



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting  
June 28, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:09 P.M.

Present: Berman, Burt, DuBois arrived at 6:14 P.M., Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

## Agenda Changes, Additions and Deletions

Council will hear Approval of a Contract With West Coast Arborists... as Agenda Item Number 4 (Continued from June 27, 2016).

## Action Items

1. ~~CONTINUED PUBLIC HEARING: to Hear Objections to the Levy of Proposed Assessments on the Palo Alto Downtown Business Improvement District; Adoption of a Resolution Confirming the Report of the Advisory Board and Levying Assessment for Fiscal Year 2017 on the Downtown Palo Alto Business Improvement District; and Possible Council Direction on Next Steps.~~
2. ~~Review of Recommendations From the Storm Drain Blue Ribbon Committee Regarding Future Storm Water Management Funding and Request for Council Direction on Whether to Proceed With a Proposition 218 Hearing and Property Owner Ballot by Mail to Approve Future Storm Water Management Rates (Continued From June 6, 2016).~~
- 2A. PUBLIC HEARING: 567 Maybell Avenue [15PLN-00270]: Approval of Mitigated Negative Declaration and Tentative Tract Map With Lot Size Exceptions to Subdivide Four Parcels Totaling 2.47 Acres Into 16 Single-Family Lots, Ranging from 5,000 SF to 6,186 SF, and one Parcel

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for a Private Street. Environmental Assessment: Mitigated Negative Declaration. Zoning Districts: R-2 and RM-15 (CONTINUED FROM JUNE 20, 2016).

**MOTION:** Council Member DuBois moved, seconded by Council Member Filseth to:

- A. Adopt a Mitigated Negative Declaration; and
- B. Approve a Record of Land Use Action, including the Mitigation Monitoring and Reporting Program, for the Tentative Tract Map and related lot size exceptions based on findings and conditions of approval included in the Staff Report.

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

Council took a break from 6:53 P.M. to 7:00 P.M.

- 3. CONTINUED PUBLIC HEARING: 1601 California Avenue [15PLN-00500]: Request by The Board of Trustees of the Leland Stanford Junior University to Amend the Final Map for Tract Number 10281 Recorded January 2015 for the 1451-1601 California Avenue Development, Which Includes a Total of 180 Dwelling Units. Environmental Assessment: City of Palo Alto/Stanford Development Agreement and Lease Project Environmental Impact Report (State Clearinghouse No. 2003082103) Zoning District: Research Park and Alternative Standards Overlay Two (RP(AS2)) District (Continued From June 27, 2016).

Council Member DuBois advised that he would not participate in this Agenda Item because he has a source of income from Stanford University.

Council Member DuBois left the meeting at 7:02 P.M.

Public Hearing opened at 7:10 P.M.

Public Hearing closed at 8:03 P.M.

Council took a break from 8:09 P.M. to 8:17 P.M.

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**MOTION:** Vice Mayor Scharff moved, seconded by Council Member Kniss to adopt a Record of Land Use Action (ROLUA) regarding the Amendment to the Final Map for Tract Number 10281.

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

A. Including the following additions in the ROLUA:

- i. Incorporated Comprehensive Plan consistency findings; and
- ii. Standard indemnification clause; and
- iii. A reference to the Amending Map of Tract No. 10281.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND THE SECONDER** to add to the Motion, "Six Mitigation Measures identified in Environmental Disclosure: University Terrace Project, Palo Alto, California, March 2016, Section 4.1." (New Part iv)

**AMENDMENT:** Council Member Wolbach moved, seconded by Mayor Burt to add to the Motion, "an additional vapor intrusion measure be added including subslab ventilation or depressurization." (New Part v)

**AMENDMENT PASSED:** 6-2 Filseth, Schmid no, DuBois absent

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, "direct Staff to withhold issuing building permits to the seven homes adjacent to the hotspots until the California Department of Toxic Substances Control (DTSC) issues its No Further Action determination." (New Part B)

**AMENDMENT:** Council Member Wolbach moved, seconded by Mayor Burt to add to Motion Part v, "for all 40 single family homes not yet under construction."

