



# POLICY AND SERVICES COMMITTEE SUMMARY MINUTES

Regular Meeting  
October 11, 2022

The Policy and Services Committee of the City of Palo Alto met on this date in the Council Chambers and by virtual teleconference at 7:01 P.M.

Present In-Person: Stone (Chair), Cormack, Tanaka

Absent: None

## Oral Communications

- 1) Cherrill Spencer, a longtime resident of Palo Alto spoke on behalf of the Palo Alto branch of the Cities for the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) coalition. She stated 3 of the 17 assignments given to Staff by the City Council pertaining to the City's race and equity efforts, workforce demographic assessment, and employee assessment of workforce culture have not been completed. Coalition members could help with the development of these assessments if that would get them done sooner. She was pleased about the motion passed at the previous meeting recommending the City Council consider adopting a values statement that includes integrating equity into decisions. An ordinance based on CEDAW would help the City integrate equity as it relates to girls and women. She looks forward to hearing progress on a CEDAW ordinance in the near future.
- 2) Jennifer Landesmann referenced Council's August study session on airplane noise and the mention of a City protocol being followed on how the City handles FAA changes that can negatively impact Palo Alto. She asked the Committee to update the community on which protocol the City Manager was referring to.

## Agenda Items

# SUMMARY MINUTES

1. Receive Update from the City's Federal and State Legislative Advocates and Discussion and Recommendation on the 2023 Citywide Legislative Guidelines

Van Scoyoc Associates Vice President Steve Palmer has been working with Staff so they understand what the federal agencies and congressional committees are proposing in terms of the Bipartisan Infrastructure Law and how the City can be best positioned for competitive grant applications regarding bridge replacement, rail grade crossing, and road safety. Local governments can apply for FEMA funding for cyber security. The Inflation Reduction Act intends to reduce carbon emissions by 40 percent by 2030 through tax credits and investment in clean energy, electric vehicles, and environmental justice. The City has the opportunity to participate in EPA and Federal Highway Administration programs along with tax credits for electric vehicles and solar power. There is still not a final Annual Appropriations Bill. The government will be funded through December 16 but final funding levels for the various agencies need to be resolved.

Van Scoyoc Associates Associate Vice President David Haines spoke on City opportunities for next year including FAA authorization which would include airport improvement programs, food and agriculture programs under the Farm Bill, law enforcement and criminal justice reform, and affordable housing reform.

## Public Comment

- 1) Jennifer Landesmann said the hearings at the aviation subcommittee have been disappointing. The air traffic organization have been handling a lot of the environmental work and there is a conflict of interest. Promoting aviation is supposed to be at the Department of Transportation level.

Deputy City Manager Chantal Cotton Gaines introduced a discussion on federal guidelines.

Council Member Alison Cormack asked for specifics regarding the competitive grants and the formula funding from the Infrastructure bill.

Vice President Palmer said there are new and existing programs that were created by the Bipartisan Infrastructure Law. Staff is made aware of funding opportunities for existing programs and any changes proposed. For new programs, they deduce what the agencies will be asking for as there is little guidance in the language of the bill.

# SUMMARY MINUTES

Deputy City Manager Gaines said the City has been applying for more grants than has been done in recent history. Staff is being educated on the grants and their requirements so they can apply for them and then once funds are obtained, ensure the work required is completed.

A discussion was had over inflation and interest rates. Vice President Palmer said these are issues Congress cannot easily tackle. The Federal Reserve has control over interest rates. Interest rates will increase in November. Inflation is eating into the infrastructure bill and less money will flow to communities through the grants. Overall debt is around \$21 trillion. Council Member Cormack cautioned that money from the federal government is not free and may have consequences.

Federal water policy and how it interacts with California water policy was discussed. The Supreme Court is hearing cases regarding federal waters regulation. The Colorado water flow issue is not in Congress. There is nothing on the horizon that will supersede what the states are trying to do.

It was asked if Council members would lobby in Washington, D.C. Vice President Palmer said this was critically important. Only in Washington can one talk about the legislative and funding issues important to the City so Congresswoman Eshoo and her staff can see how important they are. Vice President Palmer and Associate Vice President Haines encouraged council members to return to Washington.

