



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting  
November 19, 2012

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:00 P.M.

Present: Burt, Espinosa, Holman, Klein, Price, Schmid, Shepherd, Yeh

Absent: Scharff

## 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, Lalo Perez, Joe Saccio, Kathryn Shen, Sandra Blanch, Marcie Scott, Darrell Murray, Val Fong)

Employee Organization: Utilities Management and Professional Association of Palo Alto (UMPAPA)

Authority: Government Code Section 54957.6(a)

The City Council reconvened from the Closed Session at 6:00 P.M. and Mayor Yeh advised no reportable action.

## STUDY SESSION

### 2. Potential Topics of Discussion for the Joint Study Session with the Palo Alto Youth Council.

## SPECIAL ORDERS OF THE DAY

### 3. Resolution 9298 of the Council Honoring Former Council Member Ellen Fletcher.

**MOTION:** Council Member Price moved, seconded by Council Member Holman to pass the Resolution honoring former Councilmember Ellen Fletcher.

**MOTION PASSED:** 8-0 Scharff absent

# ACTION MINUTES

## CONSENT CALENDAR

**MOTION:** Council Member Yeh moved, seconded by Council Member Shepherd to move Agenda Item Number 7 "Adoption of Resolution of Intent to Fix the Employer's Contribution Under the Public Employee's Medical and Hospital Care Act with Respect to Members of the Palo Alto Police Officers Association and Rescinding Resolution No. 8896" to be heard at a date uncertain.

~~7. Adoption of Resolution of Intent to Fix the Employer's Contribution Under the Public Employee's Medical and Hospital Care Act with Respect to Members of the Palo Alto Police Officers Association and Rescinding Resolution No. 8896.~~

**MOTION PASSED:** 8-0 Scharff Absent

**MOTION:** Council Member Espinosa moved, seconded by Council Member Shepherd to approve Agenda Item Numbers 4-6.

4. Approval of a Naming Recognition Plan for Designated Play Zones at the Magical Bridge Playground for Individuals or Businesses that Contribute at Least \$200,000 per Zone.
5. Approval of an Extension of the Term of Contract with SAIC Energy, Environment & Infrastructure, LLC to August 28, 2013.
6. Approval of Contract with Sandis Engineers in an Amount Not to Exceed \$110,000 for Parking Garage Feasibility and Attendant Parking Study in Downtown Palo Alto.

**MOTION PASSED:** 8-0 Scharff Absent

## ACTION ITEMS

8. Public Hearing: Consider Extending through December 29, 2013 a Moratorium on the Use of Certain Parking Exemptions contained in Section 18.52.060(c) of the Zoning Ordinance Related to the Downtown and California Avenue Parking Assessment Areas; and Considerations for Making Exceptions from the Moratorium for Proposed Projects at 135 Hamilton Avenue and 636 Waverley Street.

# ACTION MINUTES

**MOTION:** Mayor Yeh moved, seconded by Council Member Shepherd to; 1) adopt the extension of the Interim Urgency Ordinance (Interim Ordinance) establishing a moratorium on the use of the Exempt Floor Area parking exemption set forth in Section 18.52.060(c) of the Palo Alto Municipal Code in connection with any permit, entitlement or development project, pending further study of Downtown and California Avenue parking issues for a period of thirty (30) days through December 29, 2012; and 2) Direct staff to return prior to further extension of the ordinance with proposed language related to potential exceptions for properties at 135 Hamilton Avenue and 636 Waverley Street.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to change number two to read "to direct Staff to return at the time of consideration of further extension of the ordinance with options for Council to consider related to potential exceptions for properties at 135 Hamilton Avenue and 636 Waverley Street."

