



CITY COUNCIL DRAFT ACTION MINUTES

Special Meeting
February 6, 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

Study Session

1. Study Session on Palo Alto Link, the City's New On-Demand Transit Service

Council Member Burt arrived at 5:17 PM

Agenda Changes, Additions and Deletions

MOTION: Council Member Burt moved, seconded by Mayor Kou to postpone Item 8 to the February 13th, 2023 meeting.

MOTION PASSED: 7-0

MOTION: Mayor Kou moved, seconded by Council Member Veenker to move "Council Member Comments, Questions and Announcements" to take place after "City Manager Comments" for this agenda only.

MOTION PASSED: 7-0

Consent Calendar

Council Member Tanaka registered a no vote on Agenda Item Number 5.

Council Member Burt, Kou, Stone requested to pull Item 4 from the Consent Agenda.

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MOTION: Council Member Burt moved, seconded by Council Member Lauing to approve Agenda Items 2, 3 and 5 and to pull Item 4 from the Consent Agenda.

2. Approval of Minutes from the January 23, 2023 City Council Meeting
3. Adopt Revised Retiree Benefit Funding Policy (Formerly 'Pension Funding Policy') for the Financial Planning of Employee Pension and Other Post-Employment Benefits (OPEB)/Retiree Healthcare Plans Consent Questions
4. Approval of Professional Services Agreement with Townsend Public Affairs, Inc. (C23183770) in the Amount Not-to-Exceed \$558,000 for State and Federal Legislative Advocacy Services and Grant Consulting and Compliance Services for a Period of Three Years with the Option to Renew for Two Periods of One Year Each; CEQA status—not a project Supplemental Report, Consent Questions – ***Removed From The Agenda***
5. Adoption of Memorandum of Agreements with International Association of Firefighters, Local 1319 and Service Employees International Union, Local 521; CEQA status—not a project

MOTION PASSED FOR ITEM 2, 3: 7-0

MOTION PASSED FOR ITEM 5: 6-1 Tanaka No

City Manager Comments

Council Member Questions, Comments and Announcements

RECESS CITY COUNCIL MEETING AND CONVENE PUBLIC IMPROVEMENT CORPORATION MEETING

ACTION ITEM

6. Approval of Fiscal Year 2022 Palo Alto Public Improvement Corporation's Annual Financial Statement

MOTION: Chair Kou, seconded by Board Member Lythcott-Haims to approve the Fiscal Year (FY) 2022 Annual Financial Report for the Palo Alto Public Improvement Corporation.

MOTION PASSED: 7-0

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RECONVENE CITY COUNCIL MEETING

Action Items

7. Discussion Regarding Gas Powered Leaf Blower Enforcement and Possible Direction to Prepare an Amendment to the Noise Ordinance (PAMC 9.10) and Resolution to Adjust Financial Penalties for Violations in Residential Neighborhoods to Facilitate Compliance. (Environmental review: not a project)

ORIGINAL MOTION: Vice Mayor Stone moved, seconded by Council Member Burt to:

- 1) Direct staff to prepare an amendment to the Noise Ordinance (PAMC 9.10) to:
 - a) Clarify that citations may be issued to the leaf blower operator, leaf blower operator's employer, the property owner, manager, renter or other person authorizing or employing the use of gas-powered leaf blower on their property, or all for violations of the ban; and,
 - b) Remove the existing requirement to provide a five-day notice of violation warning the operator of a gas-powered leaf blower and/or property owner in advance of issuing a citation for violating the ban;
 - c) Include "Constructive knowledge" of property owner or property manager to section 9.10.060(f)
- 2) Direct staff to prepare a resolution updating the municipal penalty schedule for violation of the gas-powered leaf blower ban to \$250 for the first offense, \$500 for the second offense and \$1,000 for the third and subsequent offenses within a three-year period; and direct staff to update the municipal penalty schedule effective September 1, 2023
- 3) Endorse the leaf blower enforcement public engagement strategy presented in this report
- 4) Refer to Policy & Services Committee discussion considering ban on gas powered leaf blower city-wide and evaluate replacement of internal combustion engines for residences and commercial properties maintenance based on available replacement technologies; evaluation of decibel levels for equipment

MOTION SPLIT FOR THE PURPOSE OF VOTING:

- 1 (b) Remove the existing requirement to provide a five-day notice of violation warning the operator of a gas-powered leaf blower and/or property owner in advance of issuing a citation for violating the ban;
- 2 Direct staff to prepare a resolution updating the municipal penalty schedule for violation of the gas-powered leaf blower ban to \$250 for the first offense, \$500 for the second offense and \$1,000 for the third and subsequent offenses within a three-year period; and direct staff to update the municipal penalty schedule effective September 1, 2023

MOTION PASSED: 5-2 Tanaka, Veenker No

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FINAL MOTION: Vice Mayor Stone moved, seconded by Council Member Burt to:

- 5) Direct staff to prepare an amendment to the Noise Ordinance (PAMC 9.10) to:
 - a) Clarify that citations may be issued to the leaf blower operator, leaf blower operator's employer, the property owner, manager, renter or other person authorizing or employing the use of gas-powered leaf blower on their property, or all for violations of the ban; and,
 - b) Remove the existing requirement to provide a five-day notice of violation warning the operator of a gas-powered leaf blower and/or property owner in advance of issuing a citation for violating the ban;
 - c) Include "Constructive knowledge" of property owner or property manager to section 9.10.060(f)
- 6) Direct staff to prepare a resolution updating the municipal penalty schedule for violation of the gas-powered leaf blower ban to \$250 for the first offense, \$500 for the second offense and \$1,000 for the third and subsequent offenses within a three-year period; and direct staff to update the municipal penalty schedule effective September 1, 2023
- 7) Endorse the leaf blower enforcement public engagement strategy presented in this report
- 8) Refer to Policy & Services Committee discussion considering ban on gas powered leaf blower city-wide and evaluate replacement of internal combustion engines for residences and commercial properties maintenance based on available replacement technologies; evaluation of decibel levels for equipment

MOTION PASSED: 7-0

8. Review and Accept the FY 2024 - FY 2033 Long Range Financial Forecast (LRFF) and FY 2024 Budget Development Guidelines (8:30 – 10:30 PM)

ACTION: Item Continued

- AA1. Approval of the 2023 City Council Priority Focus Areas, and Objectives Areas, Objectives, and Respective Major Projects for Calendar Year 2023

ACTION: Item Continued

Adjournment: The meeting was adjourned at 10:28 P.M. in memory of Melissa Baten-Caswell.

ATTEST:

APPROVED:

City Clerk

Mayor

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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.