



## **CITY COUNCIL & PUBLIC IMPROVEMENT CORPORATION ACTION MINUTES**

Joint Special Meeting  
May 2, 2022

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 5:01 P.M.

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

Absent: None

### CALL TO ORDER

### CLOSED SESSION

1. CONFERENCE WITH CITY ATTORNEY-POTENTIAL LITIGATION  
Subject: Threatened litigation regarding interpretation and application of non-conforming use provisions for 340 Portage and associated addresses, as set forth in September 10, 2021 letter from Sobrato Organization Authority: Potential Exposure to Litigation Under Government Code Section 54956.9(d)(2)  
One Case, as Defendant

**MOTION:** Mayor Burt motioned, seconded by Council Member Dubois to adjourn to Closed Session.

**MOTION PASSED:** 7-0

### SPECIAL ORDER OF THE DAY

2. Appointment of Candidates for the Parks and Recreation Commission

City Council vote results for one partial term position on the Parks and Recreation Commission ending March 31, 2023.

Joy Oche: Burt, Cormack, Filseth, Stone, Tanaka, Kou

Eve Klein: DuBois

# ACTION MINUTES

**Candidate Joy Oche receiving 6 votes was appointed to the full-term expiring March 31, 2023.**

## RECESS FOR COUNCIL MEETING AND CALL TO ORDER PUBLIC IMPROVEMENT CORPORATION

The Board of Directors for the Palo Alto Public Improvement Corporation was called to order at 9:07 PM

3. Approval of Fiscal Year 2021 Palo Alto Public Improvement Corporation's Annual Financial Statement

**MOTION:** Board Member Cormack motioned, seconded by Mayor Burt to approve the Fiscal Year (FY) 2021 Annual Financial Report for the Palo Alto Public Improvement Corporation.

**MOTION PASSED:** 6-1, Tanaka no

## ADJOURN PUBLIC IMPROVEMENT CORPORATION AND RECONVENE COUNCIL MEETING

## STUDY SESSION

4. Fiscal Year 2023 Proposed Budget Study Session

**NO ACTION TAKEN**

## AGENDA CHANGES, ADDITIONS AND DELETIONS

The Council deferred Item 15 to a future date.

## PUBLIC COMMENT

## CONSENT CALENDAR

Council Member Tanaka Registered a no vote on item 9.

# ACTION MINUTES

Mayor Burt requested to pull Item 6.

**MOTION:** Council Member Cormack motioned, seconded by Mayor Burt to approve Consent Agenda Items 5-11.

5. Approve Minutes from the April 11, 2022 City Council Meeting
6. Policy and Services Committee recommends that the City Council accept the recommendations from the September 14, 2021 and February 8, 2022 committee meetings regarding race and equity, with the following change: schedule a City Council Action Item (May 9, 2022) on whether to pursue a misdemeanor ordinance and other methods to deter hateful speech while complying with the constitution
7. Parks and Recreation Commission Recommend Adopting an Ordinance to Amend the Foothills Nature Preserve Attendance Range to 400-600 Guests
8. PUBLIC HEARING: Adoption of an Ordinance Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning), Chapters 18.04 (Definitions), 18.16 (Neighborhood, Community, and Service Commercial (CN, CC and CS) Districts), 18.18 (Downtown Commercial (CD) Districts) and 18.30 (A) and (C) the Retail and Ground Floor Combining Districts. Environmental Review: Exempt Under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) until December 16, 2022.
9. Approval of Contract No. C22183462 with Macias Gini & O'Connell LLP (MGO) for External Financial Audit Services in an Amount Not to Exceed \$599,319 (Including a 10 Percent Contingency Additional Services Amount of \$54,934) Through March 31, 2025.
10. Policy and Services Committee Recommends the City Council Accept the City Auditor's Quarterly Status Report (Q2 of Fiscal Year 2021)
11. SECOND READING: Adoption of **Ordinance 5547** Amending Existing Palo Alto Municipal Code Chapter 5.30, Disposable Foodware Items and Other Disposable Products, to Comply with California Assembly Bill 1276 (Single-Use Foodware Accessories and Standard Condiments) Requiring Additional Restrictions on the Use of Disposable Foodware and Condiments (FIRST READING: April 18, 2022: PASSED 7-0)

