



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
June 27, 2016

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:10 P.M.

Present: Berman, Burt, DuBois arrived at 5:13 P.M., Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

Agenda Changes, Additions and Deletions

None.

Minutes Approval

1. Approval of Action Minutes for the June 13, 2016 Council Meeting.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Berman to approve the Action Minutes for the June 13, 2016 Council Meeting.

MOTION PASSED: 9-0

Consent Calendar

MOTION: Council Member Berman moved, seconded by Vice Mayor Scharff, third by Council Member Kniss to pull Agenda Item Number 3-Finance Committee Recommendation That Council Adopt a Resolution Adopting a Net Energy Metering... to be continued to a date uncertain.

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MOTION: Council Member Holman moved, seconded by Vice Mayor Scharff, third by Council Member DuBois to pull Agenda Item Number 15- Approval of a Contract With West Coast Arborists... to be heard on June 28, 2016.

MOTION: Council Member Kniss moved, seconded by Council Member Berman to approve Agenda Item Numbers 2, 4-14, and 16, including changes to Agenda Item Number 10- Approval of the Purchase of All Rights... as outline in an At Place Memorandum.

2. Approval of a Contract Amendment With Cypress Security, Inc. (C16160138A) in the Amount of \$884,552 for a Total Not-to-Exceed Amount of \$1,323,992 and Extend the Term of the Agreement to December 31, 2016.
3. ~~Finance Committee Recommendation That Council Adopt a Resolution Adopting a Net Energy Metering Successor Rate E-EEC-1 (Export Electricity Compensation), Establishing the Net Energy Metering Transition Policy, and Amending Rule and Regulation 2 (Definitions and Abbreviations) and 29 (Net Energy Metering and Interconnection).~~
4. Approval of Budget Amendments in the General Fund's Transportation Contingency Fund and in the Capital Fund in the Amount of \$45,000 for Citywide Engineering and Traffic Speed Surveys.
5. Approval and Authorization for the City Manager to Execute a Purchase Order With CSC Integrations in an Amount Not-to-Exceed \$207,025 for an Intrusion Detection System (IDS) to Improve Safety Along the Caltrain Right of Way in the City of Palo Alto and Adoption of a Related Budget Amendment in Fiscal Year 2016 General Fund.
6. Resolution 9608 Entitled, "Resolution of the Council of the City of Palo Alto Amending Utilities Rate Schedule E-15 (Electric Service Connections) and Rules and Regulations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 18, 20, 23, and 24 (Adoption of Rules, Definitions and Abbreviations, Description of Utility Services, Application of Service, Service Contracts, Establishment and Reestablishment of Credit, Deposits, Access to Premises, Discontinuance, Termination and Restoration of Service, Meter Reading, Billing, Adjustments, and

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Payment of Bills, Metering, Utility Service Connections and Facilities on Customers' Premises, Special Electric Utility Regulations, Special Wastewater Utility Regulations, and Special Refuse Service Regulations)."

7. Resolution 9609 Entitled, "Resolution of the Council of the City of Palo Alto Amending the Net Surplus Electricity Compensation Rate (E-NSE-1)."
8. Approval and Authorization for the City Manager or his Designee to Execute the Off-Taker Generation Percentage Protection Amendment to the City's Power Purchase Agreement (PPA) With Shiloh I Wind Project LLC (Shiloh PPA) and Delegation of Authority to the City Manager to Execute Documents Necessary to Administer the Shiloh PPA and the City's Five PPAs Associated With Landfill Gas to Energy Projects.
9. Approval of and Authorization for the City Manager to Execute a Master License Agreement for use of City-Controlled Space on Utility Poles and Streetlight Poles and in Conduits With GTE Mobilnet of California Limited Partnership, DBA Verizon Wireless for a Combined Initial and Potential Extension Term of 20 Years.
10. Approval of the Purchase of All Rights, Title, and Interest Held By Globe Wireless at Property Known as Baylands ITT Transmitter Site, Assessor Parcel Numbers: 008-05-001 And 008-05-004 From Globe Wireless Located at 2601 East Bayshore Road And Approve an Amendment to the Budget in the General Fund.
11. Resolution 9610 Entitled, "Resolution of the Council of the City of Palo Alto Determining the Proposed Calculation of the Appropriations Limit for Fiscal Year 2017."
12. Approval of a Construction Contract for the Lucie Stern Buildings Mechanical and Electrical Upgrades, Capital Improvements Program Project PE-14015, With Iron Construction, Inc. in the Amount of \$2,239,781 and Approval of Amendment Number 2 to Contract Number C13148737 With Advance Design Consultants Inc. in the

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Amount of \$349,512 for a Not-to-Exceed Amount of \$670,267 for Construction Phase Services.

