



CITY COUNCIL SUMMARY MINUTES

Special Meeting
December 19, 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 In Person: Burt, Cormack, DuBois, Filseth, Kou, Stone, Tanaka

Present Remotely: None

Absent: None

CALL TO ORDER

SPECIAL ORDERS OF THE DAY (5:00 -5:25 PM)

1. Resolution Expressing Appreciation to Michael Nafziger Upon his Retirement

Council Member Cormack read the resolution in appreciation for Senior Engineer Michael Nafziger.

Public Works Director Brad Eggleston spoke of the retirements of Senior Engineer Nafziger and Management Analyst Dinaa Alcocer. Their services were outlined.

2. Resolution Expressing Appreciation to Dinaa Alcocer Upon her Retirement

Council Member Filseth read the resolution expressing appreciation to Management Analyst Dinaa Alcocer.

Mayor Burt presented the proclamations.

Senior Engineer Michael Nafziger thanked and commented on his appreciation for City Staff and his team.

Mayor Burt discussed the role of Public Works and thanked them.

3. Resolution Expressing Appreciation to Kim Roderick Upon her Retirement

Council Member DuBois expressed his appreciation of the four retirees. He read the resolution expressing appreciation of EMS Chief Kim Roderick.

4. Resolution Expressing Appreciation to Brian Baggott Upon his Retirement

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Council Member Stone voiced his gratitude to the retirees. He read the resolution expressing appreciation to Battalion Chief Brian Baggott.

Fire Chief Geo Blackshire acknowledged the benefits of the years of service of Chief Roderick and Chief Baggott.

Mayor Burt presented the proclamations.

Chief Baggott stated his appreciation of the acknowledgement and thanked his family and his Fire family.

Vice Mayor Kou thanked the retirees for their years of service and wished them love, laughter, and fun adventures.

Mayor Burt indicated his appreciation of the roles the retirees played and the legacy they were leaving.

Agenda Changes, Additions and Deletions

None

Public Comment

Ken Horwitz followed up on the recognitions and wished all a happy Hanukkah and happy holidays. He commented the December 12 meeting proceeded the agenda by about 30 minutes, and he was unable to comment on the museum. He requested ensuring future meetings allowed public comment.

Daniel Dulitz spoke as the President of Adobe Creek Networks and hoped to submit a Permit Application this week for installation of optical fiber in the initial build. To learn more of their services or to volunteer, go to adobecreek.net.

Aram James agreed with Ken Horwitz regarding public comments. He wished the retirees well. He noted his appreciation for Council Members Tanaka and Stone and supported Council Member Tanaka being the next Vice Mayor.

Lila Cole spoke representing the Palo Alto Student Climate Coalition (PASCC) and requested climate change be a top priority of the Council in 2023 and approval the Three-Year Work Plan ASAP.

Julia Zeitlin of PASCC wanted to ensure Council continued to prioritize climate action throughout 2023. She asked that the S/CAP Three-Year Work Plan be implemented ASAP and to expand electrification initiatives to multifamily homes and commercial buildings.

Consent Calendar

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Public Comment

Aram James addressed Items 6, 7, 8, 9, 10, 15, 16, and AA1. He was against utility rate increases. He opined much consideration should be given regarding the \$3M to \$5M contracts. He requested fewer items be placed on the Consent Calendar and having additional meetings if needed.

Caller Nicholas read a letter Congresswoman Eshoo wrote to City Council on September 15 regarding Item 14.

Spencer McAvoy with SEIU-USWW thanked City Council for taking action on Item 14, specifically regarding back wages owed. He believed stronger contractor standards were needed and that City contractors should be covered by a collective bargaining agreement.

Jose Pavon, Political Organizer with SEIU-USWW, thanked the City for addressing wage theft and working with the labor unions concerning improved labor standards. He suggested the City adopt a responsible contractor policy, which would increase labor standards and protect Palo Alto from contractors committing labor violations. He questioned why Palo Alto was paying part of the stolen wages when SWA was responsible.

Council Members Kou, Burt, and Tanaka requested pulling Agenda Item Number 8 and AA1, and they were removed from consideration.

Council Member Tanaka registered a no vote on Agenda Items 7, 9, 14, and 15.

MOTION: Council Member Dubois moved, seconded by Council Member Cormack to approve Consent Agenda Item Numbers 5-7, 9-18.

5. Approve Minutes from the November 28 and December 5, 2022 City Council Meetings
6. Approval of Construction Contract With Adams Pool Solutions (C23185733), in the Total not to Exceed Amount of \$534,838 for the Rinconada Lap Pool and Children's Pool Re-plaster Project (\$486,217) and Authorization of Contract Contingency (\$48,621); Funded in the Building Systems Improvements Capital Improvement Project (PF-01003)
7. Adoption of a revised Management and Professional Employees Compensation Plan and salary schedule, effective December 31, 2022 through June 30, 2025
8. ~~Finance Committee Recommends the City Council Adopt a Resolution Amending the E-HRA (Electric Hydro Rate Adjuster) Rate Schedule, Increasing the Current E-HRA Rate to \$0.048/kWh Effective January 1, 2023 (pulled from consideration)~~
9. Approval of a Professional Services Agreement with Woodard & Curran (C23185763) for the Amount of \$486,000 Over a 5-year Term for Regulatory Compliance Assistance to the Regional Water Quality Control Plant