Council Member Greg Tanaka said states like California with high tax rates are getting unfairly punished with state and local tax (SALT) reform and asked where the current congressperson sits on the issue.

Associate Vice President Haines said the issue had to be pulled out of legislation because there was no comprehensive agreement on the issue to get the votes needed. Most democrats support changes but getting to the numbers in the senate will continue to be a challenge to pass any SALT reform. Congresswoman Eshoo supports bringing back the tax deduction.

Council Member Tanaka asked what the federal government is doing to promote a carbon-free source that works at night. Associate Vice President Haines said Congress would like to pass support measures for advanced nuclear reactors. Support for additional nuclear reactors has waned but there has been an effort to provide funding or other support for advanced forms of nuclear reactors and this is a growing interest in Congress.

# SUMMARY MINUTES

Council Member Tanaka asked what has been done to try to sway the FAA on airplane noise. He asked about the status of the pilot program at Boston's Logan Airport. Vice President Palmer said they could check into that.

Council Member Tanaka asked what is being done with regard to legislation and the production of more self-driving cars. Vice President Palmer said a consensus has not been reached in terms of a regulatory framework for automated vehicles. Organized labor is concerned about the impact on commercial motor vehicles. Legislation stalled and has not been revisited. The National Highway Traffic Safety Administration is focused on safety. Council Member Tanaka cited convenience, safety, the environment, and land use as reasons to support self-driving cars.

Chair Greer Stone asked if Inflation Reduction Act federal funds for electric vehicle charging would be made available to local governments or if they would need to apply for a grant from the state.

Associate Vice President Haines explained there are tax credits for the purchase of electric vehicles. The most significant source of funding for electric vehicle infrastructure, which would include charging, is through the Bipartisan Infrastructure Law and cities would apply for that funding. The funding will come out 1 year from passage of the bill and more information is expected mid-November.

Funding for grade separation is in the Infrastructure bill and several billion dollars will be made available over 5 years. Money can be applied for by the City through the competitive grant program and there's also money that goes to [Caltrans 58:43] that can be allocated for grade separation. Chair Stone asked if Staff has been applying for those funds. Deputy City Manager Gaines said she will follow up with Staff and make sure they are tracking that.

Santa Clara VTA requested from Congresswoman Eshoo a \$2M earmark that was included in the House bill for grade separation projects in North County but it does not specifically say Palo Alto. Deputy City Manager Gaines clarified this is funding to plan for grade separations and not the actual grade separations.

Chair Stone asked if cities like Palo Alto would be able to apply for HUD's Choice Neighborhoods Implementation Grant Program. Associate Vice President Haines said the City is eligible to apply for that funding.

# SUMMARY MINUTES

Chair Stone asked if the Comprehensive Economic Development Strategy and Hazard Mitigation Plan Alignment Guide through the federal government was a guide to help cities develop better resiliency plans or if it will provide federal funding to help mitigate against natural disasters. Associate Vice President Haines said the plan offers technical guidance and suggestions on hazard mitigation but does not provide wildfire or disaster mitigation funding.

Chair Stone asked why travel to D.C. by council members ended and what would be needed to restart it. Deputy City Manager Gaines the last trip planned in 2020 was canceled and there has been no travel since. Staff can work to coordinate a trip now that they know there is interest. Past travel has been linked to the National League of Cities Conference.

Deputy City Manager Gaines introduced a discussion on state guidelines.

Townsend Public Affairs Vice President Niccolo De Luca said the City had direct allocations of \$2M for Newell Road Bridge replacement and \$5.2M for replacement of Fire Station 4. He thanked Deputy City Manager Gaines and City Staff for their hard work. Over \$26M of funding was awarded to the City and LifeMoves to help address the unhoused in Project Homekey.

Townsend Public Affairs Legislative Analyst Carly Shelby reported that housing and land use items SB 6, AB 2011, and AB 2097 were signed into law. Pertaining to the Brown Act, SB 1100 was signed into law, AB 1944 did not advance, and AB 2449 and AB 2647 were signed into law. Public safety item SB 960 was signed into law and SB 1000 did not advance. Community services item AB 1737 was placed in the inactive file and AB 2259 did not advance. Transportation item AB 2181 did not advance.