13. Approval of Amendment Number 3 to Contract Number C14153012 With Metropolitan Planning Group to add \$440,000 for a Total Not-to-Exceed Amount of \$940,000 for Support of Planning Review of Architectural Review Applications.
14. Approval of Amendment Number 5 to Contract Number S13149754 to add \$85,000 for a Total Amount Not-to-Exceed \$421,000 and Amendment Number 3 to Contract Number S15155809 to add \$45,000 for a Total Amount Not-to-Exceed \$95,000 With Renne Sloan Holtzman Sakai LLP Public Law Group for Labor Negotiations Services and to Extend Both Contract Terms to June 30, 2017.
15. ~~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 Removal Services on a Ten Year Maintenance Cycle.~~
16. Resolution 9611 Entitled, "Resolution of the Council of the City of Palo Alto Adopting the 2017-2019 Management & Professional Compensation Plan."

MOTION PASSED: 9-0

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21. 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).

MOTION: Council Member Kniss moved, seconded by Vice Mayor Scharff to:

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- A. Accept the Storm Drain Blue Ribbon Committee Report; and
- B. Direct Staff to proceed with a Proposition 218 ballot-by-mail process to gain property owner approval of the proposed Fee (Recommendation Numbers 1 and 2); and
- C. Direct Staff to implement the other Report recommendations, consistent with stated qualifiers (e.g. "consider") (Recommendation Numbers 3-15).

AMENDMENT: Council Member Schmid moved, seconded by Council Member XX to add to the Motion, "return in three (3) months with an Informational Report on point source data."

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, "return within six (6) months with an Informational Report on point source data." (New Part D)

MOTION RESTATED: Council Member Kniss moved, seconded by Vice Mayor Scharff to:

- A. Accept the Storm Drain Blue Ribbon Committee Report; and
- B. Direct Staff to proceed with a Proposition 218 ballot-by-mail process to gain property owner approval of the proposed Fee (Recommendation Numbers 1 and 2); and
- C. Direct Staff to implement the other Report recommendations, consistent with stated qualifiers (e.g. "consider") (Recommendation Numbers 3-15); and
- D. Return within six (6) months with an Informational Report on point source data.

MOTION AS AMENDED PASSED: 9-0

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18. Approval of Memorandum of Understanding (MOU) Between the Santa Clara County Housing Authority, the County of Santa Clara and the City of Palo Alto to Provide up to \$14.5 Million in City Affordable Housing Funds in Support of the Housing Authority's Potential Acquisition of the Buena Vista Mobile Home Park for Deed Restricted Affordable Housing, From June 28, 2016 Through June 28, 2018; Authorize the City Manager to Implement MOU Subject to Council Conditions and Reporting.

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

- A. Approve a Memorandum of Understanding (MOU) with the Housing Authority of the County of Santa Clara and the County of Santa Clara relating to providing funding for the Housing Authority's potential acquisition of the Buena Vista Mobile Home Park in an amount not to exceed \$14,500,000 for period June 28, 2016 through June 28, 2018, for the purpose of affordable housing; and
- B. Authorize the City Manager or his designee to implement and administer the MOU, subject to conditions described in this report.

MOTION PASSED: 9-0

Council took a break from 7:16 P.M. to 7:30 P.M.

19. CONTINUED PUBLIC HEARING: to Hear Objections to the Levy of Proposed Assessments on the Palo Alto Downtown Business Improvement District; Resolution 9612 Entitled, "Resolution of the Council of the City of Palo Alto 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 (Continued From June 6, 2016)."

Public Hearing continued from June 6, 2016.

