



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting
November 18, 2019

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:02 P.M.

Present: Cormack; DuBois arrived at 6:15 P.M., Filseth, Kniss, Kou, Tanaka

Absent: Fine

Closed Session

1. CONFERENCE WITH CITY ATTORNEY-EXISTING LITIGATION
Subject: Gustavo Alvarez v. City of Palo Alto, et al.
United States District Court, Northern District of California,
Case No. 5:19-cv-02328-NC
Authority: Government Code Section 54956.9(d)(1).

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

MOTION PASSED: 5-0 DuBois, Fine absent

Council went into Closed Session at 6:03 P.M.

Council returned from Closed Session at 6:40 P.M.

Mayor Filseth announced no reportable action.

Agenda Changes, Additions and Deletions

MOTION: Council Member Kniss moved, seconded by Mayor Filseth to continue Agenda Item Number 13, "Approval of a Budget Amendment in the General Fund for Amendment Number 2 to Contract Number C18171717 With Perkins + Will..." to be heard December 2, 2019.

MOTION PASSED: 6-0 Fine absent

Minutes Approval

2. Approval of Action Minutes for the October 28, 2019 Council Meeting.

ACTION MINUTES

MOTION: Mayor Filseth moved, seconded by Council Member Cormack to approve the Action Minutes for the October 28, 2019 Council Meeting.

MOTION PASSED: 6-0 Fine absent

Consent Calendar

Council Member Kou registered a no vote on Agenda Item Number 11.

MOTION: Council Member DuBois moved, seconded by Council Member Kniss to approve Agenda Item Numbers 3-16.

3. Approval of Contract Number C20176139 With Precision Engineering, Inc. in the Amount of \$2,040,841 for Wastewater Collection System Rehabilitation/Augmentation Project 29 (WC-16001) in the Charleston Meadows Neighborhood; and Authorization for the City Manager to Negotiate and Execute Related Change Orders Not-to-Exceed \$204,084, for a Total Not-to-Exceed Amount of \$2,244,925.
4. Approval of Amendment Number 4 to Contract Number S17166441 With Page and Turnbull for Historic Planning On-call Services to Extend the Contract Term to October 2021 and Increase the Contract Limit by \$50,000 for a Total Not-to-Exceed Amount of \$134,500.
5. Approval of Amendment Number 3 to Contract Number C14152163 With Townsend Public Affairs for State Legislative Advocacy to Extend the Term for two Additional Years and add \$204,000 for a Total Not-to-Exceed Amount of \$799,000.
6. Policy and Services Committee Recommends the City Council Accept Status Updates of Audit Recommendations on: 1) Electric Substructure Contract Oversight, 2) the Cross Bore Inspection Contract, and 3) Water Meter Billing Accuracy.
7. Resolution 9870 Entitled, "Resolution of the Council of the City of Palo Alto Authorizing City Participation in the California Electric Vehicle Infrastructure Project (CALeVIP) to Obtain \$1 Million in Grant Funding for Electric Vehicle Charger Rebates and to Provide \$1 Million in Additional Matching Funds for Electric Vehicle Charger Rebates; and Authorizing the City Manager or City Manager Designee to Execute Implementing Agreements and Documents for Participation in the Project.

