



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting  
May 16, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:08 P.M.

Present: Berman arrived at 7:33 P.M., Burt, DuBois, Filseth, Holman arrived at 7:49 P.M., Kniss, Scharff arrived at 7:34 P.M., Schmid arrived at 7:35 P.M., Wolbach

Absent:

## Study Session

1. Prescreening of a Proposed District Map Amendment ("Rezone") From Planned Community (PC) Zoning District to Downtown Commercial (CD-C (P)) Zoning District at 550 Hamilton Avenue.

Molly Stump, City Attorney advised that Council Member Berman, Council Member Holman and Vice Mayor Scharff did not participate in this Agenda Item due to owning real property near the subject property.

## Agenda Changes, Additions and Deletions

None.

## Minutes Approval

2. Approval of Action Minutes for the May 2, 2016 Council Meeting.

**MOTION:** Vice Mayor Scharff moved, seconded by Council Member Berman to approve the Action Minutes for the May 2, 2016 Council Meeting.

**MOTION PASSED:** 9-0

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## Consent Calendar

**MOTION:** Council Member DuBois moved, seconded by Council Member Kniss to approve Agenda Item Numbers 3-10.

3. Resolution 9586 Entitled, "Resolution of the Council of the City of Palo Alto Authorizing the City Manager to Purchase a Portion of the City's Natural Gas Requirements From Certain Prequalified Natural Gas Suppliers Under Specified Terms and Conditions During Calendar Years 2016 Through 2022, Inclusive, With a \$100 Million Maximum Aggregate Transaction Limit;" and Adopt an Ordinance Repealing Ordinance Number 4936, the Council's Prior Authorization for Natural Gas Purchases.
4. Approval of a Contract With O'Grady Paving, Inc. for a Not-to-Exceed Amount of \$3,980,143 for the FY 2016 Asphalt Paving, Capital Improvements Program Project PE-86070.
5. Resolution 9587 Entitled, "Resolution of the Council of the City of Palo Alto Authorizing the City Manager to File an Application for 2016/2017 Transportation Development Act Funds in the Amount of \$203,463 for Bicycle and Pedestrian Projects."
6. Approval of Advanced Water Purification System Feasibility Contract With MNS Engineers, Inc./GHD, Inc. for a Total Amount Not-to-Exceed \$325,875, for Partner Funding Agreements With the Santa Clara Valley Water District and City of Mountain View, and a Budget Amendment in the Wastewater Treatment Fund.
7. Approval of a Contract Amendment With SoftwareOne, Inc., (Formerly CompuCom Systems, Inc.,) in the Amount of \$179,028 for Annual Microsoft Licensing True-Up, \$39,119 for Additional Office 365 Licenses and \$17,903 for a Contract Contingency - Contract Number C12144913.
8. Approval of a Vehicle Lease and Purchase Option With Altec Capital in an Amount Not-to-Exceed \$602,847 for two Model Year 2017 Articulating Aerial Device Bucket Trucks and Approval of Budget Amendments in the Electric Fund and Vehicle Equipment and Replacement Fund.

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9. Approve and Authorize the City Manager to Execute Contract Amendment Number 1 to Contract Number C14150694 in the Amount of \$1,019,123 With Mark Thomas & Company for Final Design Services for the Charleston/Arastradero Corridor Project, Capital Improvements Program Project (PE-13011), and Approve Budget Amendments in the Capital Fund and Developer Impact Fee Fund.
10. Preliminary Approval of the Report of the Advisory Board for Fiscal Year 2016 in Connection With the Palo Alto Downtown Business Improvement District and Resolution 9588 Entitled, "Resolution of the Council of the City of Palo Alto Declaring its Intention to Levy an Assessment Against Businesses Within the Downtown Palo Alto Business Improvement District for Fiscal Year 2017 and Setting a Time and Place for a Public Hearing on June 6, 2016 at 6:00 PM or Thereafter, in the City Council Chambers."

**MOTION PASSED:** 9-0

## Action Items

11. PUBLIC HEARING: Resolution 9589 Entitled, "Resolution of the Council of the City of Palo Alto Approving the 2015 Urban Water Management Plan and Adopt an Ordinance Amending Municipal Code Sections 12.32.010 (Water Use Restrictions) and 12.32.020 (Enforcement)."

Public Hearing opened at 8:24 P.M.

Public Hearing closed at 8:28 P.M.

**MOTION:** Vice Mayor Scharff moved, seconded by Council Member Kniss to adopt:

- A. A Resolution approving the 2015 Urban Water Management Plan; and
- B. An Ordinance amending Municipal Code Sections 12.32.010, Water Use Restrictions, and 12.32.020, Enforcement.

**AMENDMENT:** Council Member Holman moved, seconded by Council Member XX to add to the Motion, "use of potable water for construction/demolition should not be used if other water sources are available."