Public Hearing closed at 7:33 P.M.

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MOTION: Vice Mayor Scharff moved, seconded by Council Member DuBois to adopt a Resolution confirming the report of the Advisory Board and levying an assessment for Fiscal Year 2017 on the Downtown Palo Alto Business Improvement District.

MOTION PASSED: 8-0 Berman not participating

17. Consideration of Ad Hoc Committee Report and Recommendations, Review of Polling, and Discussion and Direction on Potential 2016 Business Tax to Fund Transportation and Parking Improvements, Including Alternative Timing Options, Elements of Measure, Preliminary Revenue Estimates, and Potential Projects and Impacts.

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

- A. Consider placing a special tax measure requiring a two-thirds vote on a special election ballot in 2017 and utilize the additional time to refine the proposal, build consensus and neutralize potential sources of opposition; and
- B. Consider placing a general tax measure requiring a simple majority vote on the November 2018 ballot and utilize the additional time to refine the proposal and build consensus and neutralize potential sources of opposition; and
- C. Create a stakeholder committee.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the beginning of Motion Part B, "if necessary."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to Motion Part C, "to explore priority transportation needs, identify funding requirements and explore various funding options."

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AMENDMENT: Council Member Wolbach moved, seconded by Council Member XX to add to Motion Part C, "committee members would ideally include but not be limited to Stanford University, the Transportation Management Association (TMA), Palo Alto Unified School District (PAUSD), residents, Stanford Research Park (SRP) Transportation Demand Management (TDM) Working Group."

AMENDMENT RESTATED AND INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to Motion Part C, "committee members would include a balance of business and resident interests, ideally include but not be limited to Stanford University, the Transportation Management Association (TMA), Palo Alto Unified School District (PAUSD), residents, Stanford Research Park (SRP) Transportation Demand Management (TDM) Working Group."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to return with a timeline with activities to plan for a ballot measure." (New Part D)

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the end of Motion Part D, "and options for structure of the stakeholder committee."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to Motion Part C, "and develop a funding plan" after "various funding options."

MOTION RESTATED: Council Member Kniss moved, seconded by Council Member Holman to:

- A. Consider placing a special tax measure requiring a two-thirds vote on a special election ballot in 2017 and utilize the additional time to refine the proposal, build consensus and neutralize potential sources of opposition; and
- B. If necessary, consider placing a general tax measure requiring a simple majority vote on the November 2018 ballot and utilize the

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additional time to refine the proposal and build consensus and neutralize potential sources of opposition; and

- C. Create a stakeholder committee to explore priority transportation needs, identify funding requirements and explore various funding options and develop a funding plan. Committee members would include a balance of business and resident interests, ideally include but not be limited to Stanford University, the Transportation Management Association (TMA), Palo Alto Unified School District (PAUSD), residents, Stanford Research Park (SRP) Transportation Demand Management (TDM) Working Group; and
- D. Direct Staff to return with a timeline with activities to plan for a ballot measure and options for structure of the stakeholder committee.

MOTION AS AMENDED PASSED: 9-0

- 20. ~~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 to June 28, 2016).**

Inter-Governmental Legislative Affairs

None.

Council Member Questions, Comments and Announcements

Vice Mayor Scharff announced that the Federal Aviation Administration Select Committee on South Bay Aircraft Noise will hold meetings on June 29th in Mountain View, and July 15th and July 22nd in Palo Alto.

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Council Member DuBois encouraged Council Members and members of the community to attend the Select Committee meetings. He reported that the Select Committee meeting in Santa Cruz drew more than 500 attendees.

Mayor Burt reported on his participation at the Energy Efficiency Forum in Washington D.C. The sustainability and energy efficiency work of the City of Palo Alto was highlighted at various points during the event. He noted the strength of Palo Alto's Chief Information Officer in supporting coordination between departments. He suggested that a comprehensive narrative highlighting the City's numerous energy efficiency and sustainability initiatives be drafted.

Mr. Keene reported that the City's narrative continues to evolve as Staff and Council initiate new programs and initiatives.

Adjournment: The meeting was adjourned in recognition of federal legislators participating in the recent gun control sit-in at 10:31 P.M.