



CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
March 20, 2023

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, Kou, Lauing, Lythcott-Haims, Stone, Tanaka, Veenker

Present Remotely: None

Absent: None

Agenda Change: City Council went to Closed Session before Special Orders of the Day

Special Orders of the Day

1. Santa Clara County 2022 Synopsys Championship Science Fair 2022 STEM Winners from Palo Alto

Closed Session

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Mid-Year Check-In

Authority: Gov Code section 54957(b)

Titles: City Manager, City Attorney

3. CONFERENCE WITH LABOR NEGOTIATORS City Designated Representatives: City Manager and his Designees Pursuant to Merit System Rules and Regulations (Ed Shikada, Kiely Nose, Sandra Blanch, Tori Anthony, Molly Stump, and Jennifer Fine) Employee Organization: Service Employees International Union, (SEIU) Local 521, Utilities Management and Professional Association of Palo Alto (UMPAPA), Palo Alto Peace Officers' Association (PAPOA), Palo Alto Police Management Association (PMA), International Association of Fire Fighters (IAFF) local 1319, Palo Alto Fire Chiefs' Association (FCA); Authority: Government Code Section 54957.6 (a)

DRAFT ACTION MINUTES

MOTION: Council Member Lauing moved, seconded by Mayor Kou to go into Closed Session.

MOTION PASSED: 7-0

Council went into Closed Session at 5:06 P.M. and returned at 6:02 P.M.

Council reconvened Closed Session at 6:13 P.M. and returned at 8:36 P.M.

Mayor Kou announced there were no reportable actions.

Agenda Changes, Additions and Deletions

None.

Public Comment

Consent Calendar

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

MOTION: Council Member Burt moved, seconded by Council Member Lauing to approve Agenda Item Numbers 4-11.

PASSED Items 4-6, 8, 10, 11: 7-0

PASSED Items 7, 9: 6-1 Tanaka no

4. Approval of Minutes from March 6, 2023 Meeting
5. Authorize Transmittal of the 2022 Comprehensive Plan Annual Progress Report to the Office of Planning and Research and the 2022 Housing Element Annual Progress Report to the Department of Housing and Community Development.
6. Appointment of Council Member Stone to the Board of Directors of the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water System Financing Authority, for the term July 1, 2023 through June 30, 2027
7. Amendment No. 1 to Contract with LAZ Parking (C20176367) for Residential Preferential Parking (RPP) Program Parking Enforcement to Extend Term two years through February 2025 with no additional funds; CEQA status – categorically exempt (Regulation 15321 enforcement actions).

DRAFT ACTION MINUTES

8. Approval of Office of the City Auditor's Utility Work Order Process and Control Review Report
9. SECOND READING: Ordinance 5578 Prohibiting Possession of Firearms in Sensitive Places. CEQA Status – Exempt Under CEQA Guidelines Section 15061(b)(3). (FIRST READING: March 6, 2023 PASSED 7-0)
10. SECOND READING: Adopt a Park Improvement Ordinance 5579 to Allow Construction in Greer Park to Replace a Private Sewer Connection from the 2850 W. Bayshore Housing Development; CEQA status – Class 32 infill exempt
11. SECOND READING: Adoption of an Ordinance 5580 amending Chapter 16.52 (Flood Hazard Regulations) to Correct an Error in Ordinance 5566. Environmental Assessment: Not a Project. (FIRST READING: March 6, 2023 PASSED 7-0)

City Manager Comments

Action Items

12. Review and Revision of the Council Procedures and Protocols Handbook – Focus on Protocols – Including Consideration of Policy and Services Committee Recommended Changes

ORIGINAL MOTION: Vice Mayor Stone moved, seconded by Council Member Burt to Adoption of Section 1 with the following amendments:

- 1.4 A Include language regarding encouraging factual dialogue during meetings and within the public domain Council Members should refrain from repeating false and misleading information
- 1.6 C Include language; in the absence of explicit direction, when the Council Member is aware of a prior position the Council has taken the Council Member will adopt that position
- 1.7 F To include language clarifying Council Member votes on regional bodies where they represent a regional group
- 1.7 I Replace “Council Members should avoid any staff interactions that may be construed as trying to shape staff recommendations to be presented to the Council as a whole.” With the previous language of “Council Members shall refrain from coercing staff in making recommendations to the Council as a whole.”

DRAFT ACTION MINUTES

MOTION SPLIT FOR PURPOSE OF VOTING

MOTION: Vice Mayor Stone moved, seconded by Council Member Burt to Adoption of Section 1 with the following amendments:

- 1.4 A Include language regarding encouraging factual dialogue during meetings and within the public domain Council Members should refrain from repeating false and misleading information

MOTION PASSED: 6-1, Tanaka no

MOTION: Vice Mayor Stone moved, seconded by Council Member Burt to Adoption of Section 1 with the following amendments:

- 1.6 C Include language; in the absence of explicit direction, when the Council Member is aware of a prior position the Council has taken the Council Member will adopt that position
- 1.7 F To include language clarifying Council Member votes on regional bodies where they represent a regional group
- 1.7 I Replace “Council Members should avoid any staff interactions that may be construed as trying to shape staff recommendations to be presented to the Council as a whole.” With the previous language of “Council Members shall refrain from coercing staff in making recommendations to the Council as a whole.”