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## AMENDMENT FAILED DUE TO THE LACK OF A SECOND

**AMENDMENT:** Council Member Schmid moved, seconded by Council Member XX to add to the Motion, "add to the Resolution that Staff return with an assessment of assumptions that are made regarding growth of accounts and that this information be made available during future discussions of the Sustainability and Climate Action Plan (S/CAP) and the Comprehensive Plan."

**AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "direct Staff to return with an assessment of assumptions that are made regarding growth of accounts and that this information be made available during future discussions of the Sustainability and Climate Action Plan (S/CAP) and the Comprehensive Plan." (New Part C)

**MOTION RESTATED:** Vice Mayor Scharff moved, seconded by Council Member Kniss to:

- A. Adopt a Resolution approving the 2015 Urban Water Management Plan; and
- B. Adopt an Ordinance amending Municipal Code Sections 12.32.010, Water Use Restrictions, and 12.32.020, Enforcement; and
- C. Direct Staff to return with an assessment of assumptions that are made regarding growth of accounts and that this information be made available during future discussions of the Sustainability and Climate Action Plan (S/CAP) and the Comprehensive Plan.

## MOTION AS AMENDED PASSED: 9-0

- 12. Direction on the Fifth Scenario Proposed for Analysis in the Comprehensive Plan Update Environmental Impact Report (EIR), Approval of Amendment Number 5 to Placeworks Contract Number C08125506 for the Analysis, and Approval of a Related Budget Appropriation.

**MOTION:** Mayor Burt moved, seconded by Vice Mayor Scharff to direct Staff to evaluate two variations of Scenario Number 5:

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- A. Option B from the Staff Report; and
- B. Option C from the Staff Report, incorporating 6,000 housing units.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to replace in the Motion Part A, "Option B" with "Option A."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion after "two variations of Scenario Number 5," "including a performance based approach with policies and mitigation measures to limit the impacts of growth and other quality of life issues. Both Scenarios would include Staff recommended Sustainability and Climate Action Plan (S/CAP) elements."

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion,

- C. Approve Amendment Number 5 to Contract Number C08125506 with Placeworks to add \$423,814 for a total not to exceed \$2,801,157 for completion of the Comprehensive Plan Update and associated EIR; and
- D. Amend the Fiscal Year 2016 Budget Appropriation Ordinance for the General Fund by:
  - i. Increasing the Planning and Community Environment Department appropriation by \$356,140; and
  - ii. Decreasing the Budget Stabilization Reserve by \$423,814.

**AMENDMENT:** Council Member Wolbach moved, seconded by Council Member XX to replace in the Motion Part A, "Option A" with "Option C" and replace in the Motion Part B, "6,000" with "8,800."

**AMENDMENT FAILED DUE TO THE LACK OF A SECOND**

**AMENDMENT:** Council Member Schmid moved, seconded by Council Member DuBois to add to the Motion Part A, "incorporating 6,200 jobs."

**AMENDMENT FAILED:** 2-7 DuBois, Schmid yes

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**AMENDMENT:** Council Member Berman moved, seconded by Council Member Wolbach to replace in the Motion Part B, "6,000" with "6,500."

**AMENDMENT FAILED:** 4-5 Berman, DuBois, Kniss, Wolbach yes

**SUBSTITUTE MOTION:** Council Member Holman moved, seconded by Council Member DuBois to continue this Motion to the June 6, 2016 City Council meeting.

**SUBSTITUTE MOTION FAILED:** 4-5 DuBois, Filseth, Holman, Schmid yes

**AMENDMENT:** Council Member Filseth moved, seconded by Council Member XX to add to the Motion Part A, "including 7,220 housing units."

## **AMENDMENT WITHDRAWN BY THE MAKER**

**MOTION RESTATED:** Mayor Burt moved, seconded by Vice Mayor Scharff to direct Staff to evaluate two variations of Scenario Number 5 including a performance based approach with policies and mitigation measures to limit the impacts of growth and other quality of life issues. Both Scenarios would include Staff recommended Sustainability and Climate Action Plan (S/CAP) elements:

- A. Option A from the Staff Report; and
- B. Option C from the Staff Report, incorporating 6,000 housing units; and
- C. Approve Amendment Number 5 to Contract Number C08125506 with Placeworks to add \$423,814 for a total not to exceed \$2,801,157 for completion of the Comprehensive Plan Update and associated EIR; and
- D. Amend the Fiscal Year 2016 Budget Appropriation Ordinance for the General Fund by:
  - i. Increasing the Planning and Community Environment Department appropriation by \$356,140; and
  - ii. Decreasing the Budget Stabilization Reserve by \$423,814.

**MOTION AS AMENDED PASSED:** 7-2 Holman, Schmid no

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## Inter-Governmental Legislative Affairs

None.

## Council Member Questions, Comments and Announcements

Council Member Holman reported that Planned Community Zoning Districts (PC) did not originally require a public benefit. The public benefit requirement was added at a later date.

Adjournment: The meeting was adjourned at 12:41 A.M.