



CITY OF PALO ALTO CITY COUNCIL MINUTES

Special Meeting
September 30, 2013

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:30 P.M.

Present: Berman, Burt arrive at 5:50 P.M., Holman, Klein, Scharff, Schmid, Shepherd

Absent: Kniss, Price

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS

City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and (James Keene, Pamela Antil, Lalo Perez, David Ramberg, Joe Saccio, Kathryn Shen, Sandra Blanch, Dania Torres Wong, Val Fong, Marcie Scott, Brenna Rowe, Molly Stump)

Employee Organization: Service Employees International Union, (SEIU) Local 521

Authority: Government Code Section 54957.6(a)

Donna Grider, City Clerk, noted that Melissa Tronquet and Nancy Nagel would be participating as designated representatives in the Closed Session on SEIU.

The Council adjourned from Closed Session at 7:35 P.M. and Mayor Scharff announced no reportable action.

CITY MANAGER COMMENTS

James Keene, City Manager, announced that the Greer Park Pathway and Parking Lot Repair and Resurfacing Project would occur October 4-6 and 9-10, 2013. The Utilities Department key account representatives ranked Number 1 in the nation for customer satisfaction with respect to large business customers.

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COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

Mayor Scharff recognized that City Manager Keene reached his five-year anniversary with the City. The Mayor reported that he attended the NCPA annual conference in Squaw Valley.

Vice Mayor Shepherd attended Airport Day at Palo Alto Airport over the weekend and very much enjoyed the event.

Council Member Burt spoke about the monthly San Francisquito Creek Joint Powers Authority meeting which focused on the construction plan for downstream of Highway 101. The Caltrain Policy Maker Advisory Group met regarding level boarding which was important because between level boarding and electrification it becomes a more efficient system. The Peninsula Cities Consortium discussed that the Caltrain Policy Maker Advisory Group was not being well attended and should serve in a better advisory role. They were drafting letters for agencies to send to Caltrain sharing their concerns and recommendations.

ORAL COMMUNICATIONS

Palo Alto Free Press filed a third-party complaint with the Independent Police Auditor, which was concluded after five months. There was no accountability for the Independent Police Auditor. He requested the Council determine why the investigation required five months.

Victor Ojakian supported Measure D. Voting yes for Measure D guaranteed an affordable housing project in Palo Alto. Affordable housing was needed. He envisioned Palo Alto as a diversified community.

Joe Hirsch clarified misconceptions regarding community opposition to the rezoning of the Mayfield Orchard. Community members did not oppose development of senior housing under the current RM-15 Zone. High density projects resulted in increased traffic congestion, lack of adequate parking and cut-through traffic.

Stephanie Munoz felt the Council should follow the vision for development in the City. Apartments in the senior housing development should contain 375-400 square feet per unit, with the downstairs area utilized for community services.

Robert Moss did not agree with the traffic impacts reported for the affordable housing development at Maybell. Under existing zoning, the worst case for traffic impact would be 370 trips per day. A reasonable actual traffic

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generation from senior housing was 420 trips per day. The affordable housing project with Planned Community (PC) Zoning would create as much, if not more, traffic impact as existing zoning. Opponents of Measure D felt the Council made an honest mistake in allowing the PC Zone.

MINUTES APPROVAL

MOTION: Council Member Holman moved, seconded by Council Member Burt to: 1) send the Minutes of August 19, 2013 back to Staff and request they work with the Planning Staff to create a more in-depth analysis of the Architectural Review Board Study Session and bring back to Council at a later date; and 2) approve the Minutes of September 20, 2013.

Council Member Holman indicated a more accurate analysis of the meeting of August 19, 2013 would be appropriate. As proposed, the Minutes did not capture the Council's directions to the Architectural Review Board (ARB).

Mayor Scharff agreed that the proposed Minutes did not reflect the full discussion.

MOTION PASSED: 6-0-1 Berman abstaining, Kniss, Price Absent

CONSENT CALENDAR

Herb Borock noted for Agenda Item Number 2 differences in the current proposed Ordinance and a prior Ordinance with respect to entering and exiting City facilities and the imposition of criminal penalties. The proposed Ordinance should state that remaining in a City facility was prohibited. The language defining dedicated parkland should be revised.

Stephanie Munoz felt for Agenda Item Number 2 the proposed Ordinance penalized poor people. The proposed Ordinance did not address neighbors' concerns.