The 2023 legislative strategy consists of continued strategic engagement on legislative priorities, proactive advocacy for funding requests, and opportunities for coalition building.

Council Member Cormack asked what reserve changes might be contemplated and asked for details on leadership changes.

Vice President De Luca said another budget surplus is expected in 2023. They want to submit a letter to the City from the delegation as to capital improvement projects and one-time funding projects that can use some support.

# SUMMARY MINUTES

Regarding leadership, there was an effort in the Assembly to show a number of votes from Assembly Member Robert Rivas when he was looking at a run for the Speaker. Speaker Rendon has made it clear he is not going to give up his seat and he wants to remain being the Speaker. There could be some changes in Assembly leadership which means there could be changes of Committee Chairs. Regarding the Senate, Pro Tempore Atkins remains in charge and the Chairs remain. There are about 23 new members in the Assembly. In two years, Senate members will be termed out.

Legislative Analyst Shelby said they will have an idea in January and February how the Democratic caucus has shifted if at all and what the new priorities are.

Council Member Tanaka asked about the status of fixing El Camino. Vice President De Luca did not know but will work with Staff to determine eligibility for grants. Deputy City Manager Gaines said they will follow up with Transportation Staff for guidance.

Council Member Tanaka asked what stopped AB 1944. Legislative Analyst Shelby said there was concern about unrestricted teleconferencing allowances. The bill was held because it was transformed far away from the original version. There could be additional changes in 2023. The City will be kept updated on any developments.

Council Member Tanaka asked about the budget surplus and funding for grade crossings. Vice President De Luca said no legislator will be able to earmark the amount needed for grade separation projects. Part of the transportation package includes funding for grade separation priority projects.

Council Member Tanaka commented about the price of gas. The governor is calling a special session on December 5 regarding that. Council Member Tanaka asked why refineries have shut down. Vice President De Luca said he could research that.

Chair Stone said \$2B for housing investments out of a total of \$308B was low. Vice President De Luca explained \$1B is for homelessness and \$1B is for shelter. Requests for additional funding have been made by affordable housing builders.

Chair Stone asked if Sacramento has plans to modernize and improve the electric grid. Vice President De Luca said AB 205 talks about reducing the

# SUMMARY MINUTES

grid and taking stresses off the grid and included a funding package. They can research funding opportunities for the utility side of the City.

Chair Stone asked if AB 2334 applied to Palo Alto or any other parts of Santa Clara County. Legislative Analyst Shelby confirmed this applied to the city of Palo Alto as it is within the 17 counties covered by the bill.

Chair Stone said the bill that requires high schools to start no earlier than 8:30 has increased commute time and traffic. He asked if any concern has been voiced in reversing or modifying the bill. Vice President De Luca said he could ask other cities and counties. Palo Alto is fighting against the bill. They can reach out to the author's office to see if any alterations or amendments are planned.

Deputy City Manager Gaines presented on the minor changes to the Legislative Guidelines, the tentative work plan for the 2022-2023 legislative session, and Staff recommendations. Staff will keep the Committee updated on the request for proposals process for state and federal advocates. The goal is to have new contracts in place by January.

Council Member Cormack asked about the legislative reception. Deputy City Manager Gaines said it would be a public meeting in compliance with the Brown Act.

Council Member Tanaka would like to see promotion of nuclear energy, elimination of the SALT cap, and promotion of self-driving cars in the guidelines.

**MOTION:** Council Member Cormack moved, seconded by Council Member Stone to recommend the City Council:

1. Approve the 2023 legislative guidelines with the following changes
  - a. Change the title of Environmental to Climate and Environment
  - b. Add a bullet to the Climate and Environment section reading: "strengthen and modernize the state and local electric grids"
2. Support the Tentative Legislative Workplan for the 2022-2023 legislative Session

# SUMMARY MINUTES

- a. Direct staff to research and recommend a federal advocacy visit potentially in conjunction with the National League of Cities Annual Conference

