

Special Meeting January 13, 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, Klein, Kniss, Price arrived at 7:00 P.M.,

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 (James Keene, Pamela Antil, Lalo Perez, David Ramberg, Joe Saccio, Kathryn Shen, Sandra Blanch, Dania Torres Wong, Melissa Tronquet, Brenna Rowe, Molly Stump, Khashayar Alaee)

Employee Organization: Service Employees International Union,

(SEIU) Local 521

Authority: Government Code Section 54957.6(a)

1a. CONFERENCE WITH CITY ATTORNEY/LEGAL COUNSEL

Potential Litigation (as plaintiff/defendant) – One Matter

Subject: Construction of the Mitchell Park Library and Community

Center

Authority: Government Code Section 54956.9

The City Council adjourned into the Closed Session at 6:14 P.M.

The City Council returned from the Closed Session at 8:07 P.M., and Mayor Shepherd announced no reportable action.

Special Orders of the Day

2. Appointments for Three Positions on the Storm Drain Oversight Committee for Three Year Terms Ending on October 31, 2018 (Terms of Clark, Mickelson, and Whaley).

<u>First Round</u> of voting for Storm Drain Oversight Committee for three-three year terms ending October 31, 2018 (Terms of Clark, Mickelson, and Whaley):

Voting For Nancy Clark: Berman, Burt, Holman, Klein, Kniss,

Price, Scharff, Schmid, Shepherd

Voting For Mark Harris: Schmid

Voting For Hal Mickelson: Berman, Burt, Holman, Klein, Kniss,

Price, Scharff, Shepherd

Voting For Richard Whaley: Berman, Burt, Holman, Klein, Kniss,

Price, Scharff, Schmid, Shepherd

Donna Grider, City Clerk, announced that Nancy Clark and Richard Whaley with 9 votes, and Hal Mickelson with 8 votes, were selected to serve in three year terms ending October 31, 2018.

Council Member Questions, Comments and Announcements

Council Member Price announced that she was appointed to the California League of Cities Housing, Economic and Community Development Committee, and by the National League of Cities to the Steering Committee of the Transportation Infrastructure and Services Committee.

Council Member Schmid reported on attending the Association of Bay Area Government (ABAG) meeting last week, there was a presentation of the Planned Bay Area Plan update for Santa Clara County. He felt it was helpful to have Santa Clara County representatives in attendance and provide their perspectives. ABAG representatives discussed trying to accomplish a truncated CEQA review process for affordable housing, and financing for affordable housing.

Mayor Shepherd mentioned that the City received an award from the Silicon Valley Leadership Group called "Turning Red Tape into Red Carpet" for the work done by the Development Center.

Minutes Approval

MOTION: Council Member Price moved, seconded by Vice Mayor Kniss to approve the minutes of November 12 and 18, 2013, and December 2 and 9, 2013.

MOTION PASSED: 9-0

Consent Calendar

MOTION: Council Member Berman moved, seconded by Council Member Price to approve Agenda Item Numbers 3-13.

- 3. Utilities Advisory Commission Recommendation that the City Council Adopt a <u>Resolution 9388</u> entitled "Resolution of the Council of the City of Palo Alto Approving the City of Palo Alto Utilities Legislative Policy Guidelines for 2014."
- 4. Review and Acceptance of Annual Status Report on Developers' Fees for Fiscal Year 2013 and Adoption of Resolution 9389 entitled "Resolution of the Council of the City of Palo Alto Making Findings Regarding Continuing Need for Unexpended Stanford Research Park/El Camino Development Fees in the Amount of \$823,618; San Antonio/West Bayshore Development Fees in the Amount of \$664,374; University Avenue Parking In-Lieu Development Fees in the Amount of \$90,696; and the Citywide Transportation Impact Development Fees in the Amount of \$4,453."
- 5. Approval of the Long-Term Trash Management Plan required by the Municipal Regional Stormwater NPDES Permit.
- 6. Policy and Services Committee Recommendation to Accept the Auditor's Office Quarterly Report as of September 30, 2013 and the Revised FY 2014 Work Plan.
- 7. Finance Committee Recommendation to Accept Macias Gini & O'Connell's Audit of the City of Palo Alto's Financial Statements as of June 30, 2013 and Management Letter.
- 8. Approval to Designate a Residence Located at 411 Lytton Avenue to the City of Palo Alto's Historic Inventory in Category 2, and Adoption of a Resolution and Record of Land Use Action at the Request of the Owner.
- 9. Ordinance 5227 entitled "Ordinance of the Council of the City of Palo Alto for Electric Vehicles Supply Equipment Requirement for all New Single Family Residential Constructions (First Reading: December 9, 2013 PASSED: 9-0)."