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10. Approval of Professional Services Contract Amendment Number 2 with Buildingeye (\$19174467) to add \$123,410 for a Not-to-Exceed Amount of \$353,410 and Extend the Contract for Two Years to Provide Visualization of Data for Building Permits, Planning Entitlements and Code Enforcement Activities
11. Approval of Contract with Urban Rock Design (C23186954) not-to-exceed \$99,000 for Public Art Associated with the Boulware Park Renovation and Expansion
12. Adoption of Updated Salary Schedules for Limited Hourly (HRLY) and Service Employee International Union Hourly (SEIU-H) Employee Groups in Accordance with the City of Palo Alto Minimum Wage Ordinance
13. Adoption of a Resolution of Weeds to be a Public Nuisance and Setting February 27, 2023 for a Public Hearing for Objections to the Proposed Weed Abatement
14. Approval of Amendment No. 3 with SWA Services Group, Inc. (SWA) Contract No. C18168154 to Increase Compensation by \$1,339,900 for a New Total Not to Exceed Amount of \$13,612,443, and to Extend the Contract Term by Six Months, for Janitorial Services.
15. Approval of Contract With Woodard & Curran, Inc. (C23186176) in a Total Amount Not to Exceed \$3,151,500 for Program Management Services for Projects Under the Long-Range Facilities Plan of the Regional Water Quality Control Plant – Capital Improvement Program Project WQ- 10001
16. Approve and Authorize the City Manager to Execute a 5-year General Services Agreement With Bosco Oil, Inc. in an Amount Not-to-Exceed \$4,801,445 for the Purchase of Unleaded and Diesel Fuels to Supply the City's Fleet and approve a budget amendment in the Vehicle Replacement and Maintenance Fund
- ~~17. Approval of Contract C23186719 (Attachment A) with CivicPlus, LLC for CivicRec Recreation Management Software for a Period of Six Years in an Amount of \$735,065 (Including a 5% Contingency for Additional Services Amount of \$29,229). Late Packet Report~~
18. Adoption of a Resolution Declaring the Results of the Consolidated Municipal Election Held on November 8, 2022 Late Packet Report
- ~~AA1. Adoption of a Resolution Increasing the Gas Monthly Market Based Commodity Rate Cap From \$2.00 Per Therm to \$4.00 Per Therm by Amending Utility Rate Schedules G 1 (Residential Gas Service), G 2 (Residential Master Metered and Commercial Gas Service), G 3 (Large Commercial Gas Service), and G 10 (Compressed Natural Gas Service) (pulled from Consideration)~~

MOTION SPLIT FOR THE PURPOSE OF VOTING

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MOTION PASSED ITEMS 7, 9, 14, 15: 6-1, Tanaka no

Council Member Tanaka remarked he did not agree with Item 7 giving raises to the City's highest paid employees. Regarding Item 14, SWA should be responsible for payment of the stolen wages, and their contract should not be extended. Concerning Items 9 and 15, Palo Alto was paying too high a percent for the Regional Water Quality Control Plant.

MOTION PASSED ITEMS 5, 6, 10-13, 16-18: 7-0

City Manager Ed Shikada said staff would address Items 8 and AA1 preceding Item 19.

City Manager Comments

City Manager Ed Shikada reminded everyone of the basic health recommendations for COVID, and www.covid.gov/tests could be accessed for test kits. He presented slides and provided updates regarding cyber security and holiday promotions for shopping and dining locally. Upcoming City Council items: January 9 City Council Reorganization Meeting, January 23 Business Meeting, and January 28 City Council Retreat. Tentatively scheduled was the Shuttle Service Study Session on February 6 and the Mid-Year Budget Review on February 13. Also in February would be the Gas Powered Leaf Blowers Enforcement, Parklets Update, Economic Development Study Session, and Buena Vista Mobile Home Park Study Session.

Mayor's End of Year Comments

Mayor Burt provided an end-of-year review and supplied slides. The priorities City Council agreed on at the retreat early in 2022 were Economic Recovery and Transition, Housing for Social and Economic Balance, Community Health and Safety, and Climate Protection and Adaptation. He covered the goals set at the beginning of the year, the progress made, and upcoming challenges and opportunities. He listed additional tasks in 2022 of the Housing Element approval and expected the state to request changes to it, approval of the Castilleja middle and high school rebuild, starting Cubberley land swap negotiations, completion of the NVCAP plan, approval of investment in the Regional Water Quality Control Plant, and transformation of retail areas and downtowns were being worked on. He displayed a slide with Chinese characters that had been adopted to represent Palo Alto's values, and City Council had embraced a set of guiding principles reflecting ongoing priorities.

Action Items

8. Finance Committee Recommends the City Council Adopt a Resolution Amending the E-HRA (Electric Hydro Rate Adjuster) Rate Schedule, Increasing the Current E-HRA Rate to \$0.048/kWh Effective January 1, 2023

Utilities Director Dean Batchelor noted power available to the City from hydro resources had been reduced due to the ongoing drought, so there was increased demand in the power markets, which resulted in prices not historically seen. Utilities Department Assistant Director

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Jonathan Abendschein was to furnish a presentation related to hydro and why there was an ask for an increase in authorization for gas rates.

Assistant Director Abendschein mentioned he had on the line with him Utilities Department Acting Assistant Director Carla Daily who was an expert in the gas markets. Item 8 and AA1 were in front of Council because of historically high natural gas prices, which he listed reasons for such. There was low hydroelectric generation due to droughts, low amounts of gas in storage, and constraints on supply being brought in to California. He provided examples of past, current, and possible future gas prices. Gas affected the gas and electric utilities. He explained the Rate Adjustor and that it was temporary and would be removed at the end of the drought. The increase would align the Hydroelectric Rate Adjustor with the increased electric market prices. The issues of low hydroelectric generation and high electric market prices were affecting all of California. If adopted, the increase would remain 40% below PG&E's rates. Without the increases, reserves would need to be used, which they expected would result in electric reserves significantly below minimum guidelines by the end of FY2023 and would require increased permanent rather than temporary rate increases or cuts to capital investment at a time when the City was trying to increase investment to modernize electrification. They recommended increasing the Hydroelectric Rate Adjustor to align with the high power market crisis. The Utilities Advisory Commission and the Finance Committee recommended approval when it was previously presented to them.

City Manager Shikada indicated the UAC recommended a smaller increase, but they had not seen the recommended level currently before the Council.

Mayor Burt supported pulling this item from the Consent Calendar so it could be aired publicly, not because he believed it was inappropriate. He commented on the proportion of hydroelectric power Palo Alto used and clarified hydroelectric costs were nearly completely fixed no matter how much power was produced. More demand on natural gas production of electricity was driving these changes. He wanted everyone to understand these were individual enterprise funds and explained what that meant.

Public Comment

Aram James believed these projections should have been presented prior to voting on Measure L, and the public should have had more time for consideration. He requested a moratorium on electric rates for a year to reward the voters in supporting Measure L. He voiced there was a lack of transparency.

Council Member DuBois stated low reserves were not known ahead of time and changed rapidly. He referenced that Finance had discussed changing how the Hydro Adjustor was looked at. If this was not approved, these costs would be financed through higher electric rates over a long period of time, and the hydro rate was being used to get through this peak.

Council Member Tanaka inquired if the rates had ever been lowered and if the mix could be changed now to lower-cost energy sources. He suggested slowing the capital expenditures and

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cutting operational expenses on the personnel side, which may keep the rates steady. He opined that looking at PG&E rates was not a fair comparison as it did not factor in capital put into the utilities.

