



CITY OF PALO ALTO CITY COUNCIL FINAL ACTION MINUTES

Special Meeting
June 13, 2013

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:07 P.M.

Present: Berman, Burt, Holman, Klein, Kniss, Price, Scharff, Schmid, Shepherd

Absent:

1. Continued Public Hearing – Assessment for California Avenue Area Parking Bonds - Plan G: FY 2013-2014; Adoption of a Resolution 9350 entitled "Confirming Engineer's Report and Assessment Roll, California Avenue Parking Project No. 92- 13 (For Fiscal Year 2013-2014)."

MOTION: Council Member Klein moved, seconded by Council Member Shepherd to adopt the attached Resolution (Attachment A) confirming the Engineer's Report and Assessment Roll for California Avenue District, Project No. 92-13.

MOTION PASSED: 7-0, Kniss, Price Absent

2. Continued Public Hearing (PUBLIC TESTIMONY CLOSED): Consideration of 567-595 Maybell Avenue Planned Community(PC), including: (1) Approval of a Mitigated Negative Declaration; (2) Adoption of a Planned Community Ordinance Amending the Zoning Map to Change the Zone Designations from R-2 and RM-15 to Allow a 15 Unit Single Family and 60 Unit Affordable Rental Development for Seniors, including Two Concessions under State Density Bonus Law (Building Height and Daylight Plane); and (3) Approval of a Resolution Amending the Comprehensive Plan Designation for a Portion of the Site to Single Family Residential (from Multifamily Residential), for the Project Located at 567-595 Maybell Avenue. *Quasi-Judicial.

MOTION: Council Member Kniss moved, seconded by Vice Mayor Shepherd to 1) Approve a Mitigated Negative Declaration (Attachment B); amended June 4, 2013, 2) Adopt a Planned Community Ordinance Amending the Zoning Map to Change the Zone Designations from R-2 and RM-15 to Allow a

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12 Unit Single Family and 60 Unit Affordable Rental Development for Seniors (Attachment A), including Two Concessions under State Density Bonus Law (Building height and Daylight Plane), and 3) Approve a Resolution Amending the Comprehensive Plan Designation for a Portion of the Site to Single Family Residential (from Multifamily Residential), for the Project Located at 567-595 Maybell Avenue (Attachment C).

REVISED MOTION: Council Member Kniss moved, seconded by Council Member Price to 1) Approve a Mitigated Negative Declaration (Attachment B); amended June 4, 2013, 2) Adopt a Planned Community Ordinance Amending the Zoning Map to Change the Zone Designations from R-2 and RM-15 to Allow a 12 Unit Single Family and 60 Unit Affordable Rental Development for Seniors (Attachment A), including Two Concessions under State Density Bonus Law (Building height and Daylight Plane), and 3) Approve a Resolution Amending the Comprehensive Plan Designation for a Portion of the Site to Single Family Residential (from Multifamily Residential), for the Project Located at 567-595 Maybell Avenue (Attachment C). Furthermore, to reduce the number of homes on Maybell from 9 to 6 and homes on both Maybell and Clemo would change from 3 stories to 2 stories.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to improve the street facing elevations of all single family units by varying setbacks of units along Maybell and Clemo. Strengthen and refine the design features, roof lines and landscaping of all housing units on entire site. Provide shuttle services for senior housing residents. Require the applicant to have an accelerated payment schedule of \$200 thousand for Maybell Ave improvements to ensure expediting of these improvements prior to the issuance of grading permits and building permits.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that in the hazardous materials section of the Mitigated Negative Declaration, change "no impact" to "less than significant" in H(a) (b) (c) and add mitigation measure: "sweep surrounding streets daily while contaminated soil is hauled offsite."

MOTION TO CONTINUE: Council Member Klein moved, seconded by Council Member Holman to continue this item to Monday, June 17th, during that time the Palo Alto Housing Corporation and the neighborhood will meet and negotiate to see if they can achieve a resolution, with the Mayor or his designee facilitating the discussions. Designees by Barron Park Association, Green Acres II Association, and the Maybell Action Group will be present, Mayor may add one or two members of the neighborhood.

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that in addition to Mayor or his designee attending the meeting appropriate City Staff may attend to provide technical answers.

AMENDMENT TO MOTION TO CONTINUE: Council Member Klein moved, seconded by Mayor Scharff that the agreement, if one is reached, would be submitted to City Clerk's office no later than 1:00 pm on Monday, June 17, 2013.

AMENDMENT TO MOTION TO CONTINUE PASSED: 8-0, Holman Abstaining

AMENDMENT TO MOTION TO CONTINUE: Council Member Kniss moved, seconded by Council Member Schmid to restrict the conversation to what was discussed on June 13, 2013, leaving discretion to the Mayor. Discussion will address the actual Motion made on June 13, 2013.