**MOTION SPLIT FOR THE PURPOSE OF VOTING**

# ACTION MINUTES

**MOTION PASSED Items 5, 7-11: 7-0**

**MOTION PASSED Item 6: 6-1, Tanaka no**

## CITY MANAGER COMMENTS

City Manager Ed Shikada

## ACTION ITEMS

12. Adoption of **Resolution 10032** Authorizing the Issuance and Sale of One or More Series of General Obligation Refunding (Refinancing) Bonds (Election of 2008) in an Aggregate Principal Amount Not to Exceed \$58 million, and Execution of a Paying Agency Agreement, and Certain Other Related Documents and Authorizing Official Actions Related Thereto

**MOTION:** Council Member Cormack motioned, seconded by Mayor Burt to approve **Resolution 10032** to:

1. Authorize the refinancing of the outstanding Series 2010A and Series 2013A General Obligation (Library) Bonds through the issuance of tax-exempt and federally taxable General Obligation Bonds (Bonds) in the not to exceed amount of \$58,000,000; and
2. Approve the Paying Agency Agreement, Official Notice of Sale, Preliminary Official Statement, Irrevocable Refunding Instructions related to the Series 2010A Bonds, Escrow Deposit and Trust Agreement related to the Series 2013A Bonds Between City of Palo Alto and U.S. Bank Trust Company National Association; and authorize related documents and actions.

**MOTION PASSED: 7-0**

13. Policy and Services Committee Recommends that the City Council Direct Staff to Reduce the Length of the Community Survey and Work with the Chair of the Policy & Services Committee as an Ad Hoc

**MOTION:** Mayor Burt motioned, seconded by Council Member DuBois to authorize the Chair of Policy & Services Committee to work with staff and POLCO to assure compatibility related to benchmarking of any revisions to the survey.

# ACTION MINUTES

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

14. Clarification of In-Person Attendance Protocols for Council Committees and Boards and Commissions (Continued from April 4, 2022 Meeting)

**FINAL MOTION:** Council Member Tanaka motioned, seconded by Mayor Burt to direct staff to continue to present the findings for AB 361 for the Council, Commissions and Boards and

- a) Council Members can participate remotely in Council Committee meetings up to 3 times per year;
- b) Board Members and Commissioners can participate remotely but are encouraged to meet in person and the Boards and Commissions should establish a remote attendance policy

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

### COUNCIL MEMBER QUESTIONS, COMMENTS, ANNOUNCEMENTS

### CLOSED SESSION

15. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Authority: Government Code Section 54956.8 Property: 300 Homer Avenue, Assessors Parcel Number 120-17-093 Negotiating Party: Palo Alto Museum City Negotiators: Ed Shikada, Kiley Nose Subject of Potential Negotiations: lease Price and Terms of Payment

## **ITEM CONTINUED TO A FUTURE MEETING**

ADJOURNMENT: Meeting was adjourned at 11:50 PM.

# ACTION MINUTES

ATTEST:

DocuSigned by:

*Lesley Milton*

E56491CF3DB34FA...

City Clerk

APPROVED:

DocuSigned by:

*[Signature]*

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.

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Mahealani Ah Yun

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250 Hamilton Ave

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Palo Alto , CA 94301

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Mahealani.AhYun@CityofPaloAlto.org

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5/17/2022 5:03:01 PM

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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:  
  
ED9E9CFB89E64FF...**Timestamp**

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Signature Adoption: Drawn on Device

Signed by link sent to pat@patburt.org

Using IP Address: 98.37.159.0

Signed using mobile

**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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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/17/2022 5:33:17 PM
Certified Delivered	Security Checked	5/18/2022 8:26:39 AM
Signing Complete	Security Checked	5/18/2022 8:27:03 AM
Completed	Security Checked	5/18/2022 8:27:03 AM
Payment Events	Status	Timestamps