Assistant Director of Resource Management Jonathan Abendschein said gas rates dropped about 10 years ago and electric rates were flat for 5 or 6 years because of gas prices. As gas prices come down, gas rates would decrease. Changing the mix would be considered as they go through the Integrated Resource Plan. Changing the mix now would not gain any sort of cost advantage.

City Manager Shikada stated investor-owned utilities included cost of capital as a part of their rates. He could provide details if desired.

Council Member Stone wanted clarification if the cap rate payors could be charged was doubling, not the rate paid. He requested an understanding of what the average rate payor could expect to see as a likely increase over the winter season.

Assistant Director Abendschein confirmed the cap rate was doubling, not the rate paid. The hydroelectric rate adjustor was about a 20% increase and was a temporary increase. PG&E had similar increases. This item would increase the rate. Item AA1 would increase a cap.

Vice Mayor Kou remarked the Finance Committee meetings were public, and this was discussed thoroughly, and they unanimously recommended Council's approval.

Council Member Filseth commented the Finance Committee had a discussion regarding being dependent on hydro for power at night in meeting the City's 100% renewable goals. He wanted staff to comment on getting partly away from hydro and using more geothermal, which would protect against some fluctuations in the price of hydro.

Assistant Director Abendschein indicated as they looked at the future of the electric portfolio, they were going to evaluate how much hydroelectric would be in the portfolio and also look at alternatives, like geothermal. There were opportunities to have a more baseload profile than hydroelectric. Hydroelectric had a level of flexibility not present in a lot of other renewable energy sources. They needed to determine the right balance in discussions over the next year.

Council Member Cormack questioned if it was correct that hydro cost would stay flat and the availability of the resources would decrease because of a drought and then we have to buy something else and then buy the offsets.

Assistant Director Abendschein stated that was correct. It was the variability, not the cost fluctuating but the output fluctuating.

MOTION: Council Member Cormack moved, seconded by Council Member Filseth to adopt a Resolution of the Council of the City of Palo Alto Amending the Electric Hydro Rate Adjuster rate schedule (EHRA), Increasing the Current E-HRA Rate to \$0.048/kWh Effective January 1,

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2023, to reflect current hydrological conditions and market purchase costs. This would replace the existing EHRA surcharges and discounts across all levels and increase the current E-HRA rate from \$0.013/kWh to \$0.048/kWh.

Council Member Cormack commented on items being pulled and public comment. She respected the work of the Finance Committee and felt a unanimous recommendation was sufficient. At some point, this would become a less reliable source, and what Assistant Director Abendschein touched on would need to be considered.

Mayor Burt mentioned that public-owned and investor-owned utilities had capital costs, and he provided examples.

MOTION PASSED: 6-1, Tanaka no

AA1. Adoption of a Resolution Increasing the Gas Monthly Market-Based Commodity Rate Cap From \$2.00 Per Therm to \$4.00 Per Therm by Amending Utility Rate Schedules G-1 (Residential Gas Service), G-2 (Residential Master-Metered and Commercial Gas Service), G-3 (Large Commercial Gas Service), and G 10 (Compressed Natural Gas Service)

MOTION: Council Member DuBois moved, seconded by Vice Mayor Kou to adopt a Resolution (Attachment A) amending utility rate schedules G-1, G-2, G-3, and G-10 to raise the upper limit on the monthly market-based commodity component from \$2.00 per therm to \$4.00 per therm effective January 1, 2023.

Council Member DuBois stated this was similar to the electric situation.

Council Member Cormack asked staff to address an allegation by a member of the public that putting this on subsequent to the measures in November was trickery and asked staff to elaborate on community engagement being done with respect to the gas prices.

Director Batchelor explained the timing of the item. They were asking the utility rates be amended around the commodity cap to allow purchase of gas in case of an increase above \$2.00 per therm.

Assistant Director Abendschein added supply shortages did not hit until December, and November gas prices were comparable to last year's winter gas prices. They doubled in December and only last week did they start to see high futures for January. They had to adjust their recommendations to the Finance Committee as costs were increasing so quickly. He shared that community engagement was summarized in the Staff Report. There was communication through the website, *Uplift Local*, *Utilities E-Newsletter*, social media, Nextdoor, the utilities portal, and other direct outreach methods. They anticipated needing to do another round of outreach if January prices were as high as they were potentially seeing. He listed some tips they were providing for less energy use.

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MOTION PASSED: 6-1, Tanaka no

19. 1237 San Antonio Road [22PLN-0013], Project Known as Palo Alto Homekey: Recommendation for a Comprehensive Plan Amendment for the Northwest Portion of the Site Changing the Land Use Map Designation from "Public Conservation Land" (CL) to "Major Institution Special Facilities" (MISP) to Create Alignment Between the Existing Use and Its Designation

Deputy City Manager Chantal Cotton Gains gave a brief update on Project Homekey. She spoke to the item being very narrow to the Homekey Project and was a Comprehensive Plan Amendment focused on a small portion of land at the back of the LATP site to align that portion of the site to the use anticipated for the project. Staff would bring an additional update in 2023 on the broader project.

Assistant to the City Manager Melissa McDonough shared slides and stated a grant was received for the project, which was on a portion of the former Los Altos Treatment Plant. She detailed what was needed to place Homekey at this site, which triggered the need for a Comp Plan Amendment. She discussed what the Comp Plan governed, what the amendment would change, and what the land was used for. Comp Plan Amendments trigger CEQA review; however, under the Emergency Shelter Crisis, anything facilitating construction of emergency housing would be exempt from CEQA. The City must offer Native American tribes an opportunity for consultation on any change to the Comp Plan even if exempt under CEQA, which they did reach out and did not receive any questions or comments. Some public comment had been received suggesting the Comp Plan Amendment may not be necessary under state law as it was in service of a Homekey project, but in an abundance of caution, staff recommended adopting the Comp Plan Amendment to support success of the Homekey Project. PTC passed unanimously to recommend City Council adopt a resolution to amend the Comp Plan designation, so there would be alignment of the actual use of the land and how it would be designated.

Public Comments

Herb Borock had provided a copy of his letter to the Planning Commission from the September 14 meeting. He addressed Health and Safety Code, Section 50675.1.3 and the map in the Comprehensive Plan and opined that the land-use designation did not need to be changed, but if there was a change, it should be limited to the existing term of the lease with GreenWaste.

Jonathan Erman asked why the state was mandating building housing with private developers over a 10-year period and why social services were not being provided to people in need first.

Aram James agreed with Herb Borock and Jonathan Erman's comments. He suggested the Council review Mayor Karen Bass' potential housing solutions. He was in favor of a park area adjacent to the housing instead of it remaining industrial.

