



# CITY OF PALO ALTO CITY COUNCIL MINUTES

Special Meeting  
Friday, June 28, 2013

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

Present: Berman, Burt, Price, Schmid, Shepherd

Participating by Phone: Klein, Kniss

Absent: Holman, Scharff

## ORAL COMMUNICATIONS

Fred Balin, expressed concerns regarding the new trees to be planted on California Avenue and remarked that the tree plans were not made available to the public at the June 2013 Architectural Review Board meeting. He wanted to be sure that the new trees remained true to the original planting plan and hoped his concerns were seriously considered.

Herb Borock, reported updates on the High Speed Rail (HSR) Litigation and said on June 28, 2013, the Judge pronounced a tentative ruling to overrule the demurrer of the Plaintiffs in the Brady Lawsuit. On June 27, 2013 the HSR Authority filed a request to continue the oral argument for the Cities appellant case; they requested permission for a supplemental briefing.

## CONSENT CALENDAR

1. SECOND READING: Planned Community Ordinance 5200 entitled "Ordinance of the Council of the City of Palo Alto Amending Section 18.08.040 of the Palo Alto Municipal Code (The Zoning Map) to Change the Classification of Property Located at 567-595 Maybell Avenue from R-2 Low Density Residential and RM-15 Multiple Family Residential to PC Planned Community Zone No. xxxx for a 12 single family and a 60 unit multifamily affordable rental development for seniors. (First Reading June 17, 2013 - Passed 9-0)"

# MINUTES

Robert Moss, thought it was unprecedented to have a Special City Council Meeting on a Friday. He noted that the Adopted Project report said there were "large numbers of seniors;" and announced some actual numbers of people that would be displaced. The traffic on Maybell Avenue was dangerous and was incompatible with the residential zoning in the area.

Deb Goldeen, supported the Palo Alto Housing Corporation and said it was an anchor for the community. She thought the Palo Alto municipality needed to support low income housing developments, housing for seniors, and housing for stable mentally challenged people. If there was effective traffic engineering in the Maybell Avenue neighborhood, there would not be problems.

Jennifer Fryhling, asked the City Council to reconsider the Maybell Avenue Ordinance and brought out that the "In Lieu Below Market Housing Fee" was changed or deleted in the original Ordinance. She also made note that the Mitigated Monitoring Program report was not in any previous reports submitted to Council.

Candice Gonzalez, Executive Director of the Palo Alto Housing Authority, supported the Maybell Avenue Project and said the project would generate the least amount of impact in comparison with other projects.

**MOTION:** Council Member Berman moved, seconded by Council Member Price to approve Agenda Item Number 1.

**MOTION:** Council Member Schmid moved to remove Agenda Item Number 1 from the Consent Calendar.

**MOTION FAILED DUE TO A LACK OF A SECOND AND A THIRD**

**MOTION PASSED:** 7-0 Holman and Scharff absent

Council Member Burt asked the City Attorney to remark on Ms. Fryhling's comments regarding noted changes in the Maybell Avenue Ordinance.

Cara Silver, Senior Assistant City Attorney referenced the 'In Lieu Housing Fee' and said the amount was put into the 'Conditions of Approval' report. Staff thought it was more appropriate in that place. She added that the 'Mitigation Monitoring report' was provided At Places tonight. The Mitigation Monitoring report contained the same mitigation measures that were contained in the Mitigated Negative Declaration.

# MINUTES

Vice Mayor Shepherd requested the five present Council Members to place their vote, and to have Council Member's Kniss and Klein to express their vote verbally over the phone line.

Council Member Kniss verbally voted yes on Agenda Item Number 1.

Council Member Klein verbally voted yes on Agenda Item Number 1.

**MOTION PASSED:** 7-0 Holman and Scharff absent

ADJOURNMENT: The meeting was adjourned at 5:16 P.M.