ACTION MINUTES

8. Approval of a Blanket Purchase Order With TMT Enterprises, Inc. for Construction Material/Debris Hauling and Disposal Services in a Not-to-Exceed Amount of \$5,561,930 for a term up to Five Years.
9. Resolution 9867 Entitled, "Resolution of the Council of the City of Palo Alto to Execute Clean a Water State Revolving Fund (SRF) Financial Assistance Application and Agreement if Awarded;" and Resolution 9868 Entitled, "Resolution of the Council of the City of Palo Alto to Designate the Amount of Project Expenditures to be Reimbursed by SRF Proceeds for the Advanced Water Purification System, 1 MGD Project, at the Regional Water Quality Control Plant (WQ-19003)."
10. Resolution 9869 Entitled, "Resolution of the Council of the City of Palo Alto Declaring Weeds to be a Public Nuisance and Setting January 13, 2020 for a Public Hearing for Objections to Proposed Weed Abatement."
11. Approval of Modification to the 1050 Page Mill Road Mitigation Monitoring Program to Extend the Time for Completion of Traffic Mitigation Measures for Intersection Improvements on Page Mill Road at Hanover Street and Hansen Way to Allow Coordination With County Proposed Improvements.
12. Approval of Amendment Number 3 to Contract Number C19172281 With Municipal Resource Group (MRG) to Increase the Maximum Compensation by \$50,000 for a Total Not-to-Exceed Amount of \$250,000 for Transportation Support and Professional Development Services.
- ~~13. Approval of a Budget Amendment in the General Fund for Amendment Number 2 to Contract Number C18171717 With Perkins + Will to Provide Professional Services Related to the Preparation of the North Ventura Coordinated Area Plan (NVCAP).~~
14. Ordinance 5476 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Section 21.20.301 (Flag Lots) of Chapter 21.20 (Design) of Title 20 (Subdivisions and Other Divisions of Land) of the Palo Alto Municipal Code (FIRST READING: October 28, 2019 PASSED: 5-0 DuBois, Filseth Absent)."
15. Ordinance 5477 Entitled, "Ordinance of the Council of the City of Palo Alto to Repeal Chapter 15.04 of the Palo Alto Municipal Code and Amending Title 15 to Adopt a New Chapter 15.04, the California Fire Code (2019 Edition) With Local Amendments and Related Findings"; Ordinance 5478 Entitled, "Ordinance of the Council of the City of Palo

ACTION MINUTES

Alto Repealing Chapter 16.04 of the Palo Alto Municipal Code and Amending Title 16 to Adopt a New Chapter 16.04, California Building Code, California Historical Building Code, and California Existing Building Code, 2019 Editions, and Local Amendments and Related Findings"; Ordinance 5479 Entitled, "Ordinance of the Council of the City of Palo Alto Repealing Chapter 16.05 of the Palo Alto Municipal Code and Amending Title 16 to Adopt a New Chapter 16.05, California Mechanical Code, 2019 Edition, and Local Amendments and Related Findings"; Ordinance 5480 Entitled, "Ordinance of the Council of the City of Palo Alto Repealing Chapter 16.06 of the Palo Alto Municipal Code and Amending Title 16 to Adopt a New Chapter 16.06, California Residential Code, 2019 Edition, and Local Amendments and Related Findings"; Ordinance 5481 Entitled, "Ordinance of the Council of the City Of Palo Alto Repealing Chapter 16.08 of the Palo Alto Municipal Code and Amending Title 16 to Adopt a New Chapter 16.08, California Plumbing Code, 2019 Edition, and Local Amendments and Related Findings"; Ordinance 5482 Entitled, "Ordinance of the Council of the City of Palo Alto Amending and Restating Chapter 16.14 of the Palo Alto Municipal Code, California Green Building Standards Code 2019 Edition, and Local Amendments and Related Findings, and Amending Section 16.12.035 of Chapter 16.12 to Make Conforming Changes"; Ordinance 5483 Entitled, "Ordinance of the Council of the City of Palo Alto Repealing Chapter 16.16 of the Palo Alto Municipal Code And Amending Title 16 to Adopt a New Chapter 16.16, California Electrical Code, 2019 Edition, and Local Amendments and Related Findings"; Ordinance 5484 Entitled, "Ordinance of the Council of the City of Palo Alto Repealing Chapter 16.18 of the Palo Alto Municipal Code and Amending Title 16 to Adopt a New Chapter 16.18, International Swimming Pool and Spa Code, With Local Amendments."

16. Selection of Applicants to Interview for the Historic Resources Board, the Parks and Recreation Commission, and the Planning and Transportation Commission.

