standard;

# ACTION MINUTES

- ii. Minimize electric supply portfolio costs by authorizing the exchange of bundled RECs from the City's long-term renewable resources (Bucket 1 RECs) for Renewable Portfolio Standard (RPS) eligible, unbundled RECs (Bucket 3 RECs), to the maximum extent possible, while maintaining compliance with the state's RPS regulations ("REC Exchanges");
  - iii. For calendar years 2020 through 2024, authorize the purchase of RPS-eligible, unbundled RECs (Bucket 3 RECs) as needed to neutralize any residual emissions resulting from the difference between emissions calculated under an annual accounting and hourly accounting methodology;
- B. Direct Staff to return to Council in 2022 to review the authorization to minimize electric supply portfolio costs via REC Exchanges; and
  - C. For the first two years, two-thirds of proceeds go to electrical rate relief and one-third toward emission reduction programs.

## **MOTION AS AMENDED PASSED: 7-0**

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

- A. Direct Staff to return to Council with a review of the Carbon Neutral Plan by the end of 2024 to evaluate the effectiveness of these policy changes and to modify them if necessary (with a particular focus on reviewing the use of Bucket 3 RECs to neutralize any residual emissions resulting from the switch to an hourly emissions accounting methodology); and
- B. Create a Cap and Trade Program Reserve in the Electric Fund which will hold revenues from the sale of carbon allowances freely allocated to the electric utility under the State's Cap and Trade Program.

## **MOTION PASSED: 6-1 Filseth no**

Council took a break at 6:25 P.M. and returned at 6:35 P.M.

- 4. Recommendation to Accept the Human Relations Commission Report on Their Review of *8 Can't Wait* Policies in Relation to Current Palo Alto Police Department (PAPD) Policies, and Direction to the City Manager Regarding Revisions to Police Policies.

# ACTION MINUTES

**MOTION:** Council Member Filseth moved, seconded by Council Member Kniss to:

- A. Accept the Human Relations Commission (HRC) report on their review of *8Can'tWait* policies in relation to current Palo Alto Police Department (PAPD) practices; and
- B. Review and accept the Palo Alto Police Department response, and direct the City Manager to revise Use of Force policies including ideas such as:
  - i. Chokeholds, strangleholds, lateral vascular neck restraints, chest compressions, or any other intentional tactics that restrict blood flow to head or neck be explicitly prohibited.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add more comprehensive use of force language with respect to de-escalation and to add de-escalation tactics as listed.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to revise the deadly force application to require officers to evaluate each situation in consideration of the circumstances in each case and to use other available resources and techniques when reasonably safe and feasible to do so, including that an officer must reasonably believe the use of deadly force is necessary to justify its use.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** that the policy include the concept of shooting as a last resort, consistent with the HRC and PAPD objectives.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to direct Staff to return to Council with the final Police Department Policy, including all *8Can'tWait* policies and department feedback

Council took a break at 9:46 P.M. and returned at 9:56 P.M.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to direct Staff to return with proposed language to be included in the use of force policy.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to direct Staff to consider moving the pointing of a weapon or the discharge of a weapon to the use of force section of the policy manual.

# ACTION MINUTES

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

- A. Accept the Human Relations Commission (HRC) report on their review of *8Can'tWait* policies in relation to current Palo Alto Police Department (PAPD) practices, and
- B. Review and accept the Palo Alto Police Department response, and direct the City Manager to revise Use of Force policies including ideas such as:
  - i. Chokeholds, strangleholds, lateral vascular neck restraints, chest compressions, or any other intentional tactics that restrict blood flow to head or neck be explicitly prohibited;
  - ii. Add more comprehensive use of force language with respect to de-escalation and to add de-escalation tactics as listed;
  - iii. Revise the deadly force application to require officers to evaluate each situation in consideration of the circumstances in each case and to use other available resources and techniques when reasonably safe and feasible to do so, including that an officer must reasonably believe the use of deadly force is necessary to justify its use;
  - iv. The policy include the concept of shooting as a last resort, consistent with the HRC and PAPD objectives;
  - v. Direct Staff to return with proposed language to be included in the use of force policy;
  - vi. Direct Staff to consider moving the pointing of a weapon or the discharge of a weapon to the use of force section of the policy manual; and
- C. Direct Staff to return to Council with the final Police Department Policy, including all *8Can'tWait* policies and department feedback.

**MOTION AS AMENDED PASSED:** 7-0

- 5. Update and Potential Direction on City of Palo Alto's Race and Equity Work.

**NO ACTION TAKEN**

# ACTION MINUTES

Adjournment: The meeting was adjourned at 11:32 P.M. in deep gratitude of the firefighters and first responders fighting the wildfires in the area.