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Council Member Stone questioned what would happen to the Homekey Project if this was not done.

Deputy City Manager Gains replied they understood doing the Comp Plan Amendment was the more conservative route to ensure there would be no questions later if it turned out this was a necessary step.

City Attorney Molly Stump agreed. If the Council declined this action, staff would have to look at the risk profile, but the project might go forward in any case. They recommended the Comp Plan Amendment be adopted.

MOTION: Council Member Stone moved, seconded by Vice Mayor Kou to adopt a Resolution amending the Comprehensive Plan land use designation at 1237 San Antonio Road from Public Conservation Land (CL) to Major Institution/Special Facilities (MISP) to create an alignment between the existing use and its designation.

Council Member Stone felt changing the land-use designation was needed.

Vice Mayor Kou rehashed a 2019 Colleagues' Memo she and Council Member DuBois had submitted. She inquired if it was possible the land-use designation change only during the lease of GreenWaste; if it was revisited, would it impact the size of the parcels for either project; and if Area C was going to have enough space for construction and staging.

Planning Director Jonathan Lait believed the best step the Council could do would be direct staff to revisit this in four years and come back with another amendment if a change was desired. It was a legislative item. He was not aware of any sunset or reversion back to previous land-use designations.

Deputy City Manager Gains replied the City could limit the segment of land without the Comp Plan Amendment. She provided examples of what could not be done with conservation land. Area C would have enough space for construction and staging, and it was taken into consideration in the design.

Council Member Tanaka questioned who was paying for the move for GreenWaste and why housing could not be built elsewhere, which would not require GreenWaste be moved; the total cost of the project to the City; how many units were included; and if the current change would still allow housing be built at this location if the LifeMoves' project fell through.

Deputy City Manager Gains replied part of it was included in the grant from the state, which she believed was up to \$1M and thought it would cover most of the cost according to current cost estimates, but they would get more information in the coming month. She discussed why LifeMoves decided GreenWaste be moved. They would come back to Council with an update of the exact total project cost in 2023, maybe in a month or two. It would be 88 units.

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City Manager Shikada stated the current change still allowing housing be built depended on the project and the proposal.

Council Member DuBois asked why it would be a major institution zone instead of public facility; if it was all City-owned land; if the main concern was paving the area closer to the Baylands (he did not want to see large apartment buildings on the site); if GreenWaste would be toward the rear of the property; if changing the zoning was required for the projects; and if the concern was GreenWaste's ability to continue to function long term and ensuring that would happen.

Planning Director Lait believed they were looking at the continuity of the existing land use designations adjacent to the site, so it was making a boundary to change between the two existing land use designations. Adding a different designation was not considered. He understood it was all City-owned land. As far as paving, they were trying to align the land-use designation boundaries with the physical build-out conditions at the site. In reference to future housing, they had been generally protective adding units east of the freeway. Even with the land-use designation change, City Council would control future land uses on that site.

Assistant to the City Manager McDonough indicated, regarding GreenWaste being toward the rear of the property, she had visited the site, and she explained how the site was used, and with the paving, grading, etc., and with the makeup of the map, it was appropriate to address it.

City Attorney Stump stated changing the zoning was not necessary for the core Homekey Project, but it was prudent to change the zoning so GreenWaste would be consistent with the zoning. The concern was GreenWaste's ability to function long term and ensuring that would happen.

Council Member Cormack requested having a segment from the actual zoning map of the area in the future as opposed to having just the Google Maps overview. She was thinking forward to Valley Water contemplating doing an advanced water purification treatment plan and presumably it would need MISP zoning.

Planning Director Lait stated it sounded correct that an advanced water purification treatment plan would need MISP zoning, but he did not have the latest information.

Deputy City Manager Gains confirmed there would be need for a Comp Plan Amendment to accommodate a portion of the Valley Water Area B. She could not speak to it having to be designated MISP.

[The Council took a 12-minute break]

MOTION PASSED: 7-0

20. Staff and the Utilities Advisory Commission (UAC) Recommend the City Council Approve Option 2 for Building Fiber-to-the-Premises (FTTP) Under a Phased Approach

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Utilities Strategic Business Manager Dave Yuan declared staff was requesting Council's direction in how to proceed regarding the three options for FFTP. In September, the Council requested information regarding comparisons to other municipalities for fiber services, potential cost savings using microtrenching for underground construction, use of existing fiber reserves and future FFTP surplus, and projection of customer take rates and debt service costs. He highlighted the three options. He provided information from the Institute for Local Self-Reliance comparing service to other communities. He explained the viability of microtrenching as a construction method and the long-term risks and costs for repairs, etc., which staff would evaluate further and possibly pilot for a proof of concept during the first phase if approved. He provided information regarding fiber reserves, and Legal would continue to monitor developments of recent litigation regarding Proposition 26. Information in terms of the take rate was provided.

Magellan Consultant John Honker walked Council through the analysis they had been asked to prepare looking at Option 1, the full buildout option; Option 2, which did not require bond financing and would allow the City to move into the first phase of deployment utilizing the Fiber Fund; and Option 3, pausing FFTP. He explained why the fiber backbone was recommended and needed under any of the options, and he spoke of the cost of the backbone expansion. Details of the pros and cons of all options were provided along with cost comparisons. The UAC and staff had recommended Option 2, which he noted their reasoning for such. Maps were furnished regarding how Phase 2 was created and indicated areas of AT&T service, areas of lowest cost and highest density to build, areas of lowest cost to build but reported AT&T service, and areas with the highest number of household deposits; a map showing Phase 1 best places to build for \$20M, which combined the lowest cost and highest density neighborhoods where AT&T service was not reported, where the most deposits had been received, and the lowest cost neighborhoods to build; and a map showing what the buildout would look like as far as equipment, etc.

Public Comment

Hamilton Hitchings (Speaking for Andie Reed, Jeff Levinsky, Annette Glanckopf, Becky Sanders) supported Option 3. He voiced pros and cons of Option 2. He provided examples of failed municipal fiber services as far as financials. He stated why he did not believe there was value add for Palo Alto municipal fiber over AT&T fiber. Regarding take rates, he opined the City would likely lose money and take from the General Fund. He proposed Option 1 not be voted for.

Jeff Hoel disagreed with much of what Hamilton Hitchings said. A study Mr. Hitchings had cited had been rebutted, and Mr. Hoel had provided information to Council to be checked. He supported Option 1 as there was not an adequate City-wide provider, as he believed the City would want to upgrade speeds in the future.