MOTION: Council Member Klein moved, seconded by Vice Mayor Shepherd to approve Agenda Item Number 2.

2. Recommendation that Council Adopt the Attached Corrected Version of the Community Facilities Closure Ordinance (Ordinance No. 5209), adding Section 9.06.020 to the Palo Alto Municipal Code – Overnight Use of Community Facilities Prohibited.

MOTION PASSED: 5-1-1 Holman no, Berman abstaining, Kniss, Price Absent

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ACTION ITEMS

3. Discussion and Possible Adoption of Core Values.

James Keene, City Manager, reported Core Values grew from the Council's discussion of Priorities. The Policy and Services Committee recommended appointment of a subcommittee to organize Core Values and Guiding Principles submitted by Council Members. The Committee attempted to craft a simple list of Core Values from Council Member suggestions. The Policy and Services Committee also recommended the use of the term Core Values and generated questions for Council discussion. One of the questions was whether the Preamble was well articulated and provided a definition of Core Values. Core Values should guide the Council's and Staff's actions and be relevant to the community. Simplicity and relevance and clear language were important.

Terry Godfrey, Project Safety Net Steering Committee Member, wanted thriving youth to be included as a Core Value. Palo Alto had a special relationship with children.

Vice Mayor Shepherd inquired about the organizations represented by members of the Steering Committee.

Ms. Godfrey indicated members represented YCS, different departments from the City, PTA Council, ACS, Palo Alto Unified School District (PAUSD) and Lucile Packard.

Ray Bacchetti, Human Relations Commissioner, adding thriving youth as a Core Value was vital for youth to remain in the front of the community's concerns.

Stephanie Munoz stated Palo Alto owed its existence to Jane Stanford and her Core Values. Open space should be a Core Value.

Kathleen Blanchard advocated youth as a Core Value. Expressing youth as a Core Value would result in families remaining in the City.

Council Member Berman felt the Council's Core Values should be the Core Values of the community. This exercise was an opportunity to engage the community in determining Core Values. The community could provide input through a virtual white board, an actual white board, and the Council's 2014 Retreat.

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MOTION: Council Member Berman moved, seconded by Council Member Burt for Staff to return to Council in early November with a plan for community outreach to solicit and encourage input from the community on what they think Palo Alto's Core Values are with the goal of having a Council discussion at the 2014 City Council Retreat.

Council Member Berman suggested the Council define Core Values versus Guiding Principles in order to focus the discussion at the Retreat.

Council Member Burt felt Core Values were intended to be enduring rather than timeless. Council Priorities were informed by the community, but they were an action plan for the Council. Core Values should reflect community values. Discourse among Council Members and with the community was essential. Utilizing community outreach to develop Core Values would fulfill the proposed Core Value of civic participation. The proposed Core Values did not track with the Core Values submitted by Council Members. He was unsure whether Financial Sustainability and Environmental Sustainability were subsets of the same Core Value. Council Members proposed youth and emergency preparedness for Core Values; yet, neither were included in the list of proposed Core Values. Clearly Council Members and the community were interested in more than five Core Values. A broad community discussion was needed.

Vice Mayor Shepherd agreed that Council Member suggestions could have been integrated better. The community was passionate about civic engagement. She hoped the Preamble would be visionary. The Comprehensive Plan was a vision for the City; however, few read it. The Council's Priority of Youth Well Being was an indication of the Council's support for the City's youth. Education was an important aspect of Palo Alto. She questioned the meaning of quality of life, especially regarding the community's definition of quality of life. Innovation and Entrepreneurship should be expanded to include the international technology companies attracted to Palo Alto. Safe and healthy communities should include thriving youth. She requested an explanation of how Staff would handle the Motion.

Mr. Keene felt the Core Values, as expressed by the Council, should have meaning. After receiving community input, the Council would still need to transform the community's suggestions into Core Values that the Council could support and express. The Council's adoption of Core Values would indicate to the community that it could hold the Council accountable for reflecting the Core Values. The general headings were meant to capture values without being prescriptive. Emergency preparedness was encapsulated under Safe and Health Community. Emergency preparedness alone begged the question of other public safety issues. With respect to

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defining quality of life, the Council could generally agree that it wanted a quality of life and be committed to achieving and protecting that. If the Council chose to engage the community, then the effort should capture a great deal of attention to broaden participation.

