



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
September 6, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:07 P.M.

Present: Berman, Burt, DuBois arrived at 5:30 P.M., Filseth, Holman, Kniss, Scharff, Schmid, Wolbach arrived at 5:26 P.M.

Absent:

Study Session

1. Study Session on the Parks, Trails, Natural Open Space and Recreation Master Plan.

Agenda Changes, Additions and Deletions

None.

Minutes Approval

2. Approval of Action Minutes for the August 22, 2016 Council Meeting.

MOTION: Council Member Berman moved, seconded by Mayor Burt to approve the Action Minutes for the August 22, 2016 Council Meeting.

MOTION PASSED: 9-0

Consent Calendar

MOTION: Council Member DuBois moved, seconded by Vice Mayor Scharff to approve Agenda Item Number 3.

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3. Vote to Endorse the Slate of Candidates for the Division's Executive Committee for 2016-17 and Direct the City Clerk to Forward to Seth Miller, the Regional Public Affairs Manager for the Peninsula Division, League of California Cities the Completed Ballot for the City of Palo Alto.

MOTION PASSED: 9-0

Action Items

5. Direct Staff to Proceed With Discussions With Pets In Need Regarding Animal Care Services and the Construction or Rehabilitation of the Animal Shelter Facility.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Holman to direct Staff to proceed with exclusive negotiations with Pets In Need, a 501(c)3 nonprofit organization, to provide animal care services and develop a plan for animal shelter facility construction or rehabilitation, and to return to City Council by December 2016 with a recommended agreement.

AMENDMENT: Council Member Holman moved, seconded by Council Member XX to add to the Motion, "including the space that is currently used for other uses and the space rented for vehicle storage be used for animal services."

AMENDMENT 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 direct Staff to consider the long term capital program for the animal shelter and that this consideration includes the surrounding land and related services."

AMENDMENT: Council Member Schmid moved, seconded by Council Member XX to add to the Motion, "inviting comments from the Humane Society regarding the cost structure of the potential agreement."

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

MOTION AS AMENDED RESTATED: Vice Mayor Scharff moved, seconded by Council Member Holman to direct Staff to proceed with exclusive negotiations with Pets In Need, a 501(c)3 nonprofit organization, to provide

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animal care services and develop a plan for animal shelter facility construction or rehabilitation, and to return to City Council by December 2016 with a recommended agreement; and direct Staff to consider the long term capital program for the animal shelter and that this consideration includes the surrounding land and related services.

MOTION AS AMENDED PASSED: 9-0

Council took a break from 8:50 P.M. to 8:58 P.M.

4. Acceptance of the Downtown Residential Preferential Parking (RPP) Program Phase 2 Status Update and Resolution 9625 Entitled, "Resolution of the Council of the City of Palo Alto Amending the Eligibility Area for the Program as Directed by the City Council (Continued From August 15, 2016)."

Vice Mayor Scharff advised he would not participate in this Agenda Item or Agenda Item Number 6- CONFERENCE WITH CITY ATTORNEY... because he owns real property in the Downtown Residential Preferential Parking (RPP) Program Phase 2 district.

Vice Mayor Scharff left the meeting at 8:59 P.M.

MOTION: Council Member DuBois moved, seconded by Council Member Berman to:

- A. Accept the status report on the Downtown Residential Preferential Parking (RPP) Program; and
- B. Adopt a Resolution, expanding the boundary of the Downtown RPP Program Phase 2 eligibility area originally established by Resolution number 9577 to incorporate streets in the Crescent Park neighborhood identified for inclusion by the City Council in response to a neighborhood petition; and
- C. Immediately freeze the sale of employee permits in Zones 9 and 10 and allow additional streets to petition to be added as resident only parking in Zones 9 and 10; and
- D. Direct Staff to return to Council by Jan 15, 2017 with proposals for changes to implement at end of Phase 2 that include:

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- i. Elimination of 5 day passes; and
- ii. Propose quantitative objectives to reduce the impact on neighborhoods, to eliminate spillover, and to reduce congestion; and
- iii. Give priority to lower wage employees; and
- iv. Require registration in the Business Registry Certificate Program and participation in Downtown Transportation Management Association (TMA) to buy employee permits.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion Part C, "immediately freeze the" with "direct Staff to return as soon as possible to implement a freeze on the."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part D.iv., "if legally permissible" after "Certificate Program and."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion Part C, "allow" with "direct Staff to return with options to allow."