- 10. Ordinance 5228 entitled "Ordinance of the Council of the City of Palo Alto for Penalties on Expired Permit Enforcement for Residential Project (First Reading: December 9, 2013 PASSED: 9-0)."
- 11. Approval of Amendment Number 1 to Contract No. C10131413 in the Amount of \$84,660 with URS Corporation to Provide Additional Services Associated With the Assessment, Design and Construction Management Services for Coating and Seismic Upgrades of Six Existing Reservoirs and Rehabilitation of Three Receiving Stations Project WS-07000, WS-08001 and WS-09000, for a Total Not to Exceed Amount of \$567,052.
- 12. Approval of Amendment No. 21 to Contract No. S0114750 With The Peninsula Corridor Joint Powers Board for Rail Shuttle Bus Administration to Extend the Term for Six Months and Add \$26,684 for a Total Not To Exceed Amount of \$2,930,612.
- 13. Policy and Services Committee Recommendation for \$30,000 Expenditure for Teen Program.

MOTION PASSED: 9-0

Action Items

14. Public Hearing: On Objections to Weed Abatement and Adoption of Resolution 9391 entitled "Resolution of the Council of the City of Palo Alto Ordering Weed Nuisance Abated."

Public Hearing opened and closed without any speakers at 8:34 P.M.

MOTION: Council Member Berman moved, seconded by Council Member Price to adopt the resolution ordering the abatement of weed nuisances in the City of Palo Alto.

MOTION PASSED: 9-0

- 15. Public Hearing: Ordinance to Amend Sections 18.04.030 (Definitions), 18.16.060 (CN Zone), 18.18.060 (CD Zone), 18.20.030 (ROLM(E) Zone) and Add Section 18.46 (Reasonable Accommodation) of Title 18 (Zoning) of Palo Alto Municipal Code to Implement 2007-2014 Housing Element Programs.
- 16. Public Hearing: Council Review and Adoption of an Ordinance for a New Chapter 18.15 (Residential Density Bonus) to include in Title 18

of the Palo Alto Municipal Code to Implement Government Code Section 65915.

Public Hearing opened at 8:45 P.M.

Public Hearing closed at 9:32 P.M.

MOTION: Council Member Klein moved, seconded by Council Member Burt to continue this item to allow Staff time to develop language indicating that we are including state mandated provisions but not approving them; Staff is to refer to the Planning and Transportation Commission the idea to change the FAR in the CN and CS Zones; Staff is to report back to Council no later than the second meeting in February; public hearing is closed unless there is new information.

SUBSTITUTE MOTION: Council Member Scharff moved, seconded by Council Member Burt to approve the Staff recommendation that the Council adopt an Ordinance to implement five programs in the City's Housing Element by amending Title 18 (Zoning) of the Palo Alto Municipal Code (PAMC) to make the following changes:

- 1. Amend Section 18.04.030 (Definitions) to add definitions for Emergency Shelter, Supportive Housing and Transitional Housing to comply with the definitions found in State law and to conform to the requirements of Government Section Code 65583.
- 2. Amend Section 18.16.060 (Development Standards for CN, CC, and CS Districts) to increase the density for residential projects in the CN zone district from 15 units per acre to 20 units per acre for CN parcels in Housing Inventory Sites list of the Housing Element.
- 3. Amend Section 18.20.030 (Land Uses for MOR, ROLM, ROLM(E), RP and GM Districts) to add Emergency Shelters for the Homeless as a permitted use in the portion of the ROLM (E) District located east of Highway 101, and to establish performance and design standards for emergency shelters as outlined in the Palo Alto Quality Assurance Standards for Emergency Shelters (Attachment B).
- 4. Add Chapter 18.46 (Requests for Reasonable Accommodation for Accessibility) to establish a process for persons with disabilities to seek a modification to the zoning regulations to eliminate regulatory barriers to providing housing for persons with a disability as required by State law. Typical improvements that would be considered for reasonable accommodation provisions include ramps, walls, handrails, elevators or lifts, or similar physical improvements necessary to accommodate a person's disability.
- 5. Revise Section 18.16.060(c) (CN zoning) and 18.18.060(c) (CD zoning) to be consistent with the current Housing Element which does not allow exclusive residential uses for identified parcels in the Housing

Element.

Furthermore, refer to Planning and Transportation Commission to reduce the FAR in the CN Zone for sites identified in Housing Inventory and should consider retail proportion of the FAR including ground floor retail requirements.

SUBSTITUTE MOTION PASSED: 7-2 Klein, Schmid no

MOTION: Council Member Holman moved, seconded by Vice Mayor Kniss to approve Staff recommendation that the Council adopt an Ordinance for a new chapter 18.15 (Residential Density Bonus) to include in Title 18 of the Palo Alto Municipal Code, implementing Government Code Section 65915 in accordance with State Law. Furthermore to delete section 18.15.050(f).

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to decrease the FAR to 25 percent, not 50 percent on subsection (iv) on packet page 522.

MOTION PASSED: 8-1 Klein no

Adjournment: The meeting was adjourned at 11:09 P.M.