Vice Mayor Shepherd believed the Council should have discussed the issues prior to entertaining a Motion. She wanted to hear other Council Members' comments. She wanted to understand the aspects of Palo Alto that attracted residents and businesses in order to build relationships with commuters into Palo Alto.

Council Member Holman indicated the Council needed to have broad community participation in developing Core Values. The Policy and Services Committee discussion referenced the City's Charter and Comprehensive Plan, but that was not reflected in the Staff Report. A framework for the community discussion was needed to have good participation. The recognition that the Council was a government entity and served at the public's pleasure and as a representative body of the public was missing from the discussion. She needed to see something referencing that responsibility, that commitment, that dedication to the public. Core Values should be a topic of a Retreat with more community involvement. Before the public could suggest Core Values, the Council should describe the purpose of the exercise. She wanted the community's input to be focused.

Council Member Burt suggested the discussion should be framed around a set of possible Core Values. He assumed Council Member Holman wished to refine a larger set of prospective Core Values that shared a common interest with Core Values proposed by Council Members.

Council Member Holman wished to set forth for the public the purpose of the exercise to prevent the definition of a single Guiding Principle.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND THE SECONDER to add "framed around a to-be-determined purpose of this exercise" after "...encourage input from the community".

Council Member Berman agreed that explaining the purpose of the exercise would add value to the discussion; however, he did not wish to be too prescriptive.

Council Member Schmid noted that three of four members of the Policy and Services Committee wanted to identify vision statements to help tailor Core Values. The problem with vision statements contained within the Comprehensive Plan was that the Comprehensive Plan was written in 1998

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after 30 years of very little demographic change in Palo Alto. Over the past 14 years, Palo Alto underwent dynamic residential and business growth. With public input and a nice definition of what was needed, the Council could determine Core Values that would help them deal with the change.

Council Member Klein expressed concern that the discussion would transform into the definition of a Comprehensive Plan. Guiding Principles had to be general to be enduring. At a future retreat on Core Values, he would attempt to focus the discussion on a few generalized statements that could apply on an enduring basis. The proposed Preamble and Core Values were provided as guidelines for community input. The Policy and Services Committee discussed the number of Core Values that were appropriate. Having a large number of Core Values was the same as having no Core Values.

Mayor Scharff concurred with Council Member Klein's comments. The Core Values should be general. The Council's responsibility was to interpret and consider what was best for the community. A definition of quality of life was not needed, because it had different meanings for different people. The Council should be careful not to be too prescriptive.

MOTION PASSED: 7-0 Kniss, Price Absent

COUNCIL ADJOURNED INTO CLOSED SESSION AT 9:30 P.M.

CLOSED SESSION

Herb Borock suggested the Council consider the Naylor Act when negotiating a price for the playing fields at Cubberley Community Center. If every service was required to pay for itself, then the Council should take into account the lease payments and capital improvements for Cubberley to determine the cost of service for each service using Cubberley.

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS, CALIFORNIA GOVERNMENT CODE SECTION 54956.8

Properties:

Cubberley Community Center, 4000 Middlefield Road, Palo Alto 94306 (including 8 acres owned by the City of Palo Alto and remaining acres owned by the Palo Alto Unified School District); and Ventura School site, 3990 Ventura Court, Palo Alto 94306

Agency Negotiators:

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James Keene, Pam Antil, Lalo Perez, Joe Saccio, Hamid Ghaemmaghmi, Greg Betts, Rob De Geus, Thomas Fehrenbach, Aaron Aknin, Molly Stump

Negotiating Parties:

City of Palo Alto and Palo Alto Unified School District

Under Negotiation:

Lease and/or Purchase/Sale*

Price and Terms of Payment

*Purchase/sale is listed to comply with Brown Act legal requirements, and include various types of transactions including but not limited to easements, options, rights of first refusal and land exchanges.

5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS, CALIFORNIA GOVERNMENT

CODE SECTION 54956.8

Property:

U.S. Post Office, 380 Hamilton Avenue, Palo Alto 94301

Agency Negotiators:

James Keene, Lalo Perez, Hamid Ghaemmaghmi, Joe Saccio, Aaron Aknin, Meg Monroe, Molly Stump, Cara Silver

Negotiating Parties:

City of Palo Alto and United States Post Office

Under Negotiation: Purchase: Price and Terms of Payment

ADJOURNMENT: The meeting was adjourned at 11:15 P.M.