Bob Smith stated it seemed the process had become riskier throughout the years of discussion. He agreed with much of what Hamilton Hitchings expressed. It was remarkable to him Option 1

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was being considered as money was needed for other projects. He thought Option 3 made the most sense but suggested an Option 4, working with the incumbents.

Herb Borock believed microtrenching was a bad idea and believed the survey had a self-selection bias and was a form of nonprobability sampling. He believed Council Member Cormack and Utility Commissioner Johnston had conflicts of interests due to investments in Comcast and AT&T. He spoke of the funding being from two funds and suggested what should be done to avoid legal problems with state law.

Loren Smith (online), a UAC Commissioner, shared his thoughts of the UAC's deliberations over the last four years and where they were in terms of the story of fiber and the City of Palo Alto. He explained why the UAC overwhelmingly recommended Option 2. He believed the anticipated take rate was conservative and would be significantly larger.

Daniel Dulitz voiced why FTTP was good for Palo Alto and stated incumbent providers were failing to provide service. He thought the UAC supporting Option 2 was wise, which did not commit the City to providing fiber service where incumbent providers were, but for other parts of the City, the Council could make a difference by allocating funds to areas with the highest take rates and hoped those areas would be focused on. He supported the surveys because he believed the incumbent providers did not know the areas they provided service.

Bob Moss provided a history of his having been on the Board of Directors of Cable Coop. He thought FTTP was essential to provide needed services and believed Option 2 was best, although he personally preferred Option 1.

Jonathan Erman explained that fiber utility and internet service were two different things. If the goal was to provide a public service, there may be other options. There seemed to be other infrastructure in the City not being paid for and much money being spent on fiber and other higher technologies.

Council Member Cormack asked if there were any updates to the cost estimates for Option 1, why Slide 11 showed the Electric Utility was not making a contribution under Option 1, and if the business plan contemplated having a physical store in Palo Alto providing new equipment and if that would be an additional cost. She requested staff expand on their suggestion of Option 2 best aligning with grid modernization. She inquired if it was anticipated fiber would be more reliable than cable and regarding the proposed Phase 1 map, would it make sense to build in small parts or should building be done contiguously and if the boundaries of the map would be decided on tonight and who would eventually make the decision. There was an At-Places Memo supplied a few hours ago regarding interest rates, and she hoped the public had a chance to review it. In the event this was done and there ended up being a surplus, she explained why it should be used to reduce rates.

Magellan Consultant Honker stated the cost estimates from August were still valid. Typically there would be a storefront locally with the frontend being outsourced and potentially insourced over time. It was in the existing cost structure. Typically most utilities would utilize

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existing office space. The Phase 1 map identified the center points where the build should start. The actual build could push out more so the areas would be contiguous and areas would be filled in. The network would eventually look like a round area in the downtown corridor. If a neighborhood was next to an area where fiber was being installed and wanted to sign up, that could be done as part of the Phase 1 development; however, it may take more capital, and there would need to be a decision made.

Utilities Strategic Business Manager Yuan explained why the Electric Utility was not making a contribution under Option 1.

Utilities Director Batchelor expressed they considered the best opportunity to blend grid modernization and where to start the fiber portion. He remarked why he anticipated fiber would be more reliable than cable. Council was not being asked to discuss what the map would look like tonight; however, it could be debated which areas should and should not be included. Once a recommendation was received, the maps would be further considered and brought back to the Council.

City Manager Shikada stated the decision of the map boundaries would be a conversation with the Council as to how the Council would be involved, the role of the UAC, and what would be delegated to staff.

Council Member Stone inquired if the take rate with the phased-up approach was greater than anticipated, would more money be flowing through the program and could financing be continued without the need for future bonding; if there would be a simple user interface for potential customers to use to see if they qualified, and if they did not qualify, would they be able to express interest through it; and if the new job clarifications under Option 1 or 2 would be full time, permanent employees or if it was for just the construction phase and would this be contracted out in the beginning or run in-house and if staff was recommending either the in-house or the outsourced model. Partnering with an ISP service the first few years made the most sense. He was concerned of equity impacts of Option 2 and not having service in all parts and receiving the buildout at the same time and would like to see opportunities to expand the area in at least the first couple phases. The plan for the initial phase put forth made sense.

Utilities Strategic Business Manager Yuan commented depending on the take rate, revenues would be reinvested to expand the network and whether debt finance would be needed would depend on how fast Council wanted to build it out. Regarding employees, if Option 2 was selected, they would recommend a full-time assistant director to run the business overall and also a full-time sales and marketing manager. The overall plan was to have five FTEs manage the contractors if the outsource model was chosen. Whether it would be contracted out in the beginning or run in-house was Council's decision, but internal staff would be needed to manage the contractors. The outsourced model would require 5 FTEs and the insourced model would be 26. Staff was not currently recommending in-house or outsourced. They would probably recommend two bodies and then issue some RFPs for vendor selection.

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Utilities Director Batchelor expressed the current user interface could be enhanced.

Council Member DuBois questioned what could be done to minimize construction costs. He agreed with the Option 2 recommendation. He believed the take rate was conservative. He referenced Slide 34 from the UAC meeting regarding the value proposition, but it was not just about speed but the opportunity to reduce the community's spend for services, reliable service, and equal access. He hoped the initial phased rollout would include some overlap with the incumbents because with the right marketing, people may switch to a local service. The biggest question was the take rate, and Option 2 would allow data on that. Regarding Option 2, he wanted to make sure the City was prepared to have promotional flexibility, that it was known what level of data was needed to make a decision, and the longer term being thought about in terms of charging for the benefit of the residents. He saw Option 2 as a way to get data to prepare for acceleration and not being locked into a long schedule. He would like to see the initial phase pass as many homes as possible.

Utilities Director Batchelor noted regarding construction costs there were possibilities of getting synergy around the grid modernization; microtrenching could provide savings; and inside resources could be used instead of hiring people up front.

Magellan Consultant Honker indicated there were opportunities to lock the materials in as early as possible and also looking at how labor would be partitioned out.

Council Member Filseth requested in terms of Option 2 a breakdown of how much would be spent on putting fiber in the ground, buying equipment, and setting up an ISP for FTTP. He was uncomfortable betting \$100M that incumbents would not offer service but would bet a few million on it from the fiber fund.

Magellan Consultant Honker replied there would be \$14M in fiber construction, about \$2M in equipment and facilities, \$1M in home equipment, and about \$3M in working capital.

