

CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting June 2, 2014

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:03 P.M.

Present: Berman, Burt, Holman arrived at 6:10 P.M., Klein, Kniss, Price,

Scharff, Schmid, Shepherd

Absent: None

Closed Session

CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations(James Keene, Lalo Perez, Joe Saccio, Kathryn Shen, Dania Torres Wong, Eric Nickel, Catherine Capriles, Geo Blackshire, Melissa Tronquet, Mark Gregerson, Nancy Nagel, Molly Stump, Walter Rossmann)

Employee Organization: International Association of Fire Fighters (IAFF), Local 1319

Authority: Government Code Section 54957.6(a)

CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Lalo Perez, Melissa Tronquet, Joe Saccio, Molly Stump, Walter Rossmann, Nancy Nagel, Dennis Burns, Mark Gregerson, Kathryn Shen, Dania Torres Wong)

Employee Organization: Palo Alto Police Officers Association (PAPOA)

Authority: Government Code Section 54957.6(a)

The City Council returned from the Closed Session at 6:55 P.M.

Consent Calendar

Council Member Klein advised he would not be participating in Agenda Item Number 7 as his wife is a member of the Stanford Faculty.

MOTION: Council Member Price moved, seconded by Vice Mayor Kniss to approve Agenda Item Numbers 3-17.

- 3. Resolution 9416 entitled "Resolution of the Council of the City of Palo Alto Approving a Power Purchase Agreement with 65HK 8me LLC for up to 60,000 Megawatt-hours Per Year of Energy Over 34 Years for a Total Not to Exceed Amount of \$130 Million."
- 4. Approval of Two Agreements: (a) Agreement with the San Francisquito Creek Joint Powers Authority and its Member Agencies for Funding of Construction of the San Francisquito Creek Flood Reduction, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101, and (b) Memorandum of Understanding between the San Francisquito Creek Joint Powers Authority and the City of Palo Alto Concerning the Mitigation of Impacts to the Palo Alto Municipal Golf Course Due To The San Francisquito Creek Flood Reduction, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101; and a Resolution 9417 entitled "Resolution of the Council of the City of Palo Alto Making Findings of Fact and Adopting a Mitigation Monitoring and Reporting Program in Accordance with the California Environmental Quality Act in the Context of Approval of the Construction Funding Agreement of the San Francisquito Creek Flood Reduction, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101."
- 5. Recommendation for Council Approval to Amend the Current Regional Animal Care and Control Services Contracts with the City of Los Altos and Town of Los Altos Hills, and to Extend Term For Five Additional Years.
- 6. Resolution 9418 entitled "Resolution of the Council of the City of Palo Alto Approving a Power Management and Administrative Services Agreement, Amended and Restated Facilities Agreement, Amended and Restated Scheduling Coordination Program Agreement and the Second Amended and Restated Pooling Agreement with the Northern California Power Agency (NCPA)."

- 7. Council Review of an Appealed Architectural Review Approval of the Demolition of Approximately 290,220 s.f. of Existing R&D/Office Space and Construction of 180 Dwelling Units which Includes 68 Detached Single-Family Units and 112 Multi-Family Units Located at 1451-1601 California Avenue, as part of the 2005 Mayfield Development Agreement. Environmental Assessment: City of Palo Alto/Stanford Development Agreement and Lease Project Environmental Impact Report (State Clearinghouse No. 2003082103) (STAFF REQUESTS THIS ITEM BE CONTINUED TO JUNE 9, 2014).
- 8. Resolution 9419 entitled "Resolution of the Council of the City of Palo Alto Approving the City's Participation in the Santa Clara County Home Consortium ("SCCHC") for Purposes of Securing Federal Home Funding for affordable housing."
- 9. Policy and Services Committee Recommendation to the City Council Approval of the Expenditure of up to \$84,000 for FY2015 for Teen Programs Using Net Revenue Collected from 455 Bryant Street Rent.
- 10. Ordinance 5249 entitled "Ordinance of the Council of the City of Palo Alto Approving the Use of Online or Electronic Filing of Campaign Statements (First Reading May 12, 2014, PASSED 9-0)."
- 11. Resolution 9420 entitled "Resolution of the Council of the City of Palo Alto Determining Zero Property Tax Exchange on the Annexation of Lands of Bower and Shaw at 830 Los Trancos Road to the West Bay Sanitary District."
- 12. <u>Resolution 9421</u> entitled "Resolution of the Council of the City of Palo Alto Calling a General Municipal Election- Tuesday, November 4, 2014."
- Adoption of a Park Improvement Ordinance Adopting a Plan of Improvements for the Magical Bridge Playground Project at Mitchell Park.
- 14. Ordinance 5250 entitled "Ordinance of the Council of the City of Palo Alto Amending the Municipal Code to Change the Regular Meeting Start Time from 7:00pm to 6:00pm; Amend the Council's Procedures to Reflect the 6:00pm Meeting Start Time."
- 15. Approval of Funding of \$50,000 Per Year for Years Two Through Five, for a Total Amount Not-To-Exceed \$250,000 for Contract Number \$13147834 with the Fire Safe Council for Stewardship Services to

Fulfill the Treatment Work Indicated in the Foothills Fire Management Plan.