**MOTION PASSED:** 8-0 Scharff absent

9. Budget Amendment Ordinance 5171 and Approval of a Loan Request from Palo Alto Housing Corporation in the Amount of \$3,220,220 for the Acquisition of 567-595 Maybell Avenue and Provide Direction to Staff to Extend a \$2.6 Million Short Term Loan (continued from November 13, 2012)

**MOTION:** Council Member Klein moved, seconded by Council Member Holman to; 1) adopt the attached Budget Amendment Ordinance (BAO) increasing the Fiscal Year 2013 Grants and Subsidies budget of the Commercial Housing In-Lieu Fund by \$400,000, transferring \$720,220 from the Stanford University Medical Center (SUMC) Infrastructure, Sustainable Neighborhoods and Communities and Affordable Housing Fund to the Residential Housing In-Lieu Fund, and increasing the Grants and Subsidies budget of the Residential Housing In-Lieu Fund by \$720,220, 2) approve and authorize the City Manager or designee to execute in substantially identical form the attached Acquisition and Development Agreement (ADA) (with attached form of promissory note, deed of trust and security agreement) with Palo Alto Housing Corporation (PAHC) to provide a loan of \$3,220,220, 3) authorize the City Manager or designee to execute all other documents required to implement the Agreements, including escrow instructions and to approve all necessary subordination agreements and direct the City Manager or designee to administer the provisions of the Agreements, 4) provide direction to staff whether to authorize an additional, short term (2-3 year) loan to PAHC in the amount of \$2,600,000, to be funded by the SUMC Infrastructure, Sustainable Neighborhoods and Communities and Affordable Housing Fund and, if so, to return with that loan agreement and budget amendment as a future Consent Calendar item.

# ACTION MINUTES

**INCORPORATED INTO THE MOTION WITH CONSENT OF THE MAKER AND SECONDER** to direct Staff to explore a preference in the regulatory agreement for seniors displaced due to loss of low-income housing elsewhere in Palo Alto, to the extent feasible and consistent with legal requirements and if approved by other funding sources.

**MOTION PASSED:** 8-0 Scharff absent

10. Recommendation of the Parks and Recreation Commission Concerning Ordinance 5172 Amendment of Section 22.04.180 of Chapter 24.04 of Title 22 [Park And Recreation Building Use And Regulations] of the Palo Alto Municipal Code and Amendment of Park and Open Space Regulations R1-4, R1-5a, R1-5b, and R1-10b to Impose Time Use Limitations on Sound Amplification Equipment at Lytton Plaza.

**MOTION:** Council Member Holman moved, seconded by Council Member XXXX to disallow amplified music at Lytton Plaza.

## **MOTION FAILED DUE TO THE LACK OF A SECOND**

**MOTION:** Council Member Klein moved, seconded by Council Member Espinosa to; 1) adopt the amendment to Palo Alto Municipal Code 22.04.180 to Title 22 of the Palo Alto Municipal Code (Attachment A) to impose time and use limitations for sound amplification equipment at Lytton Plaza, and 2) approve the amendments to the Park and Open Space Rules and Regulations R1-4, R1-5A, R1-5B, and R1-10B (Attachment B) to establish the specific times frames for amplified sound and the rules for the management of amplified music at Lytton Plaza (Attachment B), 3) Change language in the Park and Open Space Regulations Section R1-10B Lytton Plaza Noise Regulation to reflect a Monday through Thursday start time of 6:00 pm instead of 5:00 pm, and 4) Permit fee change to what staff determines to be full cost recovery not to exceed \$200.

**AMENDMENT TO MOTION:** Council Member Burt moved seconded by Mayor Yeh to accept staff report with the changes cited by maker but retain permit fee at \$90.00 (delete No. 4 from Motion).

## **AMENDMENT WITHDRAWN**

**MOTION PASSED:** 7-1 Holman no, Scharff absent

# ACTION MINUTES

## COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

Council Member Klein said he attended the Bay Area Water Supply and Conservation Agency Board of Directors bi monthly meeting. They discussed the progress of the water supply improvement project and an issuance of bonds.

Mayor Yeh discussed a city delegation that would be traveling to Shanghai to meet with key entities such as VMWare, Fodan University, and Finnegan Law Firm. He said the goal was to bring something back to the full Council addressing what they could accomplish.

Council Member Holman spoke regarding a community environmentalist, Philip LaRiviere.

ADJOURNMENT: The meeting was adjourned in honor of Philip LaRiviere at 10:04 P.M.