Council Member Tanaka referenced the offerings on Slide 33 regarding price, speeds, and customer service, and it was concerning that the City may not be able to differentiate from the incumbents. He did not know how the City would win from the offering because the competition would continue to get better and what the City was offering was barely competitive with what the incumbents offered. He suggested working with incumbents. He asked if incumbents refused to use our fiber. We should use some of the fiber fund to reduce rates. We were years too late to take on the incumbents head-on, unless we made an offering focusing on latency. There was a tremendous amount of risk. He wondered what would happen as supply chains loosened. He had a hard time supporting the ideas.

Utilities Strategic Business Manager Yuan confirmed the incumbents preferred to own the whole network because they wanted total control. Leases, etc., had been asked for and the City was turned down.

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Vice Mayor Kou inquired of the construction cost difference between the green and the aqua areas on Slide 13 and if we were fixed on the green areas proposed. Those who provided a deposit should be taken into consideration.

Magellan Consultant Honker clarified the areas in aqua were where deposits were received. The blue and green areas were areas of lowest cost and highest opportunity to build. Areas in red on the next map were a combination showing where there were the most deposits, lowest cost to build, and where AT&T was potentially being avoided. Because some of the demand was higher, it made sense to build in the aqua areas, and it did not make sense in other areas. In some areas, if demand and construction costs were high, the take rate would not offset the higher construction cost, so those areas were not selected. In some areas, if demand was high enough, it would offset the higher construction cost. They were not fixed on the green areas. There should be a final analysis of the best areas and then creation of a final set of maps.

Mayor Burt was inclined to support Option 2. It seemed that if at some future date success was found in Option 2 in the FTTP aspect of it, we would be more likely to be out of an exceptionally high interest rate period. He inquired how security would be improved through the fiber; if with the investment in the new backbone we would see decline, leveling off, or growth in the deterioration; if we were seeing recovery in demand but had a limited capacity; if capacity was increased and modernized, may we see a growth in that revenue over historic baseline or return to baseline; if the five FTEs were included Option 2; how would we ensure not coming up short related to construction costs of Option 2; and if the timeline on Slide 22 was realistic. He did not want to put out an overly optimistic timeline and encouraged it be reviewed.

Utilities Strategic Business Manager Yuan answered regarding security that the networks of the fiber backbone and the FTTP were separate and the systems isolated, so people on the FTTP side would not have access to the City's Utility and Public Works' systems. There had been a decline in the backbone over the last couple years, but they were seeing more applicants in the queue asking for fiber connections, and if there was a single network, the dark fiber customers would fall on the fiber backbone, but the goal was to move those customers to the FTTP and keep the backbone separate. They were seeing recovery in demand but had a limited capacity. Regarding capacity increasing and modernization, there was maybe 5% growth a year, and staff was being added to support that area too. The five FTEs were included in Option 2. The timeline on Slide 22 was aggressive.

Magellan Consultant Honker noted there was a 20% contingency built in for the major cost categories of construction.

Council Member DuBois remarked speed was of the essence and wanted the timeline to be aggressive. He asked if Magellan or staff had thought about slower speed, lower cost, etc., related to promotions and if the City had to oblige a private company wanting to microtrench. He supported Option 2 and wanted to see the homes passed be maximized, the marketing team to think about designing promotions to increase take rate, key metrics designed to determine success, and be prepared to accelerate if doing well.

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Utilities Strategic Business Manager Yuan answered microtrenching standards were being compiled. State law stated microtrenching must be allowed unless there was a reason not to. If somebody wanted to microtrench, their plans would have to be reviewed for conflicts, etc.

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

1. Move Forward with Option 2 to build the First phase of Fiber-to-the premises (FTTP) without a revenue bond
2. Maximize number of homes and businesses passed
3. As part of the marketing plan, consider promotional rates to increase take rate
4. Define leading indicators and metrics to determine success
5. If metrics are positive, recommend that Council accelerate expansion, including a potential bond in order to streamline construction and compress the overall construction time as much as feasible

Vice Mayor Kou thought a competitive edge should be provided with something similar or better than the incumbents. She wanted to ensure everyone in the community had connectivity. She inquired if Number 5 indicated bonds would be obtained.

Council Member DuBois understood a bond could take 12 months or more, so the process could be started but the paperwork not signed until needed.

Council Member Filseth stated the risk of Number 5 was money coming from the General Fund, but he trusted future Councils to not get into that circumstance. There was limited risk of being in competition with private sector companies. What was at stake was \$5M or \$10M out of the Dedicated Fiber Fund, which could not be used on public safety, etc. The motion was reasonable.

Mayor Burt believed it was a prudent and forward approach.

MOTION PASSED: 6-1, Tanaka no

21. Review and Adoption of the Policy and Services Committee Recommendations on the Revised Council Procedures and Protocols Handbook

ACTION: No action taken.

Council Member Stone spoke of the procedural history. Staff had added language that clarified Council practices and updates reflecting state law changes and removed limited sections that were obsolete, which most were resolved, but there were remaining issues that unanimous consensus was not reached and issues Policy & Services (P&S) believed required further discussion and review. Council should look closely at the language of the role of a Council

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member as a liaison to boards and commissions, and he discussed P&S' recommendation; miscellaneous expenditure issues, which if Council could not resolve, it could be referred to P&S; the number times Council members could attend meetings remotely; last-minute changes proposed to prohibit nonurgent Colleagues' Memos from being accepted between the date of an election and the swearing in of a new Council; and the assignment of Mayor and Vice Mayor to be rotational based on consecutive years served and ranked by votes received in the general election, and he pointed out procedural issues with those additions. P&S unanimously agreed recommending adoption of the base document. He hoped Council could do that tonight but Council could have further discussion whether to reject, adopt, or defer the other recommended changes. Other than the five, there were others that were not unanimous from the Committee.

Deputy City Manager Chantal Cotton Gains provided a quick view of the two versions, Attachments A and B. If there was a new line noticed in review of the document, she wanted an opportunity to address it in order to have a referral for staff and the Committee and then come back to Council.

Public Comments

Aram James thought there were originally limits speaking to the press and ones that were questionable on a constitutional basis, and he did not see a change. He wanted Committees subject to the Brown Act. He wanted taser and canine issues on the agenda.

Jonathan Erman thought the policy of public comments being taken five minutes after the staff presentation needed to be changed back to the previous policy.

Herb Borock believed this decision should be decided by the upcoming Council. He had provided language to the Council regarding personal privilege that was consistent with standard parliamentary practice and opined if there was criticism from a public comment, it was not appropriate for the Council to respond.

