



# CITY COUNCIL DRAFT ACTION MINUTES

Regular Meeting  
October 7, 2024

The City Council of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 5:30 P.M.

Present In Person: Burt, Kou, Lythcott-Haims, Stone, Tanaka, Veenker

Council Member Tanaka Arrived at 5:35 P.M.

Present Remotely: Lauing

Absent:

## Special Orders of the Day

1. ~~Signing of a Friendship City Agreement between the City of Palo Alto and Narok, Kenya in Celebration of Palo Alto's First Friendship City~~ *Item Removed Off Agenda*

## **NO ACTION**

2. Resolution Expressing Appreciation to Amy French Upon Her Retirement

**MOTION:** Council Member Kou moved, seconded by Council Member Burt to approve resolution Expressing Appreciation to Amy French Upon Her Retirement.

**MOTION PASSED:** 7-0

## Closed Session

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Authority: Cal. Gov. Code section 54957(b);  
Title: City Clerk
4. CONFERENCE WITH LABOR NEGOTIATORS  
Authority: Cal. Gov. Code section 54957.6;  
Agency representative: Dan Rich, MRG;  
Unrepresented Employees: City Attorney, City Clerk and City Manager

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## ~~5. CONFERENCE WITH CITY ATTORNEY POTENTIAL LITIGATION~~

~~Subject: Potential litigation regarding 10 pending development applications that are inconsistent with the City's zoning code and/or Comprehensive Plan land use designations, which the~~

~~applicants have asserted the City cannot disapprove under Government Code 65589.5(d)(5)~~

~~Authority: Potential Exposure to Litigation Under Government Code Section 54956.9(d)(2)~~

~~10 cases, as Defendant. Item Removed Off Agenda~~

**MOTION:** Council Member Lythcott-Haims moved, seconded by Council Member Veenker to go into Closed Session.

**MOTION PASSED:** 7-0

Council went into Closed Session at 5:42 P.M.

Council returned from Closed Session at 8:35 P.M.

Mayor Stone announced no reportable action.

## Agenda Changes, Additions and Deletions

## Public Comment

## Council Member Questions, Comments and Announcements

## Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Numbers 8, 10, 15.

**MOTION:** Council Member Lythcott-Haims moved, seconded by Council Member Veenker to approve Agenda Item Numbers 6-16.

**MOTION PASSED ITEMS 6-7, 9, 11-14, 16:** 7-0

**MOTION PASSED ITEMS 8, 10, 15:** 6-1, Tanaka no

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6. Approval of Minutes from September 16, 2024 and September 23, 2024 Meetings
7. Approval of Dark Fiber License Agreement No. S24189080 with Adobe Creek Networks to Build and License Dark Fiber in the Foothills, and Approval of a Fiscal Year 2025 Budget Amendment in the Fiber Fund; CEQA Status – Exempt under CEQA Guidelines Section 15301 and 15303.
8. Adopt a Resolution Amending 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) to Raise the Upper Limit on the Monthly Transportation Charge; CEQA Status: Exempt Under Public Resources Code 15273(a)
9. Authorize the City Manager or their Designee to Exercise the Option to Renew the Lease Between the City of Palo Alto and Steve Nash and Dennis Ryan for 4 Months at 975 Terra Bella Ave in Mountain View at a Monthly Rent of \$35,587.95 for a Total Not-to-Exceed of \$213,527.70 through February 28, 2025; Direct Staff to Explore Purchase of Property to Meet the Future Needs of Grid Modernization and Other Capital Projects; and Approval of an Amendment to Fiscal Year 2025 Budget Appropriation in the Electric Fund; CEQA Status – Categorically Exempt; Sec. 15301.
10. Approval of Two Purchase Orders, 4525000111 and S25192604 with ePlus Technology Inc. to procure Data Center Equipment and Implementation for Fiber-to-the-Premises for a Three-Year Term with an Amount Not-To-Exceed \$543,134; CEQA Status – Mitigated Negative Declaration Approved June 2024.
11. Adoption of a Resolution to Authorize the Acceptance of Electronic Government Claims
12. Approval of Contract Amendment Number 1 to Contract Number S24191026 with the Palo Alto Chamber of Commerce to Increase the not-to-exceed Amount by \$40,000 to Provide Support for the 3rdThursday California Avenue Events (to a new total NTE of \$95,000); CEQA status - Not a Project
13. Adopt a Resolution to Amend Palo Alto's Baylands Priority Conservation Area to Conform to New Planning Criteria. CEQA: Not a 'Project' and is Exempt from CEQA Review.
14. Adopt a Resolution Approving a Local Hazard Mitigation Plan Volume I and II and Adopt the LHMP into the City's 2030 Comprehensive Plan Safety Element; CEQA status - Resolution 9720, no additional environmental review required.
15. Approval of Amendment via Change Order to Contract Number C22183580 with MP Nexlevel of California, Inc. in the Amount of \$1,650,000 for the Fiber-to-the-Premise (FTTP) Pilot Project inclusive of \$150,000 in contingency funding for a Revised Total Not-to-Exceed Amount of \$11,347,390 From March 21, 2022 Through April 30, 2025; Authorize the City Manager to Execute Change Orders Not-to-Exceed \$150,000 for FTTP ;

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CEQA Status – Council action on this item is within the scope of the Final Initial Study and Mitigated Negative Declaration (IS/MND) for the Fiber-to-the-Premises Project, adopted on June 17, 2024.

16. Approve Task Order 4.28 Dispatch Center Assessment as Recommended by the Policy & Services Committee; Direct Additional Dispatch Center Work Discussed by Policy & Services Committee Members be Considered When Reviewing the Proposed FY25 Audit Plan; and Grant Authority to the City Manager to Execute any Necessary Privacy-Related Agreements to Implement this Audit; CEQA status – not a project.

## City Manager Comments

Ed Shikada, City Manager

## Action Items

17. Approval of FY 2025 Parks and Recreation Commission and Public Art Commission Workplans; CEQA status – not a project

**MOTION:** Council Member Veenker moved, seconded by Council Member Lythcott-Haims to approval the Parks and Recreation Commission Fiscal Year 2025 Workplan and the additional direction to:

1. Evaluate the middle school athletic programs and recommend approaches to align with the current program with universal access for students and State Law and evaluate outsourcing middle school athletics to local nonprofits.
2. Request staff agendize a study session on park dedication status and updates.

**MOTION PASSED:** 7-0

**MOTION:** Council Member Burt moved, seconded by Mayor Stone to approval the Public Art Commission Fiscal Year 2025 Workplan and the additional direction to pursue a plan for extensive artistic activation of the Cubberley space in collaboration with the artists.

**MOTION PASSED:** 7-0

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AA1. Authorize Execution of a Memorandum of Understanding with the Palo Alto Unified School District for the Purchase and Lease of Land at 4000 Middlefield Road, Informally Known as the Cubberley Site; CEQA Status– Not a Project

**MOTION:** Council Member Burt moved, seconded by Mayor Stone to authorize the City Manager to execute a Memorandum of Understanding with the Palo Alto Unified School District (PAUSD or District) for the purchase and lease of land at 4000 Middlefield Road, informally known as the Cubberley site and direct staff and a Cubberley Ad Hoc Committee to proceed with next steps including but not limited to resumption of master planning for the Cubberley site and undertaking the development of formal agreements including a new lease agreement and a purchase and sale agreement.

**MOTION PASSED:** 7-0

Adjournment: The meeting was adjourned in Honor of Roy Clay Sr. at 10:45 P.M.

ATTEST:

APPROVED:

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\_\_\_\_\_

City Clerk

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.