



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting  
August 15, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:06 P.M.

Present: Berman, Burt, DuBois, Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

## Agenda Changes, Additions and Deletions

None.

## Minutes Approval

1. Approval of Action Minutes for the June 20, 27 and 28, 2016 Council Meetings.

**MOTION:** Vice Mayor Scharff moved, seconded by Council Member Kniss to approve the Action Minutes for the June 20, 27 and 28, 2016 Council Meetings.

**MOTION PASSED:** 9-0

## Consent Calendar

**MOTION:** Council Member Wolbach moved, seconded by Council Member DuBois, third by Council Member Holman to pull Agenda Item Number 11- Acceptance of the Downtown Residential Preferential Parking (RPP)... to be heard on September 6, 2016.

**MOTION:** Vice Mayor Scharff moved, seconded by Council Member Kniss to approve Agenda Item Numbers 2-10, 12-15.

# ACTION MINUTES

2. Resolution 9613 Entitled, "Resolution of the Council of the City of Palo Alto Authorizing Overtime and Portal to Portal Pay for Deployments Away From the City of Palo Alto."
3. Finance Committee Recommends Adoption of an Ordinance Amending Chapter 2.30 [Contracts and Purchasing Procedures] of the Palo Alto Municipal Code to Establish Contracting and Purchasing Procedures and to Define the Contracting Authority of City Officers and Employees.
4. Approval of Amendment Number 1 to Contract Number S14148347 With North American Youth Activities LLC DBA Kidz Love Soccer Extending the Term to December 31, 2016 and Increasing the Contract Amount by \$40,000 for a Total Not-to-Exceed Amount of \$295,000.
5. Approval of a Three-year Pilot Contract With Genuine Parts Company in an Amount Not-to-Exceed \$2,588,096 for an On-Site Fleet Parts and Inventory Program and Approval of a Budget Amendment in the Vehicle Replacement and Maintenance Fund.
6. Resolution 9614 Entitled, "Resolution of the Council of the City of Palo Alto Determining Underground Utility District Number 47 Property Owners who Elect to pay Underground Conversion Costs Over a Period of Years."
7. Resolution 9615 Entitled, "Resolution of the Council of the City of Palo Alto Implementing Water Use Restrictions in Stage 1 of the City's 2015 Water Shortage Contingency Plan and Repealing Resolution Number 9509."
8. Approval of a Limited-Term Site License Agreement for GreenWaste of Palo Alto to Relocate Operations From Geng Road to a Portion of the Former Los Altos Treatment Plant Property on San Antonio Road; Finding of Categorical Exemption for Existing Facilities Pursuant to CEQA Guideline 15301.
9. Approval of Amendment Number 2 to Contract S12142714 With Golder Associates, Inc. for Air Regulatory Support to Extend the Contract Term One Year to September 20, 2017 With no Additional Costs.

# ACTION MINUTES

10. Approval of Amendment Number 2 to the Agreement With the Peninsula Corridor Joint Powers Board for Rail Shuttle Bus Administration to Extend the Term for one Year and add \$135,100 to Provide Community Shuttle Service on the Existing Embarcadero Shuttle Route From July 2016 until June 2017.
11. ~~Acceptance of the Downtown Residential Preferential Parking (RPP) Program Phase 2 Status Update and Adoption of a Resolution Amending the Eligibility Area for the Program as Directed by the City Council.~~
12. Resolution 9616 Entitled, "Resolution of the Council of the City of Palo Alto Approving an Updated FY2017 Professional Services Agreement Between the Northern California Power Agency and the Cities of Palo Alto and Santa Clara for Electric Transmission, Generation and Regulatory Consulting Services, Repealing Resolution Number 9604 and Finding That Such Approval is not a Project Subject to California Environmental Quality Act (CEQA) Review."
13. Resolution 9617 Entitled, "Resolution of the Council of the City of Palo Alto Establishing Fiscal Year 2016-17 Secured and Unsecured Property Tax Levy for the City of Palo Alto's General Obligation Bond Indebtedness (Measure N)."
14. Policy and Services Committee Recommendation to Accept the Auditor's Office Quarterly Report as of March 31, 2016.
15. Policy and Services Committee Recommendation to Approve a Soft Transition of the Annual Performance Report to the City Manager's Office and the Office of Management and Budget.