Mayor Burt asked if Council should be weighing in on substantial policy changes, such as the timing of Colleagues' Memos. He found the approaches contradictory and not good policy to make major policy decisions at this time on items not truly agendaized. He inquired if Council should address just the technical parts of the policy changes and defer significant policy changes.

Council Member Cormack declared the Colleagues' Memo suggestion was in the Staff Report for the Committee's review. She asked if there was an annual referral to P&S to review the protocols in the handbook and if staff believed it was inappropriate or not permitted for P&S to take some of the decisions last week. Not referenced in previous comments was recommendations indicating support from at least three council members. There had been previous discussions at the Committee or Council level concerning getting work done rather than leaving it for the new Council members. She thought it was incumbent upon the Council to do as much as possible to set the stage for the future Council to be able to work together in a

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collaborative environment. She thought the proposal was an improvement, though not perfect, and it would be a shame if the work was not finished. She mentioned the use of personal electronic devices by Council members during public meetings was unprofessional.

Deputy City Manager Chantal Cotton Gains commented the annual recommendation of new items had been deferred in an attempt to do the reorganization of the handbook. These were ideas offered by City Council over the last year and a half that the Committee looked at in parallel to doing the reorganized review.

City Manager Ed Shikada indicated the items brought forward to P&S included substantive changes proposed by individual Council members and over the course of two meetings facilitated the Committee's discussion of the substantive items to bring forward.

Council Member Tanaka thought the big changes of the proposal should be addressed.

Council Member Dubois supported leaving major changes to the next Council. The idea of strict rotation should be stricken, and electing the Mayor and Vice Mayor made sense. He liked the changes made regarding public speaking for detailed issues of P&S or Finance. Also stricken was the use of the Committee of the Whole, and he found meeting as a Council as a whole useful when Council wanted to focus on a particular topic that was not a general meeting. He questioned changing the regular meeting to start at 5:00 instead of calling it a special meeting since that had been done for years. On Page 417, he was concerned that a decision could not be made if there was interruption of service of a Council member attending remotely. Regarding the not being able to write a memo in the last two months, he suggested moving the transition up to November instead of waiting until January. The list for public comment should be open for 30 minutes, and it should be noted public comment could be made in writing. The five-minute guideline for Council members should be continued as a guideline versus a hard rule. On Page 436, he was not sure why burden of proof was stricken because it seemed like a good requirement for quasi-judicial items and felt the burden of proof should fall on the applicant and the respondent, not the Council. He would like to see "time permitting" deleted in reference to answers to action items for technical and clarifying questions and have responses similar to consent items. Regarding an issue that came up with the BAWSCA Board, he thought something should be added stating there should be an expectation that appointees to regional boards would act consistent with Council-stated positions, something to that sense. The liaison language was good but suggested adding something along the lines of Council members should refrain from stating personal positions and strive to remain neutral. Council member questions and comments should be added as a way to agendaize a potential expenditure. Events for the City Manager purchasing should be about the City Manager's budget and should not be listed where it was. A category for honoring City partners and community leaders should be added. A dollar limit should be put on the Mayor's party, and it should be up to the Mayor if their personal money was on it.

City Attorney Molly Stump declared it was a requirement of the new state law that a decision could not be made if service of a Council member attending remotely was interrupted, and the

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meeting should be paused. Regarding quasi-judicial items and the burden of proof being stricken, she thought it could vary depending on the situation, so she wanted to be able to figure it out based on the posture of the matter that was before the Council, but she was not sure it was a good idea. The Council was the judge, so it was a question of the material being presented and how the Council weighed it and would be advice from Legal. She would consider the matter more in terms of a local rule or if it would be provided based on the posture of the matter before the Council.

Council Member Stone agreed with a lot of Council Member DuBois' comments, and some had been discussed during the P&S Committee. He stated the City Attorney explained the mechanism of a Committee of the Whole, so it was not necessary to have it in the handbook. He specified his interpretation of language proposed by staff regarding the proposed language for the Colleagues' Memo. The language now proposed was a dramatic departure, and he would argue a substantive policy change from staff's proposal. Being there were substantive policy changes being made at the 11th hour of the last meeting, he thought it was appropriate to defer the discussion for the new Council and which would also allow community interest and feedback. Mayor should be based on merit, not amount of time served. He recommended the Council approve the base document tonight and then the unanswered questions and other substantive policy changes be deferred to P&S or to another time.

Deputy City Manager Gains confirmed the base document could be approved tonight and unanswered questions and other substantive policy changes deferred. Knowing the new Council would also have interest in some of the larger items, the Council could adopt the base document and elevate some of the items and have them as referrals back for 2023, but there would be the reorganized document for the new Council and the new P&S Committee to work from.

Vice Mayor Kou supported adopting the reformatting and referring the bigger items back to P&S and supported CAO and City-Schools Liaison being a part of Standing Committees. She provided her reasoning for requesting D on Page 112 be moved down to where the CAO Committee was explained. She had no feelings regarding Committee of the Whole, but if it should remain, she voiced why all instances where Committee of the Whole was deleted needed to be put back. Regarding Council members attending remotely, she felt the obligation was to show up for the meetings and thought five times was too much. She believed Council Committee meetings had been added, so potentially that was 10 meetings. She was concerned that business could not be conducted if a remote Council member's broadcast was disrupted and thought it should go back to P&S for discussion. She asked if Page 13, Item Number 3C referred to a Council member participating remotely having to organize the technology. Going back to the old language regarding the Colleagues' Memos should be reconsidered. Council member speaking time of five minutes was fine. She did not want the City Clerk to be timekeeper and suggested Council members be more cognizant of their time. On Page 6, Public Participation at Committees, she suggested adding "per person" to the reference of three and five minutes. On Page 42, she did not understand Number 7, group speaker time total allocation. Number 8 on Page 37, Council priorities setting guidelines and values was fine. On

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Page 39 regarding censure and enforcement, she asked if the word “charges” could be “violations” in the third sentence from the bottom in the last paragraph. She was fine with Number 10, parameters for voting delegates at conferences; Number 11, Council conduct with other agencies; Number 12, use of letterhead; Number 14, role clarity for Council; and Number 15, miscellaneous expenditures. Number 16, mayoral rotation needed further discussion. She inquired why in the Council meeting order of the agenda intergovernmental affairs had been crossed out and why it was originally placed. She requested it be placed back on the agenda but for consideration by P&S. Page 6 stated minutes should be included in the subsequent relevant Staff Report, but she asked if it was also on a Committees’ agenda page and what subsequent report would it be submitted to the Council.