## **MOTION PASSED: 3-0**

### 2. Race and Equity Quarterly Update

Deputy City Manager Gaines said 3 of the 17 items assigned by City Council have yet to be implemented. For Assignment C, Staff is within the first data collection period of the year and the item cannot be checked off until the year ends. For Assignment K, City negotiators have received initial bargaining authority in closed session and are ready to begin the bargaining process. The City's team and the Department will continue to review and evaluate any provisions that need revision to align with the City's overall goals. For Assignment L, Staff continue to work with the City's demographic information and will report back once that is done. An employee census update was performed and they are compiling the data. The Board and Commission demographic survey was conducted last year and another one will be sent out as they will be done regularly. Staff hope to distribute the City-wide climate survey this year. Staff is working with Circle of Education to do training for the Board, Commissions, and City Council on microaggressions. Two of the three trainings have been completed and the last one is coming up, and another training session may be available in the future. An equity and inclusion official will keep all the initiatives rolling.

Regarding the Mental Health Alternative Response Program and the County's Trust Program, a contract has been awarded to Momentum for Health for the program to be implemented in North County. Staff is helping them learn how to be successful in Palo Alto.

Grant funding has been obtained for an alternative mental health response program and Staff is working on implementation.

The Human Relations Commission (HRC) is preparing a report for the City Council. The Committee took action on renaming Columbus Day. The HRC will bring back a recommendation on the other holidays they were asked to look at. The HRC is actively working on the AAPI history in Palo Alto. The HRC met with the FBI and presented information about the type of work they do in community engagement and things that would help them better act on hate crimes and the partnerships they need for that.



# SUMMARY MINUTES

Staff continue to work on the CEDAW ordinance.

Acting Assistant Police Chief April Wagner reported that from November 2021 through September 2022, their team of 1 officer and 1 clinician have responded to 361 calls for service of mental health crisis and have offered resources to 246 people. The Psychiatric Emergency Response Team (PERT) program is looking for a replacement clinician.

Council Member Cormack asked what Racial Identity Profiling Act (RIPA) data is available. Acting Assistant Police Chief Wagner said the data set can be requested at any time from the Department of Justice. They are working with the IT department to get the raw data into a digestible form to publish on the website. They want to publish the raw data set for the public and also provide base statistics. There is a summit on RIPA data on November 1<sup>st</sup> with experts talking about best practices of displaying the data and data analysis.

Council Member Cormack asked how they should think about Board Commission demographics and how to use it going forward. Deputy City Manager Gaines said it is up to the City Council how the information is used. Staff can work with the City Clerk's office to make sure the information is shared during recruitments. The information is used for decision making.

Council Member Cormack asked if all Council members are signed up for Conscious Conversations. Deputy City Manager Gaines said not everyone has signed up.

Council Member Tanaka asked if hate crimes in the City are trending up or down. Acting Assistant Police Chief Wagner said she could come back to the Committee with that information.

Council Member Tanaka asked how recruiting was going. Deputy City Manager Gaines said they could get that information from the City Clerk.

Chair Stone asked Acting Assistant Police Chief Wagner to clarify what is meant by manipulating [stop 2:33:20] data to make it digestible for the public. Acting Assistant Police Chief Wagner said data comes in a raw text form and is coded. An IT specialist puts it into a program that makes it understandable. Officer identification numbers and officer years of service are not released publicly.

Chair Stone asked if it was possible to show that individual Commission or Board members have satisfied training requirements. Deputy City Manager

# SUMMARY MINUTES

Gaines said members could be asked if they have received prior training but she said not everyone will respond.

Chair Stone asked what the parameters and strategies were for engaging with the Palo Alto Police Officers' Association (PAPOA) in relation to Assignment K. Deputy City Manager Gaines said these were defined by the City Council and given to the City's negotiators as guidance.

Chair Stone said it would be helpful to have a briefing in the next year with a side-by-side comparison for the Council and the public of the various mental health responses being offered in Palo Alto. Deputy City Manager Gaines added that contact information for the programs and how the 988 number overlaps would be helpful as well.

## Future Meetings and Agendas

For the November agenda, some audit reports are anticipated.

The City Council Protocols and Procedures document outline will be brought forth in November with more detail in December.

An overview of new Council member orientation and a discussion of the City Council's priorities are tentatively slated for November 3.

Council Member Cormack asked about the status of the referral about the Neighborhood Investors Program. Deputy City Manager Gaines said she would touch base with Staff and follow up with the Committee.

Adjournment: The meeting was adjourned at 9:30 p.m.