- 16. Approval of Amendment No. 2 to Contract No. C09127935 in the Amount of \$543,744 With Utility Tree Service Inc. for Power Line Clearing Services for a Total Contract Compensation of Not-to-Exceed \$6,646,774.
- 17. Approval of Sister City Reaffirmation Agreement with Oaxaca, Mexico.

MOTION PASSED for Agenda Item Numbers 3-6, 8-17: 9-0

MOTION PASSED for Agenda Item Number 7: 8-0 Klein not participating

Action Items

18. Public Hearing - Council Adoption of an Ordinance Modifying: (1) Chapter 18.16 of the Palo Alto Municipal Code (PAMC) to: (a) Address Sidewalk Width and Building Setbacks (Setback and "Build-to" Line Standards, and Context Based Design Criteria) Along El Camino Real, and (b) Reduce the Allowable Floor Area Ratio on CN Zoned Sites Where Dwelling Units are Permitted at 20 Units Per Acre; and (2) PAMC Chapter 18.04 to Adjust the Definition of Lot Area and Add a Definition for "Effective Sidewalk". Environmental Assessment: Exempt from the provisions of CEQA per Section 15305 (Minor Alterations in Land Use Limitations) (THIS ITEM WAS CONTINUED BY COUNCIL MOTION ON APRIL 21, 2014 TO JUNE 2, 2014).

MOTION: Council Member Klein moved, seconded by Council Member Scharff to limit the discussion of Council Members to seven minutes each to have this agenda item move expeditiously.

MOTION PASSED: 7-2 Holman, Schmid no

MOTION: Council Member Klein moved, seconded by Vice Mayor Kniss to defer adoption of the Ordinance until the issues it addresses can be reviewed in a broader context during the Comprehensive Plan Update, as recommended by the Planning and Transportation Commission (PTC), and direct Staff to return as soon as possible with fixes to the "build-to-line" and

the FAR issue for CN Zone sites where dwelling units are permitted to 20 units per acre.

AMENDMENT: Council Member Holman moved, seconded by Council Member Burt to direct Staff to return to Council with recommendations for incorporating building design, and articulation elements of South El Camino Design Guidelines, as design standards found in Section 1.A of the Guiding Principles, and 4.3 of Façade Design, and direct Staff to return to Council subsequent to the main Motion action.

AMENDMENT PASSED: 5-4 Klein, Kniss, Price, Shepherd no

AMENDMENT: Council Member Scharff moved, seconded by Council Member Berman that the FAR issue for CN Zone sites where dwelling units are permitted to 20 units per acre, come back as part of the Comprehensive Plan.

AMENDMENT PASSED: 5-4 Burt, Holman, Klein, Schmid no

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that as part of the Comprehensive Plan that Staff look at making El Camino Real more vibrant as retail.

MOTION AS AMENDED PASSED: 9-0

MOTION: Council Member Scharff moved, seconded by Vice Mayor Kniss to call a special meeting on Wednesday, June 4, 2014 at 6:00 PM to hear the letter regarding Santa Clara County Transportation Project Sales Tax increase, and Council direction to Staff on potential housing sites for inclusion in the 2015-2023 housing element update and on submittal of an administrative draft for the state's initial review.

MOTION PASSED: 9-0

19. Approval of Letter Regarding Santa Clara County Transportation Project Sales Tax Increase.

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- 20. Council Direction to Staff on Potential Housing Site for Inclusion in the 2015-2023 Housing Element Update and on Submittal of an Administrative Draft for the State's Initial Review.
- 21. Review and Approval of the Revised Draft Infrastructure Project Funding Proposal, Preliminary Approval of the Transient Occupancy Tax Ballot Language, and Authorization to do Final Polling on the Transient Occupancy Tax and Utilities User Tax Modernization Measures.

MOTION: Council Member Klein moved, seconded by Council Member Scharff to direct Staff to do final polling on the Transient Occupancy Tax measure and Utilities User Tax Modernization Measure.

MOTION PASSED: 9-0

Inter-Governmental Legislative Affairs

None

Council Member Questions, Comments and Announcements

MOTION: Council Member Scharff moved, seconded by Vice Mayor Kniss to give the Mayor flexibility to begin the meetings in June at 5:00 P.M. if necessary.

MOTION PASSED: 9-0

ADJOURNMENT: The meeting was adjourned at 10:45 P.M.