

Action Minutes

Special Meeting
April 23, 2012

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:00 P.M.

Present: Burt, Espinosa, Holman, Klein, Price, Scharff, Schmid, Shepherd, Yeh (left at 10:00 PM)

Absent:

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Dennis Burns, Lalo Perez, Joe Saccio, Kathryn Shen, Sandra Blanch, Marcie Scott, Darrell Murray)
Employee Organization: Service Employees International Union, (SEIU) Local 521
Authority: Government Code Section 54957.6(a)

The City Council reconvened from the closed session at 7:21 P.M. and Mayor Yeh announced no reportable action.

SPECIAL ORDERS OF THE DAY

2. Proclamation for May as National Preservation Month.

Council Member Holman read the Proclamation into the record.

APPROVAL OF MINUTES

MOTION: Council Member Espinosa moved, seconded by Council Member Shepherd to approve the minutes of December 19, 2011, January 9, 2012, and January 17, 2012.

MOTION PASSED: 9-0

04/23/2012

CONSENT CALENDAR

Council Member Klein advised he would not be participating in Agenda Item Number Three as he lives across the street.

Council Member Espinosa stated he would not be participating in Agenda Item Number Eight as he is an employee of Microsoft.

Council Member Shepherd stated she would not be participating in Agenda Item Number Four as it was a conflict with her husband's law firm.

MOTION: Council Member Schmid moved, seconded by Council Member Price to approve Agenda Item Nos. 3-10, with a correction on Agenda Item Number 4 that the public hearing is set for May 7, 2012 for FY 2013 and not FY 2012.

3. Approval of a Record of Land Use Action for a Variance for the following exceptions associated with the remodel and addition to an existing single-family residence: (1) placement of a swimming pool within a 24 foot special setback; (2) placement of noise producing equipment (pool equipment) within a 24 foot special setback; (3) one-story encroachment into the 24 foot special setback (approximately 90'-3" long by 4'-1" deep); (4) basement, following the first floor footprint, and below grade patio encroachment into the 24 foot special setback; and (5) one encroachment into the front setback (27" at the master bedroom corner for a length of 5'-6") located at 885 Seale Avenue. * Quasi Judicial
4. Preliminary Approval of the Report of the Advisory Board for Fiscal Year 2013 in Connection with the Palo Alto Downtown Business Improvement District and Adoption of Resolution 9243 entitled "Resolution of the Council of the City of Palo Alto Declaring its Intention to Levy an Assessment Against Businesses within the Downtown Palo Alto Business Improvement District for Fiscal Year 2013 and Setting a Time and Place for a Public Hearing on May 7, at 7:00 PM or Thereafter, in the City Council Chambers".
5. Approval of Amendment No. Five to Agreement with the Housing Trust of Santa Clara County, Inc. to Provide a Contribution in the Amount of \$200,000 from the Residential Housing Fund for Fiscal Year 2011/12 to be Expended Through Fiscal Year 2015/16.
6. Finance Committee Recommendation to Accept the Auditor's Office Quarterly Report as of December 31, 2011.

7. Approval of Amendment Eight to the Agreement With the County of Santa Clara for Abatement of Weeds to Change the Method for Setting Abatement Fees and Costs.
8. Approval of Contract C12144913 with CompuCom Systems Inc. in the Amount of \$210,617.28 per year for Microsoft Enterprise Agreement (MEA).
9. Budget Amendment Ordinance 5152 in the amount of \$410,000 and Approval of Agreement with the County of Santa Clara for the City's Fair-Share Contribution for the Oregon Expressway Improvement Project.
10. Approval of City Council Priorities Quarterly Report Update.

MOTION PASSED for Agenda Item No. 3: 8-0 Klein not participating

MOTION PASSED for Agenda Item No. 4: 8-0 Shepherd not participating

MOTION PASSED for Agenda Item No. 8: 8-0 Espinosa not participating

MOTION PASSED for Agenda Item Nos. 5-7, 9-10: 9-0

ACTION ITEMS

11. Discussion of Zoning Amortization Study and Options Related to Communications and Power Industries (CPI) at 811 Hansen Way.

MOTION: Council Member Burt moved, seconded by Council Member Espinosa to direct Staff to; 1) return with a budgetary proposal to hire an independent 3rd party expert to evaluate off-site hazardous assessments under several models and compare to current zoning and CPI practices, 2) recommend definitions and thresholds of hazardous materials facilities that would be considered for a Zoning Ordinance proximate to residential areas, and 3) initiate a Zoning Ordinance amendment to prohibit plating shops, or facilities using similar hazardous materials without appropriate separation of residential areas.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct Staff to return within 30 days with a budget proposal.

AMENDMENT: Council Member Holman moved, seconded by Council Member XXXX to require amortization for CPI consistent with the amortization study which is 14 years longer.

AMENDMENT FAILED DUE TO LACK OF A SECOND

INCORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER to request Staff present to Council recommendations on potential amortization options to be reviewed in the context of the information provided by the third party consultant.

INDORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER to include within the best practices, best zoning practices.

INDORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER to direct Staff return with the results of the consultant study and the subsequent City action with a goal of six months or less.

MOTION PASSED: 8-0 Yeh Absent

12. Finance Committee Recommendation to Adopt a Resolution 9244 Amending the Gas Utility Long-term Plan Objectives, Strategies and Implementation Plan.

MOTION: Council Member Shepherd moved, seconded by Vice Mayor Scharff to approve the Resolution adopting revisions to the Gas Utility Long-term Plan (GULP) Objectives, Strategies and Implementation Plan.

MOTION PASSED: 7-1 Burt no, Yeh Absent

13. Approval of the Use of \$2,275,796 of Park Development Impact Fees to Fund Park Improvements at El Camino Park in Conjunction With Utilities Department CIP WS-08002 El Camino Park Reservoir Project.

MOTION: Council Member Klein moved, seconded by Council Member Espinosa to accept Staff recommendation: 1) accept the Community Services Department (CSD) and the Parks and Recreation Commission's recommendations for the approval of the (pre-Architectural Review Board reviewed) design for park improvements at El Camino Park, including pathways, a synthetic turf playing field, a multi-use natural turf playing field, landscaping, an expanded parking lot, a dog exercise area, and other amenities, 2) accept CSD's recommendation that \$2,275,796 of Park Development Impact Fees (impact fees) be used to fund staff's tentative list of improvements to El Camino Park, and 3) move forward with the construction of the recommended dog exercise area for \$2.275 million, from the Park Development Impact Fees plus the 10 percent contingency fee, subject only to the completion of the environmental assessment and Stanford's approval.

MOTION PASSED: 6-2 Price, Holman no, Yeh absent

COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Council Member Shepherd stated she attended the City/School Liaison Committee in place of Mayor Yeh last week, where they toured Ohlone Middle School.

ADJOURNMENT: The meeting was adjourned at 12:24 A.M.