AMENDMENT: Council Member Holman moved, seconded by Council Member XX to add to the Motion Part C, "and reduce the total number of available employee permits to 1,465" after "permits in Zones 9 and 10."

AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part C, "and reduce the total number of available employee permits in all zones by this amount" after "permits in Zones 9 and 10."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part D.iv., "or a Staff approved Transportation Demand Management (TDM) Program" after "Downtown Transportation Management Association (TMA)."

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part D.iv., "under a revised fee structure" after "Management Association (TMA)."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "return with a draft set of overriding RPP goals." (New Part D.v.)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion Part D.ii., "parking" after "and to reduce."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove Part C of the Motion and add to the Motion, "implement a freeze on the sale of employee permits in Zones 9 and 10 and reduce the total number of available employee permits in all zones by this amount and direct Staff to return with options to allow additional streets to petition to be added as resident only parking in Zones 9 and 10." (New Part C.vi.)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the end of the Motion Part C.iv. "or alternately an incentive structure to encourage participation in the TMA."

MOTION PART C.VII. SEPARATED FOR THE PURPOSE OF VOTING

MOTION PART C.VII. RESTATED: Implement a freeze on the sale of employee permits in Zones 9 and 10 and reduce the total number of available employee permits in all zones by this amount and direct Staff to return with options to allow additional streets to petition to be added as resident only parking in Zones 9 and 10.

MOTION PART C.VII. PASSED: 6-2 Filseth, Kniss no, Scharff absent

MOTION AS AMENDED RESTATED: Council Member DuBois moved, seconded by Council Member Berman to:

- A. Accept the status report on the Downtown Residential Preferential Parking (RPP) Program; and

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- B. Adopt a Resolution, expanding the boundary of the Downtown RPP Program Phase 2 eligibility area originally established by Resolution number 9577 to incorporate streets in the Crescent Park neighborhood identified for inclusion by the City Council in response to a neighborhood petition; and
- C. Direct Staff to return to Council by Jan 15, 2017 with proposals for changes to implement at end of Phase 2 that include:
 - i. Elimination of 5 day passes; and
 - ii. Propose quantitative objectives to reduce the impact on neighborhoods, to eliminate spillover, and to reduce parking congestion; and
 - iii. Give priority to lower wage employees; and
 - iv. Require registration in the Business Registry Certificate Program and if legally permissible participation in Downtown Transportation Management Association (TMA) under a revised fee structure or a Staff approved Transportation Demand Management (TDM) Program to buy employee permits or alternately an incentive structure to encourage participation in the TMA; and
 - v. Return with a draft set of overriding RPP goals; and
 - vi. Implement a freeze on the sale of employee permits in Zones 9 and 10 and reduce the total number of available employee permits in all zones by this amount and direct Staff to return with options to allow additional streets to petition to be added as resident only parking in Zones 9 and 10.

MOTION AS AMENDED PASSED: 8-0 Scharff absent

Inter-Governmental Legislative Affairs

None.

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Council Member Questions, Comments and Announcements

Council Member Berman reported his participation with the Palo Alto and University Rotary Clubs as they posted American Flags along University Avenue on Sunday morning.

Closed Session

6. CONFERENCE WITH CITY ATTORNEY—POTENTIAL LITIGATION
Significant Exposure to Litigation Under Section 54956.9(d)(2)
(One Potential Case, as Defendant) –
Phase 2, Downtown Residential Preferential Parking District.

MOTION: Council Member Kniss moved, seconded by Council Member Schmid to go into Closed Session.

MOTION PASSED: 8-0 Scharff absent

Council went into Closed Session at 11:33 P.M.

Council returned from Closed Session at 11:45 P.M.

Mayor Burt announced no reportable action.

Adjournment: The meeting was adjourned at 11:45 P.M.