

CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting November 16, 2015

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:03 P.M.

Present: Berman arrived at 5:41 P.M., Burt, DuBois, Filseth, Holman,

Kniss, Scharff, Schmid, Wolbach

Absent:

Closed Session

MOTION: Council Member Wolbach moved, seconded by Council Member Burt to go into Closed Session.

MOTION PASSED: 8-0 Berman absent

Council went into Closed Session at 5:05 P.M.

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: Mayor, CAO Chair or Other Council Members Unrepresented Employees: City Manager, City Attorney, City Auditor, City Clerk

Authority: Government Code Section 54957.6(a).

Council returned from Closed Session at 6:05 P.M.

Mayor Holman announced no reportable action.

Study Session

2. Potential List of Topics for the Study Session With Senator Jerry Hill.

Agenda Changes, Additions and Deletions

Agenda Item Number 7- Adoption of a Resolution Revising the Citywide Records Retention Schedule... removed from the Agenda at the request of Staff to be heard on December 7, 2015 with changes as outlined in At Place Memorandum.

Minutes Approval

3. Approval of Action Minutes for the October 5, 13, 19, 26, and November 2, 2015 Council Meetings.

MOTION: Vice Mayor Schmid moved, seconded by Council Member Berman to approve the Action Minutes for the October 5, 13, 19, 26, and November 2, 2015 Council Meetings.

MOTION PASSED: 9-0

Consent Calendar

MOTION: Council Member Burt moved, seconded by Mayor Holman, third by Council Member DuBois to remove Agenda Item Number 9- Approval of a Seven Month Contract With Cypress Security... from the Consent Calendar to become Agenda Item 13A.

MOTION: Council Member DuBois moved, seconded by Mayor Holman, third by Council Member Filseth to remove Agenda Item Number 8- Approval of a Record of Land Use Action... from the Consent Calendar to be heard at a later date.

MOTION: Mayor Holman moved, seconded by Vice Mayor Schmid to approve Agenda Item Numbers 4-6, 10-13.

- 4. Approval of Change Order Number Three to Contract Number C15157253 With Daleo, Inc. Extending the Contract Term to January 6, 2016 and Adding \$190,000 for a Total Not to Exceed Contract Amount of \$4,599,031, to Provide Emergency Water Main Replacement Work on Kingsley Avenue.
- 5. Resolution 9559 Entitled, "Resolution of the Council of the City of Palo Alto Approving the City of Palo Alto's Continued Participation in the

- Mortgage Credit Certificate (MCC) Program Through the County of Santa Clara."
- 6. Approval of Amendment Number One to Contract Number S14152214 With Toubar Equipment Company Inc. in the Amount of \$600,000 for Closure Maintenance Assistant Services at the City of Palo Alto Landfill (Capital Improvement Project RF-11001, Landfill Closure).
- 7. Adoption of a Resolution Revising the Citywide Records Retention Schedule and Repealing Resolution No. 8688.
- 8. Approval of a Record of Land Use Action for a Variance to Allow for a Reduction in the Required Front Setback (Contextual) From 37 Feet 1-1/4 Inches to 32 Feet for a New Two-Story Single Family Residence Located at 224 Churchill Avenue.
- 9. Approval of a Seven Month Contract With Cypress Security, Inc. Not to Exceed \$439,441.84 for "Track Watch" Contract Security Services.
- 10. Ordinance 5359 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Chapter 18.79 of Title 18 (Zoning) of the Palo Alto Municipal Code Regarding Development Project Preliminary Review Procedures (FIRST READING: October 26, 2015 PASSED: 9-0)."
- 11. Ordinance 5360 Entitled, "Ordinance of the Council of the City of Palo Alto Amending Section 2.28.080 (Amendments after Adoption) of Chapter 2.28 (Fiscal Procedures) of the Palo Alto Municipal Code (FIRST READING: November 2, 2015 PASSED: 9-0)."
- 12. Finance Committee Recommends Adoption of a <u>Budget Amendment</u> <u>Ordinance 5361</u> Entitled, "Budget Amendment Ordinance of the Council of the City of Palo Alto Authorizing the Reappropriation of Fiscal Year 2015 Funds to Fiscal Year 2016."
- 13. PUBLIC HEARING Certification of the Final Environmental Impact Report (FEIR) and Approval of the Record of Land Use Action to Allow Demolition of Four Existing Structures Totaling 265,895 Square Feet and Construction of Four Two-Story Office Buildings Totaling 265,895 Square Feet of Floor Area With Below and At-Grade Parking and Other Site Improvements Located at 1050 Page Mill Road. Zoning District: Research Park (RP). Environmental Assessment: An Environmental

Impact Report has Been Prepared (Staff Requests This Item be Continued to December 7, 2015).