**MOTION PASSED: 9-0**

## Action Items

16. PUBLIC HEARING: 411-437 Lytton Avenue [14PLN-00489]. To Consider an Appeal of the Director of Planning and Community Environment's Architectural Review Approval of the Construction of a new Three Story Mixed-use, Office and Residential Building (Two Units) and a 1,417 SF Addition to an Existing Historic Category 2 Residence on two Lots to be Merged. A two Level Underground Parking Garage is Proposed to be Constructed Under the new Mixed-use

# ACTION MINUTES

Building Adjacent to the Existing Residential Building; Approval of a Mitigated Negative Declaration and Mitigation and Monitoring Plan.

Public Hearing opened at 7:47 P.M.

Public Hearing closed at 8:26 P.M.

**MOTION:** Council Member Holman moved, seconded by Council Member Kniss to continue the Appeal and require redesign to address the following:

The following Findings cannot be made:

- A. Architectural Review Board Finding Numbers 2, 5, and 6; and
- B. Context based design criteria:
  - i. (a) 1A, 2A, 2B: i, ii, iii, iv; and
  - ii. (b) 2B, 2C, 2H; and
  - iii. (b) 3B, 3D; and
  - iv. (b) 4, 4A, 4B.

**SUBSTITUTE MOTION:** Vice Mayor Scharff moved, seconded by Council Member XX to deny the project and uphold the Appeal.

**SUBSTITUTE MOTION FAILED DUE TO THE LACK OF A SECOND**

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "and return to the Architectural Review Board" after "to address the following."

**MOTION RESTATED:** Council Member Holman moved, seconded by Council Member Kniss to continue the Appeal and require redesign to address the following and return to the Architectural Review Board:

The following Findings cannot be made:

- A. Architectural Review Board Finding Numbers 2, 5, and 6; and

# ACTION MINUTES

B. Context based design criteria:

- i. (a) 1A, 2A, 2B: i, ii, iii, iv; and
- ii. (b) 2B, 2C, 2H; and
- iii. (b) 3B, 3D; and
- iv. (b) 4, 4A, 4B.

**MOTION AS AMENDED PASSED:** 8-1 Wolbach no

Council took a break from 9:18 P.M. to 9:31 P.M.

At this time Council heard Agenda Item 18.

18. Adoption of the Public Art Master Plan to Guide Public Art for the Next Decade; Authorize the City Manager to Adopt Policies and Guidelines to Implement the Plan; and Direct Staff to Return With Amendments to the Municipal Code Provisions on Public Art.

**MOTION:** Council Member Berman moved, seconded by Council Member Kniss to:

- A. Approve the Public Art Master Plan (Plan); and
- B. Authorize the City Manager to adopt policies and guidelines to implement the Plan (including deaccessioning artwork, gifts of artwork, murals, temporary artwork and artist selection guidelines); and
- C. Direct staff to return to Council with amendments to the Municipal Code Sections governing public art.

**MOTION PASSED:** 9-0

At this time Council heard Agenda Item Number 17.

# ACTION MINUTES

17. Review of the Draft Transportation Element Prepared by the Comprehensive Plan Update Community Advisory Committee.

## **NO ACTION TAKEN**

19. Designation of Voting Delegate and Alternate for the League of California Cities Annual 2016 Conference, to be Held October 5-7, 2016 in Long Beach, CA.

**MOTION:** Council Member Berman moved, seconded by Mayor Burt to designate Council Member Kniss as the Voting Delegate and Vice Mayor Scharff as the Alternate Voting Delegate for the 2016 League of California Cities Annual Conference.

**MOTION PASSED:** 9-0

### Inter-Governmental Legislative Affairs

None.

### Council Member Questions, Comments and Announcements

None.

Adjournment: The meeting was adjourned at 11:07 P.M.