**AMENDMENT PASSED:** 7-1 Filseth no, DuBois absent

**AMENDMENT:** Mayor Burt moved, seconded by Council Member Kniss to add to the Motion, "direct Staff to work with the project Developer to

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attempt to locate pedestrian access either toward Page Mill Road or Hanover Street.”

**AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to add to the Motion, “direct Staff to work with the project Developer to attempt to locate pedestrian and bicycle access either toward Page Mill Road or Hanover Street.” (New Part C)

**MOTION RESTATED:** Vice Mayor Scharff moved, seconded by Council Member Kniss to adopt a Record of Land Use Action (ROLUA) regarding the Amendment to the Final Map for Tract Number 10281:

- A. Including the following additions in the ROLUA:
  - i. Incorporated Comprehensive Plan consistency findings; and
  - ii. Standard indemnification clause; and
  - iii. A reference to the Amending Map of Tract No. 10281; and
  - iv. Six Mitigation Measures identified in Environmental Disclosure: University Terrace Project, Palo Alto, California, March 2016, Section 4.1; and
  - v. An additional vapor intrusion measure be added including subslab ventilation or depressurization for all 40 single family homes not yet under construction; and
- B. Direct Staff to withhold issuing building permits to the seven homes adjacent to the hotspots until the California Department of Toxic Substances Control (DTSC) issues its No Further Action determination.
- C. Direct Staff to work with the project Developer to attempt to locate pedestrian and bicycle access either toward Page Mill Road or Hanover Street.

**MOTION AS AMENDED PASSED:** 8-0 DuBois absent

- 4. Approval of a Contract With West Coast Arborists, Inc., in an Amount Not-to-Exceed \$3,680,960 for Three Years for Tree Pruning and

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Removal Services on a Ten Year Maintenance Cycle (Continued from June 27, 2016).

**MOTION:** Council Member Holman moved, seconded by Council Member Kniss to approve and authorize the City Manager or his designee to execute a three-year contract with West Coast Arborists Inc. in an amount not to exceed \$3,680,960 for tree pruning and removal services on a ten-year maintenance cycle with the following amendments:

- A. The contract shall include an annual review and optional extension/amendment clause subject to Council review and approval pending:
  - i. Design of a tree management plan befitting a 29-year Tree City USA designation that addresses the recommendations from the State Urban Forester and relevant others including but not limited to:
    - a. Greenhouse gas reduction benefits of a healthy and well-maintained urban forest including reduced carbon dioxide, lowered energy use, reduced heat island effect; and
    - b. Safety, especially during times of drought and potential resultant limb loss; and
    - c. Storm water interception, habitat retention and creation; and
    - d. Economic and social benefits of a healthy urban forest; and
  - ii. Determination of whether a single source contract is the best method to contract for Palo Alto's tree care; and
  - iii. The cost benefit ratio of maintenance (average \$19.00 per tree cost vs \$5.82 in benefit is returned for every \$1 spent); and
- B. Such a plan should be presented to Council prior to consideration of a contract in the 2018 budget cycle.

**SUBSTITUTE MOTION:** Vice Mayor Scharff moved, seconded by Council Member Wolbach to:

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- A. Direct Staff to accept the original bid of \$4,702,450, an additional \$1,021,490 over the three-year term; and
- B. Authorize the City Manager or his designee to execute a new three-year contract with West Coast Arborists, Inc. in an amount not to exceed \$4,702,450 for tree pruning and removal services on a 7-year maintenance cycle; and
- C. Amend the Fiscal Year 2017 Budget Appropriation Ordinance for the General Fund by:
  - i. Increasing the Public Works Department contract services appropriation by \$316,900; and
  - ii. Decreasing the General Fund Budget Stabilization Reserve by \$316,900.

**SUBSTITUTE MOTION PASSED:** 8-0 DuBois absent

## Council Member Questions, Comments and Announcements

None.

Adjournment: The meeting was adjourned at 10:23 P.M.