MOTION FOR AGENDA ITEM NUMBERS 4-6, 10-13 PASSED: 9-0

Action Items

13A. (Former Agenda Item Number 9) Approval of a Seven Month Contract With Cypress Security, Inc. Not to Exceed \$439,44 for "Track Watch" Contract Security Services and Adoption of a Related <u>Budget Amendment Ordinance 5362</u>.

MOTION: Council Member Burt moved, seconded by Council Member Scharff to approve a seven-month contract with Cypress Security, Inc. not to exceed \$439,441 for "Track Watch" contract security services and adopt a related Budget Amendment Ordinance.

MOTION PASSED: 9-0

14. Review and Direction Regarding a Draft Ordinance Regulating Hazardous Materials Users and Sensitive Receptors Such as Residences, Schools, Day Care Centers, Convalescent Homes and Similar Uses in Office, Research and Manufacturing Districts and Making Related Changes to Municipal Code Provisions Related to Non-Conforming Uses, as Well as a Draft Ordinance Regarding Amortization of Uses at Communications & Power Industries, LLC (CPI), 607-811 Hansen Way.

MOTION: Council Member Scharff moved, seconded by Council Member Burt to direct Staff to prepare two Ordinances substantially in the form of the draft Ordinances regulating hazardous materials users and establishing a schedule for amortizing a nonconforming use, to be reviewed by the Planning and Transportation Commission (PTC) and consideration by the City Council at a noticed Public Hearing before the end of February 2016 with the exception that Staff be directed to prohibit Tier 3 uses. Direct Staff to work with neighborhood stakeholders and Communications & Power Industries, LLC (CPI) to explore whether there is a resolution that could add substantial neighborhood protections such as better communication tools and/or a shorter period to eliminate the plating shop from the site while considering CPI's concerns about the 2026 date.

AMENDMENT: Council Member DuBois moved, seconded by Vice Mayor Schmid to replace in the Motion, "that Staff be directed to prohibit Tier 3 uses" with "Staff to review Tier 3 use restrictions and suggest improvements in the Ordinance when it returns to Council."

AMENDMENT WITHDRAWN BY THE MAKER AND SECONDER

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to evaluate any additional facilities that may fall under the Ordinance and direct Staff to explore amortization for those facilities."

MOTION AS AMENDED PASSED: 9-0

15. Resolution 9560 Entitled, "Resolution of the Council of the City of Palo Alto Establishing Interim Minimum Standards and Leasing Policies for the Palo Alto Airport" and Resolution 9561 Entitled, "Resolution of the Council of the City of Palo Alto Revising the Airport Schedule of Fees and Charges."

MOTION: Council Member Kniss moved, seconded by Council Member Filseth to:

- A. Adopt a Resolution approving and adopting the Interim Minimum Standards and Leasing Policies for the Palo Alto Airport; and
- B. Adopt a Resolution amending the Airport Fee Schedule to update the fees to reflect the transfer of Palo Alto Airport operations to the City of Palo Alto; and
- C. Include discussions with stakeholders as we move towards permanent Minimum Standards.

MOTION PASSED: 9-0

Inter-Governmental Legislative Affairs

None.

Council Member Questions, Comments and Announcements

Council Member DuBois reported his attendance today and planned attendance tomorrow at the Regional Community Broadband Workshop.

Council Member Kniss stated that she will be attending a League of California Cities orientation for new League Division Presidents on Wednesday and Thursday.

Council Member Wolbach reported the City of Mountain View is proposing more than 7,000 additional housing units for the North Bayshore area. The City of Santa Clara is planning to redevelop a golf course with approximately 30,000 jobs and several thousand housing units. These prospective projects were discussed at the Valley Transportation Authority (VTA) Policy Advisory Committee.

<u>Adjournment</u>: The meeting was adjourned in recognition of people around the world who have died as the result of terrorism, particularly, but not limited to those in Paris, France at 11:04 P.M.