MOTION PASSED FOR AGENDA ITEM NUMBERS 3-10, 12, 14-16: 6-0
Fine absent

MOTION PASSED FOR AGENDA ITEM NUMBER 11: 5-1 Kou no, Fine
absent

Action Items

17. Approval of the Addendum to the 2015 Environmental Impact Report for the City of Palo Alto Recycled Water Program; and Approval of an

ACTION MINUTES

Agreement Between the City of Palo Alto, the City of Mountain View, and the Santa Clara Valley Water District to Advance Resilient Water Reuse Programs in Santa Clara County, Including Funding for an Advanced Water Purification Facility in Palo Alto, a Long-term Transfer of Effluent from the Regional Water Quality Control Plant to Valley Water, and Related Commitments.

MOTION: Council Member DuBois moved, seconded by Council Member Cormack to:

- A. Approve the Addendum, together with the 2015 Environmental Impact Report for the City of Palo Alto Recycled Water Program, certified and adopted by the Council on September 28, 2015, as adequate and complete under the California Environmental Quality Act (CEQA) for the local salt removal plant; and
- B. Approve and authorize the City Manager to execute the Agreement between and among Palo Alto, Mountain View, and the Santa Clara Valley Water District to Advance Resilient Water Reuse Programs in Santa Clara County subject to non-substantive changes approved by the City Manager and the City Attorney.

MOTION PASSED: 6-0 Fine absent

Council took a break at 8:17 P.M. and returned at 8:30 P.M.

- 18. Approval of Construction Contract Number C20174550 With Granite Construction Company in the Amount of \$13,844,921 for the Highway 101 Pedestrian/Bicycle Overpass Project, Capital Improvement Project (PE-11011); Approval of Contract Number C20185214 With Zoon Engineering in the Amount of \$1,704,851 to Provide Construction Management Services; Approval of a Grant Agreement With the County of Santa Clara for Grant Funding; and Approval of a Budget Amendment in the Capital Improvement Fund.

MOTION: Council Member Kniss moved, seconded by Council Member Cormack to:

- A. Approve and authorize the City Manager or his designee to execute Construction Contract Number C20174550 with Granite Construction Company in an amount not-to-exceed \$13,844,921 for the Highway 101 Pedestrian/Bicycle Overpass Project (Capital Improvement Program (CIP) Project PE-11011);

ACTION MINUTES

- B. Authorize the City Manager or his designee to negotiate and execute one or more change orders to the construction contract with Granite Construction Company for related additional but unforeseen work that may develop during the project, the total value of which shall not exceed \$1,384,492;
- C. Approve and authorize the City Manager or his designee to execute Contract Number C20175214 with Zoon Engineering to provide construction management services for the Highway 101 Pedestrian/Bicycle Overpass Project (CIP Project PE-11011) in an amount not-to-exceed \$1,704,851, including \$1,549,865 for basic services and \$154,986 for additional services;
- D. Approve and authorize the City Manager or his designee to execute the Project Grant Agreement with the County of Santa Clara for the provisions of grant funding for the project in the amount of \$4 million or more; and
- E. Amend the Fiscal Year 2020 Budget Appropriation for the Capital Improvement Fund by:
 - i. Decreasing the Capital Fund Infrastructure Reserve by \$4,200,000; and
 - ii. Increasing the Highway 101 Pedestrian/Bicycle Overcrossing Project (PE11011) appropriation by \$4,200,000.

MOTION PASSED: 6-0 Fine absent

- 19. Colleagues' Memo From Council Members DuBois and Kou and Potential Adoption of an Urgency Ordinance to Provide Just Cause Eviction Protections to Tenants Until California State Assembly Bill 1482 Takes Effect on January 1, 2020.

Council Member Kniss advised she would recuse herself from this item as she owns a small rental property in Palo Alto. She left the meeting at 9:15 P.M.

MOTION: Council Member DuBois moved, seconded by Council Member Kou to continue this item to December 2, 2019.

MOTION PASSED: 5-0 Kniss recused, Fine absent

Adjournment: The meeting was adjourned at 9:31 P.M. in memory of Palo Alto Utilities employee Donatus Okhomina who lost his life on November 16, 2019 in a work-site accident.