AMENDMENT TO MOTION TO CONTINUE PASSED 6-3 Burt, Klein, Scharff no

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to allow Council Members to ask technical questions (not comments) after vote this evening.

MOTION TO CONTINUE PASSED: 7-2 Kniss, Schmid no

3. Continued Public Hearing and Proposition 218 Hearing: Adoption of Budget Amendment Ordinance 5199 entitled "for FY 2014, including Adoption of Operating and Capital Budgets and Municipal Fee Schedule"; Adoption of 6 Resolutions 9351, 9352, 9353, 9354, 9355, 9356 entitled, "including: Adopting a Dark Fiber Rate Increase and Amending Utility Rate Schedules EDF-1 and EDF-2; Adopting a Water Rate Increase and Amending Utility Rate Schedules W-1, W-2, W-3, W-4 and W-7; Amending Utility Rate Schedule D-1 (Storm and Surface Water Drainage) to Increase Storm Drain."

MOTION: Council Member Schmid moved, seconded by Council Member Berman to approve the Finance Committee and Staff Recommendations on the portions of the Police, Fire, and CIP Budgets related to Stanford University for Fiscal Year 2014 and the related Ordinance portions.

MOTION PASSED: 8-0 Klein not participating

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MOTION: Vice Mayor Shepherd moved, seconded by Council Member Price to establish a base Human Services Resource Allocation Process at \$1,216,178 going forward as an advisory measure to the Finance Committee.

INCORPORATION WITH THE CONSENT OF THE MAKER AND SECNDER to formally refer to the Policy and Services Committee a proposal to split off Avenidas and PACCC from Human Services Resource Allocation Process process.

MOTION PASSED AS AMENDED: 9-0

MOTION: Council Member Burt moved, seconded by Mayor Scharff to adopt Budget Amendment Ordinance 5199 for the FY 2014 proposed Capital and Operating budgets and proposed Municipal Fee Schedule, including tentatively approved changed by the Finance Committee and to include the following changes: a \$511,000 increase to property tax revenue, an additional \$217,334 to the Community Services Department budget for the teen program contribution, an additional \$58,299 contribution to the Human Services Resource Allocation Process, and return \$589,000 to the Budget Stabilization Reserve for the 2% miscellaneous employee increase, leaving the proposed budget BSR increase to be \$855,000. In addition, include the change to the residential photovoltaic systems municipal fee, reducing the fee from \$320 to \$311. Request that Staff return with a plan for sustainable expenditure of the teen program funding based upon anticipated future revenue from the dedicated funding source; this is being referred to the Policy and Services Committee prior to returning to the full Council; Policy and Services will determine what Boards and Commissions should consider the program. Adopting Resolution 9351 for a Water Rate Increase and Amending Utility Rate Schedules W-1, W-2, W-3, W-4 and W-7; Adopt a Resolution 9352 Amending Utility Rate Schedule D-1 (Storm and Surface Water Drainage) to Increase Storm Drain Rates. Adopting Resolution 9353 for Dark Fiber Rate Increase and Amending Utility Rate Schedules EDF-1 and EDF-2. Adopt a Resolution 9354 Amending the 2011-2013 Compensation Plan for Management and Professional Adopted by Resolution No. 9282 to Change the Title and Salary of One Position; Adopt a Resolution 9355 Amending the 2012-2013 Memorandum of Agreement for Local 521, Service Employees International Union (SEIU), Adopted by Resolution No. 9277 to Add One new Classification and Adopt a Resolution 9356 Amending the 2010-2014 Compensation Plan for the International Association of Fire Fighters (IAFF) Adopted by Resolution No. 9204 to Properly Record the Top Step Salary for One Existing and Create One New Position.

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MOTION PASSED: 9-0

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

Mayor Scharff said that Council moved to hold the Council Retreat scheduled for June 13, 2013 to August. August was already full with meetings and he thought they should move the retreat to September instead.

MOTION: Mayor Scharff moved seconded by Council Member Berman to move the Council Retreat to September 2013.

Council Member Holman said that two Council Members would be at the League of Cities meeting in September and asked that they consider that when scheduling the Retreat.

MOTION PASSED: 9-0

Council Member Price asked for clarification on the policy regarding naming streets in memory of public safety members.

Molly Stump, City Attorney, said she would provide the policy to Council Member Price.

Council Member Holman said she believed the process for naming streets went to the Historical Association.

ADJOURNMENT: This meeting was adjourned at 09:55 P.M.