MOTION PASSED: 7-0

MOTION: Council Member Lauing moved, seconded by Mayor Kou to Adoption of Section 2 with the following amendments:

2) Refer to Policy and Services Committee further work on:

(iii) Section 2.2 (refrain from lobbying board/commission members): disallow Commissioners from lobbying Council Members after a vote has taken place

MOTION PASSED: 5-2, Tanaka, Lythcott-Haims no

DRAFT ACTION MINUTES

MOTION: Council Member Lauing moved, seconded by Mayor Kou to Adoption of Section 2 with the following amendments:

- 1) Modify to read 2.4: A Council Member may involve a chair of a commission or the liaison to the commission if there is one.”
- 2) Refer to Policy and Services Committee further work on:
 - (i) Section 2.8 related to the role of the Council liaison and ask Policy and Services Committee to involve Board / Commission members, and review the statement “in understanding likely Council perspectives”
 - (ii) Consider replacement with “In understanding Council’s positions on perspectives.”, and
 - ~~(iii) Section 2.2 (refrain from lobbying board/commission members): disallow Commissioners from lobbying Council Members after a vote has taken place~~

MOTION PASSED: 7-0

MOTION: Council Member Burt moved, seconded by Vice Mayor Stone to adopt Section 3 with the following amendments:

- A. Amend Section 3.1 changing the language from “there will be” to “shall”

MOTION PASSED: 7-0

MOTION: Mayor Kou moved, seconded by Council Member Burt to adopt Section 4 with the following amendments:

Approve a revised Section 4 which would include the following:

- A. Retained Section 4.8 (Mayor and Vice Mayor additional compensation),
- B. Amended Section 4.10 (miscellaneous expenses) to include:
 - X.1 Expenditure of City Council Contingency Funds
 - Expenditures from the City Council Contingency budget if under \$10k requires agreement of Mayor and Vice Mayor along with notification of the Council at a public meeting during Council Member Comments and Announcements. If two Council Members request the allocation and do not receive Council approval, it would be agendaized at a subsequent meeting. If over 10k, must be directed by Council motion, either via a

DRAFT ACTION MINUTES

colleague's memo on the Consent Calendar or as part of an agenda item.

- Referral to Policy and Services establishment of appropriate parameters for Council Discretionary Expenditures and consider modify Section 4, X.1 to allocate \$2,000 annually from the contingency fund for each Council Member to decide its purpose

- X.2 City Purchase of Tickets or Sponsorship of Non-Profit Organization Events

The City Manager may purchase tickets or sponsor events by non-profit organizations, subject to budget availability, under any of the following circumstances:

1. where the event serves a City educational purpose,
2. recognition for work done by staff (not including elected or appointed officials), or
3. expending budget allocations specifically intended for event attendance.

- x.3 Expenditure for Annual Holiday Event

Expenditures of up to \$1,500 from the Council special event budget may be directed to be expended for an annual holiday celebration, subject to budget availability for attendance by Council members, executive leadership staff and community leaders. Event details will be coordinated by the Mayor and facilitated by staff.

C. Revised travel section that includes the language below:

- Councilmember travel expenses and reimbursements will adhere to Citywide Travel Arrangements and Expense Reimbursement Policy (Administrative Policy 1-02/ASD)

- Retain the following Sections:

- Section 4.4 (activities not considered reimbursable),
- Section 4.6 (reports to Council),
- Section 4.7 (violation of this policy),
- Section 4.9 (support services)

- Addition of the following language:

1. The limit on how many times a Councilmember can travel in a year with reimbursement will be 6 times, subject to budget availability
2. Refer to Policy and Services for consideration of:
 - International travel will/will not be approved for reimbursement.
 - For international travel, any Mayoral or City Council international travel expenses related to Sister Cities will have _____ covered by the City.
4. Councilmember travel will be approved by Mayor_.

MOTION PASSED: 7-0

DRAFT ACTION MINUTES

MOTION: Council Member Veenker moved, seconded by Council Member Lauing to adopt Section 5 as presented.

MOTION PASSED: 7-0

13. Colleague's Memo Council Contingency Fund request for Try Harder! A Palo Alto Community Screening Event

MOTION: Council Member Veenker moved, seconded by Council Member Lythcott Haims to provide to YCS \$3,000 for the film license and screening fee from the Council Contingency Fund.

MOTION PASSED: 7-0

Council Member Questions, Comments and Announcements

Adjournment: The meeting was adjourned at 11:45 P.M.

ATTEST:

APPROVED:

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.