Deputy City Manager Gains stated D on Page 112 was a formatting issue, and they were focused on the content, but they would correct it. She confirmed that a Council member participating remotely would have to organize the technology. Regarding Council member speaking time, the discussion at P&S encouraged all members to abide by the five minutes, and it was suggested the City Clerk help accomplish that. She explained the group speaker time allocation. From the Committee discussion, it was recommended intergovernmental affairs regarding the Council meeting order of the agenda be crossed out as it was not something that happened at the meetings, but if Council would like to leave it, it could be reverted back. The minutes were on a Committees’ agenda page. The minutes being delivered to all Council members before the meeting was an acknowledgement that the process did not actually happen but that it was on the website, and any item that had gone to Committee that would later go to the full Council, the minutes were usually referenced in those reports. It was the intention that any additional later report received would reference previous minutes if appropriate.

City Attorney Stump stated the state law of a council member’s disruption on a remote connection was a lobbying effort with uncertain outcome. Council could be protected by not allowing remote attendance. On Page 39, regarding censure and enforcement, it was typically framed as “charges” and was the same language in the Brown Act, which she explained. She explained why the Council meeting order of the agenda intergovernmental affairs had been placed in the handbook.

Council Member Cormack stated Packet Page 392, Section 1.3, was missing a verb after “All Council members” and before the alphabetical list. It would be helpful have a slightly cleaner version. Regarding Packet Page 390, 8.1, since Council had not in four years had a special meeting to review the protocols, etc., this section should be deleted or Council should hold such a special meeting. She found it disappointing an item with this level of detail was presented in the 11th hour.

Mayor Burt thought Council member speaking time of five minutes should be a guideline at the discretion of the Chair, that there should not be a rigid limit. Regarding speaking to the press, he wanted the language changed so it was not restrictive and not consistent with reality, as it was rare a Council member would voice their own view, but rather problems could arise

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speaking on behalf of the Council where a position had not been taken. Regarding voting delegates, he did not see what would happen if there was no specific direction and wanted general guidelines or guiding principles added to the language. Regarding liaison to a Board or Commission, he was concerned about a Council member anticipating a Council perspective on an issue and providing it to a Board or Commission as if it represented a Council majority and asked what was intended in the language.

Council Member Cormack believed it addressed likely Council questions, not perspectives, to improve the likelihood that a Board or Commission's recommendation would address likely concerns of Council. With this level of discussion, Council would not see a clean copy tonight.

City Manager Shikada stated the discussion begged the question whether a larger document could be adopted irrespective of the specific issues highlighted.

Discussion ensued regarding how to proceed with this item. Council decided no current action would be taken. However, there would be more comments, which would provide feedback that could be listed as alternatives to the new Council, but staff would not make revisions related to the comments. The item would then be agendized for policy discussion by the new Council.

Mayor Burt remarked the staff proposal of the Colleagues' Memos seemed reasonable as opposed to what was currently proposed. He believed the current approach of the selection of Mayor and Vice Mayor had been used for over 100 years, which had served Palo Alto well. In reference to remote attendance of meetings and the directions under state law, he was less inclined to permit many remote attendances and wanted it restricted to along the lines of three for Council Meetings and maybe fewer for Committee meetings. He asked regarding special events if that came out of the Council Contingency Fund or the City Manager's. He was hesitant to delegate expenditure of the Council Contingency Fund to the City Manager. He thought a diminished threshold may have been needed and that it not be on the agenda unless requested by a Council member.

City Manager Shikada specified special events were budgeted to a certain level. The Silicon Valley Index under this criteria would fit as an educational event and would be funded through the City Manager's office. A question for the Council was how the Contingency Fund would be managed. He shared that a Brown Act concern had been encountered as to would there be a serial meeting to decide to put it on the agenda.

Discussion ensued questioning the Brown Act and an intent to expend dollars and a Council member requesting it be agendized, which City Attorney Stump would consider further Council Members' comments and announcements for the exchange, which would result in an expenditure going forward or it being put on a future agenda for discussion.

Council Member Tanaka supported the selection of the leadership being a rotation system as the City Manager government was strong as opposed to the Mayor basically being a presiding officer over the meeting and should be fully impartial.

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Council Member DuBois asked if the Council could make decisions if members of the public were disconnected virtually from a meeting and if there could be a dial-in number for public comment if video conferencing went down. He considered the points about personal privilege being good changes, and maybe it should be clarified it did not apply to the public and it being addressed at the meeting it occurred and a point of personal privilege should not be raised by another Council member at that meeting. On Page 446 regarding appointing a voting delegate, he thought “when provided specific direction” should be stricken and it say instead either the Council’s directive to delegate to vote or the Council had taken a previous position on the topic. Regarding Page 449, 2.4, he did not think removal of a Board and Commission member had been changed and questioned if Council wanted to add more detail to that section.

City Attorney Stump confirmed the Council could not make decisions if there was disruption in the video or audio feed of the members of the public, which was new state law, and a Council member had to have video and audio on at all times. There could be discussion of the technological options of disrupted video conferencing and public comment.

City Manager Shikada asked if this was to go back to P&S or the full Council.

Vice Mayor Kou suggested the handbook with the technical updates made tonight go to the full Council but the points needing further discussion go to P&S.

City Manager Shikada opined from a staff perspective the handbook itself should come back to the full Council. There were individual perspectives, and Council direction was needed.

Mayor Burt suggested it be agendized as a prolonged discussion, so it could be addressed item by item and section by section and have many votes or there could be unanimous consent that it would go on the main motion if there were no objections, and if there was an objection, a vote could be taken on that.

Council Member Questions, Comments and Announcements

Council Member Cormack shared a slide from the final BAWSCA Board Policy Committee meeting for this calendar year showing drought actions being implemented by member agencies.

Vice Mayor Kou asked if the CUP and TDM as well as the Neighborhood Oversight Committee would be something Council could review when Castilleja comes back to Council.

City Manager Shikada would check with staff.

Mayor Burt shared there had been discussions regarding San Francisquito Creek JPA and the SAFER Bay Initiative, and questions were raised regarding tidal protection primarily north of the creek in East Palo Alto. In the future, greater resolution would be needed as to the extent JPA would address tidal flooding.

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Council Member Cormack inquired if Valley Water District 7 Director Rebecca Eisenberg would be representing Valley Water on the JPA going forward.

Mayor Burt presumed Director Eisenberg would be representing Valley Water on the JPA. An announcement had not been made but was the normal course.

Adjournment: The meeting was adjourned at 11:43 P.M.